

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

◆

OFFICE OF THE SPECIAL MASTER

◆

STATE OF NEW MEXICO'S PRE-TRIAL CONFERENCE STATEMENT

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**Counsel of Record*

August 25, 2021

The State of New Mexico (“New Mexico”) submits this Pre-Trial Conference Statement pursuant to the Trial Management Order (Apr. 19, 2021) [Dkt. 501], as modified and amended.

New Mexico states as follows:

TRIAL WITNESSES

1. Please see Appendix A for a list of New Mexico’s trial witnesses.

EXHIBIT LISTS

2. Please see Appendix B for a list of New Mexico’s trial exhibits.
3. Please see Appendix C for the parties’ agreed Joint Exhibit List.

DEPOSITION DESIGNATIONS

4. Please see Appendix D for New Mexico’s deposition designations, counter-designations, and objections.
5. New Mexico will file concurrently with this Pre-Trial Conference Statement a motion for leave to file additional deposition designations for witnesses whom New Mexico expected the State of Texas or the United States of America to call at trial but who New Mexico now understands that neither the State of Texas nor the United States of America intends to call.

STIPULATED FACTS

6. New Mexico prepared proposed stipulations of fact and submitted them to the other parties for review on August 23, 2021, but New Mexico did not receive responses from all parties prior to the deadline for submitting this Pre-Trial Conference Statement. The United States of America agreed to a number of the proposed stipulations and proposed to confer by phone on August 26, 2021. New Mexico expects that the parties may file a set of stipulated facts in the coming days.

Dated: August 25, 2021

Respectfully submitted,

By: /s/ Jeffrey J. Wechsler
Jeffrey J. Wechsler

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STATE OF NEW MEXICO'S CERTIFICATE OF SERVICE

This is to certify that on August 25, 2021, I caused a true and correct copy of the **State of New Mexico's Pre-Trial Conference Statement**, including all appendices referenced therein, to be served by e-mail and U.S. Mail upon the Special Master and by e-mail upon all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 25th day of August, 2021.

/s/ Michael A. Kopp

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HONORABLE MICHAEL J. MELLOY

Special Master

United States Circuit Judge
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APPENDIX A

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August 25, 2021

Comes now the State of New Mexico, pursuant to the April 9, 2021 Trial Management Order as modified by the Special Master's August 19, 2021 Order, and provides its list of the following witnesses New Mexico intends to call to testify at the September 13, 2021 trial in this proceeding.¹ The witnesses are separated according to whether they will definitely be called to testify at some point during trial ("Will-Call Witnesses"), witnesses who may be called to testify ("May-Call Witnesses"), and witnesses whose testimony is submitted by deposition designation:

New Mexico's Will-Call Witnesses:

1. Richard G. Allen, Ph.D., P.E.

c/o New Mexico Office of the Attorney General

Dr. Allen's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

2. Margaret Barroll, Ph.D.

c/o New Mexico Office of the Attorney General

Dr. Barroll's expected expert testimony will include but not be limited to issues raised and matters and opinions discussed in her expert reports and disclosures, supplemental disclosures, depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

Dr. Barroll's expected percipient witness testimony will include but not be limited to her knowledge and experience in hydrology and in her work at the Office of the State Engineer on Lower Rio Grande and Rio Grande Project issues, issues raised and matters discussed in depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

3. Gilbert Barth, Ph.D.

c/o New Mexico Office of the Attorney General

Dr. Barth's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures,

¹ This witness list is provided for the "Phase I" portion of the trial on liability as described by the Special Master in ¶ IX of the April 9, 2021 Trial Management Order [Dkt. 501] and ¶ 3 of the June 4, 2021 Order [Dkt.508]. New Mexico anticipates separate witness and exhibit lists will be required for "Phase 2" of the trial on quantification of damages and remedies.

supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

4. **Gregory M. Carrasco**
Vice President/Senior Relationship Manager Farm Credit of New Mexico
2000 Las Vegas Court
Las Cruces, NM 88007

Mr. Carrasco's expected testimony will include but not be limited to farm lending and valuation of agricultural land uses and water rights, potential impacts of fallowing and/or depletion reduction to farming and ancillary businesses, economic value of farming and ancillary businesses in southern New Mexico, and responses at trial to fact or expert evidence presented.

5. **John Carron, Ph.D.**
c/o New Mexico Office of the Attorney General

Dr. Carron's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

6. **Daniel Chavez**
General Manager, Hudspeth County Conservation and Reclamation
71920 Texas Hwy 20
Fort Hancock, TX 79839

Mr. Chavez's expected testimony will include but not be limited to the history and operation of the Hudspeth County Conservation and Reclamation District No. 1, its contracts with the Bureau of Reclamation, and any other issues raised and matters discussed in his deposition.

7. **John D'Antonio, P.E.**
New Mexico State Engineer and
Rio Grande Compact Commissioner for New Mexico
New Mexico Office of the State Engineer
c/o New Mexico Office of the Attorney General

Mr. D'Antonio's expected testimony will include but not be limited to his duties, experiences, and obligations as New Mexico State Engineer and as New Mexico Commissioner to the Rio Grande Compact Commission, water rights and water rights administration, interstate compact administration and management, Rio Grande Compact Commission authority and actions, New Mexico rights and obligations under the Rio Grande Compact, Compact allocation, historic operations of the Rio Grande Compact and Rio Grande Project, interactions with the United States and Texas and EBID regarding water issues, the 2008 Operating Agreement, the 2011 Credit Water Release,

injuries sustained and/or damages incurred by New Mexico, issues raised and matters discussed in his deposition and declarations, and responses at trial to fact or expert evidence presented.

8. Edward Drusina

Former Commissioner,
U.S. Section International Boundary and Water Commission
c/o United States Department of Justice

Mr. Drusina's expected testimony will include but not be limited to Mexico water use and operations, IBWC river channel maintenance obligations and actions, Rio Grande Project Operations as they relate to Mexico, deliveries to the American Canal, water supply, allocation procedures, water accounting procedures, vegetation and sediment management within and adjacent to the channel of the Rio Grande, surface and groundwater diversions or uses in Mexico from groundwater aquifers, effects of groundwater pumping on Project releases, diversions, deliveries, and return flows, and issues raised and matters discussed in his deposition.

9. Scott Eschenbrenner

Special Assistant to the President New Mexico State University
c/o New Mexico Office of the Attorney General

Mr. Eschenbrenner's expected testimony will include but not be limited to an overview of the NMSU mission and status as a land grant university, NMSU's economic impacts in the region, agriculture in the Lower Rio Grande in New Mexico, economic value and impacts of agriculture in the LRG and New Mexico, the use of water for university and research purposes, water sources, water rights, water operations, historic water use, the impacts of the 2008 Operating Agreement on surface water supply, and responses at trial to fact or expert evidence presented.

10. Shayne Franzoy

2552 Calle De Vista
Las Cruces, NM 88007

Mr. Franzoy's expected testimony will include but not be limited to sources of irrigation water in New Mexico's Lower Rio Grande, impacts of the 2008 Operating Agreement, farming operations, EBID operations, interactions with the OSE, the economics of New Mexico's Lower Rio Grande agriculture, and responses at trial to fact or expert evidence presented.

- 11. Texas Water Development Board Representative
(Larry French)**
c/o State of Texas

Mr. French's expected testimony will include but not be limited to the role and activities of the TWDB, Texas regional and state water use and planning, Texas groundwater administration, groundwater use in the El Paso Valley, and issues raised and matters discussed in their depositions if applicable.

- 12. Jorge Garcia, Ph.D.**
Former Director of Utilities, City of Las Cruces
c/o New Mexico Office of the Attorney General

Dr. Garcia's expected testimony will include but not limited to all aspects of the City of Las Cruces water use and planning, utility management, issues raised and matters discussed at his deposition, and responses at trial to fact or expert evidence presented.

- 13. Mike Greene**
Project Manager, Water Resources PNM Resources
c/o New Mexico Office of the Attorney General

Mr. Greene's expected testimony will include but not be limited to PNM actions and plans as to the Afton plant operations and water usage, the customer base and the economic impact of the electric utility throughout the region, financial investments, sources of water for electric utility operation, the acquisition process and ownership of water rights, PNM historic water use, water operations and planning, and responses at trial to fact or expert evidence presented.

- 14. Randy Garay**
13636 NM-187
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Mr. Garay's expected testimony will include but not be limited to sources of irrigation water in New Mexico's Lower Rio Grande, impacts of the 2008 Operating Agreement, farming and plant operations, EBID operations, interactions with the OSE, the economics of New Mexico's Lower Rio Grande agriculture, and responses at trial to fact or expert evidence presented.

- 15. Dana Hoag, Ph.D.**
c/o New Mexico Office of the Attorney General

Dr. Hoag's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

16. David Jordan, M.S., P.E.

c/o New Mexico Office of the Attorney General

Mr. Jordan's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

17. Steven Larson, M.S., P.H.

c/o New Mexico Office of the Attorney General

Mr. Larson's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his and Gilbert Barth's expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

18. John Longworth, P.E.

Senior Engineering Executive, New Mexico Office of the State Engineer
Former Director of the New Mexico Interstate Stream Commission
New Mexico Office of the State Engineer
c/o New Mexico Office of the Attorney General

Mr. Longworth's expected testimony will include but not be limited to interstate compact administration, consumptive irrigation requirements, evapotranspiration, Lower Rio Grande water use and sources, the 2008 Operating Agreement including impacts on New Mexico water users, issues raised and matters discussed at his deposition in this matter, and responses at trial to fact or expert evidence presented.

19. Estevan Lopez, P.E.

Former Executive Director of the New Mexico Interstate Stream Commission
c/o New Mexico Office of the Attorney General

Mr. Lopez's expected expert testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions, and declarations in this matter, and responses at trial to fact or expert evidence presented.

Mr. Lopez's expected percipient witness testimony will include, but not be limited to, his knowledge and experiences as New Mexico's Interstate Stream Director, and as Commissioner of the Bureau of Reclamation, and issues raised and matters discussed in his depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

**20. Texas Commission on Environmental Quality Representatives
(Kelly Mills)**
c/o State of Texas

Ms. Mills' expected testimony will include but not be limited to the role and activities of the TCEQ, water administration, Texas regional and state water use and planning, water administration, issues raised and matters discussed in their respective depositions.

21. Daniel Morrissey, M.S., RPG
c/o New Mexico Office of the Attorney General

Mr. Morrissey's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

22. Lewis Munk, Ph.D.
c/o New Mexico Office of the Attorney General

Dr. Munk's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

23. David Salopek
1985 Salopek Road Las Cruces, NM 88005

Mr. Salopek's expected testimony will include but not be limited to sources of irrigation water in New Mexico's Lower Rio Grande, impacts of the 2008 Operating Agreement, farming operations, EBID operations, interactions with the OSE, the economics of New Mexico's Lower Rio Grande agriculture, and responses at trial to fact or expert evidence presented.

24. Rolf Schmidt-Petersen
Director, New Mexico Interstate Stream Commission New Mexico Office of
the State Engineer
c/o New Mexico Office of the Attorney General

Mr. Schmidt-Petersen's expected testimony will include but not be limited to his role and experiences as Director of the Interstate Stream Commission, his role as the Rio Grande Bureau Chief, his role and experiences as Engineer Advisor to the Rio Grande Compact Commission, the role of the Interstate Stream Commission in New Mexico water administration, regional water planning, interstate compact administration, credit water releases, the relationship between the Rio Grande Compact Commission and the Rio Grande Project, interactions between the Parties related to the Rio Grande Compact,

Compact accounting, the impacts of the 2008 Operating Agreement, injuries sustained and/or damages incurred by New Mexico, issues raised and matters discussed in his depositions and declarations, and responses at trial to fact or expert evidence presented.

25. Ryan Serrano

LRG Water Master

Water Resource Allocation Program Water Rights Division

New Mexico Office of the State Engineer

c/o New Mexico Office of the Attorney General

Mr. Serrano's expected testimony will include but not be limited to his role and experiences as the Water Master in the Lower Rio Grande, well metering, data collection and computation, water rights administration, compliance, and enforcement, water sources and use in the Lower Rio Grande, farming, agricultural, and irrigation practices in the Lower Rio Grande, water infrastructure in the Lower Rio Grande, issues raised and matters discussed in his depositions and declarations, and responses at trial to fact or expert evidence presented.

26. Steve Setzer, M.S., P.E.

c/o New Mexico Office of the Attorney General

Mr. Setzer's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

27. Charles Spalding, M.S., PG

c/o New Mexico Office of the Attorney General

Mr. Spalding's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

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Ms. Stahmann-Solis's expected testimony will include but not be limited to sources of irrigation water in New Mexico's Lower Rio Grande, impacts of the 2008 Operating Agreement, farming operations, EBID operations, interactions with the OSE, the economics of New Mexico's Lower Rio Grande agriculture, and responses at trial to fact or expert evidence presented.

- 29. Jennifer Stevens, Ph.D.**
c/o New Mexico Office of the Attorney General

Dr. Stevens's expected testimony will include but not be limited to issues raised and matters and opinions discussed in her expert reports and disclosures, supplemental disclosures, depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

- 30. John Stomp**
Former Chief Operating Officer
Albuquerque Bernalillo County Water Utility Authority c/o New Mexico
Office of the Attorney General

Mr. Stomp's expected testimony will include but not be limited to the Water Authority's water supply and demand, operations, groundwater management, conservation programs, reliance on New Mexico law for water rights administration, coordination with New Mexico that has ensured the State's compliance with the Rio Grande Compact in the Middle Rio Grande, including Article IV, potential ramifications for the Water Authority from the resolution of *Texas v. New Mexico*, Original No. 141, credit water releases, issues raised and matters discussed in his deposition, and responses at trial to fact or expert evidence presented.

- 31. Gregory Sullivan, M.S., P.E.**
c/o New Mexico Office of the Attorney General

Mr. Sullivan's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

- 32. Bryan Thoreson, Ph.D., P.E.**
c/o New Mexico Office of the Attorney General

Dr. Thoreson's expected testimony will include but not be limited to issues raised and matters and opinions discussed in his expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

- 33. Heidi Welsh, P.H.**
c/o New Mexico Office of the Attorney General

Ms. Welsh's expected testimony will include but not be limited to issues raised and matters and opinions discussed in her expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to

fact or expert evidence presented.

- 34. Brent Westmoreland**
CRRUA Executive Director
c/o New Mexico Office of the Attorney General

Mr. Westmoreland's expected testimony will include but not be limited to an overview of the CRRUA operations, service area, and customer base, sources of water, water available for offsets, water rights, water operations, the economic impact of CRRUA services, historic water use, and responses at trial to fact or expert evidence presented.

- 35. Lee Wilson, Ph.D.**
c/o New Mexico Office of the Attorney General

Dr. Wilson's expected testimony will include but not be limited to rebuttal of United States expert Phillip King by providing data on City of Las Cruces' water use, water rights, wells, hydrogeology, wastewater discharges, holdings of Rio Grande surface water rights, and how the City of Las Cruces offsets effects of its pumping on the Rio Grande. He will also address issues raised and matters and opinions discussed in his expert disclosures, supplemental disclosures, depositions and declarations in this matter, and responses at trial to fact or expert evidence presented.

- 36. Witnesses necessary for authentication of documents or to otherwise meet the requirements of the Federal Rules of Evidence.**

New Mexico's May-Call Witnesses:

- 37. Kathy Alexander**
Texas Commission on Environmental Quality
c/o State of Texas

Ms. Alexander's expected testimony will include but not be limited to the role and activities of the Texas Commission on Environmental Quality, Texas regional and state water use and planning, water administration, and issues and matters discussed in her deposition.

- 38. Gilbert Anaya**
Supervisory Natural Resource Specialist,
Environmental Management Division,
U.S. Section International Boundary and Water Commission
c/o United States Department of Justice

Mr. Anaya's expected testimony will include but not be limited to Mexico water use and operations, IBWC river channel maintenance obligations and actions, Rio Grande Project Operations as they relate to Mexico, deliveries to

the American Canal, water supply, allocation procedures, water accounting procedures, vegetation and sediment management within and adjacent to the channel of the Rio Grande, surface and groundwater diversions or uses in Mexico from groundwater aquifers, effects of groundwater pumping on Project releases, diversions, deliveries, and return flows, and issues raised and matters discussed in his deposition.

- 39. John Balliew**
President/CEO
El Paso Water Utilities
1154 Hawkins Blvd.
El Paso, TX 79925

Mr. Balliew's expected testimony will include but not be limited to operation of the El Paso Water Utilities' water system, contracts between El Paso Water Utilities, EPCWID, Hudspeth County, and the Bureau of Reclamation, sources of municipal water for the City of El Paso, City of El Paso effluent, subjects identified in his expert disclosure by Texas, and issues raised and matters and opinions discussed in his depositions.

- 40. Al Blair**
Engineer Consultant to EPCWID
c/o Texas Counsel

Mr. Blair's expected testimony will include but not be limited to technical analyses of the Rio Grande Project operations including allocation, accounting, and delivery both prior to 2006 and after, hydrologic analyses he has performed, the Rio Grande Project water system (including the districts), groundwater use and pumping in Texas, EPCWID operations and water rights, maintenance of the Rio Grande channel, negotiations of and considerations for operating agreements through the years, relationship between EPCWID and EBID, the 2008 Operating Agreement, subjects identified in his expert disclosures by Texas and the United States, and issues raised and matters and opinions discussed in his depositions.

- 41. Filiberto Cortez**
Special Assistant to the Albuquerque Area Manager,
former Manager, El Paso Field Office
Bureau of Reclamation
c/o United States Department of Justice

Mr. Cortez's expected testimony will include but not be limited to Rio Grande Project history, Rio Grande Project operations, including allocation, accounting, and deliveries, historic operating agreements and negotiations for operating agreements and analyses undertaken for such negotiations (including the 2008 Operating Agreement), the 2008 Operating Agreement, determination

and implementation of allocation methodologies including the D1/D2 and D3 methodologies, relationship between the Bureau of Reclamation, EBID, and EPCWID, relationship between the Rio Grande Compact Commission and the Rio Grande Project, Compact credit water, issues raised and matters and opinions discussed in his depositions.

42. Alma De Anda

Land and Water Rights Manager El Paso Water Utilities
1154 Hawkins Blvd.
El Paso, TX 79925

Ms. De Anda's expected testimony will include but not be limited to the administration of contracts between the City of El Paso and Project water users, the management of Project water rights lands owned or leased by El Paso, and issues raised and matters discussed in her deposition.

43. Dale Doremus

c/o New Mexico Office of the Attorney General

Mr. Doremus' expected testimony will include water quality issues in the LRG, the Salinity Coalition and interactions with Texas and the United States regarding water quality issues, and responses at trial to fact or expert evidence presented.

44. Gary Esslinger

Treasurer-Manager, EBID
530 S. Melendres St.
Las Cruces, NM 88005
c/o EBID

Mr. Esslinger's expected testimony will include but not be limited to EBID operations and infrastructure, Rio Grande Project operations including allocation and accounting, water sources and usage in the Lower Rio Grande, groundwater pumping in the Lower Rio Grande, EBID relationship with the OSE, EBID relationship with EPCWID, maintenance of the Rio Grande channel, the negotiation and operation of the 2008 Operating Agreement, subjects identified in the expert disclosure by Texas, and issues raised and matters and opinions discussed in his depositions and declarations in this matter.

- 45. Michelle Estrada-Lopez**
Project Manager
Albuquerque Area Office, Bureau of Reclamation
c/o United States Department of Justice

Ms. Estrada-Lopez's expected testimony will include but not be limited to Project water accounting and allocations, Project operations, Compact credit water, subjects identified in the expert disclosure by the United States, and issues raised and matters and opinions discussed in her deposition.

- 46. Ian Ferguson**
Hydrologic Engineer Bureau of Reclamation
c/o United States Department of Justice

Dr. Ferguson's expected testimony will include but not be limited to Rio Grande Project operations including allocation and accounting, water sources for the Rio Grande Project, analysis of and impacts of the 2008 Operating Agreement, work on Lower Rio Grande modeling, involvement in Environmental Assessment and Environmental Impact Statement for the 2008 Operating Agreement, subjects identified in his expert disclosure by the United States, issues raised and matters and opinions discussed in his deposition, and responses at trial to fact or expert evidence presented.

- 47. William Finn**
Supervisory Hydrologist, Chief, Water Accounting,
U.S. Section International Boundary and Water Commission
c/o United States Department of Justice

Mr. Finn's expected testimony will include but not be limited to Mexico water use and operations, IBWC river channel maintenance obligations and actions, Rio Grande Project Operations as they relate to Mexico, deliveries to the American Canal, water supply, allocation procedures, water accounting procedures, vegetation and sediment management within and adjacent to the channel of the Rio Grande, surface and groundwater diversions or uses in Mexico from groundwater aquifers, effects of groundwater pumping on Project releases, diversions, deliveries, and return flows, and issues raised and matters discussed in his depositions.

- 48. Art Ivey**
c/o State of Texas (EPCWID)

Mr. Ivey's expected testimony will include but not be limited to his role and responsibilities as a Board member of EPCWID, farming, crop, and irrigation issues in the Texas portion of the Rio Grande Project, water order processes, water supply and sources, water quality, agricultural trends, negotiation of and impacts of the 2008 Operating Agreement, subjects identified in his expert

disclosure by Texas, and issues raised and matters and opinions discussed in his depositions.

- 49. Phillip King, Ph.D.**
Engineer Consultant to EBID
c/o Texas Counsel

Dr. King's expected testimony will include but not be limited to technical analyses of the Rio Grande Project, Project history, historic and current Rio Grande Project operations including allocation and accounting, and agricultural practices both prior to 2006 and after, hydrology of the waters systems within the Rio Grande Project, conjunctive use by EBID constituents, maintenance of the Rio Grande channel, relationship between EBID and EPCWID, subjects identified in his expert disclosures by Texas and the United States, and issues raised and matters and opinions discussed in his depositions.

- 50. Jean M. Moran, PG, CHG**
Supervising Hydrogeologist
Stetson Engineers, Inc.
c/o U.S. Department of Justice

Ms. Moran's expected testimony will include but not be limited to issues raised and opinions discussed in her expert reports and disclosures, supplemental disclosures, depositions in this matter, and responses at trial to fact or expert evidence presented.

- 51. Scott Reinert, PE**
Water Resources Manager, El Paso Water Utilities 1154 Hawkins Blvd.
El Paso, TX 79925

Mr. Reinert's expected testimony will include but not be limited to the operation of El Paso Water Utilities' water system, groundwater modeling in the Hueco Bolson in Texas, impacts of groundwater pumping in Texas and Mexico, and issues raised and matters discussed in his deposition.

- 52. Jesus Reyes**
General Manager, EPCWID
c/o State of Texas

Mr. Reyes's expected testimony will include but not be limited to his role and responsibilities at EPCWID, farming, crop, and irrigation issues in the Texas portion of the Rio Grande Project, ECWID history, operations, and infrastructure, water order processes, water use, supply, rights, and sources, water quality, agricultural trends, negotiation of and impacts of the 2008 Operating Agreement, and issues raised and matters discussed in his depositions.

- 53. Robert Rios [if not permitted to present by designation]**
Water Master, EPCWID
c/o State of Texas

Mr. Rios's expected testimony will include but not be limited to his duties and responsibilities at EPCWID, EPCWID history, infrastructure, and operations, and issues raised and matters discussed in his deposition.

- 54. Carlos Rubenstein**
Texas Water Development Board
c/o State of Texas

Mr. Rubenstein's expected testimony will include but not be limited to the role and activities of the TWDB, Texas regional and state water use and planning, Texas groundwater administration, groundwater use and administration in the El Paso Valley.

- 55. Herman Settemeyer [if not permitted to present by designation]**
Former Engineer Advisor to the Texas Commissioner of the Rio Grande
Compact Commission
c/o State of Texas

Mr. Settemeyer's expected testimony will include but not be limited to the proceedings and actions of the Rio Grande Compact Commission, Compact apportionment, Compact credit water, groundwater pumping in the Rio Grande Compact areas, communications among the States in the context of the Rio Grande Compact Commission, effect of Rio Grande Compact resolutions and rules, the role of the Engineer Advisors to the Rio Grande Compact, Texas laws and practices relating to water management, Texas water adjudication, the 2008 Operating Agreement, Project operations and allocations, transfer of Project water to municipal uses, and issues raised and matters discussed in his deposition.

- 56. New Mexico Office of the State Engineer: Former State Engineers /
Former New Mexico Rio Grande Compact Commissioners
(Tom Blaine, Tom Turney, Scott Verhines)**
c/o New Mexico Office of the Attorney General

Expected testimony by New Mexico's former State Engineers / Compact Commissioners may include but not be limited to water resource management, water rights administration, the role of the Rio Grande Compact Commission and Commissioners, Compact apportionment, communications with Texas and the United States regarding water management issues, impacts of the 2008 Operating Agreement, and responses at trial to fact or expert evidence presented.

57. Sally Spener

Foreign Affairs Officer, Secretary
U.S. Section International Boundary and Water Commission
c/o United States Department of Justice

Ms. Spener's expected testimony will include but not be limited to Mexico water use and operations, the effects of the 2008 Operating Agreement on Treaty obligations to Mexico, IBWC river channel maintenance obligations and actions, Rio Grande Project Operations as they relate to Mexico, deliveries to the American Canal, water supply, allocation procedures, water accounting procedures, vegetation and sediment management within and adjacent to the channel of the Rio Grande, surface and groundwater diversions or uses in Mexico from groundwater aquifers, effects of groundwater pumping on Project releases, diversions, deliveries, and return flows, and issues raised and matters discussed in her deposition.

New Mexico's Witnesses Designated by Deposition:

**58. Texas Commission on Environmental Quality Representatives
(Robin Cypher, Cari-Michele La Callie) [by designation]
c/o State of Texas**

Designated testimony by any of these witnesses will include but not be limited to the role and activities of the TCEQ, water administration, Texas regional and state water use and planning, water administration, issues raised and matters discussed in their respective depositions.

**59. Texas Water Development Board Representative
(Temple McKinnon) [by designation]
c/o State of Texas**

Designated testimony by Ms. McKinnon will include but not be limited to the role and activities of the TWDB, Texas regional and state water use and planning, Texas groundwater administration, groundwater use in the El Paso Valley, and issues raised and matters discussed in their depositions if applicable.

**60. Mica Heilmann [by designation, if permitted to file additional
designations]
c/o State of Texas**

Ms. Heilmann is an expert on land use, land surface analysis, and soil and agricultural science and is a principal at Land IQ. She leads the remote sensing group and oversaw implementation of Land IQ's formerly crop mapping methodology in this case. Ms. Heilmann testified at deposition concerning the nature of Land IQ's crop mapping methodology and how it was applied in this

case.

- 61. Leonardo Lombardini [by designation, if permitted to file additional designations]**
c/o State of Texas

Dr. Lombardini is an expert on the effect of soil salinity on plants. In this case, he focused his analysis on pecans. Dr. Lombardini testified at deposition that: (i) while the quality of surface water degrades as one goes downstream, the quality of surface water in Texas remains good—good enough for pecans; (ii) he observed no salinity damage (visually or in lab tests) to any pecan trees or pecan tree leaves in Texas; (iii) the sudden worsening of river water quality in Texas is probably caused by municipal effluent flows and local drain flows in the El Paso Cuidad/Juarez metropolitan area downstream from the Courchesne bridge gage; and (iv) he has no strong disagreement with Dr. Lewis Munk’s opinion (New Mexico’s salinity expert) that a reasonable salinity threshold for pecans (the threshold below which salinity would not impact yield) in the geographic area relevant to this case is 3.5 dS/m.

- 62. Robert Rios [by designation, if permitted to file additional designations]**
c/o State of Texas

Mr. Rios is the Watermaster for EPCWID and New Mexico expected him to be called by Texas at trial; he is listed on the Texas Trial Witness List as “may call” and also as a “may call” witness by New Mexico. Texas did not list Mr. Rios on its TX/US Trial Witness Schedule.

- 63. Herman Settemeyer [by designation, if permitted to file additional designations]**
c/o State of Texas

Mr. Settemeyer was the Engineer Advisor/Manager to the Texas Rio Grande Compact Commissioner from 1987 to 2012 and during key events at issue in this litigation; he is listed on the Texas 1st Trial Witness List as “will call” and on New Mexico’s list as “may call.” Texas did not list Mr. Settemeyer on the TX/US Trial Witness Schedule.

- 64. Rosalba Montes [by designation]**
Supervisory Civil Engineer, Area operations Manager,
Upper Rio Grande Flood Field Offices
U.S. Section International Boundary and Water Commission
c/o United States Department of Justice

Ms. Montes’ designated testimony will include but not be limited to Mexico water use and operations, IBWC river channel maintenance obligations and actions, Rio Grande Project Operations as they relate to Mexico, deliveries to

the American Canal, water supply, allocation procedures, water accounting procedures, vegetation and sediment management within and adjacent to the channel of the Rio Grande, surface and groundwater diversions or uses in Mexico from groundwater aquifers, effects of groundwater pumping on Project releases, diversions, deliveries, and return flows, and issues raised and matters discussed in her deposition.

65. Nicolai Kryloff [by designation]
c/o United States Department of Justice

Mr. Kryloff's designated testimony will include but not be limited to his opinions on the intent of the parties to the Rio Grande Compact of 1938, including the issues of water allocation or apportionment, groundwater, return flows, and issues raised and matters and opinions discussed in his May 31, 2019 expert report and in his deposition.

In addition to the foregoing, New Mexico reserves the right to call any of the witnesses identified or disclosed by Texas, the United States, or Colorado, including designated experts. New Mexico also reserves the right to call rebuttal witnesses as necessary. Witnesses may testify, in addition to the areas listed for each witness, to any subject touched upon during their deposition, or any declaration submitted in connection with this case.

