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By Environmental Improvement Board at 11:00 am, May 28, 2020

From: [Daniel Timmons](#)
To: [Barnes, Cody, NMENV](#)
Subject: [EXT] Stipulated Motion for Filing in EIB No. 20-21 (Appeal of 3 Bear Permit No. 7482-M1)
Date: Tuesday, May 26, 2020 4:10:13 PM
Attachments: 2020.05.26 - Final Motion to Waive 60 Day Deadline.pdf

Mr. Barnes,

As discussed at last week's EIB meeting, please see the attached Stipulated Motion to Waive the 60-Day Hearing Deadline, as well as a certificate of filing and service, for filing in the above-referenced EIB appeal.

Please let me know if you have any questions.

Thank you.

Daniel



Staff Attorney

(505) 570-7014

www.wildearthguardians.org



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By Environmental Improvement Board at 10:56 am, May 28, 2020

**STATE OF NEW MEXICO
ENVIROMENTAL IMPROVEMENT BOARD**

IN THE MATTER OF THE APPEAL
OF THE AIR QUALITY PERMIT
NO. 7482-M1 ISSUED TO 3 BEAR
DELAWARE OPERATING – NM LLC.

EIB No. 20-21(A)

WildEarth Guardians,
Petitioner.

STIPULATED MOTION TO WAIVE 60-DAY HEARING DEADLINE

Pursuant to 20.1.2.204 NMAC, Petitioner WildEarth Guardians and Respondent the New Mexico Environment Department (collectively, the “Parties”), jointly request that the 60-day deadline for scheduling the hearing in the above-captioned permit appeal be waived. The Parties have conferred with counsel for the Applicant, 3 Bear Delaware Operating – NM LLC, and the Applicant does not oppose this motion. In light of uncertainty regarding continued restrictions on in-person meetings, the Parties agree to work with the Hearing Officer to develop a schedule for resolution of this matter in a timely and safe manner.

Respectfully submitted this 26th day of May, 2020,

/s/ Daniel L. Timmons

Daniel L. Timmons

WildEarth Guardians

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Counsel for Petitioner WildEarth Guardians

/s/ Samantha Ruscavage-Barz

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Counsel for Petitioner WildEarth Guardians

/s/ Lara Katz

Lara Katz

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Counsel for the New Mexico Environment Department

Certificate of Filing and Service

Pursuant to 20.1.2.112 NMAC, I hereby certify that a copy of the above **STIPULATED MOTION TO WAIVE 60-DAY HEARING DEADLINE** was filed and served via electronic mail delivery to the persons listed below on May 26, 2020.

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