



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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Governor

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GEORGE MEHNERT
Executive Director

Meeting Minutes
Phoenix, Maricopa County, June 28, 2004

COMMISSION MEMBERS PRESENT

Jay Brashear, Earl Eisenhower, James Henness

COMMISSION MEMBERS ABSENT

Dolly Echeverria, Cecil Miller

STAFF PRESENT

Curtis Jennings Legal Counsel, George Mehnert

1. CALL TO ORDER.

Chairman Eisenhower called the meeting to order at approximately 10:00 a.m.

2. ROLL CALL.

See above.

3. APPROVAL OF MINUTES (discussion and action).

A. March 9, 2004 in Pinal County.

Motion by: Jim Henness Second by: Jay Brashear

Motion: To approve the minutes of March 9, 2004 as submitted. Vote: All aye.

4. DISCUSSION AND CONSIDERATION OF THE REPORT REGARDING THE NAVIGABILITY OF ALL OF THE SMALL AND MINOR WATERCOURSES IN GREENLEE COUNTY.

Motion by: Jay Brashear Second by: Jim Henness

Motion: To approve the report regarding the navigability of the small and minor watercourses in Greenlee County as submitted.

Vote: All aye.

5. DISCUSSION AND CONSIDERATION OF THE REPORT REGARDING THE NAVIGABILITY OF ALL OF THE SMALL AND MINOR WATERCOURSES IN GRAHAM COUNTY.

Motion by: Jim Henness Second by: Jay Brashear

Motion: To approve the report regarding the navigability of the small and minor watercourses in Graham County as submitted.

Vote: All aye.

6. DISCUSSION AND CONSIDERATION OF THE REPORT OF THE NAVIGABILITY OF THE BLUE RIVER.

Motion by: Jay Brashear Second by: Jim Henness

Motion: To approve the report regarding the navigability of the Blue River as submitted.

Vote: All aye.

7. DISCUSSION AND CONSIDERATION OF THE REPORT REGARDING THE NAVIGABILITY OF THE SAN FRANCISCO RIVER.

Motion by: Jim Henness Second by: Jay Brashear

Motion: To approve the report regarding the navigability of the San Francisco River.

Vote: All aye.

8. 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 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.)

Mr. Mike Petty spoke regarding the process of hearings and determinations of navigability and non-navigability and regarding the topic of ownership and control of property once title is obtained by or granted to a particular person.

Chairman Eisenhower and Legal Counsel Curtis Jennings addressed Mr. Petty's questions regarding the Commission's processes, including the appeals process and times involved and title once navigability has been determined

9. FUTURE AGENDA ITEMS AND ESTABLISHMENT OF FUTURE HEARINGS AND OTHER MEETINGS.

The Commission decided it would try to meet in September 2004, in Phoenix, to vote on the final report regarding the Lower Salt River, and on the navigability of the San Pedro River, the Santa Cruz River, and the small and minor watercourses in Pinal County. The Commission also decided it would try to meet in Gila County in October 2004 to hold navigability hearings on the small and minor watercourses in Gila County and on the Gila River, the Upper Salt River, and the Verde River. The Commission also decided it would try to complete the navigability hearings on the Upper Salt River and the Verde River before the end of 2004.

10. ADJOURNMENT.

Motion by: Jim Hennes Second by: Jay Brashear
Motion: To adjourn. Vote: All aye.
Meeting adjourned at approximately 10:30 a.m.

Respectfully submitted,



George Mehnert, Director
June 29, 2004