Respectfully submitted,

/s/ Jeffrey J. Wechsler

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APPENDIX B

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

◆

OFFICE OF THE SPECIAL MASTER

◆

STATE OF NEW MEXICO'S FINAL EXHIBIT LIST

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**Counsel of Record*

August 25, 2021

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0001	10/31/2019	Production of Satellite-Based Maps of Evapotranspiration for Years 2002, 2008 and 2013 in the Rio Grande Area of New Mexico and Texas Using Landsat Paths and 33, Rows 37, 38 and 39 via the METRIC Model Prepared by Dr. Richard G. Allen, Ph.D., P.E., dated October, 2019				
NM-0002	12/10/2004	FINAL EIS re Proposed Leasing of Lands at Fort Bliss, Texas for the Proposed Siting, construction and Operation by the City of El Paso of a Brackish Water Desalination Plant				
NM-0003	9/5/2019	City of El Paso's Notice of Designated Witnesses In Response To The State of New Mexico's Notice of Rule 30(b)(6) Deposition				
NM-0004	5/1/2018	City of El Paso - El Paso Water Utilities Chemical Analysis - City Water and El Paso Water Utilities Typical Water Distribution Supply Pattern				
NM-0005	2/1/2001	Implementing Third-Party Contract: Conversion of Rio Grande Project Water to Municipal Use				
NM-0006	4/4/2018	Letter re: monthly report at the beginning of each month with total acres for PSB				
NM-0007	5/1/2016	Final Draft of Title XVI Feasibility Study of Kay Bailey Hutchison Expansion Project dated May, 2016				
NM-0008		Annual Reclaimed Water Use Breakdown	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0009	1/1/1936	Map of Drain System in EPCWID				
NM-0010	9/15/2020	Supplemental Rebuttal Expert Report of Margaret Barroll, Ph.D., 2nd Edition dated July 15, 2020, Revised September 15, 2020				
NM-0011	10/31/2019	CV of Margaret (Peggy) Barroll, Ph.D. from 10-31-19 Expert Report				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0012	1/1/2005	Surface Water/Groundwater Relationships in the Lower Rio Grande Basin: A Review of Data and Trends Poster				
NM-0013	1/1/2005	How Much Water Is There? Lower Rio Grande				
NM-0014	9/15/2020	Expert Report, 3rd Edition dated September 15, 2020				
NM-0015	9/15/2020	Rebuttal Expert Report of Gilbert R. Barth, Ph.D. and Steven P. Larson, 2nd Edition				
NM-0016	6/1/2020	Al Blair Expert Disclosure Bibliography	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0017	6/12/2020	United States' Second Supplemental Disclosure of Expert Witness Information				
NM-0018	1/1/2019	Figure Base From Spalding and Morrissey, 2019, Plate I; Maps of Irrigation Districts	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0019	6/1/2012	Final Report - Evaluation of Flow Measurements Sites in the Rio Grande Project Area prepared by West Consultants, Inc. for New Mexico Interstate Stream Commission - July 2012				
NM-0020	1/9/2019	Proposed Accounting Procedures Regarding Appendix C of the 2001 Contract				
NM-0021	1/1/2011	Rio Grande Project Diversion Allocations				
NM-0022	2/27/2015	Methods of Analysis Plan - Rio Grande Operating Agreement Environmental Impact Statement				
NM-0023	7/31/2014	NEPA Scoping Summary on Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, New Mexico and Texas				
NM-0024	10/16/2014	4E_sEA Reference No 14_NMSU Extension Circular 590.pdf				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0025	1/5/1999	Mesilla Valley Administrative Area Guidelines for Review of Water Right Applications				
NM-0026	12/1/2015	User Guide to the Surface Water Operations Process, An Integrated Approach to Simulating Large Scale Surface Water Management in MODFLOW-Based Hydrologic Models				
NM-0027	12/31/2019	End Of Year Tax Sheet 2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0028	12/31/2010	Crop and Water Data Year 2010 - HCCRD				
NM-0029	12/1/1924	Contract between BOR and Hudspeth for Water Supply under the Warren Act				
NM-0030	5/9/2011	Bill for Collection				
NM-0031	5/24/2013	Bill for Collection				
NM-0032	11/14/2001	Agreement for the Sale of Sewage Effluent for Irrigation between Hudspeth County Conservation and Reclamation District No. 1 and EPCWID dated 10/17/01				
NM-0033	5/21/2002	Charges and Amount Delivered from Effluent Contract				
NM-0034	1/15/1997	Interlocal Agreement for Water Supply between Hudspeth County Conservation and Reclamation District No. 1 and EPCWID dated 1/15/97				
NM-0035	4/13/1994	Interlocal Agreement for Water Supply between Hudspeth County Conservation and Reclamation District No. 1 and EPCWID				
NM-0036	2/18/2019	Texas Commission on Environmental Quality Report of Surface Water Used for the Year Ending 2018				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0037	12/31/2005	Texas Commission on Environmental Quality Report of Surface Water Used for the Year Ending December 31, 2005				
NM-0038	7/12/2018	Borderland Wells Date 7/4/2018 to 7/12/2018	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0039	2/23/2016	HCCRD#1 Wells Date 2/12/2016 to 2/23/2016	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0040	9/11/2002	Letter RE: Bureau of Reclamation's Rio Grande Project Water Supply and Allocation Process				
NM-0041	2/15/1979	Contract Transfer to EBID for the Operation and Maintenance of Project Works				
NM-0042	6/1/1986	Depletions of the Rio Grande Upstream of the El Paso Narrows Due to Ground Water Pumping				
NM-0043	8/1/1997	Lower Rio Grande General Hydrologic Relationships				
NM-0044	3/2/2000	BOR Proposal to Implement a Plan of Carryover of Unused RGP Yearly Allocation to US Irrigation Districts, Reference No. EP-431, RES-3.10;				
NM-0045	10/8/1968	Development of the Rio Grande Compact of 1938				
NM-0046	6/21/2013	Supplemental Environmental Assessment - Implementation of Rio Grande Project Operating Procedures				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0047	10/13/2002	Hydrogeologic and Isotopic Study of the Groundwater Resources of the Hueco Bolson Aquifer El Paso, Texas/Juarez Mecio Area				
NM-0048	7/1/1991	Surface Water Supply Alternatives for the City of El Paso and Southern New Mexico Users				
NM-0049	1/1/1978	Handwritten notes, and draft memorandum "Rio Grande Project Option for Allocation of Water to Mexico"	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0050	2/24/1943	1943 - Minutes of the 4th Annual / 13th Meeting of the Rio Grande Compact Commission				
NM-0051	2/20/1947	1947 - Minutes of the 8th Annual Meeting of the Rio Grande Compact Commission				
NM-0052	4/16/1996	1996 - Minutes of the 57th Annual Meeting of the Rio Grande Compact Commssion				
NM-0053	3/25/1999	Resolution of the Rio Grande Compact Commission Regarding the Need for Careful Evaluation of the Water Supply and Socioeconomic Impacts of any Designation of Critical Habitat for the Silvery Minnow				
NM-0054	3/31/2009	2009 - Minutes of the 70th Annual Meeting of the Rio Grande Compact Commssion				
NM-0055	4/11/2001	2001 - Minutes of the Special Meeting of the Rio Grande Compact Commission				
NM-0056	3/23/2000	2000 - Minutes of the 61st Annual Meeting of the Rio Grande Compact Commission				
NM-0057	9/9/1998	1998 - Minutes of the Special Meeting of the Rio Grande Compact Commssion				
NM-0058	3/10/2008	2008 - Report of the Engineer Advisers to Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0059	10/1/1974	Rio Grande Compact Commission Resolution	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0060	11/18/1939	1939 - Minutes of the 3rd Meeting of the Rio Grande Compact Commission				
NM-0061	12/18/1939	1939 - Minutes of the 4th Meeting of the Rio Grande Compact Commission				
NM-0062	7/29/1940	1940 - Minutes of the 6th Meeting of the Rio Grande Compact Commission				
NM-0063	2/23/1942	1942 - Minutes of the 3rd Annual / 11th Meeting of the Rio Grande Compact Commission				
NM-0064	2/24/1944	1944 - Minutes of the 5th Annual / 14th Meeting of the Rio Grande Compact Commission				
NM-0065	3/21/1995	Operating and Management Agreement (New Mexico-Texas) between EBID, EP# 1, IBWC, and the BOR	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0066	3/23/2006	Accounting of Accrued Rio Grande Compact Credit Water in Project Storage				
NM-0067	1/1/2013	Texas's Complaint: No. 141				
NM-0068		Motion of Elephant Butte Irrigation District for Leave to Intervene, and Memorandum of Points and Authorities				
NM-0069	5/15/2007	Rio Grande Project Operating Agreement Among EBID, EPCWID No. 1 and US				
NM-0070	12/4/1968	Raymond A. Hill Dep., State of Texas and State of New Mexico v. State of Colorado, Original Action No. 29 in the Supreme Court of the United States [Page/Line - 3:8-5:11]				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0071	8/1/2020	Bureau of Reclamation org chart, August 2020				
NM-0072	8/1/2020	Bureau of Reclamation org chart, August 2020 Upper Colorado Region - Albuquerque Area Office				
NM-0073		Area Office Jurisdiction Map (undated)				
NM-0074	6/23/1981	IBWC Review of BOR Allocation Option Paper - draft				
NM-0075	9/10/2003	September 10, 2003 Elephant Butte Irrigation District Board of Directors Meeting Minutes				
NM-0076	10/7/2016	Reclamation Manual Policy re Public Involvement in Bureau of Reclamation Activities				
NM-0077		IBWC - Rio Grande Basin segment map	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0078	3/16/2011	TCEQ Memo re Contract with US Army Corps of Engineers, Albuquerque District Rio Grande Salinity Management Program Tasks				
NM-0079	5/12/2020	2020 Texas Integrated Report - Assessment for Basic 23 - Rio Grande River Basin	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0080	5/12/2020	2020 Texas Integrated Report - Texas 303(d) List (Category 5)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0081	5/12/2020	2020 Texas Integrated Report Index of Water Quality Impairmentss	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0082	7/24/2003	Letter re 2003 MEXICO ALLOCATION DISPUTES.EBID 121742-121753				
NM-0083	8/12/2003	Letter re Analysis of Reclamation's Rio Grande Project Water Supply Allocation Procedures and Proposal for 2004 Irrigation Season	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0084	8/15/2001	Proposed Meeting between EBID and OSE				
NM-0085	1/19/2000	Letter in Response to December 17, 1999 Letter				
NM-0086	8/6/2001	2001 Carry Over Storage Proposal				
NM-0087	11/29/1988	Contract Regarding Delivery of Water to the El Paso County Lower Valley Water District Authority				
NM-0088	7/14/2000	Letters: Invitation to Resume Discussion of an Operating Agreement; USBR proposal to implement carryover storage in 2000; United States v. EBID, et al., Civ. No. 97-803 JP/RLP; State of New Mexico ex rel. Office of the State Engineer v. EBID, et al., No. CV 96-888				
NM-0089	7/18/2002	Letters RE: 2001 Revised Estimate of Underflow Captured by City of El Paso Wells				
NM-0090	3/20/1997	Operating and Management Agreement (New Mexico-Texas) between EBID AND EPCWID				
NM-0091	7/20/2000	Regarding Letter drafted to Thomas Turney				
NM-0092		Water Politics in the Local Area				
NM-0093	5/1/2014	Invitation to join newly formed Model Development Information Group				
NM-0094	2/23/2004	EBID 2004 Irrigation Season - PPT				
NM-0095	3/26/2012	Early Release to Mexico in the Rio Grande Project	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0096	10/31/2012	Using Remote Sensing to Improve Agriculture Water Management				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0097	7/8/2011	EBID JULY 2011 RE NM COMPACT COMMISSIONER OFFER LOAN WATER.EBID 155552-155556.pdf				
NM-0098	5/24/2013	O&M Budget for the Rio Grande Project 2014				
NM-0099	3/1/2004	Comments of EBID on Draft EIS, River Management Alternative for the Rio Grande Canalization Project				
NM-0100	5/10/2012	Re letter dated April 28, 2012 re 2012 water deliveries to Mexico				
NM-0101	9/19/2014	IBWC response to Esslinger re River Sediment Management Alternatives				
NM-0102	3/23/2012	USIBWC Delivery to Mexico				
NM-0103	5/9/2012	Memorandum of Understanding between Bureau of Reclamation and Elephant Butte Irrigation District Rio Grande Project Supplemental Environmental Assessment				
NM-0104	4/22/2013	RGP OA Draft Supplemental EA - Notes and Action Items from 04/17/13 Cooperating Agency Meeting				
NM-0105	1/19/2007	Reclamation Process for Issuing Operating Plan and 2006 Rio Grande Project Allocation				
NM-0106	7/25/2006	2006 Rio Grande Project Water Supply Updated Allocation for End of June 2006 Rio Grande Project Data				
NM-0107	6/13/2003	Re: Official Protest to Estimated Operation and Maintenance Costs for Fiscal year 2004	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0108	11/7/2007	El Paso Co. Water Improvement District No. 1 vs. Elephant Butte Irrigation District, et al.				
NM-0109	4/6/1999	El Paso - Las Cruces Regional Sustainable Water Project - Interim Draft Hydrologic Modeling Report				
NM-0110	5/19/2008	FW: Over-Release on 5/15/08 Order at Caballo Dam				

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NM-0111	5/25/2007	Amendments to Rio Grande Project Operating Agreement of May 15, 2007				
NM-0112	9/11/2002	Re letter dated August 5, 2002 suggesting EBID will reopen negotiations with BOR				
NM-0113	12/2/1999	EPCWID WATER GUIDE 2000				
NM-0114	6/22/2007	OP Changes 2007				
NM-0115	2/19/1998	Statement of Garry M Rowe, Area Manager, USBR submitted to the New Mexico Section of the American Society of Agricultural Engineers				
NM-0116	2/26/1990	Hudspeth County Conservation and Reclamation District No. 1 Feasibility Study, Rehabilitation of Reservoir No. 1, Construction of the Diablo Reservoir				
NM-0117	9/12/2006	Assistance Agreement No. 06-FC-40-2541 between BOR and EBID				
NM-0118	2/4/2005	Comments of EBID on Scoping Issues, Programmatic EIS for the Rio Grande and Tijuana River Flood Control Projects				
NM-0119	2/1/2008	Compromise and Settlement Agreement between EBID, EPCWID and BOR				
NM-0120	4/13/2007	Allocation of Rio Grande Project Water/Carryover Storage				
NM-0121		EBID Fact Sheet re Irrigation Information	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0122	1/20/2010	Partnering with farmers in vicinity of Mesilla, Frudenthal and Middle laterals				
NM-0123	7/27/2004	Water levels in Elephant Butte Reservoir				
NM-0124	2/15/2007	Re: EPCWID v. EBID , et al; US District Court, Western District of Texas, EL Paso Division, No. EP-07-CA-0027				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0125	1/18/2008	RE: El Paso Co. Water Improvement District No. 1 vs. Elephant Butte Irrigation District, et al.; U.S. District Court, Western District of Texas, El Paso Division, No. EP-07-CA-0027	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0126	2/12/2011	Computation of Crop Mix CIR in the Lower Rio Grande Valley				
NM-0127		Return Flow Efficiency Powerpoint				
NM-0128	10/26/2005	PowerPoint: New Mexico's Lower Rio Grande: Technical and Institutional Solutions				
NM-0129	4/14/2014	Response to Request for Information Regarding EBID's Position in TX v. NM				
NM-0130	7/14/1999	BOR Proposal to Limit Caballo Reservoirs Releases in 1999 to Comply with Rio Grande Compact Requirements.				
NM-0131	7/15/1999	Status Report of Limited Yearly Release from Caballo Reservoir for 1999 to Comply with Rio Grande Compact (Rio Grande Project)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0132	9/30/1999	BOR's Plan to Monitor the Rio Grande Project in 1999 to Ensure a Limited Release from Caballo Reservoir of No More Than 775,000				
NM-0133	7/26/1999	Cortez presentation on Reclamation plan to operate Caballo Reservoir at the July 21, 1999 EBID board meeting				
NM-0134	2/20/2006	Brief of Defendants EBID and Salopek 6U Farms, Inc., in support of motion to set aside SE's metering order and for Injunctive relief				
NM-0135	2/20/2006	Motion of defendants EBID and Salopek 6U Farms, Inc. to set aside SE's metering order and for injunctive relief				
NM-0136	1/24/2007	Settlement Agreement - State of NM ex rel, OSE vs. EBID				
NM-0137	2/5/2004	RG SUPER CONF CLE INTERNATIONAL FEB 2004.EBID 170456-170573.pdf				

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NM-0138	5/26/2011	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-0139	4/16/2014	LRG Adjudication ;Texas v. NM				
NM-0140	1/1/2010	Interests of Elephant Butte Irrigation District in the Rio Grande Reclamation Project				
NM-0141	10/30/2013	Water 101: Water Law and Agriculture Presentation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0142	11/17/1992	Resolution Indicates Era of Cooperation Between New Mexico and El Paso Continues	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0143	1/27/2004	OSE Annual Report 2002-2003				
NM-0144	11/30/2000	OSE Annual Report - 1999-2000				
NM-0145	1/14/1991	REVIEW OF BOR PROPOSED ALLOCATION PROCEDURE				
NM-0146	9/1/2003	Water Conservation Plan for EBID				
NM-0147	1/1/1945	Drain to Canal, Intersection Point, Annual Discharge Year Sheets, Rio Grande Project				
NM-0148	2/20/1985	1985 Land Reclassification Letter to EBID from Mr. STAHMANN				
NM-0149	5/9/1995	1995 Land Reclassification Letter Wayne STAHMANN				
NM-0150	10/12/2005	Land Reclassification Application from Franzoys	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0151	11/15/2018	Elephant Butte Irrigation District Established 1918 - Moving Beyond 2018				

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NM-0152	7/1/2018	Budget Fact Sheet Fiscal Year 2018-2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0153	1/1/2018	Irrigation Information	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0154		Irrigation Surface Water - Beneficial Use				
NM-0155		EBID Irrigation Well Meter				
NM-0156		Infrastructure Improvements (Drought)				
NM-0157		Infrastructure Improvements (Rincon Pipeline Project)				
NM-0158	3/1/2009	EBID Climate Change Adaptation - In-Line Drain Storage				
NM-0159	3/1/2009	Remote Sensing In the Elephant Butte Irrigation District				
NM-0160	1/1/2017	2017 Irrigation Season Announcement	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0161	7/6/2016	Letter re Increase in the allocation for irrigable farmland for the 2016 irrigation season	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0162	12/5/2005	Statewide Groundwater Measurement Specifications				
NM-0163	12/5/2005	Statewide Surface Water Measurement Specifications				
NM-0164	7/1/1996	USACE RGCIP-Hydrologic and Hydraulic Analyses VOL 2				

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NM-0165	3/20/2017	Island and sand bar blocking WW18	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0166	2/4/2019	An Update on the Status of the Mesilla and Rincon Valley Shallow Alluvium Aquifers				
NM-0167	8/24/2015	Mesilla groundwater changes 2010-2014				
NM-0168	5/1/2018	D1/D2, The Operating Agreement, and Project Allocation				
NM-0169	5/8/2014	Statement of Work for Groundwater Model Development for Administration of Appendix C of the 2001 Implementing Contract	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0170	3/1/2016	Rincon WaterSmart Grant Project-Installation of two high flow lift pumps on EBID Wasteway 18				
NM-0171	4/4/2016	Recommended Changes to RGP Op Manual April 2016 signed.pdf				
NM-0172	5/27/2016	Return of Alternative Writ of Mandamus and Certificate of Compliance.pdf				
NM-0173	7/9/2014	EBID - BOARD MEETING MINUTES 2014-07				
NM-0174	3/11/2015	EBID - BOARD MEETING MINUTES 2015-03				
NM-0175	6/27/1933	Minutes of the Regular Meeting of the Board of Directors of IBID Held July 3, 1933				
NM-0176	1/3/1950	EBID Board Meeting Minutes 1950 - 1958				
NM-0177	12/30/1964	Minutes EBID Board Meetings 1965 -1972				

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NM-0178	1/3/1975	Board Meeting January 3, 1975 - Board of Directors of IBID				
NM-0179	12/3/1980	Board Meeting December 3, 1980 - Board of Directors of IBID				
NM-0180	12/2/1982	EBID Board Meeting December 2, 1982				
NM-0181	1/16/2002	Compilation of Elephant Butte Irrigation District Board of Directors Meeting Minutes for 2002-03				
NM-0182	1/12/2005	EBID Board of Directors Meeting Minutes - January 12, 2005				
NM-0183	1/11/2006	EBID Board of Directors Meeting Minutes - January 11, 2006				
NM-0184	1/10/2007	EBID Board of Directors Meeting Minutes - January 10, 2007				
NM-0185	1/16/2008	EBID Board of Directors Meeting Minutes - January 16, 2008				
NM-0186	1/12/2000	January 12 2000 EBID Board Meeting Minutes				
NM-0187	3/8/2000	March 8 2000 EBID Board Meeting Minutes	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0188	1/10/2001	30-EBID BOARD MEETING MINUTES 2001.pdf				
NM-0189	2/13/2008	Press Release re EBID, EPCWID and BOR reaching agreement re RG Project Water	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0190	10/11/2016	EBID Comments on Channel Maintenance Plan of River Management Plan				
NM-0191	3/1/1978	Notice to All Constituents of Elephant Butte Irrigation District				

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NM-0192	3/1/2010	Bureau of Reclamation, Calendar Year 2009 Report to the Rio Grande Compact Commission	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0193	1/28/1998	EPCWID Board meeting minutes Jan 1998				
NM-0194	10/7/1998	Minutes of the Emergency Board Meeting of Board of Directors of EPCWID				
NM-0195	8/15/2007	Minutes of Special Meeting of Board of Directors of EPCWID				
NM-0196	3/10/1993	Memorandum of Understanding between Hudspeth and EPCWID				
NM-0197	1/28/1998	Interlocal Agreement for Water Supply between HCCRD and EPCWID				
NM-0198	10/26/2004	Interim Agreement Regarding Forbearance among the United States, EPCWID, and the City of El Paso				
NM-0199	6/11/2010	Resolution Approving the 1st Amendment to Rio Grande Project Implementing Third-Party Contract Among the United States, EPCWID, and EPWU				
NM-0200	1/11/2013	Notice and Agenda of Open and Closed Meetings of El Paso County Water Improvement District No. 1				
NM-0201	1/14/2015	Revised Final Charges for 2014 under the 2001 Implementing Contract				
NM-0202	1/23/2018	Final Charges for 2017 under the 2001 Implementing Contract				
NM-0203	12/15/2016	Rio Grande Project District Allocation Committee Members 2nd Memorandum				
NM-0204	10/15/2001	Invoice for water delivered and Agreement for the Sale of Sewage Effluent for Irrigation				
NM-0205	1/13/1999	INTERLOCAL AGREEMENT FOR WATER SUPPLY between Hudspeth County Conservation and Reclamation District No. 1 and El Paso County Water Improvement District No. 1				

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NM-0206	1/16/1997	Letter re: payment of 1996 water right taxes and charges				
NM-0207	4/28/1999	RE: Accounting for Haskell St effluent -- the change in the diversion point is not reflected in the water accounting methods used by the Bureau of Reclamation				
NM-0208	4/11/1999	PSB Year Round Release Resolution				
NM-0209	2/9/2001	2001 Preliminary American Canal Conservation Credit, Rio Grande Project				
NM-0210	9/30/2016	Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, New Mexico and Texas: Final Environmental Impact Statement ("FEIS")				
NM-0211	6/8/2020	Analysis of Claims Made in Report by Dr. Peggy Barroll Regarding Differences Between USBR 1951-1978 "D2"-Measured Diversions and 2008-2018 Diversion Accounting Charges				
NM-0212	6/3/2020	Rio Grande Project Allocation Committee Technical Memorandum				
NM-0213	7/26/2020	Rio Grande Project Allocation Committee Technical Memorandum-Other Groundwater Pumping in Texas Portion of Mesilla				
NM-0214	1/22/2007	EPCWID vs. EBID and USA/BOR - Complaint for Declaratory and Injunctive Relief				
NM-0215	11/14/2003	Draft Report`				
NM-0216	11/20/2003	Untitled Report on Desalination Plant	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0217	8/12/2003	Memo re City of El Paso/Ft. Bliss Joint Desalination Plant				
NM-0218	2/20/2004	Hueco Bolson Groundwater Model - Presentation				

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NM-0219	4/29/2004	EPWU Well Fields Maps	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0220	1/27/2004	An Overview of Groundwater Resources in the Border Region - Presentation				
NM-0221	7/22/2004	New Insights on Salinization and Predevelopment Recharge of the Rio Grande and Hueco Bolson Aquifers, Fabens-El Millon Area	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0222	5/27/2004	Hueco Bolson Groundwater Conditions and Management				
NM-0223	5/6/2005	Hueco Bolson Hydrogeology, Management and Modeling Powerpoint				
NM-0224	4/14/2004	Summary of Peer Review of Hueco Bolson Groundwater Model Powerpoint				
NM-0225	2/5/2009	Water Planning and Management in El Paso, Texas - PowerPoint Presentation				
NM-0226	8/10/1949	Contract between the City of El Paso and EPCWID	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0227	5/31/1991	Contract Regarding Assignment of the Right to Receive Annual Allotments of Rio Grande Project Water Supply by Payment of Delinquent Water Right Taxes				
NM-0228	2/16/2001	January, 2001 Third Party Implementing Contract USER'S GUIDE				
NM-0229	3/14/1980	Contract Transfer to EPCWID for the Operation and Maintenance of Project Works				
NM-0230	4/23/1992	Memorandum of Understanding between EPCWID and City of El Paso				
NM-0231	10/13/2011	EL Paso Triple Bottom Line: Desalination and Reuse Water - Final Report				

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NM-0232	6/20/2016	EPWater Distribution System August 2018	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0233	8/1/2018	EPWater Schematic of Water System Entry Points				
NM-0234	12/1/1999	Request for Certification of Adequate Water Rights for Operation of the Plant				
NM-0235	11/8/2002	Water Rights Use in 2002				
NM-0236	4/28/2011	Check Request for 2011 First Quarterly Payment for the 2001 Third- Party Implementing Contrac				
NM-0237	7/28/2010	Landowners Illegally Watering				
NM-0238	12/1/1991	El Paso Water Resource Management Plan 1991-2040				
NM-0239	5/19/2005	Minutes of the Meeting of the New Mexico-Texas Water Commission				
NM-0240	11/14/2005	Coordinated Water Resources Database & Riverware Model Development Phase II Completion Report and Phase III Plan Sponsored by US Army Corps of Engineers				
NM-0241	1/1/2004	Data Collection Effort for Flow Data from Sites Along the Rio Grande between Elephant Butte Reservoir and Fort Quitman, TX				
NM-0242	9/13/2004	Proposed Discussion Draft memorandum from EPCWID re: surface water availability for upper Rio Grande Upstream of Ft. Quitman during drought of record				
NM-0243	10/1/2014	Overview of El Paso Water Resources				
NM-0244	7/24/2012	2010 Irrigation Season Effluent Flow Distribution - PowerPoint Presentation				
NM-0245	5/29/2013	Email from John Balliew to Robert Rrejo with no subject line				

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NM-0246	11/28/2001	Canutillo Wellfield Modeling - River Effects				
NM-0247	10/5/2017	Wastewater Treatment Chemicals and Processes PowerPoint Presentation				
NM-0248	12/21/2016	Spreadsheet: Water Supply Costs / Wastewater Costs				
NM-0249	4/25/2017	RE: Plant report				
NM-0250	4/28/2014	GROUNDWATER MANAGEMENT OF THE HUECO BOLSON				
NM-0251	2/11/2013	3rd Party requirements for discharge to the river				
NM-0252	7/26/2012	2010 Irrigation Season Effluent Flow Distribution - PowerPoint Presentation				
NM-0253	7/30/2012	Dr. Bonart 1/2				
NM-0254	9/1/2001	Statement by Texas AG on Suit by NM State Engineers Against Bureau of Reclamation				
NM-0255	7/27/2020	State of New Mexico's Notice of Deposition of Gary Esslinger and Subpoena Duces Tecum				
NM-0256	12/31/2018	Elephant Butte Irrigation District Board Members and Mission	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0257		Table of Contents for Statutes	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0258	8/31/2015	Motion of Elephant Butte Irrigation District for Leave to File Exhibit dated 8/31/2015				

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NM-0259		Website Screenshot of EBID Surface Water Delivery System	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0260	8/16/2020	Website Screenshot of SNOTEL - Wolf Creek Summit (874) Daily Snow Pack Graph dated 8/16/20	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0261		Aerial Photograph from Ditchrider Mobile Map	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0262		EBID Canals and Drains Map	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0263	6/26/2013	Letter from Gary Esslinger to Carl Duran dated 06/26/13				
NM-0264	1/31/2020	Notice of Deposition of Michelle Estrada-Lopez				
NM-0265	1/1/1945	1945 Rio Grande Compact Commission Report				
NM-0266	5/1/2011	2011 Water Accounting Report				
NM-0267	2/28/2011	Allocation Spreadsheet dated 2/28/11				
NM-0268	3/31/2011	Allocation Spreadsheet dated 3/31/11				
NM-0269	4/30/2011	Allocation Spreadsheet dated 4/30/11				
NM-0270	5/31/2011	Allocation Spreadsheet dated 5/31/11				
NM-0271	6/30/2011	Allocation Spreadsheet dated 6/30/11				

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NM-0272	7/31/2011	Allocation Spreadsheet dated EOM July 2011				
NM-0273	8/31/2011	Allocation Spreadsheet dated EOM August 2011				
NM-0274	9/30/2011	Allocation Spreadsheet dated 9/30/11				
NM-0275	12/4/1978	Letter from Albert E. Utton to Jesse Gilmer	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0276	10/1/2010	Operations and Maintenance Manual Upper Rio Grande Projects				
NM-0277	2/24/2015	2015 Rio Grande Compact Engineer Adviser Meeting Presentation dated 2/24/2015				
NM-0278	4/8/2016	Capital Project Plan, Channel Maintenance Alternatives and Sediment-transport Studies for the RGCP				
NM-0279	5/16/2018	International Boundary and Water Commission United States Section DOJ Presentation dated 5/16/2018				
NM-0280	6/16/2014	Letter from Gary Esslinger to William Finn dated June 16, 2014 re Collaborative Sediment Control Initiative				
NM-0281	12/10/2018	Shayne Franzoy - Water Rights Summary 12/10/18				
NM-0282	4/1/2020	Impacts of Streambed Sediment Accumulation on Aquifer Recharge and Disconnection of Groundwater from Managed-Ephemeral Surface Water				
NM-0283	2/13/2015	Rule 26(a)(2) Disclosures of Applicant, South Adams County Water and Sanitation District dated 2/13/2015				
NM-0284	12/30/2010	Evapotranspiration Information Reporting: I. Factors Governing Measurement Accuracy Article dated 12/30/2010				
NM-0285	12/18/2019	2013 New Mexico Cropland Data Layer NASS/USDA dated 12/18/2019				

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NM-0286		Patrick Gordon Shareholder in Gordon, Davis, Johnson & Shane, El Paso, TX Firm Website Profile				
NM-0287	7/11/2007	Minutes of Regular Meeting Board of Directors El Paso County Water Improvement District No. 1 (the "District") dated July 11, 2007				
NM-0288	3/31/2018	Rules and Regulations for Administration of the Rio Grande Compact adopted December 19, 1939 amended March 31, 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0289	7/30/2009	Handwritten notes by Patrick Gordon starting with Rio Grande Compact Cases	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0290	5/11/2011	Handwritten Notes presented to Patrick Gordon in a meeting between Texas and New Mexico around May 11, 2011 - photographed by Schmidt-Petersen	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0291		Rio Grande Project Operating Agreement PowerPoint Presentation				
NM-0292	5/20/2011	E-mail String between Chris Rich, Pat Gordon, Tom Bohl, Priscilla Hubenak, Herman Settemeyer, Lee Leininger dated May 12, 2011-May 20, 2011				
NM-0293	5/21/2007	2007 Rio Grande Project Salinity Management Workshop dated May 21-22, 2007				
NM-0294	1/1/2019	Organizational Chart approximately 2019				
NM-0295	2/14/2002	HCCRD meeting minutes 2002-2019				
NM-0296	8/26/2020	HCCRD 001460 - 002181.pdf				
NM-0297	6/13/2019	HCCRD water quality data - Various Years				

