

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

SWVP-GTIS MR, LLC, a Delaware limited liability company,

Appellant,

v.

Arizona Department of Environmental Quality, Florence Copper, Inc.,

Respondents.

CASE NO. 21-001

**WATER QUALITY APPEALS BOARD  
ORDER RE: DISMISSAL**

On May 13, 2021, the Arizona Water Quality Appeals Board (“Board”) met to consider the Notice of Dismissal filed April 8, 2021 by SWVP-GTIS MR, LLC (“Appellant”) stating that it would not further pursue the appeal it filed on January 7, 2021 to challenge the Significant Amendment to Aquifer Protection Permit P-101704, LTF 76820. On April 9, 2021, the Arizona Department of Environmental Quality and Florence Copper, Inc. (“Respondents”) filed a Joint Request for Dismissal with Prejudice. There was no written response from the Appellant. However, at the Board Meeting the Appellant orally disputed the request to dismiss with prejudice.

After discussion by the Board, and good cause appearing,

IT IS HEREBY ORDERED that the Respondents’ Joint Request for Dismissal with Prejudice is DENIED.

IT IS FURTHER ORDERED this matter is DISMISSED WITHOUT PREJUDICE.

**NOTICE OF RIGHTS PURSUANT TO A.A.C. R2-17-124(C), A.R.S. § 423(B),  
AND A.R.S. § 12-901**

This is a final administrative decision of the Water Quality Appeals Board, made according to A.R.S. § 49-323. You may file a motion for rehearing or review of this decision under R2-17-125. If you file a motion for rehearing or review, you shall file your motion within 30 days after service of this decision. You are not required to file a motion for rehearing or review before seeking judicial review. This decision may be reviewed by the Superior Court if you file a complaint in the manner prescribed in A.R.S. § 12-901, et seq.

Dated this 24<sup>th</sup> day of May, 2021.

WATER QUALITY APPEALS BOARD

FEB

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Fred E. Brinker, P.E.

A copy of the foregoing was sent by electronic mail  
this 24<sup>th</sup> day of May, 2021

WATER QUALITY APPEALS BOARD:  
Fred E. Brinker, P.E.  
Keith Bowers

A copy was sent by electronic and U.S. mail this 24<sup>th</sup> day of May, 2021, to:

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By: Connie Castillo  
Clerk, Water Quality Appeals Board