



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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JANICE K. BREWER
Governor

GEORGE MEHNERT
Executive Director

COMBINED MEETING MINUTES

Bisbee, Arizona, June 7, 2013

and Continuation, Phoenix, Arizona, August 1, 2013

and Continuation, Phoenix, Arizona, August 2, 2013

NOTE: ANSAC has a court reporter transcription of the audio tapes of the Hearing held in Bisbee, Arizona held on June 7, 2013, and of the court reporter transcriptions of the continuation hearing held in Phoenix, Arizona on August 1, 2013 and August 2, 2013.

June 7, 2013, Bisbee, Arizona

COMMISSION MEMBERS PRESENT

Jim Henness, Jim Horton, Wade Noble

COMMISSION MEMBERS ABSENT

Cecil Miller

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at 10:03 a.m.

2. Roll Call

See above for members present and absent.

3. Introduction of Commissioner Jim Horton

Commissioner Jim Horton was introduced by Chairman Wade Noble

4.&5. Approval of the Executive Session Minutes and of Regular Session Minutes of October 22, 2012(discussion and action).

No Discussion.

Motion by: Jim Henness Second by: Wade Noble

Motion to accept both minutes as submitted. Vote: All aye.

6. Hearing regarding the San Pedro River.

The Commission received testimony and physical evidence by several individuals, including agenda item number 7, Call for Public Comment at the beginning of the hearing to invite local citizens and others to participate in the morning rather than near the end of the day.

The Commission recessed for lunch at approximately 12:15 p.m. and reconvened at approximately 1:17 p.m.

Hearing ended at approximately 4:16 p.m. and the Chair announced the hearing regarding the San Pedro River would be continued at a date to be announced in Phoenix, Arizona.

Hearing Continuation, August 1, 2013, at 9:00 a.m., 1700 W. Washington, Phoenix, Arizona, in the basement Grand Canyon Conference Room.

COMMISSION MEMBERS PRESENT

Wade Noble, Cecil Miller, Jim Henness, Jim Horton

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at 9:01 a.m.

2. Roll Call

See above for members present and absent.

3. Introduction of Commissioner Jim Horton

Completed at June 7, 2013 meeting in Bisbee, Arizona.

4.&5. Approval of the Executive Session Minutes and of Regular Session Minutes of October 22, 2012(discussion and action).

Completed at June 7, 2013 meeting in Bisbee, Arizona.

6. Hearing regarding the San Pedro River, continued from June 7, 2013.

The Commission heard more testimony and received additional evidence, beginning with the testimony and introduction of physical evidence by Arizona Senator Gail Griffin, a resident of Hereford, Arizona.

The Commission recessed for lunch at approximately 12:15 p.m. and reconvened at approximately 1:15 P.m. The San Pedro River hearing recessed at approximately 5:15 p.m. including an announcement by the Chair that the Commission would reconvene the following day, August 2, 2013 at 9:00 a.m. and at the same location. Before recessing the Chair asked for public comment.

**Hearing Continuation, August 2, 2013, at 9:00 a.m., 1700 W. Washington,
Phoenix, Arizona, in the basement Grand Canyon Conference
Room.**

COMMISSION MEMBERS PRESENT

Wade Noble, Cecil Miller, Jim Henness, Jim Horton

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at 9:00 a.m.

2. Roll Call

See above for members present and absent.

3. Introduction of Commissioner Jim Horton

Completed at June 7, 2013 meeting in Bisbee, Arizona.

**4.&5. Approval of the Executive Session Minutes and of Regular Session
Minutes of October 22, 2012(discussion and action).**

Completed at June 7, 2013 meeting in Bisbee, Arizona.

**6. Hearing regarding the San Pedro River, continued from August 2,
2013.**

The Commission heard more testimony and received additional evidence, and the Commission Chair again asked for public comment. The Commission recessed for lunch at approximately 11:45 p.m. and reconvened at approximately 12:30 p.m. The San Pedro River hearing closed for testimony evidence at approximately 3:00 p.m. with instructions by the Chair concerning holding the record open for receiving physical evidence until 12:00 p.m. on Friday, August 23, 2013 and including instructions by the Chair concerning submission of Post Hearing Opening Legal Memorandums not later than 12:00 p.m. on Friday, September 13, 2013 and Response Legal Memorandums not later than 12:00 p.m. on Friday, September 27, 2013. Also included in the Chair's instructions was the submission of Order, Findings of Fact

and Conclusions of Law to be submitted either with the Opening or Response Memorandums.

7. Call for Public Comment (comment sheets). The Chair included public comments under item number 6 on June 7, 2013, on August 1, 2013, and on August 2, 2013.

(Pursuant to Attorney General Opinion No. 199-006 [R99-002]. Public Comment: Consideration and discussion of comments and complaints from the public. Those wishing to address the Commission need not request permission in advance. Action taken at this meeting as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.)

8. Future meeting dates and future agenda items.

None scheduled at this time.

9. ADJOURNMENT.

The chair adjourned the meeting at approximately 3:00 p.m.

Respectfully submitted,



George Mehnert, Director

August 6, 2013