

EXHIBIT A

State of Texas v. State of New Mexico and Colorado
No. 141, Original
Exhibit A – State of Texas's Final Trial Witness List

A. Texas's Will-Call Witnesses

	<u>Will-Call Witness</u>	<u>Category/Party</u>	<u>General Summary of Testimony</u>
1.	John E. Balliew, P.E., President & CEO El Paso Water Utilities Public Service Board, City of El Paso 1154 Hawkins Blvd. El Paso, TX 79925	Non-Retained Expert of Texas; Percipient	Mr. Balliew's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his disclosures and depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions from the perspective of his President and CEO positions with El Paso Water Utilities (EPWU), including, but not limited to the following: operations of EPWU, including a description of the facilities, what they do, and how they are managed and operated; description of the irrigation and water rights held by EPWU; the rights, receipt, delivery, and/or supply of Rio Grande Project Water by EPWU; how EPWU manages and utilizes surface and groundwater resources currently and historically, including how EPWU has addressed and managed historic water supply shortages; how EPWU accounts for groundwater pumping in the Canutillo Well Field and how the pumping is integrated into the water supply; the purpose, history, and/or operation of contracts by and between EPWU, the United States, and/or El Paso County Water Improvement District No. 1 (EP#1) and/or Elephant Butte Irrigation District (EBID), and communications regarding the same; and conservation of water resources; observation of historical trends of decreased water quality and increased salinity.
2.	Al Blair, Ph.D., P.E.,	Non-Retained Expert of Texas and the United	Dr. Blair's expected testimony will include, without limitation, the subjects and issues raised, and matters and

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	District Engineer, EP#1; 13247 Alameda Ave. Clint, TX 79836 District Engineer, Hudspeth County Underground Water Conservation District #1 (Hudspeth) 71920 Texas Hwy 20 Fort Hancock, TX 79839	States; Percipient	opinions discussed, in his disclosures and depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions from the perspective of his District Engineer positions with EP#1 and Hudspeth, including but not limited to the following: the purpose and operations of the EP#1 and Hudspeth Districts, what the Districts do, the locations of the Districts and their District facilities, and how the Districts are managed and operated from a technical perspective; the purpose, history and/or operation of contracts by and between the United States, EP#1, and/or EBID and communications regarding the same; the management and administration of the Compact within the Districts, including issues related to Rio Grande Project (Project) deliveries, Project accounting, surface water flows and diversions, groundwater pumping and/or the interconnections between Rio Grande surface flow and groundwater; description of how the Districts operate pursuant to the 2008 Operating Agreement (2008 OA); how the Districts interact with landowners and the substance of the interactions, including but not limited to the utilization of surface and groundwater resources, agricultural practices and crop management, decreased water quality and increased salinity; and the receipt, delivery, and/or supply of Project Water by the Districts.
3.	Robert J. Brandes, P.E. Ph.D., Robert J. Brandes Consulting 6000 Maurys Trail Austin, TX 78730 (512) 342-3233	Retained Expert of Texas	Dr. Brandes is a Civil Engineer and Water Resources specialist. Dr. Brandes' expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations,

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			and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes facts and opinions related to groundwater-surface water connections; an overview of the physical setting associated with the 1938 Compact and the Project; relationship of groundwater pumping to injury to Texas's apportionment; characterization and analysis of conditions reflecting Texas's 1938 Condition; proliferation of wells in the Lower Rio Grande; Project operations and responses to groundwater development; ground water pumping impacts reflected in flows at the El Paso gauge; and the New Mexico modeling's failure to demonstrate impacts on New Mexico from any operations by irrigators or municipal providers in Texas. Further, Dr. Brandes will provide preemptive rebuttal testimony to issues raised by New Mexico.
4.	Adolf (Shane) Coors V., M.E., P.E., Precision Water Resources Engineering, LLC 3401 E County Road 16 Loveland, CO 80537 (720) 261-7007	Retained Expert of Texas	Mr. Coors is a Water Resources Engineer, specializing in modeling to support water resources planning and management. His expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes facts and opinions regarding the modeling system developed by New Mexico's technical experts; description of the modeling system; its lack of appropriateness for application to the Texas Complaint; its use by New Mexico experts to challenge the Texas modeling effort, and its use to support the New Mexico Counterclaim's First Claim for

