

STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION



NEW MEXICO ENVIRONMENT DEPARTMENT,
GROUND WATER QUALITY BUREAU,

Complainant

WQCC 17-09(A)

v.

CHAMPS INVESTMENTS D.B.A.
LA VISTA MOBILE HOME PARK,

Respondent.

**NEW MEXICO ENVIRONMENT
DEPARTMENT'S WITNESS AND EXHIBIT LIST**

The New Mexico Environment Department Ground Water Quality Bureau ("Bureau") hereby submits its Witness and Exhibit List pursuant to 20.1.3.19.E NMAC. The Bureau submits this list in anticipation of the hearing scheduled to be held in this matter before the New Mexico Water Quality Control Commission on January 9, 2018.

Bureau Witness:

Michelle Hunter,
Bureau Chief
Ground Water Quality Bureau
New Mexico Environment Department
P.O. Box 5469 - 1190 St. Francis Dr.,
Santa Fe, New Mexico 87502-5469

Bureau Exhibits:

1. Administrative Compliance Order GWQB 17-21(CO), issued September 26, 2017;
2. New Mexico Office of the Secretary of State Business Services Division records for Champs Investments III, LLC;
3. New Mexico Environment Department Environmental Health Bureau Inspection documentation, October 16, 2015;
4. New Mexico Environment Department Environmental Health Bureau Inspection documentation, October 26, 2015;

5. Notice of Violation of Liquid Waste Disposal Regulations 20.7.3 NMAC, issued by New Mexico Environment Department Environmental Health Bureau;
6. Notice of Violation, Vista del Canyon Mobile Home Park, AI: 36698, issued by New Mexico Environment Department Ground Water Quality Bureau (via certified mail: 7014 3490 0001 8184 9377), February 8, 2016;
7. Correspondence
 - a. **June 12, 2012:** Letter to Moses Anserlian, 1st Permit Required Letter;
 - b. **October 15, 2015:** Environmental Complaint (ENTC 11809) regarding surfacing sewage;
 - c. **October 27, 2015:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - d. **October 28, 2015:** Permit required letter to Moses Apelian [sic] (certified mail No. 7014 3490 0001 8187 1187);
 - e. **December 2, 2015:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - f. **January 21, 2016:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - g. **January 22, 2016:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - h. **March 30, 2016:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - i. **April 22, 2016:** Memorandum of telephone conversation, Brian Schall and Moses Apelian [sic];
 - j. **July 14, 2016:** Email regarding application, Brian Schall and Moses Apelian [sic];
 - k. **August 1, 2016:** Submitted application with application fee;
 - l. **August 5, 2016:** Administrative Incompleteness, Discharge Permit Application DP-1848, Vista del Canyon Mobile Home Park (via certified mail: 7016 0340 0000 2154 8661);

- m. **August 15, 2016:** Respondent's response to Administrative Incompleteness Letter (via facsimile);
- n. **October 5, 2016:** Email addressing Administrative Incompleteness response, Brian Schall;
- o. **March 6, 2017:** Email from the Bureau requesting application, Brian Schall;
- p. **March 13, 2017:** Email from Respondent regarding application request, Brian Schall;
- q. **March 16, 2017:** Email from Jace Ensor regarding state of Respondent's system, Brian Schall;
- r. **March 20, 2017:** Email from Respondent on second opinion and Bureau Response, Michelle Hunter;
- s. **March 22 - 23, 2017:** Email chain regarding Respondent response on city connection and system replacement, Michelle Hunter;
- t. **March 27, 2017:** Email from Respondent addressing extension of time, Michelle Hunter;
- u. **April 3, 2017:** Email from Matt Preslar, Preslars Dirtworks, regarding inspection of Respondent's system, Michelle Hunter;
- v. **April 10, 2017:** Letter from Matt Preslar regarding La Vista Mobile Home Park, Michelle Hunter;
- w. **April 11, 2017:** Email from Matt Preslar to the New Mexico Environment Department Liquid Waste Program regarding jurisdiction, Michael Broussard;
- x. **April 12, 2017:** Email from New Mexico Environment Department Environmental Health Bureau to Matt Preslar regarding jurisdiction, Steve Pedro;
- y. **April 10 – 21, 2017:** Email chain regarding compliance schedule, Michelle Hunter and Matt Preslar;

8. New Mexico Environment Department's Civil Penalty Policy

The Bureau reserves the right to call any other person or to present original and/or rebuttal testimony in response to another Witness or Exhibit List or public comment filed in this matter or to any testimony or exhibit offered at the public hearing.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU

/s/ Jason Wallace

Jason Wallace
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
jason.wallace@state.nm.us

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing New Mexico Environment Department's Witness and Exhibit List was delivered as described below to all parties on December 20, 2017.

Via First-Class U.S. Mail:

Moses Anserlian, President
Alice Apelian, CEO
Champs Investments III, LLC.
16952 Itasca Street
Northridge, California 91325
Respondent for La Vista Mobile Home Park

Laura Dixon, Manager
La Vista del Canyon MHP
1111 10th Street, Suite 440
Alamogordo, New Mexico 88310
Respondent for La Vista Mobile Home Park

Business Filings, Inc.,
Registered Agent for
Champs Investments III, LLC.
123 East Marcy Street
Santa Fe, New Mexico 87501
Respondent for La Vista Mobile Home Park

Via First-Class U.S. Mail and electronic mail:

Stephen Vigil
New Mexico Attorney General's Office
P.O. Drawer 1508
Santa Fe, NM 87504
svigil@nmag.gov
Counsel for Water Quality Control Commission

Via Hand-Delivery:

Pam Castañeda,
Commission Administrator
P.O. Box 5469
Santa Fe, NM 87502

/s/ Jason Wallace
Jason Wallace