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NM-0298	1/1/2010	HCCRD crop reports 2010-2019				
NM-0299	9/15/2020	Second Supplemental Rebuttal Report dated September 15, 2020				
NM-0300	10/31/2019	Expert Report of Dr. Dana LK Hoag				
NM-0301	10/1/2017	EP Water Expenditures Due to Decreased Surface Water Allocation Years 2000 to 2016	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0302	5/22/2020	Reference Materials Supporting Expert Opinions				
NM-0303	12/11/2019	Report of the Special Master in State of Florida v. State of Georgia				
NM-0304	10/26/2016	Updated Pre-Filed Direct Testimony of Florida Witness Dr. George M. Hornberger, Ph.D., MSCE, BSCE in State of Florida v. State of Georgia				
NM-0305	9/20/2014	Invoices and receipts from George M. Hornberger for time and expenses on case				
NM-0306	3/3/2020	The State of Texas's Ninth Supplemental Disclosure of Expert Witness Information				
NM-0307	1/1/2003	Simulated Ground-Water Flow in the Hueco Bolson, an Alluvial-Basin Aquifer System near El Paso, Texas by Charles E. Heywood and Richard M. Yager				
NM-0308	5/1/2006	Groundwater Management in El Paso, Texas - Dissertation	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0309	5/1/2008	Ground Water Budget Analysis and Cross-Formational Leakage in an Arid Basin by William R. Hutchison				
NM-0310	5/31/2019	Appendix E - Summary of Model Input Datasets Prepared in Support of Numerical Groundwater Flow Model Development	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0311	3/20/2012	Diplomatic Note re Delivery to Mexico				
NM-0312	4/16/2012	International Boundary and Water Commission water releases to Mexico				
NM-0313	4/5/2011	USIBWC response to TCEQ letter of April 3.pdf				
NM-0314	9/14/2018	US presents diplomatic note to mexico which does not agree to accommodate modifications to the 1906 Convention delivery schedule				
NM-0315	2/8/2012	Notice and Agenda of Open and Closed Meetings of El Paso County Water Improvement District No. 1				
NM-0316	10/25/2018	State of Texas's Notice of Deposition of Art Ivey				
NM-0317	12/8/2016	Groundwater Flow and Transport Model for Hueco Bolson Aquifer, El Paso and Hudspeth Counties, Texas - Report by Montgomery & Associates - Volume I				
NM-0318	9/13/2019	Outputs from the soil water balance model (labeled as "Results_C_Mesilla_in.xlsx")	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0319	11/5/2019	Review of Expert Report by Lewis Munk to Joel Kimmelshue dated November 5, 2019				
NM-0320	6/5/2020	Excel Spreadsheet -- Crop Acreage Data Summary	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0321	12/1/2009	A Simple Irrigation Scheduling Approach for Pecan Irrigation in the Lower Rio Grande Valley of NM dated Dec. 2009				
NM-0322		ETo Calculations Spreadsheet				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0323	9/24/2019	Responses to Follow-Up Question/Requests from September 19 and 20, 2019 Kimmelshue Deposition dated September 24, 2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0324	6/5/2020	Summary of the Reference Adjustment Factors from '36 through 2018 for the El Paso Valley Spreadsheet				
NM-0325	6/5/2020	Summary/Spreadsheet-Crop ET (Depo 19)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0326	10/1/2011	Seven Grayscale Conversion Algorithms (With Pseudocode and VB6 Source Code) by Tanner Helland dated October 1, 2011	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0327	9/19/2019	Summary of Irrigated Area (Acres) by Crop Type from 1936 through 2018 -EPCWID1	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0328		Sources for Kc Values, Planting Dates and Harvest Dates	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0329	9/17/2019	Summary of Unadjusted Crop Evapotranspiration (ac-ft/ac) As Calculated from CUP Plus from 1936 through 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0330	9/17/2019	Summary of ETo Adjustment Factors from 1936 through 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0331	9/17/2019	Kc Value Sheet (Mesilla_ConsumptiveUse-SWE.xlsx\KcValues)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0332	9/17/2019	Summary of Consumptive Use (Acre-Feet) by Crop Type from 1936 through 2018 - Mesilla	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0333	9/17/2019	Summary of Annual Consumptive Use (Acre-Feet) by Crop Type from 1936 through 2018	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0334	9/20/2019	Kc Values, Planting Dates and Harvest Dates for Rincon, Mesilla and El Paso Valleys	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0335	5/31/2019	State of Texas's Disclosure of Expert Witness Information				
NM-0336	10/22/2007	Expert Report of James Phillip King, PE, Ph.D. in EPCWID v EBID and BOR				
NM-0337	6/8/2007	Lower Rio Grande Water Users Organization Minutes for the Meeting on Friday, June 8, 2007				
NM-0338	5/31/2019	Nicolai Kryloff Expert Report dated May 31, 2019				
NM-0339	5/12/2020	2020 Texas Integrated Report Assessment Results for Basin 23 Rio Grande River Basind dated 5/12/20	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0340	6/21/2013	Supplemental Environmental Assessment, Implementation of Rio Grande Project Operating Procedures, New Mexico and Texas, Appendices				
NM-0341	10/12/2012	Technical Service Center (TSC) Analysis of Groundwater Pumping Impacts on the Rio Grande Project				
NM-0342	7/14/2015	Reclamation, Managing Water in the West, Stimulation of Rio Grande Project, Operations in the Rincon and Mesilla Basins, dated 07/14/15				
NM-0343	12/1/2013	Reclamation, Managing Water in the West, West-Wide Climate Risk, Assessment: Upper Rio Grande Impact Statement, dated 12/2013				
NM-0344	1/1/2013	Knowledge and Understanding of Dissolved Solids in the Rio Grande - San Acacia, New Mexico, to Fort Quitman, Texas, and Plan for Future Studies and Monitoring				
NM-0345	10/29/2019	Expert Report of Lewis P. Munk dated October 29, 2019				
NM-0346	1/28/2011	Lower Rio Grande Basinwide Consumptive Irrigation Requirement Analysis dated 1/28/11				
NM-0347	12/30/2016	Texas River Basins map dated 12/30/16				
NM-0348	11/1/2019	Texas Priority Groundwater Management Areas (PGMAs) (undated)				
NM-0349	12/31/2004	Aquifers of Texas 2001 (Revised 2004)				
NM-0350	5/31/2019	Review of the Texas Model, a Numerical Model of the Rio Grande Below Elephant Butte Reservoir, dated May 31, 2019				
NM-0351	9/17/2019	Supplemental Report to Review of the Texas Model, a Numerical Model of the Rio Grande Below Elephant Butte Reservoir				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0352	5/4/2020	Supplemental Report Review of the New Mexico ILRGM Model, dated October 31, 2019				
NM-0353	6/15/2020	Rebuttal Expert Report of Lewis P. Munk				
NM-0354	2/19/1992	Hudspeth County Crop Production and Water Utilization				
NM-0355	9/28/1937	1937 - Notes on Rio Grande Compact Meeting				
NM-0356	2/14/1949	1949 - Minutes of the 10th Annual Meeting of the Rio Grande Compact Commission				
NM-0357	2/23/1950	1950 - Minutes of the 11th Annual Meeting of the Rio Grande Compact Commission				
NM-0358	2/23/1951	1951 - Minutes of the 12th Annual Meeting of the Rio Grande Compact Commission				
NM-0359	2/25/1952	1952 - Minutes of the 13th Annual Meeting of the Rio Grande Compact Commission				
NM-0360	2/18/1954	1954 - Minutes of the 15th Annual Meeting of the Rio Grande Compact Commission				
NM-0361	2/16/1956	1956 - Minutes of the 17th Annual Meeting of the Rio Grande Compact Commission				
NM-0362	2/21/1957	1957 - Minutes of the 18th Annual Meeting of the Rio Grande Compact Commission				
NM-0363	2/16/1960	1960 - Minutes of the 21st Annual Meeting of the Rio Grande Compact Commission				
NM-0364	2/16/1961	1961 - Minutes of the 22nd Annual Meeting of the Rio Grande Compact Commission				
NM-0365	2/20/1964	1964 - Minutes of the 25th Annual Meeting of the Rio Grande Compact Commission				
NM-0366	2/18/1965	1965 - Minutes of the 26th Annual Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0367	2/16/1967	1967 - Minutes of the 28th Annual Meeting of the Rio Grande Compact Commission				
NM-0368	3/5/1970	1970 - Minutes of the 31st Annual Meeting of the Rio Grande Compact Commission				
NM-0369	2/18/1971	1971 - Minutes of the 32nd Annual Meeting of the Rio Grande Compact Commission				
NM-0370	4/20/1972	1972 - Minutes of the 33rd Annual Meeting of the Rio Grande Compact Commission				
NM-0371	11/12/1973	1973 - Minutes of the Special (47th) Meeting of the Rio Grande Compact Commission				
NM-0372	8/29/1994	1994 - Minutes of the Special (74th) Meeting of the Rio Grande Compact Commission				
NM-0373	3/31/1994	1994 - Minutes of the 55th Annual Meeting of the Rio Grande Compact Commission				
NM-0374	3/25/1993	1993 - Minutes of the 54th Annual Meeting of the Rio Grande Compact Commission				
NM-0375	3/26/1992	1992 - Minutes of the 53rd Annual Meeting of the Rio Grande Compact Commission				
NM-0376	4/25/1991	1991 - Minutes of the 52nd Annual Meeting of the Rio Grande Compact Commission				
NM-0377	1/8/1991	1991 - Minutes of the Special (68th) Meeting of the Rio Grande Compact Commission				
NM-0378	3/22/1990	1990 - Minutes of the 51st Annual Meeting of the Rio Grande Compact Commission				
NM-0379	3/30/1989	1989 - Minutes of the 50th Annual Meeting of the Rio Grande Compact Commission				
NM-0380	4/7/1988	1988 - Minutes of the 49th Annual Meeting of the Rio Grande Compact Commission				
NM-0381	4/2/1987	1987 - Minutes of the 48th Annual Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0382	7/11/1986	1986 - Minutes of the Special (62nd) Meeting of the Rio Grande Compact Commission				
NM-0383	3/27/1986	1986 - Minutes of the 47th Annual Meeting of the Rio Grande Compact Commission				
NM-0384	7/2/1985	1985 - Minutes of the Special (60th) Meeting of the Rio Grande Compact Commission				
NM-0385	3/28/1985	1985 - Minutes of the 46th Annual Meeting of the Rio Grande Compact Commission				
NM-0386	3/22/1984	1984 - Minutes of the 45th Annual Meeting of the Rio Grande Compact Commission				
NM-0387	3/25/1982	1982 - Minutes of the 43rd Annual Meeting of the Rio Grande Compact Commission				
NM-0388	3/26/1981	1981 - Minutes of the 42nd Annual Meeting of the Rio Grande Compact Commission				
NM-0389	3/27/1980	1980 - Minutes of the 41st Annual Meeting of the Rio Grande Compact Commission				
NM-0390	3/29/1979	1979 - Minutes of the 40th Annual Meeting of the Rio Grande Compact Commission				
NM-0391	3/23/1978	1978 - Minutes of the 39th Annual Meeting of the Rio Grande Compact Commission				
NM-0392	3/24/1977	1977 - Minutes of the 38th Annual Meeting of the Rio Grande Compact Commission				
NM-0393	3/18/1976	1976 - Minutes of the 37th Annual Meeting of the Rio Grande Compact Commission				
NM-0394	3/28/1974	1974 - Minutes of the 35th Annual Meeting of the Rio Grande Compact Commission				
NM-0395	3/30/1973	1973 - Minutes of the 34th Annual Meeting of the Rio Grande Compact Commission				
NM-0396	2/17/1966	1966 - Minutes of the 27th Annual Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0397	3/27/1997	1997 - Minutes of the 58th Annual Meeting of the Rio Grande Compact Commission				
NM-0398	3/25/1999	1999 - Minutes of the 60th Annual Meeting of the Rio Grande Compact Commission	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0399	3/22/2001	2001 - Minutes of the 62nd Annual Meeting of the Rio Grande Compact Commission				
NM-0400	3/31/2005	2005 - Minutes of the 66th Annual Meeting of the Rio Grande Compact Commission				
NM-0401	3/26/2010	2010 - Minutes of the 71st Annual Meeting of the Rio Grande Compact Commission				
NM-0402	9/24/1937	1937 RCGG Annual Meeting Transcripts				
NM-0403	3/3/1938	1938 RGCC Annual Meeting Transcripts				
NM-0404	2/18/1971	1971 RGCC 32nd Annual Meeting Transcript				
NM-0405	3/25/1982	Rio Grande Compact Commission Meeting Proceedings 43rd Annual (Mar. 25, 1982)				
NM-0406	6/15/1993	1993 - Special (72nd) Meeting of the RGCC				
NM-0407	4/16/1996	1996 RGCC 57th Meeting Transcript				
NM-0408	3/25/1999	1999 RGCC 60th Meeting Transcript				
NM-0409	3/23/2000	2000 RGCC 61st Meeting Transcript				
NM-0410	3/22/2001	2001 RGCC 62nd Meeting (83rd) Transcript				
NM-0411	4/11/2001	2001 RGCC Special Meeting (84th) Transcript w/Resolutions				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0412	3/21/2002	2002 RGCC 63rd Meeting (85th) Transcript				
NM-0413	3/27/2003	2003 RGCC 64th Meeting Transcript				
NM-0414	3/25/2004	2004 RGCC 65th Meeting (87th) Transcripts				
NM-0415	3/21/2005	2005 RGCC 66th Meeting Transcript				
NM-0416	3/23/2006	2006 RGCC 67th Meeting Transcript				
NM-0417	3/22/2007	2007 RGCC 68th Meeting Transcripts				
NM-0418	3/27/2008	2008 RGCC 69th Meeting Transcript				
NM-0419	3/31/2009	2009 RGCC 70th Meeting (92nd) Transcripts	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0420	3/30/2011	2011 RGCC 72nd Meeting Transcript	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0421	3/21/2013	2013 RGCC 74th Meeting Transcript	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0422	3/4/2005	Report of the Engineer Advisers to the Rio Grande Compact Commission				
NM-0423	2/19/1959	1959 - Minutes of the 31st Annual Meeting of the Rio Grande Compact Commission Held at Santa Fe, New Mexico, February 19, 20, 1959				
NM-0424	5/5/1998	1998 Annual operating Plan for the Rio Grande Basin				
NM-0425	11/10/1937	Contract between US and EPCWID No. 1 Adjusting Construction Charges & for Other Purposes				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0426	12/1/1944	Contract between the USBR and City of El Paso to Supply Water to the City of El Paso for Municipal Purposes				
NM-0427	12/20/1962	Contract Permitting City of El Paso to Acquire Additional Water Supply for Municipal Purposes between USA and the City of El Paso				
NM-0428	12/31/2014	LRG Water Master Annual Report: 2014 Accounting Period				
NM-0429	1/1/2016	LRG Water Master Annual Report: 2016 Accounting Period				
NM-0430	10/1/2006	The LRG AWRM Process				
NM-0431	12/3/2004	State Engineer Order #169: In the Matter of the Creation of the Lower Rio Grande Water Master District for the Administration of Rights to the Use of Ground Water From the Lower Rio Grande Groundwater Basin of New Mexico ("Water Master Order")				
NM-0432	12/20/2005	State Engineer Order #172: First Amended Metering Order				
NM-0433	3/28/2007	State Engineer Supplemental Order #180: Supplemental LRG Metering Order				
NM-0434	1/1/1999	How We Dealt with the Drought of the 50s Moderated by Gary Esslinger - WRRRI Conference Proceedings 1999				
NM-0435	2/19/1951	Water Announcements from Rio Grande Project Histories 1951-1957				
NM-0436	6/17/1902	Supplemental Contracts Providing for the Deferment of Construction Charges Payable in Calendar Year				
NM-0437	12/31/1940	Investigations for elimination of Mexican interference with water supply-Rio Grande Project				
NM-0438	5/19/1993	Sustained flows of Rio Grande at Fort Quitman				

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NM-0439	12/1/2001	Analysis of the Distribution of Water in the Rio Grande Project, Thesis	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0440	3/31/1905	El Paso Valley Water Users' Association, Articles of Incorporation				
NM-0441	9/5/1951	Rio Grande Project - Distribution of Waters - General - El Paso GW use				
NM-0442	9/19/1950	Use of Ground Water in the El Paso area, Texas				
NM-0443	8/1/1979	Pecan Quarterly Article: The Ecology, Climate Aspects				
NM-0444	3/1/1979	NMPG Exh. No. 11 - Growing Pecans in New Mexico				
NM-0445	9/29/1938	TX Compact apportionment and role of Project				
NM-0446	2/22/2011	Environmental factors affecting Pecan tree growth and production				
NM-0447	4/1/2008	Irrigation Scheduling of Pecan Orchards: The Water Budget Approach				
NM-0448	10/1/2006	Guide H-652 - Water Management in Pecan Orchards				
NM-0449	10/27/2006	Defendant's Reply to State's Response to Motion to set aside State Engineer's Metering Order, State of NM v. EBID, CV-96-888				
NM-0450	9/20/1924	Letter RE: Commission to Divide Waters of the Rio Grande				
NM-0451	12/23/1937	Rio Grande Joint Investigation Plates	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0452	2/1/1938	Rio Grande Joint Investigation: Regional planning, Part VI, 1936-1937				

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NM-0453	2/25/1946	1946 - Minutes of the 7th Annual Meeting of the Rio Grande Compact Commission				
NM-0454	11/24/1941	1941 - Minutes of the 10th Meeting of the Rio Grande Compact Commission				
NM-0455	8/17/1941	1941 - Minutes of the 9th Meeting of the Rio Grande Compact Commission				
NM-0456	2/24/1941	1941 - Minutes of the 2nd Annual Meeting / 8th meeting of the Rio Grande Compact Commission				
NM-0457	4/29/1968	International Water Law Along the Mexican American Border Symposium. Article: "The Rio Grande Compact"				
NM-0458	4/1/1976	Digital Model for Simulated Effects of Ground-Water Pumping in the Hueco.pdf				
NM-0459	6/1/1980	Report 246: Ground-Water Development in the El Paso Region, Texas, with Emphasis on the Resources of the Lower El Paso Valley				
NM-0460	1/1/1985	Annual Operating Plan, RGP, Actual Operations 1984, 1985 Outlook				
NM-0461	11/1/1989	Ground Water Conditions and Resources in El Paso/Juarez Valley				
NM-0462	1/1/1999	Simulation of Groundwater Flow in the Rincon Valley area and Mesilla Basin				
NM-0463	3/26/1998	1998 - Minutes of the 59th Annual Meeting of the Rio Grande Compact Commission				
NM-0464	7/14/2005	Active Water Resource Management: Tools for a New Era in Water Management - PPT				
NM-0465	12/3/2004	State Engineer Order #168: In the Matter of the Requirements for Metering Groundwater Withdrawals in the Lower Rio Grande Watermaster District, New Mexico (1st Metering Order)				
NM-0466	4/26/2006	D3 Allocation of Rio Grande Project Water				

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NM-0467	11/14/2006	Second Public Draft - Proposed Rules and Regulations Providing for AWRM of the Waters of the LRG Water Master District				
NM-0468	11/14/2006	The Process for Intro of LRG DSRs to Public				
NM-0469	11/20/2006	LRG AWRM: Frequently Asked Questions				
NM-0470	11/23/2006	New Mexico Pecan Growers Comments on the Proposed AWRM rules 2006				
NM-0471	12/30/2004	TITLE 19, Chapter 25: AWRM Regulations				
NM-0472	8/13/2008	Rio Grande Project, Operations Manual August 13, 2008				
NM-0473	1/1/2011	Comparison of 2009 Farm Deliveries and Farm Delivery Requirement Calculations of the LRG				
NM-0474	1/28/2011	2009 Lower Rio Grande Groundwater Pumping Data Summary for NM OSE Hydrology Bureau Report 11-2				
NM-0475	4/21/2011	Revised Comparison of 2009 Farm Deliveries with Farm Delivery Requirement Calculations for the LRG - Rebuttal Expert Report, Exhibit in SS 101				
NM-0476	4/21/2011	State Exh No. 24 - State of NM ex rel, OSE vs. EBID et al. No. CV-96-888 - Cropping Pattern Report				
NM-0477	2/22/2012	LRG 2011 end of year totals spreadsheet				
NM-0478	6/28/2013	NM OSE Information Sheet - Groundwater Administration for Jointly Managed Farms under the SSI No. 101 Settlement				
NM-0479	4/4/2014	LRG Diversion Report 2013 (IRR)				
NM-0480	5/8/2014	Letter Re: 2014 Groundwater Accounting - File No(s): LRG-04202 & LRG-00507-1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0481	1/7/2015	Expert Historian Report by Littlefield in LRG Stream System and Underground Water Basin Adjudication v. EBID, Case No. CV-96-888				
NM-0482	1/28/2016	Outstanding Readings(2) Master Spreadsheet	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0483	7/17/2017	Memo RE: Executive Summary - Assessment of mid-year over diversion in the Lower Rio Grande Water Master District.				
NM-0484	9/11/2017	TITLE 19, Chapter 25: PART 20 Nambe-Pojoaque-Tesuque Water Master District: AWRM				
NM-0485	2/19/2018	Letter RE: Notice of Groundwater Accounting for 2017				
NM-0486	6/28/2013	Groundwater Administration for Jointly Managed Farms under the SSI No. 101 Settlement				
NM-0487	2/20/1925	Letter from J.O. Seth, Commissioner, State of New Mexico, to A.T. Hannett, Governor, State of New Mexico				
NM-0488	2/21/1996	Operations of the Rio Grande Project				
NM-0489	5/15/1935	Ltr regarding Storage waters at the Chama River in El Vado Dam. They are exploring options to correct the issue				
NM-0490	5/27/1935	Correspondence: May 27,1935, C.A Anderson Chief Engineer regarding Storage waters at the Chama River in El Vado Dam. The Middle Rio Grande Conservancy District dies not agree with Storage Problems at the Chama River in El Vado Dam.				
NM-0491	7/9/1998	Water Operations Department Operations Guide				
NM-0492	8/18/2006	Canutillo Well Field Map, Upper Mesilla Valley, Dona Ana County	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0493	1/4/1930	Letter regarding the desirability of continuing the building program of the Riverside Canal				
NM-0494	1/23/1906	Application for Permit, Territory of New Mexico and Supp. Notice of the Intention of US to use the waters of the Rio Grande for irrigation purposes				
NM-0495	4/1/1908	RE: Supplemental Notice of Intention of the U.S. to Use the Waters of the Rio Grande for Irrigation purposes on the Rio Grande Project				
NM-0496	4/16/1906	The Reclamation Work of the Government Under the National Irrigation Act: Hearing Before the H. Comm. on Irrigation of Arid Lands 59 Cong. 222				
NM-0497	1/1/1925	Bulletin 145-January 1925 New Mexico College of Agriculture and Mechanic Arts, Preliminary Pecan Experiments				
NM-0498	12/14/1935	Control and Canalization of the Rio Grande: Final Report				
NM-0499	1/1/1954	Ground-Water Conditions in the Rincon and Mesilla Valleys and Adjacent Areas in New Mexico. Geological Survey Water-Supply Paper 1230, prepared in cooperation with the Elephant Butte Irrigation District				
NM-0500	1/1/1956	New Mexico College of A&MA, Reports to EBID, Report on Annual Flow Data 1935-1965	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0501	2/1/1956	Ground-Water Resources of the El Paso District, Texas, Bulletin 5603				
NM-0502	11/1/1961	Groundwater Conditions in the Elephant Butte Irrigation District				
NM-0503	5/1/1965	Development of Ground Water in the El Paso District, Texas, 1960-63, Progress Report No. 9				
NM-0504	10/18/1990	Rio Grande American Canal Extension Act of 1990				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0505	8/29/2000	Leaching Requirements of Pecan and Fruit Trees				
NM-0506	5/14/2002	Stateline Delivery: Foundation for an Operating Agreement - PPT				
NM-0507	10/11/2018	EBID Drought Update - PPT				
NM-0508	12/4/2003	Rio Grande Project -- PPT				
NM-0509	5/20/2004	Interpreting the Elephant Butte Irrigation District for Water Users				
NM-0510	4/7/2005	Irrigation Practices vs. Farm Size: Data from the Elephant Butte Irrigation District				
NM-0511	8/1/2005	The Hydrology of Hudspeth Co, Texas, Report 364, Texas Water Development Board				
NM-0512	1/20/2006	Reclamation Manual: Policy, Reuse of Project Water				
NM-0513	1/1/1981	Technical Report 43: Water Resources of the Rincon and Mesilla Valleys and Adjacent Areas, New Mexico				
NM-0514	4/26/2007	NMSE College of Agriculture and Home Economics - Market-Based Management of Water Scarcity in the EBID				
NM-0515	5/15/2007	Email Re: Draft 2007 Rio Grande Project Operating Agreement with handwritten edits				
NM-0516	6/4/2007	Memo Re: Comments on Rio Grande Operating Agreement (Confidential) in EPCWID v. EBID and USA				
NM-0517	6/4/2007	A Coordinated Well Meter Program in the Lower Rio Grande Basin - PPT				
NM-0518	6/13/2007	Elephant Butte Irrigation District, Big Water, and Lower Rio - PPT				
NM-0519	11/1/2007	DRAFT, Groundwater Flow Model for Administration and Management in the Lower Rio Grande Basin				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0520	6/17/2008	Historical Perspective of Rio Grande Project - PPT				
NM-0521	7/11/2008	Conjunctive Management of Surface Water and Groundwater in EBID - Presentation				
NM-0522	8/4/2008	EBID Update for the Water and Natural Resources Committee				
NM-0523	4/3/2008	LRGWUA 2008 Board meeting minutes				
NM-0524	8/14/2008	Current Hydrologic Conditions of Upper Rio Grande Basin - Aug 2008 - PPT				
NM-0525	3/9/2009	Current Hydrologic Conditions of Upper Rio Grande Basin - Mar 2009 - PPT				
NM-0526	2/9/2009	Current Hydrologic Conditions of Upper Rio Grande Basin - Feb 2009 - PPT				
NM-0527	4/21/2009	Current Hydrologic Conditions of Upper Rio Grande Basin - Apr 2009 - PPT				
NM-0528	12/1/2010	Hydrogeological Activities in the Conejos-Medanos/Mesilla Basin Aquifer, Chihuahua Phase 1				
NM-0529	1/5/2012	El Paso Water and Wastewater Plants - Maps	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0530	5/1/2012	Rio Grande Project - Operations Manual, Revision of 5/1/2012				
NM-0531	2/11/2012	Here We Go: Water Year 2012 - PPT				
NM-0532	6/17/2008	Water Conservation and Management Projects in El Paso County Water Improvement District				
NM-0533	7/17/2013	RGP Current Hydrologic Conditions - PPT July 2013				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0534	1/31/2014	Interstate Stream Commission Works to Clear Elephant Butte Pilot Channel of Sediment				
NM-0535	5/30/2014	Power Point Presentation: "El Paso County Water Improvement District #1"				
NM-0536	4/20/2011	Assessment of procedures used by the NMOSE to estimate budbreak of Pecans				
NM-0537	10/9/2012	Notice to State Engineer of Lands Under the Same Ownership/Management by David Salopek				
NM-0538	5/31/2016	Same Ownership/Management Plan for Irrigation with Groundwater from Rose Mary La Plante				
NM-0539	11/1/2002	OSE Annual Report 2001 - 2002 (Fiscal Year 2002)				
NM-0540	8/1/2004	Crop Evapotranspiration Study for Dona Ana County, NM				
NM-0541	1/1/2017	Same Ownership/Management Plan for Irrigation with Groundwater from Randy Garay				
NM-0542	2/3/2015	Same Ownership/Management Plan for Irrigation with Groundwater from Sam Calhoun				
NM-0543	8/11/2017	Same Ownership/Management Plan for Irrigation with Groundwater from Sally Stahmann Solis	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0544	2/15/1968	1968 - Minutes of the 29th Annual Meeting of Rio Grande Compact Commission.				
NM-0545	6/21/1994	Memo RE: Authority of Rio Grande Compact Commission relative to certain endangered species act issues				
NM-0546	6/15/1993	1993 - Minutes of the Special (72nd) Meeting of the Rio Grande Compact Commission				
NM-0547	1/11/1996	Operation of the Rio Grande Project Storage				
NM-0548	1/12/1996	Releases of water from Rio Grande Project Storage				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0549	10/8/1980	Historical procedures for determining allocation to Mexico and Districts	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0550	10/1/1991	Executive Summary on Land-Surface Subsidence in El Paso Area, TX				
NM-0551	2/15/1962	1962 - Minutes of the 23rd Annual Meeting of the Rio Grande Compact Commission				
NM-0552	2/16/1996	Operation of the Rio Grande Project				
NM-0553	2/16/1996	Release of water from the Rio Grande Project				
NM-0554	3/24/1983	1983 - Minutes of the 44th Annual Meeting of the Rio Grande Compact Commission				
NM-0555	2/21/1963	1963 - Minutes of the 24th Annual Meeting of the Rio Grande Compact Commission				
NM-0556	5/12/2003	Letter: Your Letter of April 27, 2003 requesting a timeslot on the agenda of the next Interstate Stream Commission meeting.				
NM-0557	9/16/1952	Letter re: seepage losses in EBID, and amount of land brought under irrigation from wells				
NM-0558	10/25/1938	Analysis of Compact				
NM-0559	2/16/1996	Letter RE: District daily water reports				
NM-0560	1/9/1996	Proposed Rio Grande Project Reservoir Operations				
NM-0561	1/3/1996	Regarding proposed Rio Grande Project Reservoir Operations				
NM-0562	12/6/1996	1996 - Minutes of the Special Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0563	6/27/1977	Long Run Impacts of Regional Water Management Policies in the Rio Grande Valley from Elephant Butte Reservoir, New Mexico to Fort Quitman, Texas - Final Report				
NM-0564	7/25/1946	Correspondence re: enclosing cooperative agreement for action of Elephant Butte Irrigation District Board of Directors.				
NM-0565	1/11/1952	Statement re: issued by the Board of Directors of Elephant Butte Irrigation District in regard to the 1952 water situation				
NM-0566	1/17/1983	City of El Paso v. Reynolds, 563 F. Supp 379 (1983)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0567	7/1/1976	Inventory of the Economical Sociocultural Resources in the Rio Grande Valley from Elephant Butte Reservoir to Fort Quitman	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0568	3/27/1975	1975 - Minutes of the 36th Annual Meeting of the Rio Grande Compact Commission				
NM-0569	7/11/1946	Correspondence re: thanks for letter containing valuable information regarding groundwater studies.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0570	1/27/1948	Correspondence re: work done on the Elephant Butte Investigation since 10-019				
NM-0571	7/11/2008	Historical Abstract Regarding Elephant Butte Irrigation District's Conjunctive Management	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0572	5/6/1996	TX position on 1996 spill, and Compact interpretation				
NM-0573	1/14/1998	Request by El Paso Water Improvement District No. 1 for Release of Water Beginning January 16, 1998.				
NM-0574	3/12/1998	Letter re Proposed Contract				

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NM-0575	3/16/1998	Letter re Proposed Contract Between US and EPCWTD for Conversion of Rio Grande Project Water from Irrigation to Miscellaneous Purposes and Uses Other Than Irrigation				
NM-0576	2/1/1952	Rio Grande Project -- New Mexico-Texas, Water Announcement. February 1, 1952				
NM-0577	1/1/1950	Rio Grande Compact Commission Annual Reports, 1950-1959				
NM-0578	4/23/1996	Letter Re: computations and basis for my position for a spill in 1996				
NM-0579	2/1/1933	Rectification of the Rio Grande, Convention Between the United States of America and Mexico, and Exchanges of Notes, Treaty Series, No. 864				
NM-0580	3/27/2008	2008 RGCC 69th (91st) Meeting Transcript (Orig. w/Exhibits)				
NM-0581	3/26/2010	2010 Rio Grande Compact Commission 71st Annual Meeting, Reporter's Transcript, March 26, 2010				
NM-0582	4/21/2011	Rebuttal Report: LRG Basinwide Consumptive Irrigation Requirement Analysis				
NM-0583	6/13/2011	Brochure - Stahmann Farms and Stores: A History				
NM-0584	7/23/1990	Journal Article: Pecan Husbandry: Challenges and Opportunities - Alternate Bearinf in Pecan				
NM-0585	6/1/2006	Active Water Resource Management - brochure and FAQs				
NM-0586	11/1/2007	Measuring Soil Moisture in Pecan Orchards				
NM-0587	2/1/2005	Flood Irrigation In Pecan Orchards				
NM-0588	12/1/2006	Monitoring and Management of Pecan Orchard Irrigation: A Case Study				

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NM-0589	11/21/2010	Influence of Severely Limited Availability of Water on Pecan	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0590	7/7/2008	Subsurface Drainage in Elephant Butte Irrigation District				
NM-0591	6/1/1981	Declaration of Owner of Underground Water Right				
NM-0592	4/30/2009	Articles of Incorporation of Southern Rio Grande Diversified Crop Farmers Association				
NM-0593	7/1/2009	July 2009 SRGDCFA Letter to its Members				
NM-0594	5/13/2010	Annual Meeting Minutes for SRGDCFA				
NM-0595	6/3/2009	Article: Area Farmers find strength in numbers in fight for water rights				
NM-0596	8/23/2004	Irrigation and Drainage: Farm Size, Irrigation Practices, and On-Farm Irrigation Efficiency				
NM-0597	1/1/2007	An Evaluation of two Inexpensive Energy-Balance techniques for Measuring water use in Flood-Irrigated Pecans				
NM-0598	9/1/1997	Water Use by Categories in New Mexico Counties and River Basins, and Irrigated Acreage in 1995				
NM-0599	11/23/2006	Attachment to State Engineer John R. D'Antonio's Letter Regarding November 23, 2006 Letter from New Mexico Pecan Growers				
NM-0600	1/3/2007	Meeting with Governor and NM Pecan Growers				
NM-0601	11/14/2006	Proposed rules and regulations providing for Active Water Resources Administration of the Waters of the Lower Rio Grande Water Master District				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0602	3/17/2008	NMPG Announces Settlement Agreement with New Mexico State Engineer	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0603	9/24/2009	Letter from EBID in Response to NMPG Sep. 4 2009 Letter to EBID				
NM-0604	9/28/2003	State of NM vs. EBID - Report of the State of New Mexico on the Methodology for Determining Irrigation Water Requirements				
NM-0605	2/24/2011	Pecan Evapotranspiration and Irrigation Water Requirements in the Mesilla Valley				
NM-0606	1/1/1989	Crop production Report 1980; NM Agricultural Stats 1997	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0607	10/18/2018	Depletion Reduction and Offset Program for EBID				
NM-0608	8/8/2012	OSE File No. SD-2267 - Illegal River Pump				
NM-0609	7/17/2012	POD/Meter Inspection Report-Field Check in LRG Water Master District				
NM-0610	2/4/2014	Field investigation of a temporary surface water diversion owned and operated by the Elephant Butte Irrigation District (EBID) for operation & maintenance (O&M) of project facilities				
NM-0611	4/10/2006	Meter Requirements Still In Effect In The Lower Rio Grande Water Master District				
NM-0612	3/1/2006	Well Metering Requirements				
NM-0613	6/9/2014	re: Model Development information group				
NM-0614	3/29/2018	2018 RGCC 79th Annual Meeting Transcript				

