

STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION



In the Matter of )  
PROPOSED AMENDMENT )  
TO 20.6.6 NMAC (Dairy Rule) )

Nos. WQCC 12-09(R) and 13-08(R)

**ATTORNEY GENERAL'S NOTICE OF ERRATA**

The Attorney General hereby files this Notice of Errata to his Motion to Disqualify Hearing Officer, filed March 9, 2015. Footnote 1 in the Motion referred to the New Mexico Supreme Court's Order ordering the Water Quality Control Commission to allow the Attorney General to participate as a party in this proceeding. That Order was dated December 15, 2014 (not December 11, 2104 as stated in the Motion), and a correct copy of the Order, along with the Writ of Mandamus issued that same day, are attached as Exhibit C.

Respectfully submitted,

HECTOR BALDERAS  
NEW MEXICO ATTORNEY GENERAL

---

Tannis L. Fox  
Assistant Attorney General  
Environmental Protection Division  
Office of the New Mexico Attorney General  
P.O. Box 1508  
Santa Fe, New Mexico 87504  
T 505.827.6695 F 505.827.4444  
tfox@nmag.gov

Counsel for Attorney General of New Mexico


Certificate of Service

I certify the following were served March 10, 2015 by email with the foregoing pleading:

Robert A. Stranahan, IV  
Dalva Moellenberg  
Anthony J. Trujillo  
Gallagher and Kennedy, P.A.  
1233 Paseo de Peralta  
Santa Fe, New Mexico 87501-2758

Jeffrey Kendall  
General Counsel  
Christopher Atencio  
Kay R. Bonza  
Assistant Generals Counsel  
Office of General Counsel  
New Mexico Environment Department  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

Jon Block  
New Mexico Environmental Law Center  
1405 Luisa Street, #5  
Santa Fe, New Mexico 87505-4074

  
\_\_\_\_\_  
Tannis L. Fox

1  
2 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

3 **December 15, 2014**

4 **NO. 35,000**

5 **STATE OF NEW MEXICO, ex rel.,**  
6 **GARY KING, ATTORNEY GENERAL OF**  
7 **THE STATE OF NEW MEXICO,**

8 **Petitioner,**

9 v.

10  
11 **NEW MEXICO WATER QUALITY CONTROL**  
12 **COMMISSION,**

13 **Respondent.**

14 **ORDER**

15 WHEREAS, this matter came on for consideration upon a petition for writ  
16 of mandamus, responses thereto, and oral argument of the parties, and the Court  
17 having considered said pleadings and oral argument and being sufficiently  
18 advised, Chief Justice Barbara J. Vigil, Justice Petra Jimenez Maes, Justice  
19 Edward L. Chávez, Justice Charles W. Daniels, and Chief Judge Roderick  
20 Kennedy, sitting by designation, concurring;

21  
22  
23 NOW, THEREFORE, IT IS ORDERED that the petition for a writ of  
24 mandamus is GRANTED and a writ shall issue directing respondent to allow the  
25 Attorney General to participate as a party in the rulemaking proceeding before  
26 the New Mexico Water Quality Control Commission captioned *In the Matter of*  
27 *Proposed Amendment to 20.6.6 NMAC (Dairy Rule)*, Nos. 12-09(R) and 13-  
28

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
EXHIBIT

tabler  
AGD C

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

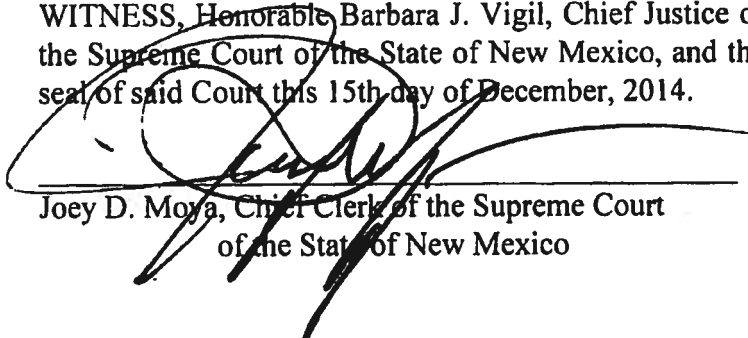
08(R); and

IT IS FURTHER ORDERED that the stay previously ordered by this Court is LIFTED.

IT IS SO ORDERED.

WITNESS, Honorable Barbara J. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 15th day of December, 2014.

(SEAL)



Joey D. Moya, Chief Clerk of the Supreme Court of the State of New Mexico

ATTEST: A TRUE COPY

Joey D. Mayo  
Chief Clerk of the Supreme Court  
of the State of New Mexico

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

**December 15, 2014**

**NO. 35,000**

**STATE OF NEW MEXICO, ex rel.,  
GARY KING, ATTORNEY GENERAL OF  
THE STATE OF NEW MEXICO,**

Petitioner,

v.

**NEW MEXICO WATER QUALITY CONTROL  
COMMISSION,**

Respondent.

**WRIT OF MANDAMUS**

**TO: New Mexico Water Quality Control Commission  
c/o Wade L. Jackson  
New Mexico Economic Development Department  
1100 St. Francis Drive, Suite 1060  
Santa Fe, NM 87505**

**GREETINGS:**

WHEREAS, a petition for a writ of mandamus having been filed in this matter and having been granted by this Court, and the Court being sufficiently informed and good cause appearing for the issuance of a writ of mandamus;

NOW, THEREFORE, IT IS ORDERED that the New Mexico Water

ATTEST: A TRUE COPY

*Joey D. Moya*

Chief Clerk of the Supreme Court  
of the State of New Mexico

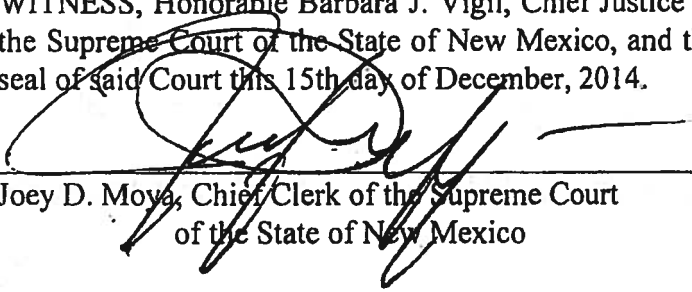
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Quality Control Commission shall allow the New Mexico Attorney General to participate as a party in the rulemaking proceedings before the Commission captioned *In the Matter of Proposed Amendment to 20.6.6 NMAC (Dairy Rule)*, Nos. 12-09(R) and 13-08(R).

IT IS SO ORDERED.

WITNESS, Honorable Barbara J. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 15th day of December, 2014.

(SEAL)

  
\_\_\_\_\_  
Joey D. Moya, Chief Clerk of the Supreme Court  
of the State of New Mexico