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March 12, 2021

Via Electronic and U. S. Mail

Special Master Michael J. Melloy
United States Courthouse
111 Seventh Avenue, S.E.
P.O. Box 22
Cedar Rapids, IA 52401
Email: TxvNM141@ca8.uscourts.gov

Re: *State of Texas v. State of New Mexico and State of Colorado*
United States Supreme Court, Original Jurisdiction No. 141

Dear Special Master Melloy:

On behalf of the State of Texas, we enclose the list of documents referenced during our oral argument on Tuesday that we believe are responsive to paragraph 2.A. of Your Honor's March 2, 2021 Order. All of the listed documents were relied upon by Dr. Miltenberger in his declarations submitted with our summary judgment briefing. The documents have been uploaded to our Sharefile site and are accessible as follows:

Link to: [Documents Referenced by Texas – March 9, 2021 Oral Argument](#)

Very truly yours,

s/ Stuart L. Somach
Stuart L. Somach
Somach Simmons & Dunn
Counsel of Record for the State of Texas

SAK:cer

cc: All counsel for parties and amici via electronic mail
(see attached service list)

Texas v New Mexico & Colorado docket:

TxvNM141@ca8.uscourts.gov

Documents Referenced by the State of Texas During March 9, 2021 Oral Argument
(Provided via Somach Simmons & Dunn Sharefile)

1. 1914-1915 14th Annual Report of the Reclamation Service (TX_MSJ_002555-2654).pdf
2. 1917-1918 17th Annual Report of the Reclamation Service (TX_MSJ_002732-2792).pdf
3. 1912-1913 12th Annual Report of the Reclamation Service (TX_MSJ_002508-2554).pdf
4. 1919-06 Conkling-Debler Report re Return Flows to the Rio Grande Project (TX_MSJ_003037-3391).pdf
5. 1919-06-18 H Conkling to Chief of Construction - Extract of Report to USBR re Water Supply of the Rio Grande River (TX_MSJ_003334-3344).pdf
6. 1926-01-09 Letter from DC Henny to JW Taylor (TX_MSJ_005853-5862).pdf
7. 1927-08 Article re Return Flow and Its Problems on Reclamation Projects (TX_MSJ_003520-3521).pdf
8. 1936-12-12 TX v NM Plaintiff's Case in Chief, Volumes V, VI & VII pgs 1202-06 (TX_MSJ_004109-4113).pdf
9. 1936-12-12 TX v NM Plaintiff's Case in Chief, Volumes V, VI & VII pgs 1220-21 (TX_MSJ_004127-4128).pdf
10. 1936-12-12 TX v NM Plaintiff's Case in Chief, Volumes V, VI & VII pgs 1235-36 (TX_MSJ_004142-4143).pdf
11. 1937-09-27 to 10-01-1937 Proceedings of the Meeting of the RGCC Held at Santa Fe NM (NM-EXH 319 and TX_MSJ_003863-5162).pdf
12. 1937-11-26 Memo from RA Hill to F Clayton (TX_MSJ_004489-4492).pdf
13. 1937-12-17 JH Bliss Estimate of Project Requirements at Elephant Butte_typeset - (TX_MSJ_006052-6053).pdf
14. 1937-12-17 JH Bliss Handwritten Estimates re RGP at Elephant Butte (TX_MSJ_004494-4495).pdf
15. 1937-12-22 Preliminary Draft of Report of Committee to RGCC (TX_MSJ_006325-6338).pdf