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NM-0615	3/5/2013	LC Sun: Drought Talk dominates annual LC pecan meeting				
NM-0616	3/22/2017	Lower Rio Grande Regional Water Plan				
NM-0617	12/19/2012	LC Sun article: Drought, pest plague Dona Ana County pecan crop this year				
NM-0618	9/1/2017	Strategic Plan FY 18 OSE and ISC				
NM-0619	4/4/1952	Letter Enclosing Application to United States for Permission to Convey Water Pumped From Drains or Farms Wells Through Project Canals and Laterals				
NM-0620	7/17/2013	RE: LRG-1688-S5				
NM-0621	4/14/2015	David Salopek Farms Well Meter Readings	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0622	10/22/2015	Stahmann's Inc. - LRG Water Master Meter Calibration/Inspection Report	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0623	4/14/2017	Quarterly Report - April 2017				
NM-0624	5/10/2017	Email string RE: Quarterly Report - April 2017				
NM-0625	11/5/2018	Multiple Meter Reading Form	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0626	12/18/2019	Memo Re: Current status of river pumps/diversions along the Rio Grande between Elephant Butte Reservoir and the New Mexico/Texas State Line.				
NM-0627	7/7/2003	Conservation Credit for Salvage of Water by American Canal Extension				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0628	5/10/2006	2006 Allocation of Rio Grande Project Water				
NM-0629	10/4/2006	Allocation of Rio Grande Project Water				
NM-0630	10/5/2007	SUBJECT: Request for Confirmation of Irrigation Orders for January 2008 (Rio Grande Project)				
NM-0631	1/31/2008	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-0632	4/23/2008	Groundwater Allocation for Diverse Cropping in EBID				
NM-0633	10/1/2008	Public Address to the WRRRI Conference - Lower Rio Grande Project Operating Agreement: Settlement of Litigation - SURFACE WATER OPPORTUNITIES IN NEW MEXICO OCTOBER 2008 - NEW MEXICO WATER RESOURCES RESEARCH INSTITUTE				
NM-0634	10/27/2009	Phil King's October 27, 2009 Responses to Questions on the Rio Grande Project Operating Agreement and Operations Manual				
NM-0635	12/9/2009	Email string RE: Reclamation response to Q&C and Draft SOP				
NM-0636	12/8/2009	Excerpt Section 1. Updating of Operations Manual	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0637	12/9/2009	RGP 2009 Final Allocation Blair spreadsheet				
NM-0638	6/24/2010	State of New Mexico Issues and Concerns about the 2008 Rio Grande Project Operating Agreement				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0639	6/20/2006	Letter attaching "A Simplified Method for Allocation of Rio Grande Project Water Stored in Elephant Butte and Caballo Reservoirs"				
NM-0640	4/29/2011	Letter Re: Alternative Relinquishment Credit Proposal from NM				
NM-0641	5/16/2011	Your letter dated April 29, 2011 to Pat Gordon				
NM-0642	6/7/2011	Letter RE: Request to BOR for technical engagement on RGP issues.				
NM-0643	7/25/2011	Email RE: 2011 Rio Grande Project Operations and Rio Grande Compact Accrued Credit Water In Elephant Butte Reservoir-				
NM-0644	8/17/2011	Follow-up 3/29 e-mail requesting for well pumping data				
NM-0645	8/8/2011	Email string RE: RG Project Operations				
NM-0646	9/28/2011	Responding to your letter of August 8, 2011				
NM-0647	1/14/2010	Meeting Notes 1/12/10				
NM-0648	3/8/2013	RE: USIBWC Rio Grande Water Budget Study				
NM-0649	6/6/2013	United States BOR Draft Supplemental Environmental Assessment - Implementation of Rio Grande Project Operating Procedures				
NM-0650	4/3/2014	Letter RE: New Mexico Pecan Growers Request for Information Regarding EBID's Position in Texas v. NM				
NM-0651	4/14/2014	Letter from EBID RE: EBID's Position in Texas v. New Mexico				
NM-0652	3/24/2015	2015 RGCC 76th Annual Meeting Transcript	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-0653	6/8/2016	NMISC's Comments on the Draft Environmental Impact Statement for the Continued Implementation of the 2008 OA for RGP, NM and Texas				
NM-0654	2/14/2014	Comments on the Scoping for the Environmental Impact Statement for the Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, New Mexico and Texas				
NM-0655	6/8/2016	Rio Grande Project Operating Agreement DEIS				
NM-0656	7/15/2016	IBWC Sediment Study Request July 2016.pdf				
NM-0657	4/27/2004	Blue Ribbon Water Task Force - PPT	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0658	6/26/2018	142 Orig Florida v. Georgia (06/27/2018)				
NM-0659	1/9/2007	Pecan Water Management	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0660	6/1/2004	Guidelines for Preparing 40-Year Plans for Individual and Regional Water Systems in New Mexico				
NM-0661	9/15/2004	Active Water Resource Management - slides				
NM-0662	9/29/2004	AWRM, Conservation and Water Banking				
NM-0663	2/1/2003	Water Use by Categories in NM Counties and River Basins, and Irrigated Acreage in 2000				
NM-0664	6/1/2008	Supplemental Report to Water Use by Categories in NM Counties and River Basins & Irrigated Acreage in 2005				
NM-0665	5/14/2012	RGCC Engineer Adviser's Meeting, May 14-15, 2012	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-0666	10/1/2013	New Mexico Water Use by Categories 2010				
NM-0667	3/6/2018	Rio Grande Compact Engineer Advisers Meeting				
NM-0668	3/23/2006	2006 - Minutes of the 67th Annual Meeting of the Rio Grande Compact Commission				
NM-0669	8/25/2004	LRG Water Master District Map				
NM-0670	8/15/2006	Rules and Regulations Governing the Appropriation and Use of Ground Water in New Mexico				
NM-0671	4/13/1931	Judgement: No. 8321 NM, ex rel Reynolds vs. Holguin				
NM-0672	7/15/2016	Ditch Metering Agreement	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0673	12/18/2019	Letter Re: Notice of Non-Compliance				
NM-0674	9/11/2018	Memo RE: New Mexico Groundwater Irrigation Wells Pumping Groundwater for Use in Texas				
NM-0675	11/16/2018	Local Improvement Districts				
NM-0676	4/4/2019	Order:D-307-CV-2018-00718				
NM-0677	4/4/2019	Petition for Enforcement - Edward Provencio:D-307-2018-00718				
NM-0678	4/18/2019	Email string RE: [EXT] Management plan				
NM-0679	5/14/2019	Emailing: Pump Location and Water to fields.pdf				
NM-0680	8/1/2006	Allocation of Rio Grande Project Water				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0681	7/14/2006	Rio Grande Project Performance Parameters dated 7/14/06				
NM-0682	8/4/2006	LRGWUO Review Comments on the proposed rules and regulations providing for AWRA of the waters of the LRG Water Master District				
NM-0683	3/8/2004	EBID Emergency Application for the Permit to Use Supplemental Wells to Supplement Ground or Surface Waters				
NM-0684	1/1/2004	Presentation entitled "Rio Grande Project/Rio Grande Compact Operations"				
NM-0685	7/21/2002	RGP Operations and Article VII of the Rio Grande Compact Storage Limitations				
NM-0686	3/7/2002	Transmittal of Copies of Bureau of Reclamation's RGP Water supply Allocation Procedures and 1956 Allocation Procedure with Mexico				
NM-0687	7/27/2002	Rio Grande Project Operations, Rio Grande Project, Texas and New Mexico \ (Your letter dated July 3, 2002)				
NM-0688	5/16/2007	Memorandum decision on enacting statue of AWRM and writ of certiorari				
NM-0689	12/11/2006	OSE response to NMPG comments on AWRM draft rules and regulations				
NM-0690	12/4/2006	Letter regarding Proposed Rules and Regulations providing for Active Water Resources Administrations of the Waters of the LRG Water Master District				
NM-0691	12/8/2009	Additional NM Operating Agreement and Manual Questions and Comments for Discussion on December 8, 2009	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0692	6/21/2004	EL PASO WATER SUPPLY	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-0693	8/31/2006	Report and Recommendation of the Hearing Examiner in OSE Order 176: Rules and Regulations for the Use of Public Underground Waters for Household or Other Domestic Uses, Title 19, Chap. 27, Part 5				
NM-0694	6/20/2003	72-2-9.1: Priority Administration				
NM-0695	5/1/2008	Draft Report Compilation and Discussion of Recent Credits Given to the Texas District of the Rio Grande Project				
NM-0696	9/29/2009	Responses to Concerns and Questions on the Rio Grande Project Operating Agreement and Operations Manual	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0697	1/1/1985	Rio Grande Project Water Supply Allocation Procedures (WSAP)				
NM-0698	6/24/2011	Texas Second Request for Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-0699	4/22/2010	Effects of Canutillo Pumping on Rio Grande Surface Water System				
NM-0700	12/13/2007	Rio Grande Project Allocation Issues				
NM-0701	4/23/2007	EP1 v USBOR Response in Opposition to Plaintiff's Application for Preliminary Injunction - EPCWID vs. EBID and USA/BOR				
NM-0702	7/1/2008	Review of the El Paso Field Division				
NM-0703	4/15/2010	Letter Dated March 4, 2010 Regarding Rio Grande Project Operating Agreement				
NM-0704	3/22/2011	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				

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NM-0705	8/12/2011	Letter Re: Proposed August 19, 2011 Meeting				
NM-0706	6/11/2007	2007 RGP EA and Finding of No Significant Impact - Rio Grande Project				
NM-0707	1/1/2012	Rio Grande Project Operating Agreement - A State of New Mexico Perspective (updated 2012) - PPT				
NM-0708	3/26/2015	LRG_2007 Groundwater Flow Model for the Rincon and Mesilla Bolsons				
NM-0709	4/28/2016	Field Investigation of EBID Rincon lateral project in Dona Ana County				
NM-0710	1/18/2018	Policy and Guideline Notebook, Water Rights Division				
NM-0711	2/13/2003	EBID Drought Update Feb 2003 - PPT				
NM-0712	3/1/2007	Lower Rio Grande Surface and Groundwater, How to Protect the Aquifer				
NM-0713	4/19/2011	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-0714	7/26/2011	Credit Water Accounting				
NM-0715	12/1/2015	Simulation of Rio Grande Project Operations in the Rincon and Mesilla Basins (REVISED 12/2015 from previous 04/2015 version)				
NM-0716	3/31/2008	Pecan Settlement Talking Points				
NM-0717	5/28/2009	Current Hydrologic Conditions of the Upper Rio Grande Basin - May 2009				
NM-0718	6/25/1981	1906 Treaty Deliveries	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-0719	4/12/2012	Irrigation releases for EP#!and Mex2012 (2)				
NM-0720	4/12/2012	Map of Pump Locations	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0721	1/1/1940	Canalization and Rectification Projects - El Paso Rio Grande Projects - Map (old)				
NM-0722	5/7/2007	Letter regarding Memorandum of Understanding between EBID, City of Las Cruces and New Mexico State University				
NM-0723	1/1/1990	Water Supply Allocation Procedures				
NM-0724	3/1/2016	Petition for Alternative and Peremptory Writs of Mandamus in Cause No. D-307-CV-2016-00952	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0725	3/3/2004	James Salopek Affidavit, EBID's Emergency Application				
NM-0726	1/19/2006	Well Metering Requirement				
NM-0727	12/13/2006	The New Mexico Pecan Growers/State Engineer's Lower Rio Grande District Specific Regulations				
NM-0728	2/13/2007	Your Letter on Behalf of the New Mexico Pecan Growers Regarding the Lower Rio Grande District Specific Regulations				
NM-0729	6/12/2006	Thank You letters sent to EBID				
NM-0730	9/4/2009	Actions taken by EBID's attorneys in the Lower Rio Grande water rights adjudication				
NM-0731	3/12/2010	Rio Grande Project Operating Agreement - A State of New Mexico Perspective				
NM-0732	6/13/2012	Affidavit of Rolf Schmidt-Petersen, State of NM v. USA and BOR, DNM				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0733	8/8/2012	Metering Requirement for Rio Grande Surface Water Diversion				
NM-0734		Highlights of Lower Rio Grand District-Specific Rules and Regulations				
NM-0735	8/19/2009	Joint Report of the Principal Engineers Regarding the Joint Cooperative Process US-Mexico for the Transboundary Aquifer Assessment Program				
NM-0736	10/4/2006	Email exchange re setting up a meeting to go over Operating Agreement				
NM-0737	2/13/2008	Public Meeting Notice: 2/20/08 T or C				
NM-0738	4/1/1974	Water Deliveries under the Rio Grande Compact, 14 Nat. Resources J. 201 (1974)				
NM-0739	12/31/2016	Office of the State Engineer Annual Report 2016				
NM-0740	11/25/2008	Water conservation in irrigation can increase water use				
NM-0741	1/1/2017	Strategic Plan for Fiscal Year 2017 for OSE and ISC				
NM-0742	5/1/2005	Economic Importance of the Pecan Industry				
NM-0743	12/18/2019	Re: Failure to Report Meter Readings	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0744	3/20/2015	WATERS Spreadsheet	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0745	3/4/2008	Tri-State: Appeal from the 7th Judicial District Court (corrected):COA No. 27802				
NM-0746	3/1/2008	Noncommensurable Values of the Pecan Industry				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0747	12/20/2006	Estimation of Pecan Tree value				
NM-0748	5/1/2007	New Mexico's Pecan Industry: Estimated impacts on the State's economy				
NM-0749	9/1/2006	Strategic Plan				
NM-0750	10/13/2016	DROP Pilot Project outline				
NM-0751	8/11/2017	Memorandum Order on Faykus subfiles: D-307-CV-96-888				
NM-0752	11/14/2013	Meter Reading Reminder Postcard				
NM-0753	7/25/2013	LC Sun article: Hatch Chile on track for Harvest				
NM-0754	8/30/2002	Strategic Plan				
NM-0755	6/1/2017	Modernizing aging irrigation infrastructure in El Paso				
NM-0756	12/1/2016	DROP Pilot Project Agreement between EBID and CRRUA - draft				
NM-0757	1/1/2014	LRG Water Master Annual Report: 2013 Accounting Period				
NM-0758	12/18/2019	Summery & Current Status of SD-02267 "Faykus River Pump"				
NM-0759	3/6/2015	Spreadsheet	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0760	6/1/2003	Water for River Restoration: Potential for Collaboration Between Agricultural and Environmental Water Users in the Rio Grande Project Area				

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NM-0761	5/7/2008	2008 LRGWUO PPT Workshop for Local Legislators RGP OA				
NM-0762	12/31/2018	2018 New Mexico Agricultural Statistics Bulletin				
NM-0763	4/13/2020	Memorandum Opinion:A-1-CA-36848				
NM-0764	5/1/2019	New Mexico Water Use by Categories 2015				
NM-0765	3/1/2012	Technical Completion Report - Development of Riverware Model of the Rio Grande				
NM-0766	5/12/2011	Impact of New Mexico Credit Relinquishment on Elephant Butte and Caballo Reservoirs				
NM-0767	2/22/2011	2011 RG Compact Engineer Advisor Meeting				
NM-0768	12/23/2003	State Water Plan - 2003				
NM-0769	4/5/2017	2017 - Minutes of the 78th Annual Meeting of the Rio Grande Compact Commission				
NM-0770	1/1/2009	OSE 2009 Strategic Plan				
NM-0771	10/28/2010	Tri-State: Order on the State Engineer's AWRM regulations				
NM-0772	6/1/2008	New Mexico Water Use by Categories 2005				
NM-0773	3/29/2013	State of NM v. US , CIV-11-0691 - Memorandum Opinion and Order				
NM-0774	9/22/2006	RE: Ft. Quitman flows/Article 7				
NM-0775	3/21/2013	2013 - Minutes of the 74th Annual Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0776	3/24/2015	2015 - Minutes of the 76th Annual Meeting of the Rio Grande Compact Commission				
NM-0777	3/29/2018	2018 - Minutes of the 79th Annual Meeting of the Rio Grande Compact Commission				
NM-0778	3/31/2016	2015 - Minutes of the 77th Annual Meeting of the Rio Grande Compact Commission				
NM-0779	3/30/2011	2011 - Minutes of the 72nd Annual Meeting of the Rio Grande Compact Commission				
NM-0780	3/20/2014	2014 - Minutes of the 75th Annual Meeting of the Rio Grande Compact Commission				
NM-0781	3/21/2012	2012 - Minutes of the 73rd Annual Meeting of the Rio Grande Compact Commission				
NM-0782	9/1/2006	The Water Source, A Resource for Lower Rio Grande Water Users - Vol 1 Issue 1				
NM-0783	5/10/2016	State Engineer's Reply in Support of Motion to Extend Time to Answer the Alternative Write of Mandamus				
NM-0784	3/24/2015	Resolution of the Rio Grande Compact Commission Regarding Temporary Modification of Operations at El Vado Reservoir in New Mexico during April, May, and June 2015				
NM-0785	12/31/2017	LRG Water Master Annual Report: 2017 Accounting Period				
NM-0786	3/13/2018	LRG Water Master District Over Diversion Repayment plan				
NM-0787	8/31/2005	State of NM ex rel, OSE vs. EBID - Subfile Order (LRG-430): D-307-CV-96-888				
NM-0788	6/26/2013	Memo RE: Field investigation of river pumps/diversions along the Rio Grande between Elephant Butte Reservoir and the New Mexico/Texas State Line.				
NM-0789	12/1/2015	City of Las Cruces Monthly Well Production - 2015				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0790	7/8/2013	Notice of Groundwater Accounting 2012				
NM-0791	7/8/2013	Notice of Groundwater Accounting for 2012				
NM-0792	7/8/2013	Notice of Groundwater Accounting 2012				
NM-0793	12/31/2015	LRG Water Master Annual Report: 2015 Accounting Period				
NM-0794	2/26/2012	Review of Rio Grande Compact Commission Records Regarding Historical Accounting of Credit Water Evaporation				
NM-0795	2/6/2011	Review of RGCC Records Regarding Historical Accounting of Credit Water Evaporation				
NM-0796	5/19/2010	Relinquishment of a portion of New Mexico's accrued Rio Grande Compact credit water				
NM-0797	5/11/2011	Project Allocation May 11 UPDATE.xlsx				
NM-0798		Binational Study of the Surface and Groundwater Resources of the El Paso/Juarez International Corridor				
NM-0799	6/4/2015	DrainToCanaldata spreadsheet				
NM-0800	10/10/2014	Email thread RE: Rio Grande Salinity Mgt - Montoya Drain Idea (UNCLASSIFIED)				
NM-0801	10/3/2006	RE: RG Project Accounting				
NM-0802	9/23/1949	Approval of contract between City of El Paso and EPCWID conditioned on written acceptance of interpretations, terms, and provisions				
NM-0803	6/8/2017	Meter Reading Spreadsheet				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0804	3/31/2016	2015 - Transcript of Annual Meeting of the RGCC 03/31/2016 77th				
NM-0805	5/9/2011	Handwritten notes prepared by Texas and presented in a meeting between Texas and New Mexico on or about 05/0/2011, photographed by Rolf Schmidt-Peterson	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0806	4/5/2017	2017 - Transcript of the Annual Meeting of the RGCC				
NM-0807	12/31/2018	LRG Water Master Annual Report: 2018 Accounting Period				
NM-0808	2/17/2014	Order (1) Granting Summary Judgment Regarding the Amounts of Water; (2) Denying Summary Judgment Regarding Priority Date; (3) Denying Summary Judgment to the Pre-1906 Claimants; and (4) Setting a Scheduling Conference:D-307-CV-96-888				
NM-0809	11/15/1976	1976-11-15 Commission to Gilmer.pdf				
NM-0810	9/7/1976	Preliminary Statement on Groundwaters in the El Paso-Juarez Area				
NM-0811	12/31/2012	New Mexico Agricultural Statistics (2012)				
NM-0812	12/31/2013	New Mexico Agricultural Statistics (2013)				
NM-0813	12/31/2014	New Mexico Agricultural Statistics (2014)				
NM-0814	12/31/2015	New Mexico Agricultural Statistics (2015)				
NM-0815	12/31/2016	New Mexico Agricultural Statistics (2016)				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0816	12/31/2017	New Mexico Agricultural Statistics (2017)				
NM-0817	12/31/2019	New Mexico Agricultural Statistics (2019)				
NM-0818	1/1/2021	2021-Far-West-Texas-Water-Plan				
NM-0819	4/8/2021	DRAFT Report of the Engineer Advisers to the RGCC for Calendar Year 2020				
NM-0820	12/31/2006	New Mexico Agricultural Statistics (2006)				
NM-0821	12/31/2007	New Mexico Agricultural Statistics (2007)				
NM-0822	12/31/2008	New Mexico Agricultural Statistics (2008)				
NM-0823	12/31/2009	New Mexico Agricultural Statistics (2009)				
NM-0824	4/13/2021	EBID Board Meeting PowerPoint	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0825	11/1/2012	Tri-State Generation and Transmission Assn Inc v DAntonio, published opinion				
NM-0826	4/7/2021	EBID and EPCWID complaints re 2020 EA report				
NM-0827	3/14/2021	Responses to EA Report re Districts' complaints)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0828	12/1/2010	New Mexico Agricultural Statistics (2010)				
NM-0829	12/1/2012	New Mexico Agricultural Statistics (2011)				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0830	4/22/2021	Groundwater Regulator from Regulators: The State's Perspective - PPT	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0831	2/3/1944	Treaty Series 994 - Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande				
NM-0832	4/23/2021	Recent Developments in Rio Grande Management at the US-Mexico Border				
NM-0833	10/21/2020	IBWC Minute No. 325				
NM-0834	10/22/2020	US and Mexico Sign Agreement For Rio Grande Water Delivery By Mexico				
NM-0835	8/30/2011	Application for Permit of the City of Eunice, NM to Transport Water for Use Outside the State of New Mexico-LEA County Underground Water Basin; Permit No. L-4920, Amended Authorization to Transport Water for Use Outside New Mexico				
NM-0836	5/9/2011	Estevan Lopez notes from May 9th, 2011 meeting with Texas re: Rio Grande Project Operating Agreement	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0837	1/1/2020	2020 CRRUA Return Flow Report	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0838	6/1/2019	Annual Impact Report July 1, 2019 - June 30, 2020				
NM-0839	11/20/2009	CH2MHill Technical Memo 11-20-09 copy.pdf				
NM-0840	1/19/2016	CRRUA Return Flow Accounting 2015 Final				

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NM-0841	10/19/2018	Proposed Zoning Map of the CRRUA Subdivision, Zoning, Planning and Platting Areas				
NM-0842	10/10/2018	CRRUA Subdivision, Zoning, Planning and Platting Areas				
NM-0843	8/25/2015	Plan 2040 Comprehensive Plan Dona Ana County, NM				
NM-0844	12/31/2018	Final CRRUA Return Flow Accounting 2018				
NM-0845	5/10/2019	NMSU Leads 2025 Strategic Planning Framework				
NM-0846	4/8/2021	NMSU LEADS 2025 Strategic Planning Framework				
NM-0847	6/1/2003	NMSU Water Plan 2002-2042				
NM-0848	8/1/2016	Vision 2020 Strategic Plan Key Performance Indicators				
NM-0849	1/8/2004	Supplemental Findings for LRG-3150-S-18				
NM-0850	5/10/2019	NMSU LEADS 2025 Strategic Planning Framework (Presentation)				
NM-0851	12/1/2014	Return Flow Plan Amended 2014 For Flows Attributable to LRG 3150 et al.				
NM-0852	6/30/2016	Settlement Framework Memorandum of Understanding				
NM-0853	11/9/2007	Subfile Order - LRG-00035 :D-307-CV-96-888				
NM-0854		ACES Strategic Plan 2020-2025				
NM-0855	3/1/2010	Return-Flow Plan Santa Teresa Border Area				

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NM-0856	2/24/2009	Joint Powers Agreement For a Joint Water and Wastewater Operating Authority				
NM-0857	9/1/2018	The Economy and Functional Impact				
NM-0858	10/11/2018	Design and Construction of Rio Grande Channel Maintenance Alternatives for Sediment Control				
NM-0859	12/15/2020	Groundwater Management Areas - TX map				
NM-0860	8/1/2020	Texas Groundwater Conservation Districts				
NM-0861	12/15/2020	Groundwater Conservation Districts - Map of Texas				
NM-0862	12/15/2020	Surface Water (TX Regional Planning Areas)				
NM-0863	10/31/2019	Unauthorized Release of Accrued Credit Water in Project Storage in 2011	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0864	6/27/2007	LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0865	8/28/2006	LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0866	1/18/2002	LRG-15 INTO LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0867	11/2/2006	LRG-03725 into LRG-11409/LRG-15 INTO LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0868	5/22/2006	LRG-4253-1 into LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0869	2/7/2006	LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0870	3/1/2006	LRG-8740 et al. into LRG-11409/Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0871	6/1/2003	LRG-11409/Proof of Completion of Well				
NM-0872	6/4/2008	LRG-11409/Water Rights Map				
NM-0873	6/15/2021	OSE Water Rights Summary	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0874	6/17/2021	Overview of Afton Generating Station in Southern New Mexico	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0875	4/12/2021	Letter RE: Corrective Action Plan for Over Diversion of LRG-3288 (City Well No. 41)				
NM-0876	4/20/2020	FAYKUS FINAL INSPECTION WITH NMSP (SD-2267)				
NM-0877	11/9/2020	Information Sheet - NMISC LRG Groundwater Conservation Pilot Program	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0878	7/9/2020	Regional Assessment of Fallowing Programs (DRAFT)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0879	4/16/2020	Las Cruces District 4 - ORG CHART				

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NM-0880	7/1/2020	LRG WCPP Grant Term Sheet	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0881	8/31/2017	Application for Permit to Change an Existing Water Right (LRG-430)				
NM-0882	11/12/2020	OSE Listening Session Report/Groundwater Conservation Pilot Program for the LRG	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0883	12/31/2019	Over-Diversions in the LRG Since 2015	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0884	11/12/2020	FAQ Re: NM ISC LRG Groundwater Conservation Pilot Program	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0885	4/20/2020	FAYKUS CONTEMPT ORDER (D-721-CV-2019-00115)				
NM-0886	12/31/2019	New Appropriations Since Declaration of LRG Underground Water Basin	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0887	4/26/1940	Newspaper Article - El Paso Herald Apr 26 1940				
NM-0888	1/15/1900	Newspaper Article - El Paso Herald Jan 15 1900				
NM-0889	1/21/1939	Newspaper Article - El Paso Herald Jan 21 1939				
NM-0890	1/28/1922	Newspaper Article - El Paso Herald Jan 28 1922				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0891	3/11/1902	Newspaper Article - El Paso Herald Mar 11 1902	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0892	10/25/1910	Newspaper Article - El Paso Herald Oct 25 1910	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0893	4/16/1975	Newspaper Article - El Paso Herald Post Apr 16 1975				
NM-0894	4/25/1955	Newspaper Article - El Paso Herald Post Apr 25 1955				
NM-0895	12/14/1939	Newspaper Article - El Paso Herald Post Dec 14 1939				
NM-0896	12/16/1937	Newspaper Article - El Paso Herald Post Dec 16 1937				
NM-0897	7/18/1955	Newspaper Article - El Paso Herald Post Jul 18 1955				
NM-0898	6/1/1951	Newspaper Article - El Paso Herald Post Jun 1 1951				
NM-0899	6/12/1951	Newspaper Article - El Paso Herald Post Jun 12 1951				
NM-0900	6/16/1954	Newspaper Article - El Paso Herald Post Jun 16 1954				
NM-0901	6/26/1951	Newspaper Article - El Paso Herald Post Jun 26 1951				
NM-0902	5/23/1951	Newspaper Article - El Paso Herald Post May 23 1951				
NM-0903	4/8/1952	Newspaper Article - El Paso Times Apr 8 1952				
NM-0904	8/23/1932	Newspaper Article - El Paso Times Aug 23 1932				
NM-0905	12/12/1951	Newspaper Article - El Paso Times Dec 12, 1951				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0906	12/9/1951	Newspaper Article - El Paso Times Dec 9, 1951				
NM-0907	02/11/1897	Newspaper Article - El Paso Times Feb 11 1897				
NM-0908	6/2/1951	Newspaper Article - El Paso Times Jun 2 1951				
NM-0909	3/8/1977	Newspaper Article - El Paso Times Mar 8 1977				
NM-0910	10/24/1954	Newspaper Article - El Paso Times Oct 24 1954				
NM-0911	3/30/2004	Exhibit A to Vol. I Dep of William J Stahmann	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0912	3/30/2004	Exhibit B to Vol. I Dep of William J Stahmann				
NM-0913	3/30/2004	Exhibit C to Vol. I Dep of William J Stahmann				
NM-0914	8/11/1950	Newspaper Article - Las Cruces Sun News Aug 11 1950				
NM-0915	2/6/1951	Newspaper Article - Las Cruces Sun News Feb 6 1951				
NM-0916	1/14/1945	Newspaper Article - Las Cruces Sun News Jan 14 1945				
NM-0917	7/11/1951	Newspaper Article - Las Cruces Sun News Jul 11 1951				
NM-0918	7/8/1951	Newspaper Article - Las Cruces Sun News Jul 8 1951				
NM-0919	6/1/1951	Newspaper Article - Las Cruces Sun News Jun 1 1951				
NM-0920	3/11/1952	Newspaper Article - Las Cruces Sun News Mar 11 1952				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0921	11/22/1942	Newspaper Article - Las Cruces Sun News Nov 22 1942				
NM-0922	3/10/1905	Newspaper Article - The Deming Headlight Mar 10 1905				
NM-0923	3/30/2004	Video Dep of William J Stahmann - Vol. I 3-30-2004				
NM-0924	3/31/2004	Video Dep of William J Stahmann - Vol. II 3-31-2004				
NM-0925	12/31/2008	Costs of Growing Pecans - PowerPoint Presentation by NM State University				
NM-0926	4/4/2019	Transcript of the 80th Annual Meeting of the RGCC (2019)				
NM-0927	4/1/2020	Lower Rio Grande Water Master Annual Report -2019				
NM-0928	11/12/2020	2020 - Minutes of the 81st Annual Meeting of the Rio Grande Compact Commission				
NM-0929	6/1/2020	LOWER RIO GRANDE WATER MASTER REPORT - 2020				
NM-0930	6/1/2021	OSE/ISC Organizational Chart updated	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0931	4/8/2021	2020 - REPORT OF THE ENGINEER ADVISERS				
NM-0932	6/10/2021	Final Water Order Reminder - EBID				
NM-0933	9/19/2006	LRG-11409 - Application for Permit to Change Location of Well and Place and Purpose of Use of Underground Waters				
NM-0934	4/4/2019	2018 - Minutes of the 80th Annual Meeting of the Rio Grande Compact Commission				

