

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

**IN THE MATTER OF:** )  
**Water Protection Division of the** ) **WQCC 20-08 (CO)**  
**New Mexico Environment Department,** )  
**v.** )  
**Cannon Air Force Base** )

**New Mexico Environment Department's  
Motion to Extend Discovery Deadlines**

Comes now, the Water Protection Division of the New Mexico Environment Department ("Department"), and moves for an extension of time to submit its responses to Requests for Production and Requests for Admission served on the Department by Cannon Air Force Base ("Respondent") on May 6, 2020 ("Discovery Requests"). As grounds for this motion, the Department states as follows:

1. Pursuant to 20.1.3.10(B)(2)(b) NMAC, the Hearing Officer may rule upon motions and procedural requests that do not seek final resolution of the proceedings and issue all necessary orders.
2. This matter was originally scheduled for a hearing on June 9, 2020. However, the Hearing Officer, upon motion by Respondent, issued an Order vacating that hearing and rescheduling the hearing for August 11, 2020.
3. Respondent's Discovery Requests were served on the Department two minutes prior to the Hearing Officer's order continuing the hearing until August 11, 2020, while the hearing was still scheduled for June 9, 2020.
4. Pursuant to the Governor of New Mexico's Executive Orders and prevailing Public Health Orders, Department staff have been directed to work from home and not be physically

present at the Department's offices unless absolutely necessary. See Public Health Order issued April 30, 2020 (attached hereto as Exhibit 1); N.M. Executive Order 2020-026.

5. Since the Hearing has been continued to August 2020, the urgency requiring Department staff to enter Department offices against the advice and directive of the Governor and the Department of Health to fulfill the Discovery Requests has passed and adhering to this deadline would needlessly put Department staff's health and safety at risk.

WHEREFORE, the Department respectfully requests an additional 30 days to comply with Respondent's Discovery Requests, until Thursday, June 25, 2020. Respondent does not oppose this motion.

Respectfully submitted,  
WATER PROTECTION DIVISION

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**Certificate of Service**

I hereby certify that a copy of this motion was emailed to the persons listed below on May 12 2020. A copy will be mailed via First Class Mail upon request.

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