

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

PATAGONIA AREA RESOURCE
ALLIANCE,

Appellant,

v.

DEPARTMENT OF ENVIRONMENTAL
QUALITY and SOUTH32 HERMOSA INC.,

Respondents.

CASE NO. 25-001-WQAB

**PROCEDURAL ORDER SETTING PRE-
HEARING DEADLINES AND SETTING
HEARING DATE**

TO ALL PARTIES:

1. The Water Quality Appeals Board (“Board”) held a meeting September 10, 2024 in which the Board (1) granted South32 Hermosa Inc.’s Unopposed Motion to Intervene as of Right and (2) discussed a procedural schedule for a hearing of this appeal.
2. Pursuant to the procedural discussion, the following prehearing deadlines are established:
 - a. On or before **October 1, 2024**, Appellant will submit to the Board any supplemental legal arguments, witness affidavits, and/or stipulated facts regarding the matters to be resolved by the Board under A.R.S. § 49-323.
 - b. On or before **October 22, 2024**, Respondents will submit to the Board any supplement legal arguments, witness affidavits, and/or stipulated facts regarding the matters to be resolved by the Board under A.R.S. § 49-323.
 - c. On or before **October 22, 2024**, the parties will confer to determine if any facts in dispute that are relevant to this appeal can be resolved by

stipulation and will jointly submit a list of any stipulated facts to the Board by October 22, 2024.

3. On **November 5, 2024** starting at 10:00 a.m., the Board will meet to review the parties' filings and to consider the legal issues and factual issues briefed by the parties. The meeting will be held at the Arizona Department of Administration, 100 N. 15th Ave., Phoenix, AZ 85007, or at an alternate location specified in a subsequent meeting notice. At this meeting, the Board will discuss the information submitted by the Parties, and the Board may make interim or final decisions regarding any issue raised in this appeal. If the Board finds that additional legal argument or factual evidence is needed to make a final decision, then the Board will schedule a further hearing for the parties to present such evidence.
4. If a further hearing is determined necessary at the November 5, 2024 meeting, then the hearing will be held on **December 17, 2024** at the Arizona Department of Administration, 100 N. 15th Ave., Phoenix, AZ 85007, or at an alternate location specified in a subsequent hearing notice, starting at 8:00 a.m. The hearing room will be reserved for 4 hours.

WATER QUALITY APPEALS BOARD



Michele Van Quathem, Chair

A copy of the foregoing was sent by electronic mail
this 11th day of September, 2024

WATER QUALITY APPEALS BOARD:

Michele Van Quathem

Fred E. Brinker, P.E.

Keith Bowers

A copy was sent by electronic and U.S. mail this 11th day of September 2024 to:

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