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NM-0935	4/8/2021	2021 RGCC 82nd Annual Meeting Transcript				
NM-0936	5/8/2021	Water allocation takes a big hit as drought worsens in the Borderland.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0937	6/3/2021	ktsm.com-Drought restrictions not on table for El Paso as Rio Grande water heads South (01337188xB76D6).PDF	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0938	1/1/1940	Acequia Madre with the Amador Hotel	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0939	3/18/2021	W.A.T.E.R.S. Step-By-Step Guide Meter Module				
NM-0940	4/19/2006	Water Administration Technical Engineering Resource System (W.A.T.E.R.S) Meter Reading Module Documentation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0941	6/7/2021	Dana LK Hoag Curriculum Vitae				
NM-0942	2/7/1983	Resolution No. 83-177 - A Resolution Authorizing a Joint Funding Agreement For the Mesilla Basin Water Resource Project				
NM-0943	1/1/2021	Map of CLC EBID parcels				
NM-0944	5/27/2021	NDPES Permit No. NM0023311				
NM-0945	2/27/2019	Application to Discharge to Waters of the U.S. Permit No. NM0030872, East Mesa Water Reclamation Facility				
NM-0946	11/1/2020	City of Las Cruces - 2020 EBID Tax Statements	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0947	8/1/2017	CLC Jornada Overdiversion Action - 2016				
NM-0948	11/9/2009	Rio Grande Salinity Management Program: Preliminary Economic Impact Assessment (Nov. 2009)				
NM-0949	1/12/2020	City of Las Cruces Monthly Well Production	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0950	01/01/1893	1893 Sanborn Map				
NM-0951	6/1/2021	CLC Funding Contribution to Monitoring Groundwater and Surface Water in the Mesilla Valley Basin, South-Central New Mexico and Far West Texas	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0952	7/9/2020	CLC Utilities Board Resolution 20-21-LCU005				
NM-0953	01/01/1891	Photograph - Las Cruces Acequia Madre 1891	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0954	1/1/1915	Photograph - Las Cruces Acequia Madre 1915	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-0955	5/28/2021	Application to Discharge to Waters of the United States Permit No. NM0023311 - Las Cruces Utilities Jacob Hands Wastewater Treatment Facility				
NM-0956	4/1/2017	CLC 40 Yr Plan 2017 - Appendices M-Q				
NM-0957	1/6/2021	CLC Groundwater Diversions 2016-2020	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-0958	03/10/1880	Las Cruces Newspaper Excerpt - Thirty Four - March 10, 1880	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0959	1/1/1940	New Mexico Excerpt from 1940 U.S. Census				
NM-0960	4/11/1941	Newspaper Excerpt - Las Cruces Sun News - April 11, 1941				
NM-0961	1/28/2015	NM OSE Application for Permit to Change an Existing Water Right - LRG-430-POD57 CLC (Mesilla)				
NM-0962	12/6/2019	Discharge Permit Renewal, DP-1536, CLC-East Mesa Water Reclamation Facility				
NM-0963	1/6/2021	Jorge Garcia Resume				
NM-0964	6/15/2020	Irrigated Acreage in New Mexico LRG				
NM-0965	10/31/2019	Table A.13: EBID Allocation and Charged Delivery Summary (2006-2020)(Revised and updated 4/20/2021)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0966	10/31/2019	Table A.14: EPCWID Allocation and Charged Delivery Summary (2006-2020) (Revised and updated 4/20/2021)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0967	10/31/2019	Table D.5. Summary of Project Accounting Credits assigned to EPCWID, extracted from Project Accounting Records	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0968	6/1/2021	Lower Rio Grande Hydrologic Cycle Diagram by King and NM OSE	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0969	10/31/2019	Figure 8.3. Total Allocation Data (including Carryover) for EBID and EPCWID 1990-2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0970	10/31/2019	Figure 9.3. Groundwater Levels at EBID Shallow Monitor Wells. Upper Plot: Historical Groundwater Levels; Lower Plot: Groundwater Levels plotted with Project Release % of a Full-Supply Release (763,800 AF)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0971	10/31/2019	Figure A.11: Total Allocation to District (2006-2020)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0972	10/31/2019	Table A.10: Current-Year Allocation to Districts (2006-2019)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0973	10/31/2019	Table A.12: Charged Districts' Diversions and Delivery to Mexico (2006-2020)(Revised and updated 4/20/2021)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0974	10/31/2019	Table D.6. Summary of American Canal Extension Credits Assigned to EPCWID, Increasing EPCWID's Annual Allocation, extracted from Project Allocation and Accounting Records	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0975	10/31/2019	Table A.5: Total Charged Diversions for Each District and Mexico (1979-2005)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0976	10/31/2019	Table D.3. Simplified Allocation Example, D3 Allocation plus Carryover, Full-Supply Year, Amounts rounded to nearest 1000 AF	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0977	12/31/2013	2013 USDA New Mexico Chile Production Statistics				
NM-0978	1/8/2020	2018 Crop Summary Dona Ana-Sierra ACTUAL	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0979	6/24/2021	David Salopek Farms Well Costs 2018-2021	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0980	12/18/2017	Pecan Prices and Grades				

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NM-0981	5/21/2021	Randy Garay IAS_PlantReportAPP_Is FINAL May 20 21 1621.pdf	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0982	1/26/2018	DONA ANA COUNTY Projected Acreage Summary 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0983	12/12/2017	2017 Dona Ana and Sierra Counties Crop Projections	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0984	6/23/2021	David Salopek Farms KWh Usage 1993-2020	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0985	11/17/2017	2017 Projected Crop Cost and Return Estimates, Dona Ana and Sierra Counties				
NM-0986	3/20/2019	Economic Outlook for New Mexico Agriculture, 2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0987	2/13/2019	2019 Crop Summary for Dona Ana and Sierra	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0988	8/5/2020	Texas Rural Value Land Trends: 2019				
NM-0989	1/8/2014	2014 Acreage Summary: DONA ANA AND SIERRA COUNTIES	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0990	12/1/2020	David Salopek Farms WATER USAGE RECAP 2020	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0991	1/25/2013	Acreage Summary, Dona Ana and Sierra Counties: 2013 Projected	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0992	2/25/2015	Acreage Summary; Dona Ana and Sierra Counties	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-0993	2/13/2020	2020 Financial Institution Rating System	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-0994	5/21/2021	Randy Garay IAS_SoilReportAPP_ls FINAL May 20 21 1621.pdf				
NM-0995	12/20/2019	Final EA for the Continued Implementation of the RMP for the RGCP				
NM-0996	7/29/1981	Jicarilla Apache Tribe v US, 657 F.2d 1126				
NM-0997	6/22/1993	App for Permit: ABQ				
NM-0998	8/2/2000	Agreed Order Resolving Plaintiffs' Motion for Preliminary Injunction: U.S.D.C. Civ 99-1320				
NM-0999	4/13/2006	Order: Carangelo v ABCWUA, CV 2004-05036				
NM-1000	11/26/2013	Appeal: ABCWUA v D'Antonio				
NM-1001	11/6/2014	Amended Findings: Carangelo v ABCWUA, 2014-NMCA-032				
NM-1002	8/22/2016	Contract between BOR and ABCWUA toward Satisfaction of the Supplement to Agreed Order				
NM-1003	6/23/2020	Final Biological Opinion for SJ-C Drinking Water Project				
NM-1004	10/28/2020	Water Storage Contract between BOR and ABCWUA				
NM-1005	12/1/2020	OSE Administration - slides	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1006	12/1/2020	Drinking Water Project - Slide	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1007	6/1/2021	Flow and River Operations - maps	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1008	6/1/2021	Banking for the Future via ASR - slide				
NM-1009	6/23/2021	CV for John M Stomp, III. P.E.				
NM-1010	12/1/2020	Drinking Water Project - Slide 2	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1011	6/6/2021	River or Faucet - news article				
NM-1012	6/8/2021	Treaty Sees River Used Like Faucet - news article				
NM-1013	6/21/2021	Rio Grande is Filled with Water for 2021 water Allotment to NM, TX, Mexico - news article	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1014	12/6/2018	2018 New Mexico State Water Plan - Cover Page	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1015	12/6/2018	New Mexico State Water Plan Part I: Policies	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1016	12/6/2018	New Mexico State Water Plan Part III: Legal Landmarks	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1017	12/6/2018	New Mexico State Water Plan Part II: Technical Report	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1018	6/25/2021	LRG Water Management Pilot Project - Webpage	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1019	10/22/2014	Sally Stahmann Invoices for Irrigation Well Work 2020	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1020	4/6/2018	Sally Stahmann 2018 Water Analysis Report Chain of Custody	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1021	6/26/2001	Sally Stahmann Tree Ring for Samples.pdf				
NM-1022	12/31/2019	Sally Stahmann Leaf Analysis 2019-	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1023	4/11/2018	Sally Stahmann 2018 Water Analysis Report	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1024	1/19/2015	Sally Stahmann Invoice from Pablo Canales Water Wells & Pumps	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1025	4/17/2013	Sally Stahmann San Pablo water wells & pumps.pdf	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1026	4/6/2018	2018 Stahmann Water Analysis Report				
NM-1027	7/1/1988	A History of New Mexico State University's Well Development and Group Water Use				
NM-1028	8/16/2021	CV for Heidi M. Welsh, P.H.				
NM-1029	8/16/2021	CV for John Carron, Ph.D.				
NM-1030	8/16/2021	CV for Steve Setzer, P.E.				
NM-1031	7/29/2021	Table 3-1: Summary of Flow Measurement Sites for Surface Water Dataset				

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NM-1032	7/1/2020	CV of Bryan P. Thoreson, Ph.D., P.E.				
NM-1033	8/10/2020	CV of Gregory K. Sullivan				
NM-1034	02/16/1892	1892 minutes				
NM-1035	8/27/1946	Water Announcements from Rio Grande Project Histories 1946-1950				
NM-1036	10/1/1985	EPCWID Accounting Records (1985-2016)				
NM-1037	4/24/2013	United States' Memorandum in Support of Motion for Summary Judgment 28; State of New Mexico ex rel., New Mexico State Engineer vs. Elephant Butte Irrigation District, et al., Case No: CV-96-8888/Stream System Issue SS-97-104, Third Judicial District Court, State of New Mexico, County of Dona Ana				
NM-1038	7/15/2020	Expert Report (2nd Edition Original): Sullivan, Greg and Welsh, Heidi				
NM-1039	6/15/2020	Expert Report/Rebuttal: Barroll, Margaret, Ph.D.				
NM-1040	10/31/2019	Expert Report: Lopez, Estevan, P.E.				
NM-1041	6/15/2020	Expert Report/Rebuttal: Lopez, Estevan, P.E.				
NM-1042	12/21/2020	Resume of Dr. Lee Wilson				
NM-1043	10/31/2019	Expert Report: Lopez, Estevan, P.E. [Appendices Only]				
NM-1044	9/15/2020	Expert Report/(2nd Edition) Supplemental Rebuttal: Estevan Lopez, P.E.				

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NM-1045	9/15/2020	Expert Rebuttal Report (2nd Edition): Sullivan, Greg and Welsh, Heidi				
NM-1046	10/31/2019	EPCWID Water Allocation Records (2006-2016)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1047	12/21/2020	Listing of Expert Testimony of Dr. Lee Wilson				
NM-1048	6/30/2020	Rebuttal Report to Land IQ Expert Report, prepared by David Jordan, P.E.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1049	9/15/2020	Technical Appendices A-E to Expert Rebuttal Report, 2nd Edition of Gilbert Barth and Steve Larson, September 15, 2020				
NM-1050	10/1/2019	Consumptive Use of Applied Water in the Rincon, Mesilla, El Paso and Juarez Valleys in the Rio Grande Basin				
NM-1051	9/15/2020	Technical Appendices A-P to Expert Report, 3rd Edition, of Gilbert Barth, September 15, 2020 (CORRECTED)				
NM-1052	10/8/2019	20191008_Land-IQ_Process_Description	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1053	12/21/2018	2018-12-21 - TX Obj to NM Req for Prod Set One.pdf				
NM-1054	2/4/2019	2019-02-04 - TX Resp to NM First Req for Prod.PDF				
NM-1055	11/4/2019	2019-11-04 - US Resp to NM Req for Adm.pdf				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1056	11/19/2019	2019-11-19 - US Resp to NM First Set of Discovery.pdf				
NM-1057	3/18/2020	2020-03-18 - US Supp Resp to NM First Set of Discovery.pdf				
NM-1058	7/24/2020	2020-07-24 - TX Obj and Resp to NM Req for Adm Set One.pdf				
NM-1059	7/29/2020	2020-07-29 - TX Obj to NM Interrogs Set One.pdf				
NM-1060	8/28/2020	2020-08-28 - TX Resp to NM Interrogs Set One.pdf				
NM-1061	8/28/2020	2020-08-28 - US Resp to NM Second Req for Adm.pdf				
NM-1062	10/26/2020	2020-10-26 - TX Supp Resp to NM Interrogs Set One.pdf				
NM-1063	10/29/2020	2020-10-29 - TX Supp Resp to NM Req for Adm Set One.pdf				
NM-1064	12/1/2015	Hydrologic and Water Quality Models: Performance Measures and Evaluation Criteria, 2015 American Society of Agricultural and Biological Engineers.				
NM-1065	2/5/2021	EPCWID Total Allocation and Charged Diversions 1985-2002	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1066	12/31/1980	Lower Rio Grande Underground Water Basin	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1067	11/10/2014	Ethics Recusal	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1068	2/5/2021	EPCWID Total Allocation (including Carryover) 2006-2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1069	2/5/2021	Fig. 5: Extracted from page 5 of NM-EX 452, Friedkin 1956	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1070	1/1/2012	RIP-ET: A riparian evapotranspiration package for MODFLOW-2005: U.S. Geological Survey Techniques and Methods 6-A39				
NM-1071	1/30/2017	2016 New Mexico Cropland Data Layer				
NM-1072	1/1/2016	Evaporation, Evapotranspiration and Irrigation Water Requirements. ASCE Manuals and Reports on Engineering Practice No. 70, 2nd Edition.				
NM-1073	1/1/1917	El Paso Valley Irrigation District, Showing Various Known River Channels				
NM-1074	10/22/2003	Notes of 10-22-2003 interview with Jim Kirby, retired BOR Engineer, by Barroll	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1075	11/4/2020	Bureau Allocation and Accounting Data for EPCWID 1985-2005	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1076	11/4/2020	Bureau Allocation and Accounting Data for EPCWID 2006-2016	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1077	2/5/2021	Map of the Montoya Drain System in TX and NM, southern Mesilla Valley	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1078	10/31/2019	Comprehensive Project Allocation and Delivery Summary Table				

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NM-1079	10/31/2019	Water Distribution Reports, Project-wide, from RGPH 1951-1978				
NM-1080	9/15/2020	Comparison of RiverWare outputs - Run 16a Conj Use 1a Hist All Acres D1D2 (1978 MI) v. Run 1 Base Run				
NM-1081	1/30/2017	2016 Texas Cropland Data Layer				
NM-1082	1/1/2014	Landsat and Water--Case Studies of the Uses and Benefits of Landsat Imagery in Water Resources				
NM-1083	10/31/2019	Live Excel based on Project Order form				
NM-1084	10/31/2019	USBOR Final Allocation Spreadsheet for 2009 from Blair	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1085	12/21/2020	Annual Irrigation Pumping	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1086	2/5/2021	EPCWID Total Allocation and Charged Diversions 2006-2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1087	10/16/2019	EPWU website water resources information	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1088	2/5/2021	Total EPCWID Charged Diversions 2006-2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1089	2/5/2021	Caballo Release, Reservoir Storage and Compact Spills 1985-2017	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1090	12/3/2012	Performance evaluation of hydrological models: Statistical significance for reducing subjectivity in goodness-of-fit assessments				
NM-1091	9/15/2020	RiverWare Rincon Mesilla Data Transfer File				

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NM-1092	9/15/2020	Copies of post-processed ASCII NMR-M simulated water budget results for Riverware				
NM-1093	12/1/1987	Hydrogeologic Evaluation of Proposed Appropriation of Ground Water from the Lower Rio Grande Underground Basin by the City of El Paso				
NM-1094	9/15/2020	NMR-M simulated water budget by GWO and total system summary for Riverware				
NM-1095	1/1/1990	Geohydrology and Simulation of Ground-water Flow in the Mesilla Basin, Dona Ana County, New Mexico, and El Paso County Texas				
NM-1096	12/1/2009	Conjunctive Surface-water/Groundwater Model in the Southern Rincon Valley Using MODFLOW-2005 with the Farm Process				
NM-1097	1/1/1985	Geohydrology of the Aquifer in the Santa Fe Group, Northern West Mesa of the Mesilla Basin near Las Cruces, New Mexico				
NM-1098	9/15/2020	Moran redistribution assessment: exceeding allocation and demand	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1099	6/1/2004	Creation of a digital hydrogeologic framework model of the Mesilla Basin and Southern Jornado del Muerto Basin				
NM-1100	9/15/2020	Entity (Las Cruces, NM Mnl) No-pumping NMR-M simulations	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1101	9/15/2020	Corrected Texas Model simulation results. Manual sensitivity runs.				

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NM-1102	5/31/2018	Rio Grande Transboundary Integrated Hydrologic Model and Water-Availability Analysis, New Mexico and Texas, United States, and Northern Chihuahua, Mexico				
NM-1103	9/15/2020	Barth Resume				
NM-1104	11/15/2013	Distal Mesilla Conceptual Site Model				
NM-1105	1/1/2007	Ground-water Recharge in the Arid and Semi-Arid Southwestern United States				
NM-1106	4/1/2015	Simulation of Rio Grande Project Operations in the Rincon and Mesilla Basins: Summary of Model Configuration and Results	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1107	9/15/2020	Model-Wide simulated net change in groundwater storage, broken into alluvial and non-alluvial components				
NM-1108	1/1/2006	Groundwater, vegetation and Atmosphere: Comparative riparian evapotranspiration, restoration and water salvage				
NM-1109	7/1/1962	The future of data analysis				
NM-1110	3/9/2006	Riparian ecohydrology: Regulation of water flux from the ground to the atmosphere in the Middle Rio Grande, New Mexico				
NM-1111	1/1/2018	Data set example of Las Cruces pumping	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1112	9/15/2020	Model-Wide DCMI pumping broken into alluvial and non-alluvial components				
NM-1113	1/1/2004	Mountain-Block Hydrology and Mountain-Front Recharge, in Groundwater Recharge in a Desert Environment: The Southwestern United States				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1114	9/15/2020	Data from various sources contributing to the estimation of Jornada Pumping				
NM-1115	9/15/2020	Steve Larson Resume				
NM-1116	1/1/2007	Draft Groundwater flow model for administration and management in the Lower Rio Grande Basin				
NM-1117	9/15/2020	Model-Wide simulated transboundary flux				
NM-1118	1/1/1992	Ground-water models cannot be validated				
NM-1119	12/16/2005	Comparison of different efficiency criteria for hydrological model assessment				
NM-1120	3/1/1962	Ground-Water Resources of the Lower Mesilla Valley, Texas and New Mexico				
NM-1121	9/15/2020	Pumping extracted from NM WATERS database, processed by P. Barroll, and provided to SSP&A for modeling of non-irrigation pumping				
NM-1122	1/1/2015	Pumping provided by EPWU providing an example of Canutillo pumping data				
NM-1123	3/1/2007	Model Evaluation Guidelines for Systematic Quantification of Accuracy in Watershed Simulations, Transactions of the ASABE				
NM-1124	2/1/2010	Simulation of Groundwater Flow in the Southern Jornada Del Muerto Basin, Dona Ana County, New Mexico				
NM-1125	6/11/2020	Robustness of Damage Estimate to Moran's Hydrological Model				
NM-1126	1/5/2019	Determinants of Water Market Prices in the Western United States				
NM-1127	6/7/2021	Excel predicted calculation data	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1128	3/10/2020	Framing What is the Value of the Change				
NM-1129	1/7/2020	Output, Value Added, & Double-Counting				
NM-1130	3/11/2020	What are Direct, Indirect, and Induced Impacts?				
NM-1131	9/10/2020	Dona-Ana-and-Sierra Crop Budgets 2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1132	6/7/2021	Excel damage sheet	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1133	9/10/2020	Economic Damage Analysis updated Sept 10 2020				
NM-1134	6/7/2021	Excel scenario acreage comparisons	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1135	8/31/2009	Input-Output Analysis Foundations and Extensions (2nd Ed)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1136	6/7/2021	Excel Moran scenario data	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1137	6/7/2021	Excel TDS calculation	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1138	6/5/2021	Applied Water Salinity Spronk - revised Sept 10.xlsx	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1139	3/13/1999	Analysis of the Bureau of Reclamation' Historic Crop and Water Statistics				
NM-1140	11/1/1954	Water Evaporation Studies in Texas.				
NM-1141	1/1/2001	Random Forests				
NM-1142	1/1/2000	Selection of Irrigation Methods for Agriculture.				
NM-1143	1/1/2006	Pecan production guidelines for small orchards and home yards.				
NM-1144	1/1/2000	New Mexico Onion Varieties.				
NM-1145	4/7/1938	Consumptive Use of Water by Alfalfa.				
NM-1146	5/1/1959	Fertilizers for Alfalfa.				
NM-1147	1/1/2008	Comparison of corn and soybean yields in the United States: Historical trends and future prospects.				
NM-1148	1/1/2011	Combined Standard Uncertainty and Propagation of Uncertainty, NDT Education Resource Center.	C	US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1149	8/1/1923	Irrigation of Alfalfa.				
NM-1150	9/1/1928	Economics of Crop Production on the Elephant Butte Irrigation Project.				
NM-1151	1/1/1982	Evaluating the Crop Coefficient Using Spectral Reflectance 1				
NM-1152	1/1/2001	Enhancing water use efficiency in irrigated agriculture.				
NM-1153	1/1/1987	Trends in Acreage and Yields of the Major Field Crops in New Mexico, 1919-1985.				
NM-1154	4/1/1953	Cotton Spacing Experiments in the Mesilla Valley, New Mexico.				
NM-1155	8/1/1970	Variable Row Spacing of Irrigated Cotton.				
NM-1156	11/1/1960	Consumptive use of water by major crops in Texas				
NM-1157	1/1/1991	Alfalfa (Medicago sativa L.) water use efficiency as affected by harvest traffic and soil compaction in a sandy loam soil				
NM-1158	1/1/1983	Soil Water Status and Water Use of Trickle -Irrigated Chile Pepper.				
NM-1159	1/1/2012	A water-balance drip-irrigation scheduling model				
NM-1160	1/1/1985	Evapotranspiration crop coefficients predicted using growing-degree-days.				
NM-1161	1/1/2007	Extinction depth and evapotranspiration from ground water under selected land covers				
NM-1162	11/1/1953	Alfalfa Varieties for New Mexico.				
NM-1163	12/1/1919	NM College of Agriculture and Mechanical Arts-Cotton Growing				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1164	3/1/1947	Improved Strains of Cotton for New Mexico.				
NM-1165	10/1/2019	Equation 9-7. ICUC equation for entire irrigation season.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1166	1/1/2014	CropScape Cropland Data Layer.				
NM-1167	1/1/2014	Lower Rio Grande Valley Irrigated-Acreage Analysis Summary Overview Technical Memorandum.				
NM-1168	1/1/2013	Assessing potential urban tree planting sites in the Piedmont of the United States: A comparison of methods.				
NM-1169	1/1/2011	Crop Report 2004 to 2010				
NM-1170	3/1/1996	Assessing integrity of weather data for use in reference evapotranspiration estimation.				
NM-1171	1/1/2002	Evaporation from irrigated agricultural land in California				
NM-1172	11/1/2003	Comparison of reference evapotranspiration calculations as part of the ASCE standardization effort.				
NM-1173	1/1/2004	Chapter 19, Measurement Uncertainty. MARLAP Manual III.				
NM-1174	1/1/2011	Estimating Crop Water Requirements in Arizona and New Mexico.				
NM-1175	6/1/1925	Net Requirements of Crops for Irrigation Water in the Mesilla Valley, New Mexico				
NM-1176	1/1/2008	Multi-Source Remotely Sensed Data Combination: Projection Transformation Gap-Fill Procedure.				
NM-1177	3/28/2006	Remote Sensing of Evapotranspiration for Verification of Regulated Deficit Irrigation				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1178	1/1/2008	Accuracy of project-wide water uses from a water balance: a case study from Southern California.				
NM-1179	1/1/2009	Assessing the Accuracy of Remotely Sensed Data Principles and Practices.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1180	6/1/1958	Variety Tests of American Upland Cotton in New Mexico.				
NM-1181	3/1/1923	Alfalfa Fertilizer Experiments.				
NM-1182	1/24/1935	Good Cotton with a Comparatively Small Amount of Water.				
NM-1183	12/1/1982	Laser leveling and farm profits. Technical Bulletin Number 244				
NM-1184	1/1/1985	Agricultural benefits for Senegal River Basin.				
NM-1185	1/1/1986	The construction of a self-representing stratum of large units in survey design.				
NM-1186	3/1/1978	Alfalfa Production in NM.				
NM-1187	1/1/2007	Design and Operation of Farm Irrigation Systems				
NM-1188	9/1/1983	Irrigation Evaluations and Improvements in New Mexico to Conserve Water and Energy				
NM-1189	1/1/1982	Water-Use Production Functions of Selected Agronomic Crops in Northwestern New Mexico, Phase II.				
NM-1190	12/1/1944	Cotton Variety Tests in the Rio Grande Valley of New Mexico 1940-1943.				
NM-1191	3/1/1950	Cotton Variety Tests in the El Paso Valley, 1943-1948.				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1192	7/1/1962	Effects of Planting Methods and Seeding Rates on Alfalfa Seed Yields.				
NM-1193	1/1/2005	Comparison of Measured and FAO-56 Modeled Evaporation from Bare Soil				
NM-1194	3/1/1932	Cotton Investigations.				
NM-1195	8/29/2005	Changes in Summer Irrigated Crop Area and Water Use in Southeastern Turkey from 1993 to 2002: Implications for Current and Future Water Resources.				
NM-1196	1/1/1971	Spatial and temporal distribution of solar radiation beneath forest canopies.				
NM-1197	9/1/1959	Cotton Production in Texas.				
NM-1198	1/1/2008	Yield Response To Water In Irrigated New Mexico Pecan Production: Measurements & Policy Implications				
NM-1199	1/1/2005	Water Task Force Report 4: Irrigation Practices vs. Farm Size: Data from the Elephant Butte Irrigation District.				
NM-1200	1/1/1993	Soil Survey Manual.				
NM-1201	10/1/1947	Maintaining Cotton Yields Through Fertilizer and Crop Rotation				
NM-1202	2/1/2011	National Agronomy Manual, 190-V-NAM, 4th Edition.				
NM-1203	9/29/2019	REF-ET REFERENCE EVAPOTRANSPIRATION CALCULATOR Ver. 4.1 Windows for Fabian Garcia				
NM-1204	1/1/2013	Evaluating on-farm irrigation efficiency across the watershed: A case study of New Mexico's Lower Rio Grande				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1205	2/21/2015	METRIC Surface Energy Balance. Figure by R. G. Allen, University of Idaho, distributed under CC BY-SA 4.0.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1206	7/1/2012	Maize evapotranspiration and water-use efficiency in response to row spacing.				
NM-1207	1/1/2018	Crop evapotranspiration, irrigation water requirement and water productivity of maize from meteorological data under semiarid climate.				
NM-1208	1/1/2018	Small Grain Forages for New Mexico.				
NM-1209	1/1/2014	Technical Note: Statistical methods for accuracy assessment of classified thematic maps.				
NM-1210	1/1/2018	When do random forests fail?				
NM-1211	1/1/2016	Classification of Landsat 8 Satellite Data Using NDVI Thresholds.				
NM-1212	1/1/2015	Google Earth Engine App for Residential Water Use and Preservation.				
NM-1213	1/1/1974	Crop Report 1938 to 1973				
NM-1214	11/1/1997	Irrigation Performance Measures: Irrigation Efficiency and Uniformity.				
NM-1215	7/1/2005	Cotton irrigation scheduling using remotely sensed and FAO-56 basal crop coefficients.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1216	1/1/2009	Comparison of Evapotranspiration Estimates from Remote Sensing (SEBAL), Water Balance, and Crop Coefficient Approaches				

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NM-1217	1/1/1999	Defoliants, Desiccants, and Growth Regulators Used on New Mexico Cotton.				
NM-1218	9/1/1959	Some Principles and Practices in the irrigation of Texas Soils.				
NM-1219	10/6/2007	Variability of Crop Coefficients in Space and Time—Examples from California. The Role of Irrigation and Drainage in a Sustainable Future				
NM-1220	12/18/1939	Experiments in 1938 in the Irrigation of Cotton.				
NM-1221	3/1/1934	Results of Irrigation Treatments on Acala Cotton Grown in the Mesilla Valley, New Mexico.				
NM-1222	1/12/1942	Results of Irrigation Experiments with Cotton in 1940.				
NM-1223	2/1/1978	Double-Row Cotton Trials in New Mexico.				
NM-1224	1/1/2012	FAO irrigation and drainage paper No. 33 Yield response to water				
NM-1225	1/1/2007	Combining FAO-56 model and ground-based remote sensing to estimate water consumptions of wheat crops in a semi-arid region				
NM-1226	7/1/1979	Cotton Response to Two Levels of Trickle Irrigation and Two Row Spacings.				
NM-1227	5/1/1959	Cotton irrigation in the Southwest				
NM-1228	1/1/2011	Principles of uncertainty.				
NM-1229	1/1/2008	Assessment and Potential of the 2007 USDA-NASS Cropland Data Layer for Statewide Annual Land Cover Applications.				
NM-1230	9/1/1975	Variety Tests of American Upland Cotton, 1965 to 1974.				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1231	1/1/1924	NM College of Agriculture and Mechanical Arts-Cotton.				
NM-1232	1/1/2002	UPFLOW, a model to assess water and salt movement from a shallow water table to the topsoil				
NM-1233	1/1/2011	A simple irrigation scheduling approach for pecans.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1234	1/1/2006	An evaluation of two inexpensive energy-balance techniques for measuring water use in flood-irrigated pecans (<i>Carya illinoensis</i>).				
NM-1235	1/1/2009	Estimation of crop coefficients using satellite remote sensing.				
NM-1236	1/1/2005	Farm size, irrigation practices, and on-farm irrigation efficiency.				
NM-1237	1/1/1948	Cotton Irrigation Tests.				
NM-1238	3/30/1942	Planting Cotton in New Mexico in 1942.				
NM-1239	1/1/1958	Texas Guide for Growing Irrigated Cotton.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1240	12/1/1962	Determining consumptive use and irrigation water requirements.				
NM-1241	11/1/1973	Subsurface Irrigation of Cotton: A System and Its Effects Upon Production, with and without Fertilizer Application.				
NM-1242	3/16/2017	USDA, National Agricultural Statistics Service, 2008 New Mexico Cropland Data Layer				
NM-1243	3/16/2017	USDA, National Agricultural Statistics Service, 2008 Texas Cropland Data Layer				
NM-1244	3/16/2017	USDA, National Agricultural Statistics Service, 2013 New Mexico Cropland Data Layer				

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NM-1245	2/4/2014	SSURGO 2.3.2 Table Column Descriptions				
NM-1246	1/1/2018	Simplified radiometric calibration for UAS-mounted multispectral sensor.				
NM-1247	12/1/1979	Water Used by Various Crops, Las Cruces Area, Guide M-217.				
NM-1248	1/1/2008	Quality Assessment of Weather Data and Micrometeorological Flux - Impacts on Evapotranspiration Calculation.				
NM-1249	1/1/1984	Solar radiation within an Oak Hickory Forest: An evaluation of the extinction coefficients for several radiation components during fully-leafed and leafless periods				
NM-1250	2/1/2005	SEBAL Model with Remotely Sensed Data to Improve Water Resources Management under Actual Field Conditions				
NM-1251	2/1/1977	Sampling Techniques.				
NM-1252	6/21/1943	Irrigation Experiments with Cotton, 1941.				
NM-1253	1/9/1942	Irrigation Tests with Cotton, 1939.				
NM-1254	1/1/2012	Survey on gap filling in satellite images and inpainting algorithm.				
NM-1255	5/1/2004	Irrigation of Forage Crops				
NM-1256	9/1/1965	Consumptive use of water by crops in Arizona.				
NM-1257	1/1/1987	Statistical Methods for Environmental Pollution Monitoring				

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NM-1258	1/1/2006	Analysis of NDVI and scaled difference vegetation index retrievals of vegetation fraction.				
NM-1259	9/1/2002	Alfalfa: Yield, Quality, and Persistence of Grazing and Hay-Type Alfalfa Under Three Harvest Frequencies	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1260	1/1/2002	Deficit irrigation scheduling based on plant growth stages showing water stress tolerance.				
NM-1261	1/1/2011	Cropping Pattern Report.				
NM-1262	10/1/1972	Fertilization of established alfalfa with nitrogen and potassium.				
NM-1263	1/1/1982	Yield Tests of American Upland Cotton Varieties and Hybrid NX-1 1975 to 1980.				
NM-1264	5/1/1928	Irrigation of Cotton.				
NM-1265	1/1/2009	Hydrology. Chapter 7				
NM-1266	1/1/1959	Cotton Harvesting a Comparison of Machine vs. Hand Picking in Elephant Butte District New Mexico 1957.				
NM-1267	12/1/1979	Consumptive use and yield of crops in New Mexico.				
NM-1268	1/1/2006	Soil Water Characteristic Estimates by Texture and Organic Matter for Hydrologic Solutions.				
NM-1269	4/1/1978	Planting Rates and Varieties for Alfalfa Production in Southern New Mexico.				
NM-1270	6/1/1945	Alfalfa Production Investigations in New Mexico.				
NM-1271	1/1/2012	FAO Irrigation and drainage paper 66. Crop yield response to water, Food and Agriculture Organization of the United Nations.				

