

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)

NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY ON BEHALF OF THE DAIRY INDUSTRY GROUP FOR A CLEAN ENVIRONMENT

The Dairy Industry Group for a Clean Environment (hereinafter, "DIGCE") hereby submits this Notice of Intent to Present Technical Testimony on behalf DIGCE.

1. Identify the person for whom the witness(es) will testify:

The witnesses will testify for DIGCE and its members.

2. Identify each technical witness the person intends to present and state the qualifications of that witness including a description of their educational and work background:

- a. Lonnie Ray Burke is a technical witness who will testify regarding backflow prevention devices specified by the dairy rules, particularly reduced pressure principle devices. His qualifications, education and work background are included in his written testimony attached;
- b. Loney Ashcraft is a technical witness who will testify regarding nutrient management requirements, backflow prevention requirements, and requirements for calibration of flow meters. His qualifications, education and work background are included in his written testimony attached;
- c. Walter Bradley is a non-technical witness who will testify regarding his relationship with and nature of DIGCE, introductory remarks, and to respond to any questions; and
- d. Eric Palla is a non-technical witness who will testify regarding his relationship with and nature of DIGCE, introductory remarks, and to respond to any questions.

3. Summarize, or include a copy of, the direct testimony each technical witness and state the anticipated duration of the testimony of that witness:

Copies of each technical witness' direct testimony is attached. Each technical witness may provide additional testimony at the hearing in response to direct testimony presented by any other party or as rebuttal testimony. The anticipated duration of Mr. Burke's testimony is one-half hour and the anticipated duration of Mr. Ashcraft's testimony is one hour or longer depending upon the duration of cross-examination and any response or rebuttal testimony.

4. Include the text of any recommended modifications to the proposed regulatory change:

See *Exhibit Burke-1* and *Exhibit Ashcraft-1*.

5. Identify and attach all exhibits to be offered by the person:

EXHIBIT #	DESCRIPTION
EXHIBIT BURKE-1	Proposed Amendments to Subsection M of Section 20.6.6.21 NMAC
EXHIBIT BURKE-2	Breakdown of a reduced pressure principle backflow (RP) assembly
EXHIBIT BURKE-3	Chapter 6 of the Uniform Plumbing Code, 2003 version
EXHIBIT ASHCRAFT-1	Proposed Amendments to Sections 20.6.6.20, 20.6.6.21, and 20.6.6.24 NMAC
EXHIBIT ASHCRAFT-2	NRCS Code 590 for Nutrient Management, September 2012
EXHIBIT ASHCRAFT-3	NRCS Specification 590
EXHIBIT ASHCRAFT-4	NRCS summary page of the current Jobsheet
EXHIBIT ASHCRAFT-5	New Mexico NRCS office guidance and requirements re certification of nutrient management planners and training
EXHIBIT ASHCRAFT-6	Document entitled, "Flow Meter Calibration" prepared by Robert George
EXHIBIT ASHCRAFT-7	Colorado Department of Agriculture rules
EXHIBIT ASHCRAFT-8	Typical chemigation valve

WHEREFORE, DIGCE respectfully requests that the Water Quality Control Commission accept this Notice of Intent to Present Technical Testimony on behalf of Dairy Industry Group for a Clean Environment.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading was served via hand-delivery or by U.S. mail to the following parties this Monday, November 19, 2012:

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