



STATE OF ARIZONA  
NAVIGABLE STREAM ADJUDICATION COMMISSION

1700 West Washington, Room B-54, Phoenix, Arizona 85007

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GEORGE MEHNERT  
Executive Director

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AGENDA AND NOTICE OF HEARING, SALT RIVER  
TO BE HELD BEGINNING October 20, 2015 at 9:00 a.m.  
PHOENIX, ARIZONA

Pursuant to A.R.S. § 37-1126, notice is hereby given that the Navigable Stream Adjudication Commission ("Commission") will hold a public hearing on October 20-23, 2015 and November 17-20, 2015 beginning at 9:00 a.m. at the Arizona State Senate Building, Hearing Room Number 1, 1700 West Washington, Phoenix, Arizona 85007. Additional public hearing dates are scheduled for January 26-29, 2016 and February 23-26, 2016 beginning at 9:00 a.m. at the offices of Squire Patton Boggs (US) LLP, 1 East Washington Street, Suite 2700, Phoenix, Arizona 85004. The hearing may adjourn without having used all scheduled hearing dates. The hearing may also be continued further if necessary.

Pursuant to A.R.S. § 38-431.03(A)(3), the Navigable Stream Adjudication Commission may vote to go into Executive Session for purposes of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, or pursuant to A.R.S. § 38-431.03(A) or for discussion of records exempt by law from public inspection on any matter listed on the agenda.

Title 2 of the American with Disabilities Act (ADA) prohibits the Commission from discriminating on the basis of disability in its public meetings. Individuals with disabilities who need a reasonable accommodation to attend or communicate at the Commission's meeting, or who require this information in alternate format, may contact George Mehnert at (602) 542-9214 to make their needs known. Requests should be made as soon as possible so the Commission will have sufficient time to respond. For those individuals who have a hearing impairment, this Commission can be reached through the Arizona Relay Service at 1-800-367-8939 (TTY) or 1-800-842-4681 (Voice). The agenda for the meeting is as follows:

1. CALL TO ORDER.
2. Roll Call.
3. Approval of Minutes for June 23, 2015 (discussion and action).
4. Hearing regarding the Salt River: The Commission will receive physical evidence and testimony on two narrow issues: : (1) navigability or non-navigability of the Salt River in its "ordinary and natural condition" at the time of 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 Salt 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 Upper Salt River and Lower Salt River cases were consolidated by the Commission on May 20, 2015, and physical evidence and testimony pertaining to both the upper and lower portions of the Salt River will be taken at this hearing.
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 ordinarily be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.)*
6. Future meeting dates and future agenda items.
7. ADJOURNMENT.

The chair reserves the right to alter the order of the agenda.

A handwritten signature in cursive script, appearing to read "George Mehnert".

Dated this 1<sup>st</sup> Day of September, 2015  
George Mehnert, Director  
Navigable Stream Adjudication Commission.