

**BEFORE THE WATER QUALITY APPEALS BOARD
DEPARTMENT OF ADMINISTRATION
IN AND FOR THE STATE OF ARIZONA**

PATAGONIA AREA RESOURCE
ALLIANCE,

Appellant,

v.

STATE OF ARIZONA, DEPARTMENT
OF ENVIRONMENTAL QUALITY

Respondent,

SOUTH32 HERMOSA, INC. d/b/a
ARIZONA MINERALS, INC.

Intervenor

WQAB Case No. 23-001

TO ALL PARTIES:

1. At the Board's May 1, 2023 regular meeting, the Board granted the Motion to Intervene as of Right to the permit applicant, South32 Hermosa, Inc. d/b/a Arizona Minerals, Inc., per A.R.S. § 49-323(A).
2. At the Board's May 1, 2023 regular meeting, the Board voted to refer the hearing to the Office of Administrative Hearings for a hearing. Therefore, it is ordered that the hearing will be conducted by the Office of Administrative Hearings in the appeal of the Aquifer Protection Permit No. AZ0026387/LTF No. 95353.
3. On April 28, 2023, the Arizona Department of Environmental Quality filed with the Board a Motion to Dismiss Due to Lack of Standing or In the Alternative to Stay. The Board Clerk shall promptly forward all responses and replies received after May 1, 2023 and relating to the Motion to the Office of Administrative Hearings for resolution.

DATED this 2nd day of May 2023.

WATER QUALITY APPEALS BOARD



Michele Van Quathem, Chairman

A copy of the foregoing was e-mailed and mailed via U.S. Mail this 2nd day of May 2023.

WATER QUALITY APPEALS BOARD:

Michele Van Quathem
Fred E. Brinker
Keith Bowers

Patagonia Area Resource Alliance, Inc.
Attn: Carolyn Shafer
P.O. Box 1044
Patagonia, AZ 85624
Ph: (520) 477-2308
Email: parawatchdogs@gmail.com

James C. Olson II, Assistant Attorney General
Office of the Attorney General
Environmental Enforcement Section
2005 N. Central Ave.
Phoenix, AZ 85004
environmental@azag.gov

Christopher D. Thomas
Alisha D. Herman
Perkins Coie LLP
2901 N. Central Ave., Suite 2000
Phoenix, AZ 85012-2788
cthomas@perkinscoie.com
aherman@perkinscoie.com
docketphx@perkinscoie.com

Todd C. Gwillim
Legal Manager, North America
South32
2210 E. Fort Lowell Rd.
Tucson, AZ 85719
Todd.gwillim@south32.net

Arizona Department of Environmental Quality (mailed only)
Water Quality Division
1110 W. Washington Street
Phoenix, AZ 85007

A copy of the foregoing was mailed via inter-agency mail this 2nd day of May 2023.

James Rolstead , Assistant Attorney General
Attorney General's Office
2005 N. Central Ave.,
Phoenix, AZ 85004
Attorney for the Water Quality Appeals Board

Connie Castillo

By: Connie Castillo
Clerk, Water Quality Appeals Board