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NM-1272	1/1/1997	Texas Alfalfa.				
NM-1273	1/1/2005	State-level crop mapping in the US Central Great Plains agroecosystem using MODIS 250-meter NDVI data.				
NM-1274	1/1/1983	Performance of Alfalfa Cultivars Under Less Than Optimum Moisture Conditions.				
NM-1275	4/1/1966	Variety Tests of American Upland Cotton 1959-1964				
NM-1276	3/16/2017	USDA, National Agricultural Statistics Service, 2013 Texas Cropland Data Layer				
NM-1277	4/7/2014	Indicators of Changes in Sacramento Valley Consumptive Use and Potential Water Management Implications				
NM-1278	1/1/2017	Evapotranspiration estimates over almond orchard using landsat satellite observations.				
NM-1279	1/1/2017	Performance of the METRIC model in estimating evapotranspiration fluxes over an irrigated field in Saudi Arabia using Landsat-8 images.				
NM-1280	1/1/2015	Fallowed Area Mapping for Drought Impact Reporting: 2015 Assessment of Conditions in the California Central Valley.				
NM-1281	12/1/1932	Alfalfa Production Under Irrigation in Western Texas.				
NM-1282	2/1/1998	Mean Crop Consumptive Use and Free-Water Evaporation for Texas				
NM-1283	1/1/1982	Evaporation into the Atmosphere				
NM-1284	9/25/1940	Growing Cotton with limited Amounts of Water.				
NM-1285	4/27/1940	Use of Water by Alfalfa.				

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NM-1286	1/1/1977	Crop water requirements.				
NM-1287	1/1/2012	Precision Cotton Production.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1288	11/19/1909	Irrigation of Alfalfa.				
NM-1289	12/1/1922	Preliminary Smudging Experiments.				
NM-1290	1/1/1991	Enhancement of evapotranspiration by advection in arid regions.				
NM-1291	4/1/1967	Influence of Irrigation Practices on Alfalfa Yield and Consumptive Use.				
NM-1292	3/1/1964	Influence of Irrigation Practices on Cotton Production and Fiber Properties				
NM-1293	3/1/1942	Use of Phosphatic Fertilizers on Alfalfa.				
NM-1294	1/1/2007	Remote Sensing of the Environment: An Earth Resource Perspective.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1295	6/1/1974	Control of Soluble Salts in Farming and Gardening.				
NM-1296	2/1/1979	Fertilization of Cotton in New Mexico.				
NM-1297	1/1/2010	Estimating water use through satellite remote sensing.				
NM-1298	5/1/1923	NM College of Ag and Mechanical Arts-Alfalfa				
NM-1299	1/1/1998	Quantification of Deep Percolation from Two Flood-irrigated Alfalfa Field, Roswell Basin, New Mexico				
NM-1300	1/1/1996	Chile coefficient(k) to calculate evapotranspiration (ET) where $E_t = k * E_{to}$.				

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NM-1301	8/1/1972	Growing Cotton on Verticillium-Infested Land.				
NM-1302	1/1/2006	Calibrating Satellite-Based Vegetation Indices to Estimate Evapotranspiration and Crop Coefficients.				
NM-1303	1/1/1999	An improved algorithm for estimating incident daily solar radiation from measurements of temperature, humidity and precipitation.				
NM-1304	1/1/2009	Accuracy assessment of fraction of vegetation cover and leaf area index estimates from pragmatic methods in a cropland area.				
NM-1305	11/6/2018	REF-ET REFERENCE EVAPOTRANSPIRATION CALCULATOR Ver. 4.1 Windows for Leyendecker	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1306	1/1/2015	Comparison of NAIP orthophotography and RapidEye satellite imagery for mapping of mining and mine reclamation.				
NM-1307	6/30/2014	Technical Memorandum: Accuracy Analysis of 2008 Crop Data Layer (CDL).	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1308	1/1/2016	Comparison of Four Different Energy Balance Models for Estimating Evapotranspiration in the Midwestern United States.				
NM-1309	1/1/2013	Technical Memorandum No. 86-68210-2013-3 Rio Grande Project: Analysis of Surface Water and Groundwater Resources under the 2008 Operating Agreement.				
NM-1310	5/15/2007	Operating Procedures for Rio Grande Project				
NM-1311	9/1/2010	URGWOM Planning Model User Manual				
NM-1312	5/31/2019	Figure 16: Double Mass Plot of Rio Grande at Caballo. (from the Expert Report of William R. Hutchinson)				

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NM-1313	12/29/2015	Linking groundwater simulation and reservoir system analysis models: The case for California's Central Valley				
NM-1314	5/1/2008	Caballo Reservoir 2007 Sedimentation Survey				
NM-1315	4/1/2007	Upper Rio Grande Basin Water Operations Review - Final Environmental Impact Statement Volume 1				
NM-1316	3/1/2010	Incorporating Groundwater-Surface Water Interaction into River Management Models				
NM-1317	3/21/2011	A review of regional groundwater flow modeling				
NM-1318	10/1/2016	Glen Canyon Dam Long-Term Experimental and Management Plan - Final EIS - Appendix D				
NM-1319	10/1/2016	Glen Canyon Dam Long-Term Experimental and Management Plan - Final Environmental Impact Statement				
NM-1320	11/4/2014	Groundwater and Surface Water Interaction at the Regional-scale - A Review with Focus on Regional Integrated Models				
NM-1321	1/1/1978	Historic (1950 through 1978) Allocation Procedure for the Rio Grande Project				
NM-1322	8/6/2015	The future of water resources systems analysis: Toward a scientific framework for sustainable water management				
NM-1323	12/1/2018	Final Programmatic Environmental Assessment for Pueblo Reservoir Temporary Excess Capacity Storage Contracting Program, and Site Specific Environmental Assessment for Donala Water and Sanitation District 40-year Excess Capacity Storage and Conveyance Contract and Bureau of Land Management 40-year Excess Capacity Storage Contract				
NM-1324	9/15/2020	Ruleset from the Lower Rio Grande RiverWare Model associated with September 15, 2020 Hydros reports				

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NM-1325	6/1/2006	Carlsbad Project Water Operations and Water Supply Conservation - Final Environmental Impact Statement APPENDICES				
NM-1326	9/1/2008	Elephant Butte Reservoir 2007 Sedimentation Survey				
NM-1327	11/16/2007	Model Evaluation of the Adjudication Settlement Agreement - Pecos Settlement				
NM-1328	1/12/2010	Rio Grande Project - Operations Manual				
NM-1329	12/28/2005	RiverWare: River Basin Modeling for Today and Tomorrow				
NM-1330	8/23/2016	Modeling Groundwater in Truckee Meadows using RiverWare and calibrating it to a MODFLOW model				
NM-1331	1/20/2020	URGWOM Summary	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1332	5/20/2019	Agreement Concerning Colorado River Drought Contingency Management and Operations				
NM-1333	1/1/2017	Water Resource System Planning and Management - An Introduction to Methods, Models, and Applications				
NM-1334	1/1/1985	1985 Draft Operating Agreement for the Rio Grande Project between the U.S. Bureau of Reclamation, EBID, and EPCWID				
NM-1335	12/1/2007	Record of Decision - Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead				
NM-1336	9/1/2008	Truckee River Operating Agreement				
NM-1337	8/1/2001	RiverWare: A generalized tool for complex reservoir system modeling				

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NM-1338	6/22/2018	Fryingpan-Arkansas Project RiverWare Model - Model Documentation and Model Scenario Descriptions for the Temporary Excess Capacity NEPA Analysis				
NM-1339	5/8/2012	Rio Grande Project Operations Manual w/Recommendation of Changes & 2014 Operating Agreement EIS Meeting Agenda (Duplicate)				
NM-1340	12/1/2012	Appendix G2 CRSS Modeling Assumptions (Colorado River Basin Water Supply and Demand Study)				
NM-1341	12/1/2012	Colorado River Basin Water Supply and Demand Study				
NM-1342	5/19/2016	Toward improved simulation of river operations through integration with a hydrologic model				
NM-1343	8/1/2015	Truckee Basin Study				
NM-1344	3/18/2008	Cross-Sensor Change Detection over a Forested Landscape: Options to Enable Continuity of Medium Spatial Resolution Measures				
NM-1345	5/1/1999	Lower Rio Grande Basin Hydrographic Survey Report, Rincon Valley Section Volume II.				
NM-1346	12/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Southern Mesilla Valley Section Volume III.				
NM-1347	11/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Outlying Areas.				
NM-1348	5/15/2009	Summary of current radiometric calibration coefficients for Landsat MSS, TM, ETM+, and EO-1 ALI sensors				
NM-1349	10/19/2017	Nominal 30-m Cropland Extent Map of Continental Africa by Integrating Pixel-Based and Object-Based Algorithms Using Sentinel-2 and Landsat-8 Data on Google Earth Engine				
NM-1350	12/9/2014	Deriving Crop Calendar Using NDVI Time-Series				

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NM-1351	12/1/1996	Influence of Aerial Film Spectral Sensitivity and Texture on Interpreting Images of Forest Species Composition				
NM-1352	9/27/2010	Remote Sensing of Irrigated Agriculture: Opportunities and Challenges				
NM-1353	6/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Northern Mesilla Valley Section Volume II.				
NM-1354	12/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Southern Mesilla Valley Section Volume I.				
NM-1355	1/1/2001	Classification of seasonal images for monitoring irrigated crops in a salinity-affected area of Australia				
NM-1356	1/1/2008	Development of a Landsat Time Series for Application in Forest Status Assessment in the Inland Northwest United States				
NM-1357	11/1/1990	Automated update of an irrigated lands GIS using SPOT HRV imagery.				
NM-1358	7/18/2008	Crop Area Estimation using High and Medium Resolution Satellite Imagery in Areas with Complex Topography				
NM-1359	10/1/1984	The identification of irrigated crop types and estimation of acreages from Landsat imagery.				
NM-1360	3/18/2008	Large-area crop mapping using time-series MODIS 250 m NDVI data: An assessment for the U.S. Central Great Plains				
NM-1361	1/1/1960	Crop Reports 1960-1978	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1362	9/1/2004	The Use of Remote Sensing in Estimating Irrigated Land In New Mexico				
NM-1363	5/18/2021	Crop Report Examples	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1364	10/15/2008	Assessment of Radiometric Correction Techniques in Analyzing Vegetation Variability and Change Using Time Series of Landsat Images				
NM-1365	6/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Northern Mesilla Valley Section Volume III.				
NM-1366	6/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Northern Mesilla Valley Section Volume IV.				
NM-1367	1/1/1936	Crop Reports 1936-1959	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1368	8/1/1957	Estudio Geohidrologico Preliminar Del Valle De Juarez Y Zonas Comarcas, Edo. De Chihuahua				
NM-1369	9/30/2005	A Simple and Effective Radiometric Correction Method to Improve Landscape Change Detection across Sensors and across Time				
NM-1370	9/15/2008	Estimation of Insect Infestation Dynamics using a Temporal Sequence of Landsat Data.				
NM-1371	1/1/1991	Radiometric Rectification: Toward a Common Radiometric Response among Multidate, Multisensor Images.				
NM-1372	5/1/2001	Analysis of GAC NDVI Data for Cropland Identification and Yield Forecasting in Mediterranean African Countries				
NM-1373	1/1/1997	The Estimation of Marshland Degradation in Southern Iraq using Multitemporal Landsat TM images				
NM-1374	10/31/2019	David Jordan CV				
NM-1375	6/2/2016	Evaluating Crop Area Mapping from MODIS Time-Series as an Assessment Tool for Zimbabwe's "Fast Track Land Reform Programme"				
NM-1376	7/21/2010	Estimating Global Cropland Extent with Multi-year MODIS Data				

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NM-1377	1/1/2001	Classification and Change Detection using Landsat TM Data: When and How to Correct Atmospheric Effects				
NM-1378	4/28/2008	Unbiased histogram matching quality measure for optimal radiometric normalization				
NM-1379	5/1/1999	Lower Rio Grande Basin Hydrographic Survey Report, Rincon Valley Section Volume I.				
NM-1380	6/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Northern Mesilla Valley Section Volume I.				
NM-1381	1/1/1980	Crop Reports 1980-2000	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1382	5/15/2012	Completion of the 2006 National Land Cover Database for the Conterminous United States				
NM-1383	2/1/1995	Inland Wetland Change Detection in the Everglades Water Conservation Area 2A Using a Time Series of Normalized Remotely Sensed Data				
NM-1384	1/1/1976	The Tasseled Cap- a Graphic Description of the Spectral-Temporal Development of Agricultural Crops as Seen by Landsat				
NM-1385	1/31/2019	Evaluation of the Influence of Disturbances on Forest Vegetation Using the Time Series of Landsat Data: A Comparison Study of the Low Tatras and Sumava National Parks				
NM-1386	12/19/2018	A Long Time-Series Radiometric Normalization Method for Landsat Images				
NM-1387	6/15/2007	Analysis of Time-Series MODIS 250 m Vegetation Index Data for Crop Classification in the U.S. Central Great Plains				
NM-1388	12/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Southern Mesilla Valley Section Volume II.				
NM-1389	12/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Southern Mesilla Valley Section Volume IV.				

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NM-1390	12/1/2000	Lower Rio Grande Basin Hydrographic Survey Report, Southern Mesilla Valley Section Volume V.				
NM-1391	11/29/2010	Crop yield forecasting on the Candian Praries using MODIS NDVI data				
NM-1392	1/1/1997	Satellite Remote Sensing for Assessment of Irrigation System Performance: A Case Study in India.				
NM-1393	2/28/2007	Accuracy Assessment of a Landsat NDVI-Based Analysis of Irrigated Acreage in Southern New Mexico.				
NM-1394	10/1/2001	Irrigated crop estimation using Landsat TM imagery in La Mancha, Spain				
NM-1395	5/13/2013	Multi-Decadal Analysis of Irrigated Areas in the Lower Rio Grande Valley				
NM-1396	5/7/2021	Irrigated Acreage Workflow Process	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1397	10/31/2019	Table 8. Irrigated Acreage Results (acres), 1936-2018				
NM-1398	10/9/2019	Stipulated Protective Order Regarding Land IQ's Proprietary Methods Signed by David Jordan				
NM-1399	3/1/2018	Analysis of NDVI Thresholds for Polygon Classification				
NM-1400	12/20/2016	Data Descriptor: Remotely Sensed High Resolution Irrigated Area Mapping in India for 2000 to 2015				
NM-1401	4/1/2014	A Novice Experiment with Satellite-Based Classification of Agricultural Crops and BMPs				
NM-1402	11/11/1924	The Embargo on the Upper Rio Grande				
NM-1403	1/20/1905	Dam and Reservoir on the Rio Grande, in New Mexico Report No. 3990, 58th U.S. Congress, 3rd Session, House of Representatives				

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NM-1404	12/31/1899	Report of the Governor of New Mexico to the Secretary of the Interior, 1899	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1405	10/29/1923	Chief Engineer to Commissioner, Memorandum: Petition of the Hudspeth County Conservation and Reclamation District No. 1 - Rio Grande Project (F.E. Weymouth to David W. Davis)				
NM-1406	9/21/1923	L.M. Lawson, Project Manager, to Mr. Roland Harwell, Manager, El Paso County Water Improvement District No. 1				
NM-1407	11/28/1924	Hubert Work, Secretary, to Mr. Paul D. Thomas	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1408	5/1/1924	Water Supply, Irrigation and Drainage, Present and Future Conditions, San Luis Valley, Colorado				
NM-1409	3/31/1928	Preliminary Report Upon the Use, Control and Disposition of the Rio Grande and Its Tributaries Above Fort Quitman, Texas				
NM-1410	6/8/1926	Minutes of Conference of Rio Grande Water Users Held June 8, 1926, in the Assembly Room of the Chamber of Commerce at Albuquerque, New Mexico				
NM-1411		Comments Bearing on Compact Negotiations	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1412	5/2/1926	Proceedings of Inspection Trip, General Conference and Committee Meeting in Connection with Visit of Consulting Committee, April 27 - May 2, 1936				
NM-1413	12/23/1936	Raymond A. Hill to Major Richard F. Burges				
NM-1414	3/26/1937	Raymond A. Hill to Mr. Roland Harwell, Manager, El Paso Co. Water Improvement Dist No. 1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1415	1/1/1937	Stipulation - No. 12, Original, In the Supreme Court of the United States, State of Texas v. State of New Mexico	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1416	3/9/1937	Harlan H. Barrows to Mr. Frank B. Clayton, Rio Grande Compact Commissioner for Texas				
NM-1417	3/19/1937	State Engineer to Prof. Harlan H. Barrows (AKA M.C. Hinderlider to Harlan H. Barrows)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1418	1/25/1938	Thomas M. McClure, State Engineer, to S.O. Harper, Chairman, Rio Grande Compact Commission				
NM-1419	3/26/1938	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to Hon. F.S. Robertson, Secretary, Water Conservation Association	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1420	3/28/1938	Frank B. Clayton, Rio Grande Commissioner for Texas, to Hon. H. Grady Chandler, Assistant Attorney General	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1421	4/2/1938	Provisions of the Rio Grande Compact	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1422	1/20/1931	State Engineer to L.R. Fiock, Superintendent (AKA Herbert Yeo to L.R. Fiock)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1423	5/31/1933	State Engineer to Hon. E.K. Neumann (AKA George Neel to E.K. Neumann)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1424	1/1/1951	Report on Water Supply, Irrigation and Drainage, in the San Luis Valley and Adjacent Mountain Areas in the State of Colorado				
NM-1425	3/12/1930	B. P. Fleming, Manager, to Mr. L. R. Fiock, Project Superintendent				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1426	8/11/1928	H.J.S. Devries, District Counsel to Commissioner, Washington D.C., Memorandum: Water charges - Hudspeth County Conservation and Reclamation District No. 1, Rio Grande Project (AKA H.J.S Devries to Elwood Mead)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1427	7/6/1928	Hudspeth County Conservation and Reclamation District No. 1 to Hon. Elwood Mead, Commissioner	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1428	3/29/1935	Mexican Canal Diversions in the Vicinity of El Paso, Texas				
NM-1429	8/5/1943	Superintendent to Chief Engineer, Memorandum: Accelerated construction program for food production - Rio Grande Project (AKA L.R. Fiock to Walter R. Young)				
NM-1430	8/23/1943	Acting Chief Engineer to Commissioner, Memorandum: Accelerated construction program for food production - Rio Grande Project				
NM-1431	5/22/1938	Superintendent to The Commissioner, Washington, D.C., Memorandum: Protest of Hudspeth County Conservation and Reclamation District No. 1 - Rio Grande Project (AKA L.R. Fiock to John C. Page)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1432	8/9/1937	An Act Making Appropriations for the Department of the Interior for the Fiscal Year Ending June 30, 1938, and for Other Purposes				
NM-1433	1/27/1922	Board of Engineers to Chief Engineer, Denver, Colorado, Memorandum: Rio Grande - El Paso to Fabens - Rio Grande Project (AKA Board of Engineers to F.E. Weymouth)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1434	1/27/1937	Ashley G. Classen, Superintendent, City Water Works, to Mr. Julian D. Sears, Acting Director, United States Geological Survey				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1435	12/30/1936	Julian D. Sears, Acting Director, to Mr. Ashley G. Classen, Superintendent, City Water Works, El Paso, Texas				
NM-1436	11/22/1944	J. Kennard Cheadle, Acting Commissioner, to The Secretary of the Interior (AKA J. Kennard Cheadle to Harold Ickes)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1437	9/20/1940	Chief Engineer to Superintendent, El Paso, Texas, Memorandum: Investigations for elimination of Mexican interference with water supply - Rio Grande Project (AKA S.O. Harper to L.R. Fiock)				
NM-1438	9/23/1943	Superintendent to Commissioner (Through District Counsel and General Supervisor), Memorandum: Water rental charges to the Hudspeth County Conservation and Reclamation District No. 1 for the season of 1943 - Rio Grande Project (AKA L.R. Fiock to Harry W. Bashore)				
NM-1439	9/10/1947	Chas. V. Theis, District Geologist, to Mr. A. N. Sayre, Geologist in Charge, Division of Groundwater				
NM-1440	11/17/1943	District Counsel to Commissioner (Through Director of Operation and Maintenance), Memorandum: Water rental charges to the Hudspeth County Conservation and Reclamation District No. 1 for the season of 1943 - Rio Grande Project (Spencer L. Baird to Harry W. Bashore)				
NM-1441	10/12/1940	Superintendent to Chief Engineer, Denver, Colorado, Memorandum: Investigations for elimination of Mexican interference with water supply - Rio Grande Project (AKA L.R. Fiock to S.O. Harper)				
NM-1442	1/6/1938	H.C. Neuffer to Rio Grande Commission, Memorandum: Report of Committee of Engineers to Rio Grande Commissioners	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1443	3/11/1938	Committee of Engineering Advisers to the Rio Grande Compact Commission				

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NM-1444	12/2/1935	Proceedings of the Rio Grande Compact Conference Held in Santa Fe, New Mexico - December 2-3, 1935, 10, NM OSE Library				
NM-1445	11/25/1918	Petition for New Irrigation District Ready, El Paso Times, November 25, 1918, Newspapers.com				
NM-1446	4/7/1952	Rio Grande Project -- New Mexico-Texas, Water Announcement. April 7, 1952				
NM-1447	3/11/1955	Board of Directors, Elephant Butte Irrigation District, to All Irrigation Well Owners, March 11, 1955				
NM-1448	1/11/1967	James W. Kirby to John L. Gregg, January 11, 1967				
NM-1449	7/17/1952	Farmers with Wells Urged to Sell Allotted Irrigation Water, Las Cruces Sun-News, July 17, 1952	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1450	4/15/1952	Releases by Well Owners Make A Complete Planting Possible, Las Cruces Sun-News, April 15, 1952	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1451	11/1/1921	Drainage in the Mesilla Valley of New Mexico				
NM-1452	1/1/1994	Selected Contributions to Ground-Water Hydrology by C.V. Theis, and a Review of His Life and Work				
NM-1453	5/1/1930	The Ground Water of Middle Rio Grande Valley and Its Relation to Drainage				
NM-1454	6/1/1919	Conkling, Harold and Debler, Erdman Water Supply for and Possible Development of Irrigation and Drainage Projects on Rio Grande River, Above El Paso, Texas				
NM-1455	12/1/1928	File: Report on Irrigation in the Rio Grande Valley				
NM-1456	3/26/1937	Correspondence Special Master to Richard F. Burges re Texas vs. New Mexico	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1457	9/8/1900	Ernest E. Russell, Secretary of El Paso Chamber of Commerce, to the Honorable, The Attorney General				
NM-1458	4/10/1905	Chief Engineer to Mr. Felix Martinez, Chairman, Executive Committee, El Paso Valley Water Users Ass'n	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1459	7/26/1920	Warren Act Contract between the U.S. Reclamation Service and the El Paso County Conservation and Reclamation District No. 2				
NM-1460	8/23/1923	Project Manager to Chief Engineer, Denver, Colorado, Memorandum: Organization and Petition of the Hudspeth County Conservation and Reclamation District No. 1 - Rio Grande Project (AKA L.M. Lawson to F.E. Weymouth)				
NM-1461	6/1/1919	Water Supply for and Possible Development of Irrigation and Drainage Projects on Rio Grande River, Above El Paso, Texas				
NM-1462	1/1/1924	Rio Grande Compact. Report of T. H. McGregor, Commissioner for Texas, to the Honorable Dan Moody, Governor of Texas				
NM-1463	3/31/1920	Project Manager to Chief of Construction, Denver, Colorado				
NM-1464	1/1/1925	A Report on the Irrigation Development and Water Supply of the Middle Rio Grande Valley, N. M., As it Relates to the Rio Grande Compact				
NM-1465	12/31/1928	Report on Irrigation in the Rio Grande Basin, in Texas above Fort Quitman, and in New Mexico				
NM-1466	2/22/1929	Francis C. Wilson, Interstate River Commissioner for N.M., to Hon. T.H. McGregor, Rio Grande Compact Commissioner for Texas				
NM-1467	8/2/1929	Elwood Mead, Commissioner, to the Secretary (AKA Elwood Mead to Ray Lyman Wilbur)				

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NM-1468	1/1/1935	Rio Grande Joint Investigation: Stream and Canal Gagings, Measurements of Return Flow and Waste, and Underground Water Studies				
NM-1469	4/24/1936	Progress Report on Ground-Water Studies, Rio Grande Joint Investigation (as of April 24, 1936)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1470	12/5/1936	Raymond A. Hill to Major Richard F. Burges, Memorandum Re: Texas v. New Mexico, Diversion to Mexico				
NM-1471	6/1/1937	Raymond A. Hill to Mr. Frank B. Clayton, Rio Grande Compact Commissioner for State of Texas				
NM-1472	1/27/1938	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to Mr. S.O. Harper, Chairman, Rio Grande Compact Commission	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1473	2/3/1938	Raymond A. Hill to Mr Frank B. Clayton				
NM-1474	2/8/1938	Raymond A. Hill to Mr. Frank B. Clayton				
NM-1475	3/19/1938	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to Hon. F.S. Robertson, Secretary, Water Conservation Association	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1476	2/21/1939	Frank B. Clayton, Rio Grande Commissioner for Texas, to the Honorable E.H. Thornton, Jr., Chairman	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1477	7/2/1935	Superintendent L.R. Fiock to Chief Engineer, Memorandum: Project Water Supply, 1935 - Rio Grande Project (AKA Fiock to E.B. Debler)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1478	5/2/1935	Elwood Mead, Commissioner, to Mr. F. E. Schnepfe, Director, Projects Division, Public Works Administration				
NM-1479	5/12/1931	A. H. Kelly, Chairman Committee, to Honorable Ray Lyman Wilbur, Secretary of the Interior				

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NM-1480	11/8/1930	Superintendent to the Commissioner, Washington, D.C., Memorandum: Hudspeth County Conservation and Reclamation District No. 1 Consolidation - Rio Grande Project (AKA L.R. Fiock to Elwood Mead)				
NM-1481	7/23/1928	Hudspeth County Conservation & Reclamation District No. 1 to Hon. Elwood C. Mead, Commissioner				
NM-1482	4/13/1935	Rio Grande Compact Commissioner for Texas to Mr. Thomas McClure, State Engineer	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1483	6/2/1926	T.D. Porcher, El Paso County Water Improvement District No. One, et. al, to the Honorable Secretary of State				
NM-1484	3/7/1939	Frank B. Clayton, Attorney for Hudspeth County Conservation and Reclamation District No. 1, to Hon. John C. Page, Commissioner, Bureau of Reclamation				
NM-1485	10/22/1937	Roland Harwell, Manager, to Mr. L. R. Fiock, Superintendent				
NM-1486	5/29/1935	W. C. Mendenhall, Director, to Mr. W. E. Robertson, Chairman, El Paso Water Board				
NM-1487	2/2/1937	W. C. Mendenhall, Director, to Ashley G. Classen, Superintendent, City Water Works, El Paso, Texas				
NM-1488	11/13/1933	Treaty of 1933				
NM-1489	8/31/1940	City of El Paso, Texas, by Mayor, Chairman Water Development Commission, Chairman Water Board, and Superintendent of the Water Works, to the Honorable, The Secretary of the Interior				
NM-1490	2/1/1941	J. E. Anderson, Mayor, City of El Paso, Texas, and W. E. Robertson, Chairman, Water Development Commission of the City of El Paso, Texas, to Mr. L. R. Fiock, Superintendent, Rio Grande Project, Bureau of Reclamation	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1491	12/19/1939	Superintendent to The Commissioner (Through Chief Engineer, Denver, Colorado), Memorandum: Hudspeth County Conservation and Reclamation District No. 1 - Contract for water rental charges for 1939 - Rio Grande Project (AKA L.R. Fiock to John C. Page)				
NM-1492	1/25/1944	Superintendent to District Counsel, Memorandum: New permanent contract with Hudspeth County Conservation and Reclamation District to supersede the contract of December 1, 1924 - Rio Grande Project (AKA L.R. Fiock to Frederic K. Gray)				
NM-1493	1/1/1937	Rectification of the Rio Grande in the El Paso-Juarez Valley, The American Journal of International Law 31, no. No. 1 (n.d.): 44:54				
NM-1494	5/1/1939	Roland Harwell, Manager, to Mr. L. R. Fiock, Superintendent, Bureau of Reclamation				
NM-1495	3/20/1923	An Act Providing for the Appointment of a Commissioner on Behalf of the State of Colorado to Negotiate a Compact or Agreement Respecting the Use, Control and Disposition of the Waters of the Rio Grande River and for Other Purposes, in Laws Passed at the Twenty-Fourth Session of the General Assembly of the State of Colorado (Denver: The Bradford-Robinson Printing Co., 1923), 175:76				
NM-1496	9/25/1939	Final Report of the Special Master, State of Texas v. State of New Mexico, et al, October Term 1939, No. 10 Original, Legal, n.d., 5”6, NM OSE Library				
NM-1497	8/1/1924	Review of Water Supply, Drainage, Irrigated Areas, and Consumptive Use of Water, Rio Grande Basin above Fort Quitman, Texas				
NM-1498	3/25/1944	Contract for the Rental of Water to Hudspeth Irrigation District - D.C. Draft, March 3, 1945, 4, NM OSE Library				

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NM-1499	1/28/1929	D.C. Henny to Francis C. Wilson				
NM-1500	6/21/1954	Rio Grande Project -- New Mexico-Texas, Water Announcement. June 21, 1954				
NM-1501	3/7/1952	Rio Grande Project -- New Mexico-Texas, Water Announcement. March 7, 1952	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1502	6/3/1953	Statement from Elephant Butte Irrigation District Regarding the Water Situation. June 3, 1953				
NM-1503	3/9/1954	Gregg Says Area Water Outlook Bad, Las Cruces Sun-News, March 9, 1954	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1504	3/11/1952	Well Owners Urged to Transfer Unneeded Allotments of Water, Las Cruces Sun-News, March 11, 1952	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1505	11/1/1928	Barrows, E.L. Report on Seepage Study on Rio Grande Between Elephant Butte Dam and Leasburg Dam	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1506	8/1/1951	Fiock, L.R. Rio Grande Project -- New Mexico-Texas, Water Announcement. August 1, 1951	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1507	1/13/1938	Correspondence [H.C. Neuffer] to Mr. Thomas M. McClure, State Engineer	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1508	6/8/2021	Curriculum Vitae, Jennifer Stevens, Ph.D.				

