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FILED EPA REGION VIII HEARING CLERK

Attorney for the Ute Indian Tribe

UNITED STATE ENVIRONMENTAL PROTECTION AGENCY **REGION 8** IN THE MATTER OF:)) Ute Indian Tribe and Ute Tribe Public Docket No. SDWA-08-2018-0013) Works, Uriah Heeps Spring and Whiterocks Public Water Systems, PWS FOURTH UNOPPOSED MOTION) ID# 084990002 and 084990003,) FOR AN EXTENSION OF TIME TO FILE ANSWER) Respondents.)))

Respondents, Ute Indian Tribe and Ute Tribe Public Works ("Tribe"), pursuant to 40 C.F.R. § 22.7(b), respectfully request a fourth extension of time to file an answer or other response to the United States Environmental Protection Agency's ("EPA") Complaint. The undersigned has conferred with opposing counsel, and the EPA does not oppose a fourth extension. The Tribe's Answer is due Tuesday, October 9, 2018. The parties are in the process of negotiating terms for a settlement therefore the Tribe respectfully requests a sixty (60) day extension of time through Monday December 10, 2018, in which to file its answer or other response.

The extension will not prejudice the United States. The Tribe and the EPA are in the process of negotiating a settlement of this matter with a nearly completed draft settlement agreement. Multiple conference calls and in person meetings to discuss terms have already taken place, and the parties are confident they will complete a final settlement soon. It is in the interest of time and judicial resources to avoid moving forward on two fronts while both parties are optimistic a settlement will be reached.

Respondents respectfully request that this Court grant this unopposed motion to extend the deadline for submitting the Answer or otherwise responding to the Complaint in this case from October 9 to December 10, 2018. A proposed order is filed with this motion.

Respectfully submitted this 1st day of October, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October, 2018, I caused a true and correct copy of the foregoing UTE INDIAN TRIBE'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE ANSWER with the Clerk of the Court via U.S. Mail, certified, return receipt requested and electronically via e-mail to all parties of record as follows:

Melissa Haniewicz Regional Hearing Clerk (8RC) U.S. EPA Region 8 1595 Wynkoop Street Denver, CO 80202

Amy Swanson Enforcement Attorney (8ENF-L) U.S. EPA Region 8 1595 Wynkoop Street Denver, CO 80202

Elizabeth Mills egal Assistant