

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

IN THE MATTER OF:)
TWO PETITIONS FOR REVIEW OF THE)
SECRETARY’S DECISION TO ISSUE)
DISCHARGE PERMIT NO. DP-1840)
FOR THE COPPER FLAT MINE,)
))
ELEPHANT BUTTE IRRIGATION)
DDISTRICT, and)
))
TURNER RANCH PROPERTIES, L.P.,)
HILLSBORO PITCHFORK RANCH, LLC,)
AND GILA RESOURCES INFORMATION)
PROJECT,)
))
Petitioners.)
_____)

Docket No.
WQCC-19-02(A)



**UNOPPOSED JOINT MOTION OF PETITIONERS
TURNER RANCH PROPERTIES, L.P., HILLSBORO PITCHFORK RANCH, LLC,
AND GILA RESOURCES INFORMATION PROJECT TO EXCEED PAGE LIMIT**

Pursuant to the Adjudicatory Procedures at section 20.1.3.15.A NMAC, the Petitioners Turner Ranch Properties, L.P.; Hillsboro Pitchfork Ranch, LLC; and the Gila Resources Information Project hereby respectfully move the Hearing Officer for an order allowing them to exceed the page limit in their Opening Brief that they will file on June 18, 2019. These Petitioners request a page limit of 45 pages rather than the limit of 30 pages set forth in the Adjudicatory Procedures. In support of this Motion, these Petitioners state as follows:

1. On January 18, 2019, these Petitioners filed with the Water Quality Control Commission (Commission) a Petition for Review of the Environment Department Secretary’s

decision approving and issuing a groundwater discharge permit (DP-1840) for the discharge of pollutants into groundwater at the Copper Flat Mine in Sierra County, New Mexico.

2. Under the Scheduling Order, dated May 20, 2019, the Petitioners' Opening Brief is due on June 18, 2019.

3. Under section 20.1.3.16.A(4)(a) NMAC, "[t]he opening brief shall not exceed 30 pages."

4. This is a relatively complex case. The administrative record in this case, not including the papers filed during the Environment Department proceeding, comprises at least 18,800 pages. The record also includes a five-volume transcript of the Environment Department hearing, which lasted for five days, and approximately 178 exhibits admitted during the hearing. It also includes approximately 210 pages of closing arguments and proposed findings of fact and conclusions of law submitted by the parties, the Hearing Officer's 125-page Report, approximately 40 pages of comments the parties submitted on the Report, and the Secretary's 5-page Final Order. The Petition for Review raises five separate issues each of which is factually, legally, or technically complex.

5. Counsel for these Petitioners has concluded that their opening brief, including a summary of the proceedings before the Environment Department and an argument with respect to each issue presented, will require approximately 45 pages.

6. Counsel for these Petitioners has communicated with counsel for the other parties regarding this Motion, and counsel for the other parties do not object to this Motion.

A proposed Order is submitted herewith.

June 4, 2019

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of June 2019, a copy of the foregoing Unopposed Joint Motion of Petitioners Turner Ranch Properties, L.P., Hillsboro Pitchfork Ranch, LLC, and Gila Resources Information Project to Exceed Page Limit was sent by first class mail, postage prepaid, or electronic mail to:

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