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NM-1509	10/18/2019	El Vado Dam				
NM-1510	1/1/1910	Report of James A. French. San Luis Valley, Colo.				
NM-1511	08/22/1899	United States v. Rio Grande Dam and Irrigation Company, 174 U.S 690	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1512	1/22/1901	History of the Rio Grande Dam and Irrigation Company, Etc., Report No. 1755, 56th U.S. Congress, 2nd Session, Senate	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1513	6/8/1907	Director to Secretary of the Interior (AKA Frederick H. Newell to Ethan A. Hitchcock)				
NM-1514	3/4/1907	An Act Making Appropriations for Sundry Civil Expenses of the Government for the Fiscal Year Ending June Thirtieth, Nineteen Hundred and Eight, and for Other Purposes (34 Stat. 1295)				
NM-1515	11/25/1911	Walter L. Fisher, Secretary, to the Honorable, The Secretary of State				
NM-1516	4/12/1918	Chief of Construction to Director of U.S. Reclamation Service (AKA F.E. Weymouth to A.P. Davis)				
NM-1517	1/3/1920	Project Manager to Director and Chief Engineer, Memorandum: Draft of Contract for Water Service, Tornillo District, Rio Grande Project (AKA L.M. Lawson to A.P. Davis and likely F.E. Weymouth)				
NM-1518	4/28/1923	Project Manager to Chief Engineer, Denver, Colorado, Memorandum: Disposition of Surplus Water - Rio Grande Project (AKA L.M. Lawson to F.E. Weymouth)				
NM-1519	10/18/1924	Acting Chief of Construction to Director, Memorandum: Rental of water to lands outside of the limits of the Rio Grande Project (AKA R.F. Walter to A.P. Davis)				
NM-1520	2/6/1929	Statement by Delph E. Carpenter, Commissioner for Colorado				

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NM-1521	3/17/1937	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to Mr. Harlowe M. Stafford, Engineer in Charge, Rio Grande Joint Investigation	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1522	9/20/1936	Raymond A. Hill to Mr. Frank B. Clayton				
NM-1523	6/26/1937	Thomas M. McClure, State Engineer, to Mr. Reginald S. Laughlin	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1524	6/1/1937	Raymond A. Hill to Mr. N.B. Phillips, Treasurer-Manager, Elephant Butte Irrigation District	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1525	11/16/1937	Thomas M. McClure, State Engineer, to Mr. Raymond A. Hill	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1526	5/22/1933	Sam Branton to Hon. Geo. M. Neel, State Engineer				
NM-1527	2/27/1935	E.B. Debler to Dr. Elwood Mead, Commissioner, Bureau of Reclamation				
NM-1528	9/15/1930	Hudspeth County Conservation & Reclamation District No. 1, Wade H. Miller, to Secretary of the Interior				
NM-1529	10/28/1930	Louis C. Hill to Dr. Elwood Mead, Commissioner of Reclamation				
NM-1530	5/27/1931	Superintendent to the Commissioner, Washington, D.C., Memorandum: Hudspeth County Conservation and Reclamation District No. 1, Supplementary Contract, change of due date - Rio Grande Project (AKA L.R. Fiock to Elwood Mead)				
NM-1531	7/12/1928	Roland Harwell, General Manager, to Mr. H.J. Devries, District Counsel	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1532	2/16/1935	Richard F. Burges to Hon. William E. Clayton, House of Representatives	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1533	5/13/1935	State Engineer to Mr. Carl A. Anderson, Chief Engineer, Middle Rio Grande Conservancy District (AKA Thomas McClure to Carl A. Anderson)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1534	2/28/1926	Telegram, L.M. Lawson, Superintendent, to Bureau of Reclamation				
NM-1535	11/2/1937	Commissioner to Superintendent, El Paso, Texas, Memorandum: Interdistrict Agreement Regarding Irrigable Area - Rio Grande Project (AKA John C. Page to L.R. Fiock)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1536	3/23/1939	Frank B. Clayton, Rio Grande Commissioner for Texas, to the Honorable E.H. Thornton, Jr., Chairman	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1537	6/2/1944	Thomas M. McClure, Rio Grande Compact Commissioner for New Mexico, to Mr. Berkeley Johnson, Chairman	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1538	12/26/1945	Royce Tipton to Mr. John Bliss				
NM-1539	6/20/1940	Superintendent to The Commissioner (Through Chief Engineer, Denver, Colorado), Memorandum: Negotiations by City of El Paso for municipal water supply from project sources - Rio Grande Project (AKA L.R. Fiock to John C. Page)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1540	5/13/1949	Commissioner to Secretary J. A. Krug, Memorandum: Proposed supplemental contract with City of El Paso for municipal water supply - Rio Grande Project (AKA Michael W. Straus to J.A. Krug)	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1541	9/23/1947	Chas. V. Theis, District Geologist, to Mr. John H. Bliss, State Engineer of New Mexico	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1542	1/1/1945	Ground-Water Resources of the El Paso Area, Texas				

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NM-1543	12/7/1940	Superintendent to The Commissioner, Washington, D.C., Memorandum: Application of Refinancing - Hudspeth County Conservation and Reclamation District - Rio Grande Project (AKA L.R. Fiock to John C. Page)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1544	3/25/1944	Contract for the Rental of Water to Hudspeth Irrigation District - D.C. Draft, March 25, 1944, 1, NM OSE Library	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1545	12/10/1934	Proceedings of the Rio Grande Compact Conference - December 10-11, 1934				
NM-1546	1/1/1963	Ground-Water Resources of the Lower Mesilla Valley, Texas and New Mexico				
NM-1547	1/1/1971	Statement of George B. Moseley, Manager, El Paso County Water Improvement District, in Senate Hearings Before the Committee on Appropriations				
NM-1548	12/31/1913	Twelfth Annual Report of the Reclamation Service, 1912-1913				
NM-1549	12/31/1929	Rio Grande Compact Report of Francis C. Wilson, Commissioner for New Mexico				
NM-1550	2/6/1903	W.W. Follett, Consulting Engineer, to Mr. F. H. Newell, Chief Engineer, U.S.G.S.				
NM-1551	10/1/1992	To Reclaim a Divided West: Water. Law, and Public Policy, 1848-1902 (Albuquerque: University of New Mexico Press, 1992)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1552	1/28/1903	F.H. Newell, Chief Engineer, to Mr. W.W. Follett, International (Water) Boundary Commission, January 28, 1903, NM OSE Library				

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NM-1553	1/21/1907	59th Congress, 2nd Session, House of Representatives, Document No. 548: Convention with Mexico. Letter from the Secretary of the Treasury, Transmitting a Copy of a Communication from the Acting Secretary of State Submitting an Estimate of Appropriation for Carrying out Convention with Mexico as to Distribution of the Waters of the Rio Grande				
NM-1554	12/31/1911	Tenth Annual Report of the Reclamation Service, 1910-1911				
NM-1555	11/20/1919	Project Manager to Chief of Construction (AKA L.M. Lawson to R.F. Walter)				
NM-1556	12/31/1919	Eighteenth Annual Report of the Reclamation Service, 1918-1919				
NM-1557	3/31/1920	Acting Chief of Construction to Director, Memorandum: Rental of water to lands outside of the limits of the Rio Grande Project				
NM-1558	1/12/1918	D.C. Henny and L. W. Lawson to Board of Engineers, Memorandum: Point of Diversion for Irrigation of San Elizario Island, Rio Grande Project				
NM-1559	10/18/1924	Commissioner to Director of Finance, Denver, Colo., Memorandum: Proposed Contract with the Hudspeth Conservation and Reclamation District No. 1, Rio Grande Project (AKA Elwood Mead to C.A. Peavey)				
NM-1560	11/10/1924	Commissioner to Secretary of Interior, Memorandum: Proposed Contract with the Hudspeth Conservation and Reclamation District No. 1, Rio Grande Project (AKA Elwood Mead to Hubert Work)				
NM-1561	1/1/1924	Contract Between the United States and Hudspeth County Conservation and Reclamation District No. 1, Providing for Rental of Water to the District				

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NM-1562	3/1/1924	Report on the Middle Rio Grande Reclamation Project: New Mexico				
NM-1563	1/1/1927	The Middle Rio Grande Valley Project: Status and Information Relative to Development of Official Plan for Flood Control, Drainage, and Irrigation, Prepared for U.S. Bureau of Indian Affairs				
NM-1564	12/1/1928	Report on Irrigation in the Rio Grande Valley				
NM-1565	1/23/1929	D.C. Henny, Consulting Engineer for New Mexico and Texas, to Mr. Francis C. Wilson, Compact Commissioner for New Mexico				
NM-1566	3/18/1929	Francis C. Wilson, Interstate River Commissioner for N.M., to Maj. Richard F. Burges				
NM-1567	12/31/1929	Memorandum on the Objections Urged by the Secretary of the Interior to the Approval by Congress of the Rio Grande Compact	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1568	2/8/1936	Alan Laflin to Mr. Roland Harwell and Mr. N. B. Phillips	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1569	10/13/1936	John C. Page, Acting Commissioner, to Mr. S.O. Harper, Bureau of Reclamation				
NM-1570	5/10/1937	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to Mr. Raymond A. Hill				
NM-1571	6/24/1937	John H. Bliss, Engineer, to Mr. C.S. Scofield, Principal Agriculturalist, Division of Western Irrigation Agriculture				
NM-1572	4/8/1937	Thomas M. McClure, State Engineer, to the Director, U.S. Geological Survey				

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NM-1573	6/2/1937	Raymond A. Hill to Mr. L.R. Fiock, Superintendent, Rio Grande Project	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1574	9/27/1937	Proceedings of the Meeting of the Rio Grande Compact Commission Held in Sante Fe, New Mexico, September 27 to October 1, 1937				
NM-1575	12/22/1937	Preliminary Draft of Report of Committee to Rio Grande Compact Commissioners	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1576	2/23/1938	Objections of New Mexico to the Engineering Report Filed with the Rio Grande Compact Commission on December 27, 1937.				
NM-1577	5/23/1933	Dennis Chavez to Mr. Geo. M. Neel, State Engineer				
NM-1578	5/17/1933	State Engineer to Hon. Sam G. Bratton, United States Senator (AKA George Need to Sam Bratton)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1579	5/15/1933	Governor to Hon. Bronson Cutting, United States Senator (AKA Arthur Seligman (likely) to Bronson Cutting)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1580	8/18/1923	W.T. Young, President Hudspeth County Conservation and Reclamation District No. 1, to the President and Board of Directors of El Paso County Water Improvement District No. 1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1581	9/23/1935	Franklin D. Roosevelt to Federal agencies concerned with projects or allotments for water use in the Upper Rio Grande Valley above El Paso				
NM-1582	11/29/1937	John C. Page, Commissioner, to The Secretary of the Interior				
NM-1583	8/4/1919	L. M. Lawson, Project Manager, U.S. Reclamation Service, to Mr. H. C. Ivy, President, Tornillo Irrigation District	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1584	7/27/1945	J.E. Quaid, Commissioner for State of Texas, Rio Grande Compact Commission, to Mr. M.C. Hinderlider, Mr. Thomas M. McClure, and Mr. Berkeley Johnson				
NM-1585	2/25/1938	A. N. Sayre, Associate Geologist, to Mr. W. N. White				
NM-1586	6/8/1940	W. E. Robertson, Chairman, to the Honorable John C. Page, Commissioner, Bureau of Reclamation				
NM-1587	6/11/1940	W. E. Robertson, Chairman, Water Development Commission of the City of El Paso, to Mr. L. R. Fiock, Superintendent, Bureau of Reclamation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1588	2/25/1920	An Act For furnishing water supply for miscellaneous purposes in connection with reclamation projects				
NM-1589	8/17/1940	The Ground-Water Supplies of the El Paso Area, Texas				
NM-1590	1/1/1944	Geological Survey Water Plans for Rio Grande Basin (Except the Pecos)				
NM-1591	2/5/1941	J. E. Anderson, Mayor, City of El Paso, Texas, and W. E. Robertson, Chairman, Water Development Commission of the City of El Paso, Texas, to Mr. L. R. Fiock, Superintendent, Rio Grande Project, Bureau of Reclamation				
NM-1592	2/12/1941	S. O. Harper, Chief Engineer, Bureau of Reclamation, to The Honorable, The Secretary of the Interior (through Commissioner of Reclamation)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1593	2/7/1941	Superintendent and District Counsel to Commissioner (Through Chief Engineer, Denver, Colorado), Memorandum: Water supply for the City of El Paso from the project water supply - Rio Grande Project (AKA L.R. Fiock and H.J.S. Devries to John C. Page)				

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NM-1594	8/19/1938	L. R. Fiock, Superintendent, to Mr. N.B. Phillips, Manager, Elephant Butte Irrigation District, and Mr. Roland Harwell, Manager, El Paso County Water Improvement District No. 1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1595	10/10/1941	L. R. Fiock, Superintendent, to Mr. M. Phillips, Manager, Elephant Butte Irrigation District, and Mr. Roland Harwell, Manager, El Paso County Water Improvement District No. 1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1596	3/27/1944	District Counsel to Commissioner, Memorandum: New permanent contract with Hudspeth County Conservation and Reclamation District to supersede the contract of December 1, 1924 - Rio Grande Project (Spencer L. Baird to Harry W. Bashore)				
NM-1597	12/7/1940	Report on Item for Operation and Maintenance and Purchase of Equipment - Hudspeth District Application for R. F. C. Loan December 7, 1940	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1598	5/17/1941	L. R. Fiock, Available Irrigation Water Supply for Hudspeth County Conservation and Reclamation District No. 1				
NM-1599	12/23/1936	Ashley G. Classen, Superintendent, City Water Works, to Dr. W. C. Mendenhall, Director, United States Geological Survey				
NM-1600	3/1/1954	Rio Grande Project -- New Mexico-Texas, Water Announcement. March 1, 1954				
NM-1601	5/23/1951	Valley Farmers Look to Wells for New Supply: SURvey Underground Pool to Determine Whether Large Scale Pumping Is Feasible, El Paso Herald-Post, May 23, 1951	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1602	7/9/1904	B.M. Hall, Supervising Engineer, to Mr. Charles S. Slichter, Consulting Engineer July 9, 1904				

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NM-1603	6/18/1919	Memorandum: Water Supply -- Rio Grande River. Engineer Harold Conkling to Chief of Construction, United States Reclamation Service				
NM-1604	2/15/1936	Bliss, J.H. Report on Investigation of Invisible Gains and Losses in the Channel of the Rio Grande from Elephant Butte to El Paso, Texas, February 1936	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1605	9/29/1947	Minutes of a Regular Meeting of the Board of Directors of the Elephant Butte Irrigation District Held on October 7, 1947	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1606	1/1/1958	Ground-Water Resources of the Hueco Bolson Northeast of El Paso Texas				
NM-1607	1/1/2008	Conflict on the Rio Grande: Water and the Law, 1879-1939 (Norman: University of Oklahoma Press, 2008)	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1608	12/31/1898	Irrigation in Mesilla Valley, New Mexico				
NM-1609	8/29/1900	Nathan E. Boyd to the Honorable John W. Griggs, Attorney General				
NM-1610	8/28/1900	Nathan E. Boyd to Hon. A. A. Adee, Acting Secretary of State	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1611	4/14/1908	Louis C. Hill, Supervising Engineer, to Mr. Vernon L. Sullivan, Territorial Engineer	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1612	4/30/1906	Hearings Before the Committee on Irrigation of Arid Lands of the House of Representatives: Relating to the Reclamation Work of the Government Under the National Irrigation Act, April 16 to 30, 1906				
NM-1613	1/1/1929	Warren Act Contract between the U.S. Reclamation Service and the El Paso County Conservation and Reclamation District No. 2, Draft	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1614	3/12/1920	Project Manager to Chief of Construction, Denver, Colorado, Memorandum: Fort Hancock Lands - Rio Grande Project (AKA L.M. Lawson to R.F. Walter)				
NM-1615	8/11/1919	A.P. Davis, Chief Engineer, to Secretary of the Interior	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1616	12/31/1919	Warren Act Contract between the U.S. Reclamation Service and the El Paso County Conservation and Reclamation District No. 2, 3rd Draft	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1617	8/16/1923	W.T. Young, President Hudspeth County Conservation and Reclamation District No. 1, to the Honorable, The Secretary of the Interior				
NM-1618	2/18/1925	Richard F. Burges to Mr. Louis C. Hill	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1619	9/14/1927	E.F. Osgood to Mr Herbert Yeo, State Engineer	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1620	3/10/1928	San Luis Defies New Mexico to Halt Dam Plan: Mass Meeting Votes to Push Reservoir Project; Fight Suits if Filed Denver Evening News	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1621	7/2/1927	Richard Burges to Mr. J.W. Taylor, President, Elephant Butte Irrigation District	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1622	8/15/1928	Report of the Chief Engineer Joseph L. Burkholder: Submitting a Plan for Flood Control, Drainage and Irrigation of the Middle Rio Grande Conservancy Project				
NM-1623	11/1/1929	Richard F. Burges to Senator Tom Connally				
NM-1624	12/7/1935	S.O. Harper, Assistant Chief Engineer, to Dr. Elwood Mead, Commissioner, Bureau of Reclamation	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1625	5/21/1937	Thomas M. McClure, State Engineer, to Mr. L.R. Fiock, Superintendent, Bureau of Reclamation	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1626	5/18/1937	Raymond A. Hill to Mr. L.R. Fiock, Superintendent, Rio Grande Project				
NM-1627	3/6/1937	S.O. Harper, Chairman, Rio Grande Compact Commission, to The Secretary of the Interior				
NM-1628	3/18/1937	Thomas M. McClure, Rio Grande Compact Commissioner for New Mexico, to Mr. S.O. Harper, Bureau of Reclamation				
NM-1629	4/10/1937	S.O. Harper, Charman, Rio Grande Compact Commission, to Prof. Harlan H. Barrows, University of Chicago				
NM-1630	12/24/1937	Raymond to Frank B. Clayton				
NM-1631	3/9/1938	Committee of Engineering Advisers to the Rio Grande Compact Commission				

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NM-1632	10/1/1935	Supreme Court of the United States, October Term, 1935, No. --, Original, the State of Texas, Complainant, vs. the State of New Mexico, et al., Bill of Complaint				
NM-1633	2/26/1935	Report of San Luis Valley Drain Committee to Administrator Harold L. Ickes				
NM-1634	2/21/1935	S. O. Harper, Assistant Chief Engineer, to Dr. Elwood Mead, Commissioner, Bureau of Reclamation				
NM-1635	10/23/1937	Superintendent to the Commissioner, Washington, D.C., Memorandum: Interdistrict Agreement Regarding Irrigable Area - Rio Grande Project (AKA L.R. Fiock to John C. Page)				
NM-1636	4/19/1938	Additional Construction Under Consideration for Completion or Adjustment of the Irrigation Systems in El Paso County Water Improvement District No. 1				
NM-1637	1/1/1938	Contract between the United States and the El Paso County Water Improvement District No. 1 for construction of additional works with contributed funds and providing for crediting of certain revenues	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1638	6/20/1938	District Counsel, El Paso, Texas, to Superintendent, El Paso, Texas, Memorandum: Proposed new contract with El Paso County Water Improvement District No. 1 - Advance of funds for certain drainage and other work and crediting certain storage rental revenues - Rio Grande project				
NM-1639	12/31/1930	Contract Between the United States and Hudspeth County Conservation and Reclamation District No. 1, Providing for Rental of Water to the District, Draft	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1640	7/24/1945	Berkeley Johnson, Chairman, to Mssrs. Hinderlider, McClure & Quaid				

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NM-1641	5/27/1946	Raymond A. Hill to Mr. R.J. Tipton and Mr. J.H. Bliss				
NM-1642	1/30/1936	Chief Hydraulic Engineer, Memorandum for the Director (AKA N.B. Grover to Walter C. Mendenhall)				
NM-1643	1/12/1937	Ashley G. Classen, Superintendent, to Mr. Harlowe M. Stafford, Engineer, National Resources Committee	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1644	1/16/1941	Memorandum for Mr. Stinson: Rio Grande Project - Sale of water to City of El Paso for supplemental supply for Municipal purposes (AKA Harreell to Stinson)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1645	2/17/1941	John C. Page, Commissioner, to The Secretary of the Interior				
NM-1646	3/21/1945	Thomas M. McClure, State Engineer, to Mr. R. F. Momsen, Assistant City Attorney	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1647	8/19/1949	Project Manager to Commissioner, Memorandum: City of El Paso Water Supply - Rio Grande Project (AKA F.R. Fiock to Michael W. Straus)				
NM-1648	7/20/1940	Sumner Wells, Acting Secretary, to Harold L. Ickes, Secretary of the Interior				
NM-1649	3/7/1941	Record of Execution of Contract - El Paso and El Paso Co. Water. Imp. Dist. No. 1				
NM-1650	4/10/1947	John H. Bliss, State Engineer, to Mr. Fred E. Wilson, Attorney for Interstate Stream Commission				
NM-1651	3/3/1937	Memo of Suggested Changes to be Made in Engineering Advisors' Report				
NM-1652	6/17/1902	An Act Appropriating the Receipts from the Sale and Disposal of Public Lands in Certain States and Territories to the Construction of Irrigation Works for the Reclamation of Arid Lands, Pub. L. No. 57:161, 32 Stat. 1093 (1902)				

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NM-1653	2/23/1938	Probable Mexican Diversions -- El Paso to Fort Quitman				
NM-1654	2/21/1911	An Act To Authorize the Government to Contract for Impounding, Storing, and Carriage of Water, and to Cooperate in the Construction and Use of Reservoirs and Canals under Reclamation Projects, and for Other Purposes, Pub. L. No. 61, 406, 34 Stat. 295 (1911)				
NM-1655	3/12/1923	An Act Providing for the Appointment of a Commissioner on Behalf of the State of New Mexico to Negotiate a Compact or Agreement Respecting the Use, Control and Disposition of the Waters of the Rio Grande River and for Other Purposes, in Laws of the State of New Mexico Passed by the Sixth Regular Session of the Legislature of the State of New Mexico (Albuquerque, N.M., Valiant Printing Co., 1923)				
NM-1656	1/5/1952	Resch, W.F. Rio Grande Project -- New Mexico-Texas, Water Announcement. January 5, 1952	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1657	9/30/1950	Department of the Interior, United States Geological Survey, Press Release, Ground-Water Pumping to Temper Effects of Droughts in Elephant Butte District, N. Mex, October 30, 1950				
NM-1658	3/4/1954	Statement Regarding the Current Water Situation. March 4, 1954.				
NM-1659	6/9/1953	Well Owners Urged to Transfer Allotted Water to Insure Crops, Las Cruces Sun-News, June 9, 1953	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1660	1/1/1907	Water Resources of the Rio Grande Valley in New Mexico and Their Development				
NM-1661	1/2/1917	Report on Mesilla & El Paso Valley Drainage, Rio Grande Project				

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NM-1662	1/1/1938	The Significance and Nature of the Cone of Depression in Ground-Water Bodies				
NM-1663	2/8/1940	John C. Page, Commissioner, to The Secretary of the Interior				
NM-1664	11/12/1940	Chief Engineer to Superintendent, El Paso, Texas, Memorandum: Investigations for elimination of Mexican interference with water supply - Rio Grande Project				
NM-1665	3/26/1937	Ad Interim Report of the Special Master, Texas vs. New Mexico	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1666	12/27/1937	H.C. Neuffer, Memorandum, Subject Report of Committee of Engineers to Rio Grande Compact Commissioners				
NM-1667	1/1/1991	Tertiary and Quaternary structure and paleotectonics of the Hueco Basin, Trans-Pecos Texas and Chihuahua, Mexico: The University of Texas at Austin, Bureau of Economic Geology, Geological Circular GC 91-2, 44 p.				
NM-1668	1/1/2008	Ground water budget analysis and cross-formational leakage in an arid basin: Groundwater, Volume 46, No. 3, pps. 384-395.				
NM-1669	2/1/2004	Hueco Bolson Groundwater Conditions and Management in the El Paso Area, EPWU Hydrogeology Report 04-01.				
NM-1670	1/1/2009	Revised multi-node well (MNW2) package for MODFLOW ground-water flow model: U.S. Geological Survey Techniques and Methods				
NM-1671	1/1/2003	Seepage Losses for the Rio Grande Project (Franklin Canal Case Study): Report submitted to Texas Water Resources Institute, 19 p.				
NM-1672	3/1/1990	Evaluation of Ground-Water Resources in El Paso County, Texas				

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NM-1673	1/1/1972	Informe Mensual de Trabajos Desarrollados Enero de 1972. Secretaria de Agricultura y Recursos Hidraulicos, Residencia de Rehabilitacion del Valle de Juarez y Conservacion del Cauce del Rio Bravo, Chihuahua				
NM-1674	3/29/2004	Review and interpretation of the Hueco Bolson groundwater model: Review Team Report Prepared for El Paso Water Utilities, 18 p.				
NM-1675	8/11/2003	EPCWID, 2003, Internal memorandum, Mark Manzutto and Shaun Tidwell to EPCWID, August 11, 2003.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1676	11/2/2011	FOIA accounting spreadsheet				
NM-1677	1/5/2006	Integrated Water Management Strategies for the City and County of El Paso. Prepared for Far West Texas Planning Group, January 5, 2006. 143p.				
NM-1678	1/1/1914	Rio Grande Project-New Mexico-Texas, Community Ditches in the Rio Grande Valley: U.S. Reclamation Service, 41 p.				
NM-1679	6/30/2003	Republican River Compact Commission Model Report				
NM-1680	1/1/2010	Groundwater-flow model and effects of projected groundwater use in the Ozark Plateaus Aquifer System in the vicinity of Greene County, Missouri - 1907-2030: U.S. Geological Survey Scientific Investigations Report 2010-5227, 106 p.				
NM-1681	2/1/1940	Memorandum regarding the El Paso water supply: U.S. Geological Survey Open-File Report 40-15, 13 p.				
NM-1682	9/28/1988	Comments on HR4961, 53 p. [US0188093 to US0188145]				

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NM-1683	8/1/1957	Preliminary Geohydrological Study of the Juarez Valley and Surrounding Areas, State of Chihuahua. Department of Water Resources, Technical Advisory, Memorandum No. 13.6 - 18.				
NM-1684	1/1/1958	Ground-water resources of the Hueco Bolson northeast of El Paso, Texas: U.S. Geological Survey, Water-Supply Paper 1426				
NM-1685	3/1/1962	Development of ground water in the El Paso District, Texas, 1955-1960 Progress Report No. 8: Texas Water Commission Bulletin 6204				
NM-1686	1/1/2007	Effective Groundwater Model Calibration				
NM-1687	12/31/2018	EPCWID1 accounting spreadsheets 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1688	5/28/2021	Summary of EPWU total pumping by year provided during discovery by EPWU	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1689	9/26/2019	Boundary Clean. Retrieved 9/26/2019 from https://pro.arcgis.com/en/pro-app/tool-reference/spatial-analyst/boundary-clean.htm .				
NM-1690	1/1/2020	Irrigated acres for the Juarez irrigation districts				
NM-1691	9/14/2020	CV for Charles P. Spalding, PG				
NM-1692	1/1/2015	Applied Groundwater Modeling				
NM-1693	11/1/2006	USGS Directions in MODFLOW Development: Groundwater, Vol. 44, No. 6.				
NM-1694	1/1/2004	Guidelines for evaluating ground-water flow models:U. S. Geological Survey Scientific Investigations Report 2004-5038.				

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NM-1695	12/31/2010	EPCWID1 accounting spreadsheets 2010				
NM-1696	1/1/1980	Informe de Laboratorio Zona De Riego Del Distrito De Regio Del Bajo Rio Conchos, Chihuahua, Secretaria de Agricultura y Recursos Hidraulicos				
NM-1697	1/1/1970	Consejo de Investigacion y Evaluacion de la Pol�tica Social, Servicios del Consejo (CIEPS), 1970, Estudio de factibilidad tecnica, economica, social y financiera en la rehabilitacion del Distrito de Riego, Tomo I. Secretaria de Recursos Hidraulicos. Estudio Geohidrologico del Valle de Juarez, Chihuahua, Mexico				
NM-1698	1/1/1970	Consejo de Investigacion y Evaluacion de la Pol�tica Social, Servicios del Consejo (CIEPS), 1970, Estudio de factibilidad tecnica, economica, social y financiera en la rehabilitacion del Distrito de Riego, Tomo I. Secretaria de Recursos Hidraulicos. Estudio Geohidrologico del Valle de Juarez, Chihuahua, Mexico				
NM-1699	2/9/2001	Letter from Bert Cortez, USBOR to Ed Fifer, EPCWID1, February 9, 2001, Regarding 2001 Preliminary American Canal Conservation Credit, Rio Grande Project, 5 p. [US0168504 to US0168508].				
NM-1700	1/1/2008	Hydrogeologic Controls on Groundwater Recharge and Salinization: A Geochemical Analysis of the Northern Hueco Bolson Aquifer, El Paso, Texas, USA. Hydrogeology Journal, Vol. 16, No. 2, pp. 281-296.				
NM-1701	1/1/2010	Interaction of a River with an Alluvial Basin Aquifer: Stable Isotopes, Salinity and Water Budgets. Journal of Hydrology. doi:10.1016/j.jhydrol.2010.10.012.				
NM-1702	12/1/2003	Lower Valley Desalination Report, EPWU Hydrogeology Report 03-03.				

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NM-1703	1/1/2000	IBWC Annual Report, 1999, 13 p.				
NM-1704	9/1/2011	Amended Appendix C.1 Hydrologic-Institutional Model, Model Documentation, 136 pgs				
NM-1705	7/22/1987	Letter Dan Page, Project Superintendent, USBOR El Paso to Ed Fifer, EPCWID1 Re: Propose American Canal Extension and condition of Riverside Cofferdam, July 22, 1987, 3p. [US0167914 to US0167916]				
NM-1706	1/1/1937	Ground-water resources of the El Paso area: U.S. Geological Survey Open-File Report 37-1, 6 p.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1707	5/1/1945	Memorandum on ground water resources of the El Paso, Texas area, progress report: U.S. Geological Survey Open-File Report 45-108, 18 p.				
NM-1708	1/1/1983	Summary of hydrologic information in the El Paso, Texas area, with emphasis on ground-water studies, 1903-1980: U.S. Geological Survey Open-File Report 83-775, 77 p.				
NM-1709	1/1/2016	Development of Riparian Evapotranspiration Data Sets for the Lower Rio Grande Groudwater Model Using a Riparian Evapotranspiration Package for MODFLOW-96 and MODFLOW-2000, 19 pgs.				
NM-1710	12/31/2017	EPCWID1 accounting spreadsheets 2017	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1711	12/31/2018	Allocation spreadsheet 2018	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1712	1/13/2013	Use of flow modeling to assess sustainability of groundwater resources in the North China Plain. Water Resources, Research, 49(1), 159–175.				

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NM-1713	6/3/2021	Cover Sheet Referencing Pumping Impact Documents	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1714	12/8/2016	Groundwater Flow and Transport Model for Hueco Bolson Aquifer, El Paso, Texas, Volume 2, prepared for El Paso Water Utilities, December 8, 2016.				
NM-1715	1/1/2016	Rio Grande/Rio Bravo Restoration through El Paso/Ciudad Juarez, Project Number: NR-05-02, 37 pgs.				
NM-1716	6/1/2005	Digital hydrogeologic framework model of the Rincon Valley and adjacent areas of Dona Ana, Sierra AND Luna Counties, NM: Addendum to Technical Completion Report No. 332, Prepared for the Lower Rio Grande Water Users Organization.				
NM-1717	9/1/1966	Analog model study of the Hueco Bolson near El Paso, Texas, prepared by the U.S. Geological Survey in cooperation with Texas Water Development Board: Texas Water Development Board Report 28, 26 p.				
NM-1718	4/1/2010	Documentation of the Streamflow-Routing (SFR2) Package to include unsaturated flow beneath streams -- a modification to SFR1: U.S. Geological Techniques and Methods Book 6, Chapter A13, 47 p.				
NM-1719	12/31/2009	EPCWID1 accounting spreadsheets 2009				
NM-1720	12/31/2008	Allocation spreadsheet 2008	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1721	12/31/2010	Allocation spreadsheet 2010	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1722	10/31/2011	Allocation spreadsheet 2011	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1723	1/1/1970	Consejo de Investigacion y Evaluacion de la Política Social, Servicios del Consejo (CIEPS), 1970, Estudio de factibilidad tecnica, economica, social y financiera en la rehabilitacion del Distrito de Riego, Tomo I. Secretaria de Recursos Hidraulicos. Estudio Geohidrologico del Valle de Juarez, Chihuahua, Mexico				
NM-1724	3/1/1993	Estudio de factibilidad para la rehabilitacion del Distrito de Riego 009 Valle de Juarez [Feasibility study for the renovation of Irrigation District 9 in the Juarez Valley], 219 p.				
NM-1725	1/1/2004	Hydrology, Chapter D of Death Valley Regional Groundwater Flow System, Nevada and California-Hydrogeological Framework and Transient Groundwater Flow Model. U.S. Geological Survey. Scientific Investigation Report 2004-5205.				
NM-1726	1/1/1999	IBWC Annual Report, 1998-1999, 15 p.				
NM-1727	1/1/2005	Geographical hydrology of the El Paso-Cuidad Juarez border region: Water for Texas, edited by Jim Norwine, John R. Giardino and Susma Krishnamurthy, Texas A&M University Press, pps. 242-248.				
NM-1728	1/29/1985	Operating Agreement Elephant Butte Irrigation District El Paso County Water Improvement District No.1.				

