

STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION



IN THE MATTER OF THE PETITION  
FOR ALTERNATIVE ABATEMENT STANDARDS  
FORMER PRICE'S VALLEY GOLD NORTH DAIRY,  
BERNALILLO, SANDOVAL COUNTY, NEW MEXICO

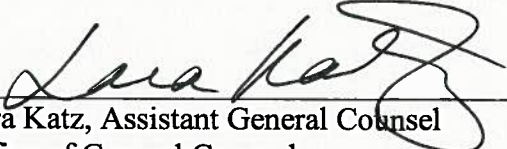
WQCC 16-02 (A)

**NOTICE OF SUBMISSION OF NMED EXHIBIT 4**

On September 2, 2016, the New Mexico Environment Department ("NMED") filed and served a Statement of Intent to Present Technical Testimony ("SOI") in the above-captioned matter. In the Statement of Intent, NMED indicated that the Ground Water Quality Bureau intended to offer four exhibits into evidence at the hearing scheduled for September 13, 2016. NMED Exhibits 1 through 3 were included with the SOI at the time of filing and service. NMED Exhibit 4, identified as "Letter from Office of the State Engineer re Well Restrictions," was not available to NMED Counsel at the time of filing and service of the SOI, and is therefore being provided with this filing.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

  
\_\_\_\_\_  
Lara Katz, Assistant General Counsel  
Office of General Counsel  
New Mexico Environment Department  
1190 St. Francis Drive  
Santa Fe, New Mexico 87505  
(505) 827-2885

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Notice of Submission of NMED Exhibit 4 was served on the following parties of record on September 12, 2016:

Via Hand-delivery:

Ms. Pam Castaneda  
Water Quality Control Commission  
1190 St. Francis Drive  
Santa Fe, New Mexico 87505  
pam.castaneda@state.nm.us  
*Administrator for the New Mexico  
Water Quality Control Commission*

Via regular U.S. mail and e-mail:

Pete V. Domenici, Jr.  
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*Attorney for Petitioner*

  
Lara Katz



STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
SANTA FE

Tom Blaine, P.E.  
State Engineer

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September 8, 2016

Lara Katz, Assistant General Counsel  
New Mexico Environment Department  
Groundwater Bureau  
P.O. Box 5469  
Santa Fe, NM 87502-5469

RE: Petition filed by D&G Price Limited Partnership for the former Price's Valley Gold North Dairy

Dear Ms. Katz:

This letter acknowledges that the Office of the State Engineer has been working with the New Mexico Environment Department in the matter of the former Price's Dairy petition before the Water Quality Control Commission seeking approval of alternative abatement standards.

As you are aware, when NMED seeks drilling restrictions in conjunction with alternative abatement standards proposals, after review and adequate public notice, and upon WQCC approval, the State Engineer will typically issue an order restricting the drilling and completion of wells within the area of contamination, for a time to be determined either by NMED or the WQCC. The area of contamination is added to the agency permit mapping system and also to maps on the OSE website that alert the public of the restriction. While every effort will be made to ensure permits to drill are conditioned properly, the Office of the State Engineer shall not be held liable if these mechanisms are circumvented.

In the present case of the former Price's Dairy, because contamination is expected to remain at high levels for the foreseeable future, OSE intends to issue such a restriction at Lot 5-B, Venada Plaza, as depicted and described on the replat entitled "Lots 5-A and 5-B, Venada Plaza." This replat was filed in the Office of the County Clerk of Sandoval County, NM, on January 2, 2008 in Volume 3, Folio 2875-A (Book 411 Page 252).

Please let me know if further discussion would be helpful.

Sincerely,  
Handwritten signature of John T. Romero in black ink.

John T. Romero, P.E.  
Director, Water Rights Division