



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, SAN PEDRO RIVER  
TO BE HELD June 7, 2013 at 1:00 p.m.  
BISBEE, ARIZONA

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Navigable Stream Adjudication Commission and to the general public that the Navigable Stream Adjudication Commission will hold a hearing open to the public on June 7, 2013 at 1:00 p.m. at the Cochise County Board of Supervisors Board Room, Building G 1415 West Melody Lane, Bisbee, Arizona 85603.

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. Introduction of Commissioner Jim Horton.
4. Approval of Executive Session Minutes of October 22, 2012. (discussion and action).
5. Approval of Regular Session Minutes of October 22, 2012. (discussion and action).
6. Hearing regarding the San Pedro River: The Commission will receive physical evidence and testimony on two narrow issues: (1) navigability or non-navigability of the San Pedro River in its "ordinary and natural condition" prior to 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 San Pedro River consistent with the United States Supreme Court's decision in *PPL Montana, LLC v. Montana*, 556 U.S. \_\_\_, 132 S.Ct. 1215 (2012).
7. 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.)*

8. Future meeting dates and future agenda items.

9. ADJOURNMENT.

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

A handwritten signature in black ink, appearing to read "George Mehnert". The signature is fluid and cursive, with a prominent loop at the end.

Dated this 3<sup>rd</sup> day of May, 2013

George Mehnert, Director

Navigable Stream Adjudication Commission.