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16. 1937-12-27 Report of Committee of Engineers to RGCC (NM-EX 322 and TX_MSJ_005294-5302).pdf
17. 1938 T McClure Analysis of Terms of The Compact (TX_MSJ_006177-6186 and NM_00164500-164509).pdf
18. 1938-01-06 Memo from HC Neuffer to JH Bliss re 12-27-1937 Report of Engineers to RGCC (TX_MSJ_006171-6176 and NM_156900-164500).pdf
19. 1938-01-07 Letter from HC Neuffer to JH Bliss re 12-27-1937 Report of Engineers to RGCC (TX_MSJ_006058 and NM_0054005).pdf
20. 1938-01-25 Letter from T McClure to SO Harper (TX_MSJ_005098).pdf
21. 1938-01-27 Letter from F Clayton to SO Harper - Appx 3 (TX_MSJ_005305-5306).pdf
22. 1938-02 Joint Investigation Report (JIR) (TX_MSJ_004499-005088).pdf
23. 1938-02 RJ Tipton Analysis of Report of Committee of Engineers to RGCC (TX_MSJ_005103-5237).pdf
24. 1938-02-08 Letter from RA Hill to F Clayton (TX_MSJ_005244-5245).pdf
25. 1938-03 Proceedings of the Meeting of the RGCC Held at Santa Fe NM (TX_MSJ_005253-5291).pdf
26. 1938-03-09 Letter from EAs to RGCC (TX_MSJ_005313-5320).pdf
27. 1938-04-02 JH Bliss Provisions of the Rio Grande Compact (TX_MSJ_005348-5360).pdf
28. 1938-10-04 Letter from F Clayton to S Smith (NM-EXH 328 and TX_MSJ_005395-5396).pdf
29. 1938-10-16 Letter from F Clayton to CS Clark (NM_EXH-329 and TX_00187138-187145).pdf
30. 1939-05-22 Letter from LR Fiock to RGCC re Protest of HCCRD No 1 - Rio Grande Project (TX_MSJ_005399-5405).pdf
31. 1947 USGS Report by CS Conover - Preliminary Memorandum on GW Supplies for EBID NM (TX_MSJ_006060-6086).pdf
32. 1951-08-01 LR Fiock Rio Grande Project - New Mexico-Texas Water Announcement (TX_MSJ_005897 and EBID000467).pdf
33. 1951-12-15 JH Bliss Affidavit - Signature Page (TX_MSJ_005395).pdf

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34. 1951-12-15 JH Bliss Affidavit attached as Exhibit C to TX v NM Return of Defs to Rule to Show Cause (TX_MSJ_005677-5698).pdf
35. 1952-01-11 Statement from EBID Board of Directors Regarding 1952 Water Situation (TX_MSJ_005898 and EBID000469).pdf
36. 1952-03-07 Rio Grande Project -New Mexico-Texas Water Announcement (TX_MSJ_005899 and EBID000472).pdf
1952-04-07 Rio Grande Project - New Mexico-Texas Water Announcement (TX_MSJ_005900 and EBID000473).pdf
37. 1953-06-03 Statement from EBID Regarding the Current Water Situation (TX_MSJ_006034 and EBID_000475).pdf
38. 1954 USGS Report - CS Conover GW Conditions in the Rincon and Mesilla Valleys and Adjacent Areas in NM Water-Supply Paper 1230 (TX_MSJ_005437-5653).pdf
39. 1954-03-01 WF Resch - Rio Grande Project - New Mexico-Texas, Water Announcement (TX_MSJ_005901 and EBID_000467).pdf
40. 1954-03-04 Statement from EBID Regarding the Current Water Situation (TX_MSJ_006035 and EBID000477).pdf
41. 1955-03-11 Board of Directors EBID to All Irrigation Well Owners (TX_MSJ_006485 and EBID000479).pdf
42. 1961-11 N Guanji NMSU Study (TX_MSJ_005903-5978).pdf
43. 1963 USGS Report by Leggat_Lowry & Hood - GW Resources of the Lower Mesilla Valley TX and NM (TX_MSJ_005979-6031).pdf
44. 1968-09-18 RA Hill - Development of the Rio Grande Compact of 1938 (NM_EX-401 and CO-002431-2513).pdf
45. 1968-12-04 RA Hill Deposition_TX v NM and CO_Orig No 29 (TX_MSJ_005794-5838).pdf
46. 1938-05-27 Proceedings of the Meeting Held on Friday, May 27, 1938 (TX_MSJ_005361-5386)
47. 2020-11-04 Dr Scott Miltenberger Declaration (TX_MSJ_001585-1620).pdf

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In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

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