

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION



_____)
In the Matter of:)
)
PROPOSED AMENDMENT)
TO 20.60.2 NMAC (Dairy Rule))
)
_____)

No. WQCC 12-09(R)

UNOPPOSED MOTION TO CONTINUE HEARING

The Commission previously set a hearing on this matter for its July 2013 meeting. Counsel for the other parties has advised that their witness is not available on the July date set for the hearing, and DIGCE is willing to postpone the hearing so that all of the witnesses can be available. Based on the foregoing, DIGCE moves to continue the hearing on this matter until the Commission's next available meeting date, and suggests that a hearing be set for the Commission's September 2013 meeting. Counsel for DIGCE has consulted with counsel for the Coalition, who does not oppose this motion. For purposes of this motion, DIGCE waives any deadline for a determination on holding a hearing under NMSA 1978, § 74-6-6.B.

DATED this 7th day of June, 2013.

Respectfully submitted,

Dalva L. Moellenberg, Esq.
Anthony (T.J.) J. Trujillo, Esq.
Gallagher & Kennedy, P.A.
1233 Paseo de Peralta
Santa Fe, New Mexico 87501
Phone: (505) 982-9523
Fax: (505) 983-8160
DLM@gknet.com
AJT@gknet.com
Counsel for DIGCE

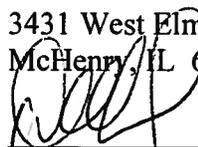
Certificate of Service:

I hereby certify that a true copy
of the following pleading was served
via U.S. mail to the following parties
this Friday, June 07, 2013:

Office of General Counsel
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, NM 87502

Jonathan Block, Staff Attorney
New Mexico Environmental Law Center
1405 Luisa St. #5
Santa Fe, NM 87505

Danielle Diamond
3431 West Elm Street
McHenry, IL 60050



Dalva L. Moellenberg, Esq.