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			Relief (Counterclaim 1); comparison of Texas and New Mexico modeling results; comparison of New Mexico modeling results with double mass graphs reflecting historical data; and conclusions regarding the New Mexico modeling results. Further, Mr. Coors will provide preemptive rebuttal testimony to issues raised by New Mexico.
5.	Filiberto Cortez, Former Division Manager, El Paso Office Bureau of Reclamation; c/o Counsel for the United States	FRCP 30(b)(6) witness of the United States; Percipient	Mr. Cortez' expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his depositions, as well as responses at trial to evidence presented.
6.	Michelle Estrada-Lopez, c/o counsel for the United States	Non-Retained Expert of the United States; Percipient	Ms. Estrada-Lopez is a Civil Engineer (Hydraulic/Hydrologic) employed by the United States Bureau of Reclamation (Reclamation). Her expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in her disclosures and deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions on Project water supply and operations, including accounting and credit water releases, as described in the scope of her disclosures and deposition.
7.	Ian M. Ferguson, Ph.D., P.E., c/o counsel for the United States	Non-Retained Expert of the United States; Percipient	Dr. Ferguson is a Hydrologic Engineer from Reclamation's Technical Service Center, Water Resources Engineering and Management Group, in Denver, Colorado. His expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his disclosures and deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and

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			opinions on the current operations of the Project under the 2008 OA for the Project and the Rio Grande Project Water Accounting and Operations Manual including the following; (1) Procedures for allocating Project water, including the use of the D-1 and D-2 curves and carryover accounting; (2) Procedures for Project water accounting, including the determination of Project allocation charges and credits; and (3) the Project's release and delivery of water from storage to Project districts and Mexico.
8.	Patrick Gordon, Former Rio Grande Compact Commissioner for Texas; c/o Counsel for Texas	Party and Percipient	Mr. Gordon's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes his duties, responsibilities and authority as the Texas Rio Grande Compact Commissioner; the management and administration of the 1938 Compact; Rio Grande Compact Commission authority and actions; interactions with New Mexico during his time as the Rio Grande Compact Commissioner regarding New Mexico groundwater pumping, New Mexico's illegal surface water diversions, New Mexico's failure to administer water below Elephant Butte Reservoir to protect Texas's apportionment, the purpose of the 2008 OA and how the districts operate pursuant to the Operating Agreement; Project and Compact accounting; and injuries sustained and/or damages incurred by Texas.
9.	William R. Hutchison, Ph.D., P.E., P.G.,	Retained Expert of Texas	Dr. Hutchison is a Professional Engineer (Geological and Civil) and Professional Geoscientist (Geology). Dr. Hutchison's expected testimony will include, without

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	9305 Jamaica Beach, Jamaica Beach, TX 77554 (512) 745-0599		limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes the design and development of a groundwater model to address the issues raised by the Texas Complaint. He will testify regarding the groundwater-surface water interaction on the Rio Grande in the Rincon and Mesilla Valleys, the definition of the 1938 Depletion Condition, the impact of groundwater pumping in the Rincon and Mesilla Valleys on Rio Grande flows, and the impact of groundwater pumping in the Hueco Bolson on New Mexico. He will discuss various simulations he has run with the Texas groundwater model. Further, he will express opinion formed as a result of his review of the New Mexico groundwater and ILRGM models. Also, Dr. Hutchison will provide preemptive rebuttal testimony to issues raised by New Mexico. Dr. Hutchison may also provide further analysis of the technical work undertaken by Jean M. Moran, P.G., C. Hg.
10.	Art Ivey , Vice-President EP#1 Board of Directors 13247 Alameda Ave. Clint, TX 79836	Non-Retained Expert of Texas; Percipient	Mr. Ivey's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his disclosures and deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions from the perspective of an owner/operator of a farm within EP#1, including but not limited to the following: the rights, receipt, delivery, and/or supply of Project water to his farm; how he manages and utilizes surface and groundwater resources for

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			agricultural activities; farming and irrigation practices; crop types, including how and why crop decisions are made, as well as historical changes in the types and/or quantities of crops grown; observation of historical trends of decreased water quality and increased salinity.
11.	Colin P. Kikuchi, Ph.D., Montgomery & Associates 1550 E. Prince Road Tucson, AZ 85719 (520) 881-4912	Retained Expert of Texas	Dr. Kikuchi is a Groundwater Hydrologist at Montgomery & Associates. Dr. Kikuchi's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes development of the soil water balance model for estimating agricultural groundwater pumping and deep percolation related to crop operations in the basins; farm water budget analyses for the Rincon and Mesilla Valleys providing an accounting for water entering and leaving lands on which irrigated crops are grown.
12.	Joel Kimmelshue, Ph.D., CPSS, Land IQ 2020 L Street, Suite 110 Sacramento, CA 95811 (916) 265-6330	Retained Expert of Texas	Dr. Kimmelshue is an Agricultural and Soil Scientist and a principal at Land IQ. Dr. Kimmelshue's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes opinions related to agricultural land use mapping methods and results, consumptive use determinations, for purposes of the defined study period evaluated in this case; salinity impacts on

