

**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION**

**NEW MEXICO ENVIRONMENT DEPARTMENT,
GROUND WATER QUALITY BUREAU,**



Complainant

WQCC 17-08(A)

v.

**ABEL VILLALPANDO D.B.A. ROCKHILL DAIRY,
ROCKHILL DAIRY, L.L.C.**

Respondent.

**NEW MEXICO ENVIRONMENT DEPARTMENT'S
UNOPPOSED MOTION FOR STAY OF HEARING**

The Ground Water Quality Bureau (“Bureau”) of the New Mexico Environment Department (“Department”) hereby requests a stay of the proceedings in the above-referenced matter. Abel Villalpando d.b.a Rockhill Dairy, Rockhill Dairy, L.L.C. (“Respondent”) does not oppose this motion. As ground for this motion, the Department states as follows:

1. On September 22, 2017, the Bureau issued Administrative Compliance Order GWQB 17-03 (CO) to Respondent alleging violations of the Water Quality Regulations.
2. On October 12, 2017, Respondent submitted an Answer and Request for Hearing to the New Mexico Water Quality Control Commission (“Commission”) administrator.
3. The Commission administrator docketed this matter as WQCC 17-08 (A) on October 18, 2017.
4. At the Commission meeting held on November 14, 2017, the Commission granted Respondent’s hearing request on GWQB 17-03 (CO) and appointed Erin Anderson as hearing officer.
5. The hearing is scheduled for January 9, 2018, at Mabry Hall in the Jerry Apodaca Education Building, 300 Don Gaspar, Santa Fe, New Mexico.
6. At the November 14, 2017 Commission meeting, the Commission encouraged the parties to attempt to reach agreement through settlement if possible.
7. The parties have spoken since that time and are negotiating resolution of the allegations raised in GWQB 17-03 (CO).

8. In order to facilitate these discussions and reach final agreement, the Department proposes, and Respondent does not object to, a stay of the hearing until the Commission's March 2018 meeting. WHEREFORE, the Department hereby requests that the hearing officer enter an Order staying the compliance order proceedings until the March 2018 Commission meeting.

Respectfully submitted,

GROUND WATER QUALITY BUREAU
NEW MEXICO ENVIRONMENT DEPARTMENT

/s/ Christopher N. Atencio

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing New Mexico Environment Department's Unopposed Motion for Stay of Hearing was delivered as described below to all parties on December 22, 2017. *22*

Via First-Class U.S. Mail:

Abel Villalpando,
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Dexter, NM 88230
Respondent for Creekside Dairy

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

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Counsel for Water Quality Control Commission

Via Hand-Delivery:

Pam Castañeda,
Commission Administrator
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/s/ Christopher N. Atencio
Christopher N. Atencio