



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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JANICE K. BREWER
Governor

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GEORGE MEHNERT
Executive Director

COMBINED MEETING MINUTES
Phoenix, December 15, 16, 17, 18, 19, 2014
Verde River Hearing

DAY ONE

December 15, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Commissioner Bill Allen, Commissioner Jim Horton, Chairman Wade Noble.

COMMISSION MEMBERS ABSENT

Commissioner Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at approximately 9:05 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes for November 19, 2014 (discussion and action).

Motion by: Jim Horton to approve minutes as submitted.

Second by: Bill Allen.

Vote approve minutes as submitted, all Aye.

4. Continuation of the Hearing Regarding the Verde River.

The Commission will receive physical evidence and testimony on two narrow issues: (1) navigability or non-navigability of the Verde 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 Verde River consistent with the United States Supreme Court's decision in *PPL Montana, LLC v. Montana*, 556 U.S. ___, 132 S.Ct. 1215 (2012).

Witnesses who appeared: Jon Fuller.

The hearing regarding the Verde River recessed for the day at approximately 4:50 p.m. with an announcement by the Chair that the hearing would continue the following day, December 16, 2014 at 9:00 a.m.

DAY TWO

December 16, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Commissioner Bill Allen, Commissioner Jim Horton, Chairman Wade Noble

COMMISSION MEMBERS ABSENT

Commissioner Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:02 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. Continuation of Verde River Hearing.

Witnesses who appeared: Jennifer Martin, Jon Fuller, Richard Lynch, Don Farmer.

The hearing regarding the Verde River recessed for the day at approximately 2:58 p.m. with an announcement by the Chair that the hearing would continue the following day, December 17, 2014 at 9:00 a.m.

DAY THREE

December 17, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Commissioner Bill Allen, Commissioner Jim Horton, Chairman Wade Noble

COMMISSION MEMBERS ABSENT

Commissioner Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:00 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. Continuation of Verde River Hearing.

Witnesses who appeared: Don Farmer, Jon Fuller.

The hearing regarding the Verde River recessed for the day at approximately 5:28 p.m. with an announcement by the Chair that the hearing would continue the following day, December 18, 2014 at 9:00 a.m.

DAY FOUR

December 18, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Commissioner Bill Allen, Commissioner Jim Horton, Chairman Wade Noble

COMMISSION MEMBERS ABSENT

Commissioner Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:05 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. Continuation of Verde River Hearing.

Witnesses who appeared: John Fuller, Hjalmar W. "Win" Hjalmarson.

The hearing regarding the Verde River recessed for the day at approximately 5:10 p.m. with an announcement by the Chair that the hearing would continue the following day, December 19, 2014 at 9:00 a.m.

DAY FIVE

December 19, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Commissioner Bill Allen, Commissioner Jim Horton, Chairman Wade Noble

COMMISSION MEMBERS ABSENT

Commissioner Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:02 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. Continuation of Verde River Hearing.

Witnesses who appeared: Hjalmar W. "Win" Hjalmarson.

The hearing regarding the Verde River recessed for the day at approximately 2:40 p.m. with an announcement by the Chair, following a scheduling conference that the hearing would continue on the following dates: February 18, 19, 20, 23, 24, 25. And that the Upper and Lower Salt Rivers would probably take between 8 and 10 days and would convene and be scheduled on the following dates: March 16, 17, 18, 19, 20, and 30. And April 1, 2, and 3, 2015.

5. Future meeting dates and future agenda items.

See previous entry regarding Continuation of the Verde River Hearing.

6. Adjournment.

Meeting was recessed at approximately 2:40 December 19, 2014 to reconvene on February 18, 2015.

Respectfully submitted



George Mehnert, Director
December 19, 2014