

STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION



IN THE MATTER OF:
TWO PETITIONS FOR REVIEW OF THE SECRETARY'S
DECISION TO ISSUE DISCHARGE PERMIT NO. 1840
FOR THE COPPER FLAT MINE (DP-1840),

ELEPHANT BUTTE IRRIGATION
DISTRICT, and

WQCC 19-02 (A)

TURNER RANCH PROPERTIES, L.P.,
HILLSBORO PITCHFORK RANCH, LLC,
AND GILA RESOURCES INFORMATION PROJECT,

Petitioners.

SCHEDULING ORDER

Having reviewed the Petitions for Review and the Hearing Clerk's Docket in this matter, having reviewed and considered the Stipulated Motion to Waive Timelines, and being otherwise fully advised, the Hearing Officer pursuant to 20.1.3.16 NMAC, hereby adopts the following schedule for this matter and IT IS SO ORDERED:

1. **Tuesday, June 18, 2019** – Petitioners' Opening Briefs Due.
2. **Tuesday, July 16, 2019** – Applicant's and Department's Answer Briefs Due.
3. **Tuesday, July 30, 2019** – Reply Briefs of all Parties Due.
4. **Tuesday, August 13, 2019** – Oral Argument presented to the Water Quality Control Commission during its regular meeting at the location and time established in the Notice of Permit Review and the Public Notice of the meeting.
5. Counsel representing the Petitioners in each of the two Petitions, the Applicant and the Department will each be allowed no more than thirty (30) minutes to present

opening oral argument and no more than ten (10) minutes to present rebuttal argument.

6. The order of the presentation of opening and rebuttal argument shall be:

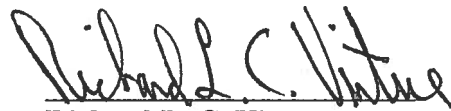
Petitioners

Applicant

Department

7. A pre-hearing scheduling conference has not been held, because no need has been demonstrated for a scheduling conference at this time.
8. Any procedural or other pre-hearing issues, including the need for a scheduling conference, shall be presented by written motion as soon as practicable.
9. Pursuant to 20.1.3.16.C NMAC, the Hearing Clerk shall prepare and distribute a Notice of Permit Review for this matter.

DATED: May 17, 2019



Richard L. C. Virtue
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the **Scheduling Order** was sent via the stated methods below on May 20, 2019:

Via hand delivery and email:

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