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			crops. He will also provide preemptive rebuttal testimony to issues raised by New Mexico.
13.	J. Phillip King, Ph.D., P.E., EBID Hydrology Consultant 530 S. Melendres St. Las Cruces, NM 88005	Non-Retained Expert of Texas and the United States; Percipient	Dr. King's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his disclosures and depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions from the perspective of his EBID hydrology consultant position, which may include, but are not limited to the following: the purpose and operations of the EBID, what the District does, the locations of the District and its District facilities, and how the District is managed and operated from a technical perspective; the purpose, history and/or operation of contracts by and between the United States, EP#1, and/or EBID and communications regarding the same; the management and administration of the Compact within EBID, including issues related to Project deliveries, Project accounting, surface water flows and diversions, groundwater pumping and/or the interconnections between Rio Grande surface flow and groundwater; description of how EBID operates pursuant to the 2008 OA; how EBID interacts with landowners and the substance of the interactions, including but not limited to the utilization of surface and groundwater resources, agricultural practices and crop management; and the receipt, delivery and/or supply of Project water by EBID.
14.	Scott Miltenberger, Ph.D., JRP Historical Consulting	Retained Expert of Texas	Dr. Miltenberger is a professional historian, primarily of western water and land use. Dr. Miltenberger's testimony will include, without limitation, the subjects and issues raised, and matters

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	2850 Spafford Street Davis CA 95618 (530) 757-2521		and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes the historical background associated with water development of the Rio Grande; the history and purpose of the development of the 1938 Compact; the history of groundwater well development and stream depletions in the Lower Rio Grande; historical characterization and analysis of conditions reflecting Texas's 1938 Condition.
15.	Jean M. Moran, P.G., C. Hg., Stetson Engineers, Inc. 785 Grand Ave., Suite 202 Carlsbad, CA 92008	Retained Expert of the United States	Ms. Moran is a Hydrogeologist. Her expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in her expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes expert testimony on the subjects of surface water-groundwater interaction, hydrogeologic modeling with respect to the Rincon and Mesilla Valleys including the Project area, and the impacts on Rio Grande flows of groundwater pumping in New Mexico.
16.	Staffan W. Schorr, Montgomery & Associates 1550 E. Prince Road Tucson, AZ 85719 (520) 881-4912	Retained Expert of Texas	Mr. Schorr is a principal Hydrogeologist and Partner at Montgomery & Associates. His expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes

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			the development of basin-wide land-surface water, surface water, and groundwater budgets for Rincon and Mesilla basins, and development of a web-based database for hydrologic data obtained from public sources. Water budgets that were developed to provide conceptual inputs to a numerical groundwater flow model being developed separately by William R. Hutchison, as well as inputs to other expert analyses; development of a farm water budget for El Paso Valley for estimating agricultural groundwater pumping in the valley for analysis by other experts.
17.	Robert Sloan, EBID Board Member; c/o EBID's counsel, Samantha R. Barncastle, Barncastle Law Firm, LLC 1100 South Main, Suite 20 Las Cruces, NM 88004; (575) 636-2377	Percipient	Mr. Sloan's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes EBID's operations since 2008; history of EBID's operations including Board actions that involve water administration and allocation within the District; description of how the Districts operate pursuant to the 2008 OA; and historical perspective on farming in EBID.
18.	David Sunding, Ph.D., The Brattle Group 201 Mission Street, Suite 2800 San Francisco, CA 94105 (415) 217-1000	Retained Expert of Texas	Dr. Sunding is a natural resource, environmental, water and land use Economist. Dr. Sunding's testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his expert reports and disclosures, supplemental disclosures, declarations, and depositions, as well as responses at trial to evidence presented. The general nature of the expert testimony includes an overview of the injury to Texas as a result of excessive groundwater pumping in New Mexico, including the impacts of

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			increased water salinity in Texas; comparison of the differences between agricultural conditions in New Mexico's Rincon and Mesilla Valleys and Texas's El Paso and Hudspeth Valleys; summary of an econometric model that may be used to calculate damages to Texas; and a summary of induced and indirect effects on the Texas economy as a consequence of direct agricultural damages. He will also provide preemptive rebuttal testimony to issues raised by New Mexico.

