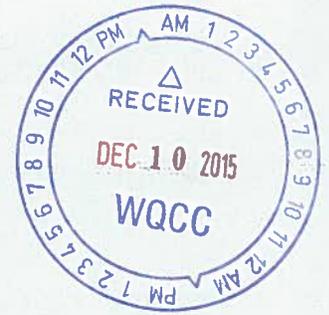


STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION



IN THE MATTER OF THE PROPOSED
AMENDMENTS TO STANDARDS FOR
INTERSTATE AND INTRASTATE WATERS,
20.6.4 NMAC

)
)
) WQCC No. 14-05(R)
)
)
)

**MOTION FOR EXTENSION OF TIME TO SUBMIT CLOSING ARGUMENTS AND
PROPOSED STATEMENT OF REASONS**

AND

REQUEST FOR EXPEDITED CONSIDERATION

Amigos Bravos respectfully requests an extension of time—to apply to all parties—to submit closing arguments and proposed statement of reason from Monday, December 14, 2015 to Friday, January 15, 2016. Given the looming deadline, Amigos Bravos also respectfully requests expedited consideration of this motion as soon as possible. In support of this motion, Amigos Bravos states as follows:

1. Counsel for Amigos Bravos conferred with the other parties in advance of filing this motion. The New Mexico Environment Department, Peabody, Chevron Mining, Freeport-McMoRan Chino Mines, and the San Juan Water Commission do not object to Amigos Bravos' request. Los Alamos National Laboratories and the Department of Energy, as of the date and time of this motion's filing, did not provide their position.
2. Counsel for Amigos Bravos is subject to two federal court brief deadlines in two separate federal appellate cases, *Diné Citizens Against Ruining Our Environment, et al. v. U.S. Office of Surface Mining, et al.*, Case No. 15-1126 (10th Cir.) and *Diné Citizens Against Ruining Our Environment, et al. v. Sally Jewell, et al.*, Case No. 15-2130 (10th Cir.). These briefs are due on December 14, 2015 and December 18, 2015 respectively.
3. Counsel for Amigos Bravos was also subject to a technical administrative comment deadline of December 10, 2015 regarding the Santa Fe National Forest's Forest Plan revision process and a similar technical administrative comment deadline of November 20, 2015 regarding the Carson National Forest's Forest Plan revision process.
4. Counsel for Amigos Bravos also holds end-of-the-year financial and managerial responsibilities for their firm, inclusive of business meetings with out-of-state consultants on December 11, 2015, organizational budgeting, and an organizational board meeting on December 14, 2015, both of which were scheduled prior to the Commission's November

9, 2015 notice of transcript filing which set the December 14, 2015 deadline for the parties' closing arguments and proposed statements of reasons.

5. Counsel for Amigos Bravos also has an out-of-state business trip scheduled for December 15-18, 2015, and a family vacation scheduled for December 18, 2015 through January 4, 2016, both of which were scheduled prior to the Commission's November 9, 2015 notice of transcript filing which set the December 14, 2015 deadline for the parties' closing arguments and proposed statements of reasons. These obligations make submission of closing arguments and proposed statements of reasons before the end of the year difficult.
6. Extending the deadline for closing arguments and proposed statements of reasons to January 15, 2016 would afford Amigos Bravos—and any other parties that are dealing with end-of-year commitments—the ability to fully review the transcript and full record to ensure that their arguments are as constructive and informative as possible.

Respectfully submitted this 10th day of December 2015.

By: 

Erik Schlenker-Goodrich
eriksg@westernlaw.org

Kyle Tisdel
tisdel@westernlaw.org

Western Environmental Law Center
208 Paseo del Pueblo Sur, #602
Taos, NM 87571
575.613.4197 (p)
575.751.1775 (f)

Counsel for Amigos Bravos

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading was serviced by email, on December 10,

2015 to:

Pam Castaneda, Boards & Commissions Administrator

New Mexico Environment Department
1190 S. St. Francis Drive, S2102
P.O. Box 5469
Santa Fe, New Mexico USA 87502
E-mail: Pam.Castaneda@state.nm.us

Kathryn S. Becker, Esq.

John Verheul

Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
P.O. Box 5469
Santa Fe, New Mexico 87502
kathryn.becker@state.nm.us
john.verheul@state.nm.us

Dalva L Moellenberg, Esq.

Germaine R. Chappelle, Esq.

1239 Paseo de Peralta
Santa Fe, NM 87501
dln@gknet.com
germaine.chappelle@gknet.com

Stuart R. Butzier, Esq.

Modrall, Sperling, Roehl, Harris & Sisk, P.A.
P.O. Box 9318
Santa Fe, New Mexico 87504-9318
sbutzier@modrall.com

Louis W. Rose

Montgomery & Andrews, P.A.
P.O. Box 2307
Santa Fe, NM 87504-2307
lrose@montand.com

Lara Katz

Montgomery & Andres, P.A.
P.O. Box 2307

Santa Fe, NM 87504-2307
lkatz@montand.com

Jolene L. McCaleb
Taylor & McCaleb, P.A.
P.O. Box 2540
Corrales, NM 87048-2540
jmccaleb@taylormccaleb.com

Timothy A. Dolan
Office of Laboratory Counsel
Los Alamos National Laboratory
P.O. Box 1663, MS A187
Los Alamos, NM 87545
tdolan@lanl.gov

Lisa Cummings
Staff Attorney
Office of Counsel
Los Alamos Site Office
U.S. Department of Energy
528 35th Street
Los Alamos, NM 87544-2201
lisa.cummings@nnsa.doe.gov



Erik Schlenker-Goodrich
Western Environmental Law Center