



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

1700 West Washington, Room B54, Phoenix, Arizona 85007

Phone (602) 542-9214 FAX (602) 542-9220

JANICE K. BREWER
Governor

E-mail: nav.streams@ansac.az.gov Web Page: <http://www.ansac.az.gov>

GEORGE MEHNERT
Executive Director

COMBINED MEETING MINUTES

**Phoenix, Arizona, June 16, 2014, June 17, 2014, June 18, 2014, June 19,
2014, and June 20, 2014**

DAY ONE

June 16, 2013, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Henness, Jim Horton, Wade Noble

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

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

2. Roll Call

See above for members present and absent.

3. Approval of Minutes for May 1, 2014 (discussion and action).

Minutes approved without objection.

- 4. Hearing regarding the Gila River.** The Commission will receive physical evidence and testimony on two narrow issues: (1) navigability or non-navigability of the Gila River in its "ordinary and natural condition" at the State of Arizona's admission to the United States on February 14, 1912, consistent with the Arizona Court of Appeals decision in *State v. Arizona Navigable Stream Adjudication Comm'n*, 224 Ariz. 230, 229 P.3d 242 (App. 2010); and (2) segmentation of the Gila River consistent with the United States Supreme Court's decision in *PPL Montana, LLC v. Montana*, 556 U.S. ___, 132 S.Ct. 1215 (2012). The Commission received evidence. The Commission heard testimony from the following witnesses: John Fuller.

The hearing regarding the Gila River recessed for the day at approximately 4:40 p.m. with an announcement by the Chair that the hearing would continue the following day, June 17, 2014 at 9:00 a.m.

DAY TWO

June 17, 2014

Gila River hearing continuation June 17, 2014, 9:00 a.m., 1700 W. Washington St., Senate Hearing Room 1, 85007.

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Henness, Jim Horton, Wade Noble

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

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

2. Roll Call

See above for members present and absent.

3. Approval of Minutes. No Minutes to consider.

4. Continuation of the Hearing regarding the Gila River.

The Commission received evidence. The Commission heard testimony from the following witnesses: John Fuller.

The hearing regarding the Gila River recessed for the day at approximately 4:55 p.m. with an announcement by the Chair that the hearing would continue the following day, June 18, 2014 at 9:00 a.m.

DAY THREE

June 18, 2014

Gila River hearing continuation June 18, 2014, 9:00 a.m., 1700 W. Washington St., Senate Hearing Room 1, 85007.

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Henness, Jim Horton, Wade Noble

Commissioner Henness left at approximately 3:15 p.m.

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

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

2. Roll Call

See above for members present and absent.

3. Approval of Minutes. No Minutes to consider.

4. Continuation of the Hearing regarding the Gila River.

The Commission received evidence. The Commission heard testimony from the following witnesses: Donald Farmer, John Fuller, and Allen Gookin.

The hearing regarding the Gila River recessed for the day at approximately 5:22 p.m. with an announcement by the Chair that the hearing would commence the following day, June 19, 2014 at 9:00 a.m.

DAY FOUR

June 19, 2014

Gila River hearing continuation June 18, 2014, 9:00 a.m., 1700 W. Washington St., Senate Hearing Room 1, 85007.

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Henness, Jim Horton, Wade Noble
Commissioner Henness left at approximately 3:15 p.m.

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

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

2. Roll Call

See above for members present and absent.

3. Approval of Minutes. No Minutes to consider.

4. Continuation of the Hearing regarding the Gila River.

The Commission received evidence. The Commission heard testimony from the following witnesses: Allen Gookin.

The hearing regarding the Gila River recessed for the day at approximately 5:22 p.m. with an announcement by the Chair that the hearing would commence the following day, June 20, 2014 at 9:00 a.m.

DAY FIVE

June 20, 2014

Gila River hearing continuation June 19, 2014, 9:00 a.m., 1700 W. Washington St., Senate Hearing Room 1, 85007.

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Hennes, Jim Horton, Wade Noble
Commissioner Hennes left at approximately 3:35 p.m.

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at approximately 9:03 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes. No Minutes to consider.

4. Continuation of the Hearing regarding the Gila River.

The Commission received evidence. The Commission heard testimony from the following witnesses: Allen Gookin, and Rich Burtell.

5. Call for Public Comment (comment sheets). *(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.)*

No Public Comment.

6. Future meeting dates and future agenda items.

Continuation of Gila River and beginning of Upper Salt River hearing on August 18, 2014 at 9:00 a.m. in Senate Hearing Room 1, 1700 W. Washington,

Phoenix, AZ 85007. Pinal County Gila River hearing on August 29, 2014 at 11:00 a.m., 31 North Pinal Street, Building A Florence, Arizona 85132 .

7. ADJOURNMENT.

The hearing regarding the Gila River recessed for the day at approximately 4:20 p.m. with an announcement by the Chair that the hearing would be continued on August 18, 2014 at 9:00 a.m. in Senate Hearing Room 1, 1700 W. Washington St., Phoenix, AZ 85007, that the conclusion of the Gila River would be followed by the hearing on the Upper Salt River, and that on August 29, 2014 the Gila River hearing would be continued in Pinal County at 11:00 a.m., 31 North Pinal Street, Building A Florence, Arizona 85132 .

Meeting Adjourned at approximately 5:15 p.m.

Respectfully submitted,



George Mehnert, Director

June 23, 2014