B. Texas's May-Call Witnesses

	<u>May-Call Witness</u>	<u>Category/Party</u>	<u>General Summary of Testimony</u>
1.	John D'Antonio, New Mexico State Engineer, Rio Grande Compact Commissioner for New Mexico c/o Counsel for New Mexico	Party/Percipient for New Mexico	Texas may call New Mexico FRCP 30(b)(6) witness John D'Antonio as an adverse party witness [FRCP 611(c)(2)]. Mr. D'Antonio's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed in his depositions.
2.	Gary L. Esslinger, EBID Manager and Treasurer; 530 S. Melendres St. Las Cruces, NM 88005	Non-Retained Expert of Texas; Percipient	Mr. Esslinger's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his disclosures and depositions, as well as responses at trial to evidence presented. The general nature of the testimony includes facts and opinions from the perspective of his EBID manager and board member positions, including but not limited to the following: the purpose and operations of EBID, what the

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			District does, the locations of the District and its District facilities, and how the District is managed and operated; the purpose, history and/or operation of contracts by and between the United States, EP#1, and/or EBID and communications regarding the same; the management and administration of the Compact within EBID, including issues related to Project deliveries, Project accounting, surface water flows and diversions, groundwater pumping and/or the interconnections between Rio Grande surface flow and groundwater; description of how EBID operates pursuant to the 2008 OA; how EBID interacts with landowners and the substance of the interactions, including but not limited to the utilization of surface and groundwater resources, agricultural practices, and crop management; and the receipt, delivery, and/or supply of Project Water by EBID.
3.	Mica Heilmann, CPSS, Land IQ, LLC 2020 L Street, Suite 110 Sacramento, CA 95811 (916) 265-6330	Retained Expert of Texas	Ms. Heilmann is a Principal Scientist and principal in the firm of Land IQ. Her expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, with which she was involved in Dr. Kimmelshue's expert reports and disclosures, supplemental disclosures, declarations, and

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			deposition, as well as responses at trial to evidence presented.
4.	Danny Landry, Premium Inspection & Testing Group 8225 Florida Blvd Baton Rouge, LA 70806 (225) 803-1511 DLandry@pitinc.com	Percipient	Mr. Landry's expected testimony will include, without limitation, his involvement in the collection of drone footage, including all data and imaging, of the Rio Grande Compact geographic area from Elephant Butte Reservoir through Ft. Quitman, Texas, including any and all drone flights related to and collected for purposes of this proceeding.
5.	Jesus Reyes, EP#1 General Manager; c/o EP#1's counsel, Maria O'Brien, Modrall, Sperling, Roehl, Harris & Sisk, PA, 500 Fourth Street N.W., Suite 1000, Albuquerque, NM 87102; (505) 848-1800	Percipient	Mr. Reyes' expected testimony will include, without limitation, EP#1's physical delivery system, internal administration of EP#1 water rights, relationship of EP#1 to the City of El Paso Water Utilities; and relationship of EP#1 to Hudspeth, ground water use within EP#1, historical water operations, EP#1's duties/relationships vis-a-vis its farmers and other entities.
6.	Johnny Stubbs, President, EP#1 Board of Directors; c/o EP#1's counsel, Maria O'Brien, Modrall, Sperling, Roehl, Harris & Sisk, PA, 500 Fourth Street N.W., Suite 1000, Albuquerque, NM 87102; (505) 848-1800	Percipient	Mr. Stubbs' expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in his deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes his experience as a board member and president of EP#1; EP#1 history and operations; issues related to surface water deliveries in EP#1; description of how the districts operate pursuant to the 2008 OA; farming in the El Paso Valley;

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			groundwater quality and impacts on agricultural operations in the El Paso Valley; changes to EP#1 delivery system over time; and relationships with other water users including EPWU and Hudspeth.
7.	Cheryl Thacker, Water Rights Manager, District IV Water Resource Allocation Program, Water Rights Division New Mexico Office of the State Engineer c/o New Mexico Office of the Attorney General	FRCP 30(b)(6) witness for New Mexico	Texas may call New Mexico FRCP 30(b)(6) witness Cheryl Thacker as an adverse party witness [FRCP 611(c)(2)]. Ms. Thacker's expected testimony will include the areas for which she was designated a witness by New Mexico in response to the United States' and Texas's Rule 30(b)(6) notice of deposition, including but not limited to, New Mexico's failure to administer water rights below Elephant Butte Reservoir to protect Texas's apportionment.
8.	Suzy Valentine, P.E., C.F.M., Current Engineer Advisor, Texas Rio Grande Compact Commission; c/o Counsel for Texas	Percipient	Ms. Valentine's expected testimony will include, without limitation, the subjects and issues raised, and matters and opinions discussed, in her deposition, as well as responses at trial to evidence presented. The general nature of the testimony includes the management and administration of the 1938 Compact, intrastate, interstate, and/or international surface and groundwater operations and management issues in the Rio Grande watershed, and the practice and procedure for the

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			management of compacts generally, and any related factual issues.