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NM-1729	1/1/1994	Hydrogeology and selected water-quality aspects of the Hueco Bolson aquifer at the Hueco Bolson Recharge Project area, El Paso, Texas: U.S Geological Survey Water-Resources Investigations Report 94-4092				
NM-1730	8/1/2003	Seepage Losses from the Franklin Canal between the heading to Ascarate Wasteway				
NM-1731	11/01/1896	A Study of the Use of Water for Irrigation on the Rio Grande Del Norte Above Fort Quitman, Texas				
NM-1732	1/1/1976	Hydrologic interpretation of geophysical data from the southeastern Hueco Bolson, El Paso and Hudspeth Counties, Texas: U.S. Geological Survey Open-File Report 76-650				
NM-1733	12/31/2012	EPCWID1 accounting spreadsheets 2012				
NM-1734	12/31/2015	EPCWID1 accounting spreadsheets 2015	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1735	12/31/2016	EPCWID1 accounting spreadsheets 2016	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1736	12/31/2014	Allocation spreadsheet 2014	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1737	1/1/2017	An update of the Death Valley regional groundwater flow system transient model, Nevada and California: U.S. Geological Survey Scientific Investigations Report 2016-5150, 74 p., 1 pl. https://doi.org/10.3133/sir20165150				
NM-1738	6/3/2021	Cover Sheet Referencing Juarez Lining Documents	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1739	4/26/2016	Handbook of Texas Online, "Chamizal Dispute," accessed April 26, 2016, http://www.tshaonline.org/handbook/online/articles/nbc01				
NM-1740	9/17/2019	Mexico Municipal Pumping				
NM-1741	1/1/1994	Simulation of ground-water flow and the movement of saline water in the Hueco Bolson Aquifer, El Paso, Texas and adjacent areas: U.S. Geological Survey Open-File Report 92-171, 92 p.				
NM-1742	1/1/2009	Hydrogeologic framework of the binational western Hueco Bolson-Paso del Norte area, Texas, New Mexico and Chihuahua: Overview and Progress report on digital-model development: New Mexico Water Resources Research Institute, NMSU; Technical Completion Report, 45 p.				
NM-1743	1/1/1985	A preliminary assessment of land-surface subsidence in the El Paso area, Texas: U.S. Geological Survey Water Resource Investigation Report 85-4155, 113 p.				
NM-1744	3/1/2003	History of MODFLOW: Groundwater, Vol. 41, No. 2.				
NM-1745	11/1/2008	Summary documentation of the calibrated groundwater flow model for the Lower Rio Grande Basin, prepared for the Office of the State Engineer.				
NM-1746	1/1/1982	Introduction to groundwater modeling: finite difference and finite element methods. Academic Press, San Diego, CA, 237	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1747	12/31/2008	EPCWID1 accounting spreadsheets 2008				

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NM-1748	12/31/2011	EPCWID1 accounting spreadsheets 2011				
NM-1749	1/26/2000	Salvage of Water in El Paso Count Water Improvement District No. 1 Canal System, Prepared for El Paso County Water Improvement District No. 1, Draft Report, January 26, 2000, AWBlair Engineering, 21 p. [US0479530 to US0479550]				
NM-1750	1/1/2000	Proposal for Rio Grande Project River Conveyance System Conservation Credit Program, 1p. [US0364173]				
NM-1751	1/2/2002	Seasonal Estimates of Actual Evapo-transpiration from Tamarix ramosissa stands using three-dimensional eddy covariance, Journal of Arid Environments, (2002) 52:181-197				
NM-1752	1/1/2004	Transient Numerical Model, Chapter F of Death Valley Regional Groundwater Flow System, Nevada and California-Hydrogeological Framework and Transient Groundwater Flow Model. U.S. Geological Survey. Scientific Investigation Report 2004-5205.				
NM-1753	1/1/2004	Three-dimensional Hydrogeological Framework Model, Chapter E of Death Valley Regional Groundwater Flow System, Nevada and California-Hydrogeological Framework and Transient Groundwater Flow Model. U.S.Geological Survey. Scientific Investigation Report 2004-5205.				
NM-1754	1/1/1985	Informe Relativo a la Cuence Fonteriza "El Paso-Juarez" (Estados Unidos-Mexico), Preparado por el Subgrupo de Agua Subterraneas Transfronterizas., Secretaria de Agricultura y Recursos Hidraulicos				
NM-1755	4/20/2011	Shafike accounting spreadsheet	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1756	6/21/2005	Understanding and managing the stressed Mexico-USA transboundary Hueco bolson aquifer in the El Paso del Norte region as a complex system, Hydrogeology Journal 13: p. 813-825.				
NM-1757	4/1/2012	Compilation of Results of Aquifer Tests in Texas: Texas Water Development Board Report 381				
NM-1758	6/1/1965	Reconnaissance investigations of the ground-water resources of the Rio Grande Basin, Texas: Texas Water Commission Bulletin 6502				
NM-1759	7/1/1969	Compilation of Results of Aquifer Tests in Texas: Texas Water Development Board Report 98, Volumes I and II				
NM-1760	4/1/1998	Changes in groundwater conditions in El Paso County, Texas 1988-1998: Texas Water Development Board Open File Report 98-02				
NM-1761	6/7/2018	Interstate Water Litigation in the West: A Fifty-Year Retrospective, 20 U. DENVER WATER L. REV. 153-216 (2017).				
NM-1762	12/1/2017	Hydrogeologic Framework of the Mesilla Basin Region of New Mexico, Texas, and Chihuahua (Mexico)-Advances in Conceptual and Digital Model Development. New Mexico Water Resources Research Institute. WRI Technical Completion Report No. 363, December 2017, 211p.				
NM-1763	11/26/2014	Compiled Data and Database Summary for Development of Hueco Bolson Groundwater Flow Model, El Paso, Texas, Montgomery and Associates, 154 pgs.				
NM-1764	12/31/2014	EPCWID1 accounting spreadsheets 2014	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1765	12/31/2012	Allocation spreadsheet 2012	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1766	12/31/2013	Allocation spreadsheet 2013	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1767	12/31/2016	Allocation spreadsheet 2016	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1768	12/31/2017	Allocation spreadsheet 2017	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1769	9/26/2019	Majority Filter. Retrieved 9/26/2019 from http://desktop.arcgis.com/en/arcmap/10.3/tools/spatial-analyst-toolbox/majority-filter.htm	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1770	2/10/2017	Flow target data Juarez irrigation district 1	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1771	9/14/2020	CV for Daniel J. Morrissey, RPG				
NM-1772	1/1/2012	Streamflow depletion by wells-Understanding and managing the effects of groundwater pumping on streamflow: U.S. Geological Survey Circular 1376, 84 p.				
NM-1773	10/1/1985	Municipal and industrial water supply in Ciudad Juarez, Mexico, Water Resources Bulletin AWRA, Volume 21, Number 5.				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1774	6/1/2018	PEST Model-Independent Parameter Estimation.				
NM-1775	1/24/2000	Salvage of Water in El Paso Count Water Improvement District No. 1 Canal System, Prepared for El Paso County Water Improvement District No. 1, Draft Report, January 24, 2000, AWBlair Engineering, 39 p. [US0363598 to US0363636]				
NM-1776	6/1/1993	Documento de proyecto, Distrito de Riego 009, Valle de Juarez [Project Document on Irrigation District 9, Juarez Valley], Subdireccion general de infraestructura hidroagricola. Gerencia estatal Chihuahua, proyecto Valle de Juarez, Mexico, 46 p.				
NM-1777	1/1/2009	The Mississippi Embayment Regional Aquifer Study (MERAS): Documentation of a groundwater-flow model constructed to assess water availability in the Mississippi Embayment: U.S. Geological Survey Scientific Investigations Report 2009-5172, 61 p.				
NM-1778	1/1/2011	Far West Texas Water Plan prepared for the TWDB				
NM-1779	11/1/2003	Joint Desalination Facility Blend Well Analysis. El Paso Water Utilities Hydrogeology Report 03-02. 141p.				
NM-1780	3/24/1971	Letter James Kirby, USBOR to George B. Moseley, EPCWID1, Re: Report concerning possible agreement with the El Paso Water Utilities wherein exchange credit is give El Paso Water Utilities for treated and chlorinated sewage effluent placed in the proposed American Canal, March 24, 1971 [US0552873 to US552940].				
NM-1781	1/1/1955	Juarez Irrigation District 009, 1955, Map of wells for the Juarez Valley and associated data 1955, Unit 1				
NM-1782	1/1/1955	Juarez Irrigation District 009, 1955, Map of wells for the Juarez Valley and associated data 1955, Unit 2				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-1783	1/1/1955	Juarez Irrigation District 009, 1955, Map of wells for the Juarez Valley and associated data 1955, Unit 3				
NM-1784	1/1/1905	Irrigation Systems in Texas: Water Supply and Irrigation Papers of the United States Geological Survey, No. 71, 145 p.				
NM-1785	12/1/1954	Records of Water-Level Measurements in El Paso County, Texas: Texas Board of Water Engineers Bulletin 5417				
NM-1786	10/1/1978	Availability of fresh and slightly saline ground water in the basins of westernmost Texas: U.S. Geological Survey Open-File Report 78-663				
NM-1787	1/1/2000	MODFLOW-2000, the U.S. Geological Survey modular ground-water model -- User guide to modularization concepts and the Ground-Water Flow Process: U.S. Geological Survey Open-File Report 00-92				
NM-1788	8/1/1979	Simulated effects of ground-water pumping in portions of the Hueco Bolson in Texas and Mexico during the period 1973 through 2029: Texas Department of Water Resources LP-104				
NM-1789	9/1/1979	Ground-Water availability in Texas, estimates and projections through 2030: Texas Department of Water Resources Report 238				
NM-1790	3/1/2003	Ground Water Model Calibration Using Pilot Points and Regularization				
NM-1791	1/1/2018	ASTM D5981 / D5981M-18, Standard Guide for Calibrating a Groundwater Flow Model Application				
NM-1792	1/1/2014	One-Water Hydrologic Flow Model (MODFLOW-OWHM): U.S. Geological Survey Techniques and Methods 6-A51, 120 p.				
NM-1793	12/31/2013	EPCWID1 accounting spreadsheets 2013	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1794	12/31/2015	Allocation spreadsheet 2015	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1795	9/26/2019	Maximum Likelihood Classification. Retrieved 9/26/2019 from https://pro.arcgis.com/en/pro-app/tool-reference/spatial-analyst/maximum-likelihood-classification.htm .	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1796	9/26/2019	Tabulate Area. Retrieved 9/26/2019 from https://pro.arcgis.com/en/pro-app/tool-reference/spatial-analyst/tabulate-area.htm .	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1797	10/7/2016	Georgia's Reply Brief in Support of its Motion to Exclude Opinions and Testimony by Florida based on the "Lake Seminole" Model, Florida v. Georgia, No. 142 Original, October 7, 2016.				
NM-1798	1/1/2020	Summary of urban acre coverage for the Hueco Valley	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1799	4/23/2020	IBWC Fact Sheet, Agency Completes El Paso Canal Project, April 23, 2020, 3 p.				
NM-1800	1/1/2016	Handbook of Texas Online, "Rio Grande Rectification Project," accessed April 26, 2016, http://www.tshaonline.org/handbook/online/articles/mpr02				
NM-1801	6/3/2021	List of Previous Investigations Related to the Hueco Bolson.	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1802	7/1/2011	Salinity management using anionic polymer in a pecan field with calcareous-sodic soil.				
NM-1803	1/1/1999	Crop yields as affected by salinity				
NM-1804	1/27/1997	Texas pecan orchards				
NM-1805	1/1/2011	Urbanization of Irrigation Districts in the Texas Rio Grande River Basin				
NM-1806	7/1/1986	Effects of saline water irrigation on soil salinity, pecan tree growth and nut production				
NM-1807	1/1/2006	Diagnosis and management of salinity problems in irrigated pecan productions.				
NM-1808	1/1/2002	Agricultural drainage water management in arid and semi-arid areas				
NM-1809	12/21/2004	Influence of the Pacific Decadal Oscillation on the hydrochemistry of the Rio Grande, USA and Mexico				
NM-1810	8/1/2015	Recommended chemical soil test procedures for the North Central Region				
NM-1811	1/1/2016	Managing salinity in pecan orchards- Irrigation water				
NM-1812	1/1/2016	Evapotranspiration and crop coefficient for pecan trees in El Paso, Texas				
NM-1813	8/27/2014	Summary of Meeting with Texas AgrLife Extension	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1814	12/1/2013	Drip-irrigated pecan seedlings response to irrigation water salinity				
NM-1815	1/1/2013	Water quantity and quality challenges from Elephant Butte to Amistad				
NM-1816	9/1/2014	Bovine Tuberculosis Risk Assessment - El Paso and Hudspeth Counties				

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NM-1817	1/1/1963	Effects of drought in the Rio Grande Basin- Drought in the southwest 1942-56				
NM-1818	11/1/1995	Aquifers of Texas				
NM-1819	1/1/1985	Water Quality for Agriculture				
NM-1820	1/1/2003	Environmental tracers applied to quantifying causes of salinity in arid-region rivers: results from the Rio Grande, southwestern USA.				
NM-1821	7/1/2007	Discovering a geologic salinity source in the Rio Grande aquifer. Southwest Hydrology				
NM-1822	3/1/1999	On the Rio Grande aquifer: Flow relationships, salinization, and environmental problems from El Paso to Fort Quitman, Texas				
NM-1823	8/1/1972	Development of ground water in the El Paso District, Texas, 1963-70				
NM-1824	5/1/1985	Salt effects on seedling growth and ion uptake of three pecan rootstock cultivars				
NM-1825	12/1/2007	Geologic origins of salinization in a semi-arid river: The role of sedimentary basin brines				
NM-1826	9/1/2000	Soil resources of El Paso: Characteristics, distribution and management guidelines				
NM-1827	7/1/2010	Supplement to diagnosis and management of salinity problems in irrigated pecan production: Salt leaching				
NM-1828	5/1/2000	Salinity, boron, and irrigated pecan productivity along New Mexico's Rio Grande Basin				
NM-1829	1/1/1992	The use of saline waters for crop production				
NM-1830	8/28/2014	Summary of Meeting with Danny Chavez, Hudspeth County Conversation & Reclamation District #1	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1831	1/1/2013	Knowledge and understanding of dissolved solids in the Rio Grande-San Acacia, New Mexico to Fort Quitman, Texas, and plan for future monitoring				
NM-1832	10/21/2019	Resume: Lewis Munk				
NM-1833	1/1/2013	Impacts of groundwater pumping and climate variability on groundwater availability in the Rio Grande Basin.				
NM-1834	1/1/2007	Summary of the METRIC-MODIS Application for the Middle Rio Grande Valley of New Mexico for Year 2005				
NM-1835	11/9/2011	Satellite-based ET estimation in agriculture using SEBAL and METRIC				
NM-1836	9/1/2002	Alfalfa basal crop coefficients for FAO - 56 procedures in the desert regions of the southwestern US.				
NM-1837	1/18/2012	Operational Remote Sensing of ET and Challenges				
NM-1838	10/9/2006	Satellite-based ET mapping to assess variation in ET with timing of crop development.				
NM-1839	2/20/2003	Progress in Operational Estimation of Regional Evapotranspiration using Satellite Imagery				
NM-1840	2/1/2008	At-surface reflectance and albedo from satellite for operational calculation of land surface energy balance				
NM-1841	4/1/2007	Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho				
NM-1842	1/1/1990	Relationships between crop production and transpiration, evapotranspiration, and irrigation.				
NM-1843	6/1/2000	Correcting eddy-covariance flux underestimates over a grassland.				
NM-1844	1/1/2007	Crop coefficients of open-canopy pecan orchards				
NM-1845	11/11/2014	Remote sensing of evapotranspiration over cotton using the TSEB and METRIC energy balance models				

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NM-1846	10/13/2014	Evapotranspiration and crop coefficients for a super intensive olive orchard. An application of SIMDualKc and METRIC models using ground and satellite observations.				
NM-1847	2/2/2012	Crop coefficient (Kc) for apple: comparison between measurements by a weighing lysimeter and prediction by CropSyst.				
NM-1848	2/1/2015	West-Wide Climate Risk Assessments: Irrigation Demand and Reservoir Evaporation Projections. Technical Memorandum No. 86-68210-2014-01.				
NM-1849	1/1/2018	Influence of Landsat Revisit Frequency on Time-Integration of Evapotranspiration for Agricultural Water Management.				
NM-1850	5/1/2006	Summary of the METRIC-MODIS Application for the Middle Rio Grande Valley of New Mexico for Year 2002				
NM-1851	11/1/2004	Evapotranspiration from Riparian Vegetation along the Middle Rio Grande Basin using METRIC ET Products				
NM-1852	8/1/1983	Estimating Consumptive Irrigation Requirements for Crops in Idaho				
NM-1853	9/17/2003	Application of SEBAL for Western US Water Rights Regulation and Planning				
NM-1854	2/1/2006	FAO Irrigation and Drainage Paper No. 56. Crop Evapotranspiration (guidelines for computing crop water requirements				
NM-1855	6/15/2009	A comparison of operational remote sensing-based models for estimating crop evapotranspiration				
NM-1856	11/3/2011	Improved methods for estimating monthly and growing season ET using METRIC applied to moderate-resolution satellite imagery.				
NM-1857	12/1/2005	California Water Plan Update 2005: A Framework for Action: Public Review Draft (Vol. 160, No. 5)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1858	1/11/2012	Desk Study to Evaluate Contributory Causes of the Current Yield Plateau in Wheat and Oilseed Rape				
NM-1859	5/1/2005	Peak crop coefficient values for Shaanxi, North-west China.				
NM-1860	9/23/2003	Model to assess water movement from a shallow water table to the root zone.				
NM-1861	10/1/2005	Grapevine water use and the crop coefficient are linear functions of the shaded area measured beneath the canopy				
NM-1862	1/24/1997	Estimates of deep percolation beneath cotton in the Macquarie Valley.				
NM-1863	9/16/2009	Estimating crop coefficients from fraction of ground cover and height.				
NM-1864	2/1/2016	Benchmarking Optical/Thermal Satellite Imagery for Estimating Evapotranspiration and Soil Moisture in Decision Support Tools				
NM-1865	1/31/2014	2013 Texas Cropland Data Layer				
NM-1866	1/1/2016	REF-ET: Reference Evapotranspiration Calculation Software for FAO and ASCE Standardized Equations, Version 4.1 for Windows, Users Manual.				
NM-1867	2/1/2018	METRIC Evapotranspiration from Satellite - User's Manual. Version 3.02				
NM-1868	3/1/2015	Land-Atmosphere Interactions: Canopy Processes.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1869	10/4/2013	Consumptive water use and crop coefficients of irrigated sunflower				
NM-1870	1/1/2005	The ASCE Standardized Reference Evapotranspiration Equation				

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NM-1871	8/1/2007	Satellite-Based Energy Balance for Mapping Evapotranspiration with Internalized Calibration (METRIC) - Model				
NM-1872	1/1/2000	Using the FAO-56 dual crop coefficient method over an irrigated region as part of an evapotranspiration intercomparison study				
NM-1873	8/1/2007	Satellite-Based Energy Balance for Mapping Evapotranspiration with Internalized Calibration (METRIC) - Applications				
NM-1874	1/1/2008	Understanding and predicting deep percolation under surface irrigation.				
NM-1875	1/1/1997	Accuracy of irrigation efficiency estimates.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1876	1/1/2003	California Crop and Soil Evapotranspiration.				
NM-1877	7/1/1983	Design, Installation and Operation of a Twin Weighing Lysimeter for Fruit Trees				
NM-1878	11/6/2001	Evaporation Estimates for Irrigated Agriculture in California				
NM-1879	6/1/2013	Sensitivity of Landsat-Scale Energy Balance to Aerodynamic Variability In Mountains And Complex Terrain				
NM-1880	1/31/2014	2013 New Mexico Cropland Data Layer				
NM-1881	9/2/2014	Sustainable intensification in agricultural systems.				
NM-1882	2/11/2016	Evaluating five remote sensing based single-source surface energy balance models for estimating daily evapotranspiration in a humid subtropical climate.				

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NM-1883	3/13/1999	Accuracy of predictions of project-wide evapotranspiration using crop coefficients and reference evapotranspiration in a large irrigation project.				
NM-1884	11/1/2004	Middle Rio Grande Basin: METRIC ET Products and Description of Computational Processes	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1885	1/1/2005	A Landsat-based energy balance and evapotranspiration model in Western US water rights regulation and planning				
NM-1886	1/1/2005	Satellite-Based Energy Balance to Assess Within-Population Variance of Crop Coefficient Curves				
NM-1887	3/1/1997	Environmentally sustaining agriculture.				
NM-1888	1/1/1987	Documentation of a deep percolation model for estimating ground-water recharge				
NM-1889	1/1/2000	Conversion between evapotranspiration references and methods.				
NM-1890	1/1/2005	Operational aspects of satellite-based energy balance models for irrigated crops in the semi-arid U.S.				
NM-1891	6/1/2013	Estimating Crop Water Use Via Remote Sensing Techniques Vs. Conventional Methods in The South Platte River Basin, Colorado				
NM-1892	1/1/2016	All sonic anemometers need to correct for transducer and structural shadowing in their velocity measurements.				
NM-1893	8/28/2014	Crop evapotranspiration estimation with FAO56: Past and future.				
NM-1894	10/23/2013	Estimation of Actual Evapotranspiration along the Middle Rio Grande of New Mexico Using MODIS and Landsat Imagery with the METRIC Model				

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NM-1895	9/25/2009	A consolidated evaluation of the FAO-56 dual crop coefficient approach using the lysimeter data in the North China Plain				
NM-1896	6/8/2005	Middle Rio Grande 1995 1998 ET Trends: Comparisons with 2002	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1897	1/1/2010	Evapotranspiration and Net Irrigation Water Requirements for Nevada.				
NM-1898	3/1/2011	The convergence of water rights, structural change, technology, and hydrology: a case study of New Mexico's Lower Rio Grande.				
NM-1899	8/27/2007	Estimating the effect of crop classification error on evapotranspiration derived from remote sensing in the lower Colorado River basin, USA				
NM-1900	11/20/2007	Gaps-fill of SLC-off Landsat ETM+ satellite image using a geostatistical approach				
NM-1901	1/1/1998	An introduction to environmental biophysics.				
NM-1902	6/1/2013	Automated Calibration Of The Metric-Landsat Evapotranspiration Process				
NM-1903	7/30/2016	Sensitivity of evapotranspiration retrievals from the METRIC processing algorithm to improved radiometric resolution of Landsat 8 thermal data and to calibration bias in Landsat 7 and 8 surface temperature				
NM-1904	12/1/2015	Oregon Statewide Long-Term Water Demand Forecast. Appendix C: Current and Projected Future Irrigation Water Requirements for Oregon.				
NM-1905	8/8/2016	Estimation of Energy Balance Components over a Drip-Irrigated Olive Orchard Using Thermal and Multispectral Cameras Placed on a Helicopter-Based Unmanned Aerial Vehicle (UAV).				

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NM-1906	1/31/1943	Final Report on the Construction of Canalization Feature of the Rio Grande Canalization Project.				
NM-1907	10/1/1997	Transboundary Aquifers of the El Paso/Ciudad Juarez/Las Cruces Region. Prepared for U.S. Environmental Protection Agency, Region VI.				
NM-1908	3/1/2000	El Paso Las Cruces Regional Sustainable Water Project Evaluation of Socorro Ponds Storage and Development of Environmental Options Rio Grande Bosque Wetlands Park, Task Order No. 5, Part 1, PREPARED FOR: New Mexico-Texas Water Commission.				
NM-1909	8/1/2001	Surveys of Irrigation in Texas 1958, 1964, 1969, 1974, 1979, 1984, 1989, 1994 and 2000. Report 347.				
NM-1910	3/1/2004	Colorado High Plains Irrigation Practices Guide, Special Report No. 14. Colorado State University.				
NM-1911	3/1/2006	Diversion Works, Canals and Public Utilities in the Lower Rio Grande Valley near El Paso, Texas.				
NM-1912	5/2/2021	Slip sheet for Surface Water Dataset Excel spreadsheet.				
NM-1913	5/21/2021	Example of urban deep percolation calculation for City or Las Cruces.				
NM-1914	3/1/2015	Estimating Predevelopment Hydrology for Urbanized Areas in New Mexico. Prepared for United States Environmental Protection Agency, Office of Wastewater Management Water Permits Division, Municipal Branch, EPA Publication Number 832-R-15-009.				
NM-1915	2/1/2019	Small Acreage Irrigation Guide. Water Rights and Irrigation Management.				
NM-1916	5/29/2015	New Mexico College of A&MA Reports to EBID. Report on Annual Flow Data, 1935 - 1965.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1917	7/15/2020	Water Distribution Report data from Accounting DataSet				

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NM-1918	7/15/2020	Evaluation Spreadsheet produced by Dr. Dorrance with graphs added by SWE for rebuttal				
NM-1919	9/14/2020	Comparison of RiverWare outputs - Run 1 Historical Base Run v. Run 0 Historical Calibration Run				
NM-1920	9/15/2020	Comparison of RiverWare outputs - Run 14b MX Hueco Pumping Off v. Run 1 Base Run				
NM-1921	9/15/2020	Comparison of RiverWare outputs - Run 15b Early EPCWID Ops (Fabens Drains) v. Run 1 Base Run				
NM-1922	9/15/2020	Comparison of RiverWare outputs - Run 15c EPCWID Early Ops (TX Hueco Pumping Off) v. Run 15 Early EPCWID Ops				
NM-1923	9/15/2020	Comparison of RiverWare outputs - Run 7 TX Mesilla Pumping Off v. Run 1 Base Run				
NM-1924	9/15/2020	RiverWare output summary - Run 14 Summary - Operational - Hueco Pumping Off				
NM-1925	9/15/2020	RiverWare output summary - Run 14a Summary - Operational - TX Hueco Pumping Off				
NM-1926	9/15/2020	RiverWare output summary - Run 14c Summary - Operational - TX WWTP Discharges Off				
NM-1927	9/15/2020	RiverWare output summary - Run 14d Summary - Operational - TX Hueco Pumping Off (Returns Left On)				
NM-1928	9/15/2020	RiverWare output summary - Run 15b Summary - Operational - Early EPCWID Ops (Fabens Drains)				
NM-1929	9/15/2020	RiverWare output summary - Run 17a Summary - Operational - Conj Use 2a Hist Proj Acres (Pre-Comp M&I)				
NM-1930	9/15/2020	RiverWare output summary - Run 5 Summary - Operational - MX Pumping Off				
NM-1931	9/15/2020	RiverWare output summary - Run 6 Summary - Operational - RM Pumping Off				

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NM-1932	9/15/2020	RiverWare output summary - Run 9 Summary - Operational - NM MI Pumping Off				
NM-1933	12/21/2020	Lower Rio Grande Well Locations and Rincon-Mesilla and Hueco Groundwater Level Drawdowns				
NM-1934	8/12/2020	Data for backup - SWE CFB Model v. ILRG Model (v111 Run 0) Comparison Charts				
NM-1935	5/2/2021	Screenshot to show entire backup data main folder for Surface Water Dataset.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1936	5/2/2021	Readme tab from Water Distribution Report compilation spreadsheet with description of contents				
NM-1937	5/31/2021	EBID monthly and daily accounting spreadsheet for 2019.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1938	11/1/2012	The Grass is Always Greener. Outdoor Residential Water Use in Texas. Texas Water Development Board Technical Note 12-01.				
NM-1939	11/28/2012	Presentation: Meeting to Discuss Technical Issues on RGP Operating Agreement with NM OSE/ISC. Washington D.C. (USBR handout in DC_11282012.pdf).	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1940	4/1/2015	Technical Memorandum No. 86-68210-2015-05, Simulation of Rio Grande Project Operations in the Rincon and Mesilla Basins: Summary of Model Configuration and Results. Prepared by Ian Ferguson and Dagmar Llewellyn. Denver, CO.				

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NM-1941	3/29/2016	Historical Population El Paso-Ciudad Juarez	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1942	6/8/2015	Mexico 1900-1937 Abstracts & Chronology Melded.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1943	7/15/2020	Summary of Rio Grande Project Accounting Data				
NM-1944	9/15/2020	Comparison of RiverWare outputs - Run 10 MX MI Pumping Off v. Run 1 Base Run				
NM-1945	9/15/2020	Comparison of RiverWare outputs - Run 14c TX WWTP Discharges Off v. Run 1 Base Run				
NM-1946	9/15/2020	Comparison of RiverWare outputs - Run 9 NM MI Pumping Off v. Run 1 Base Run				
NM-1947	9/15/2020	RiverWare output summary - Run 14b Summary - Operational - MX Hueco Pumping Off				
NM-1948	9/15/2020	RiverWare output summary - Run 18 Summary - Operational - Conj Use 3 Auth Proj Acres (Pre-Comp M&I)				
NM-1949	9/15/2020	RiverWare output summary - Run 7 Summary - Operational - TX Mesilla Pumping Off				
NM-1950	9/15/2020	RiverWare output summary - Run 8 Summary - Operational - TX MI Pumping Off				
NM-1951	2/5/2020	Annual Release from Caballo Reservoir v. Annual Total Project + Mexico Net Diversions				
NM-1952	2/5/2020	Illustrative Observed Groundwater Level Hydrographs Rincon and Mesilla Basins				
NM-1953	2/5/2020	Texas Input File to Run EPCWID El Paso and Hudspeth Goldsim Models.	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1954	1/1/1985	Annual Operating Plan. 1984 Operations, 1985 Outlook. Annual Operating Plan, Rio Grande Project, New Mexico ? Texas.				
NM-1955	1/6/2005	Lower Rio Grande Groundwater Model Calibration Committee. Farm Budget Subcommittee Meeting Notes by Peggy Barroll. Las Cruces at NMSU. Attendees: Phil King, Gene Franzoy, Dale Book, John Longworth, and Peggy Barroll.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1956	5/1/1986	Texas Reference Depletions of Rio Grande Upstream of El Paso Narrows				
NM-1957	4/1/1974	Development of the Rio Grande Compact of 1938. Natural resources Journal, University of New Mexico School of Law. Vol. 14. No. 2.				
NM-1958	10/1/1987	Irrigation Energy Efficiency. A Comparison of Low Pressure Center Pivot Irrigation Systems. Prepared for Bonneville Administration, U.S. Department of Energy. Report 609. USDA Agricultural Research Service, Kimberly Idaho and University of Idaho.				
NM-1959	5/1/1997	Efficiencies and Water Losses of Irrigation Systems. Irrigation Management Series. Kansas State University, Research and Extension Engineers.				
NM-1960	2/1/2012	Hydrogeological Impacts of Urbanization. The Geological Society of America. Environmental & Engineering Geoscience, Vol. XVIII, No. 1, pp. 3-24				
NM-1961	11/4/2011	Historic (1950 through 1978) Allocation Procedures for the Rio Grande Project.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1962	10/21/1983	Water Allocation Charges to the Elephant Butte Irrigation District, 1983 Irrigation Season and Water Allocation Charges to the El Paso County Water Improvement District No. 1, 1983 Irrigation Season, and Waste Report for the El Paso County Water Improvement District No. 1, September 1 through October 7, 1983.				
NM-1963	10/1/2008	Surface Water Opportunities in New Mexico, New Mexico Water Resources Research Institute				
NM-1964	5/2/2021	Screenshot to show example of backup data subfolder contents for Surface Water Dataset.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1965	5/2/2021	Available data tab from Project accounting dataset spreadsheet with summary chart of available data.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1966	5/2/2021	Slip sheet for Water Distribution Report compilation spreadsheet.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1967	5/31/2021	EPCWID monthly and daily accounting spreadsheet for 2019.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1968	6/20/2013	2013 Rio Grande Project allocation worksheet	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1969	1/1/2013	The Rio Grande Compact: A Southern New Mexico Perspective. Elephant Butte Irrigation District, PowerPoint presentation.				
NM-1970	1/1/2019	El Paso Water Conservation Plan, prepared in collaboration with Alan Plummer Associates, Inc.				
NM-1971	9/15/2020	Comparison of RiverWare outputs - Run 8 TX MI Pumping Off v. Run 1 Base Run				
NM-1972	9/15/2020	RiverWare output summary - Run 10 Summary - Operational - MX MI Pumping Off				
NM-1973	9/15/2020	RiverWare output summary - Run 11 Summary - Operational - D1D2 Allocation (All Pumping On)				
NM-1974	9/15/2020	RiverWare output summary - Run 12 Summary - Operational - D3 Allocation (All Pumping On)				
NM-1975	9/15/2020	RiverWare output summary - Run 15 Summary - Operational - Early EPCWID Ops (WWTP & Fabens Drains)				
NM-1976	9/15/2020	RiverWare output summary - Run 15a Summary - Operational - Early EPCWID Ops (WWTP)				
NM-1977	9/15/2020	RiverWare output summary - Run 2 Summary - Operational - All Pumping Off				
NM-1978	9/15/2020	RiverWare output summary - Run 3 Summary - Operational - NM Pumping Off				
NM-1979	9/14/2020	ILRG Model Calibration Spreadsheet				
NM-1980	2/5/2020	Illustrative Groundwater Level Hydrographs Hueco Bolson				
NM-1981	9/17/2019	Analysis Spreadsheet produced by Ms. Moran, Canal and Terminal Diversions in Texas Model with crude redistribution	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1982	5/30/1997	Regional Wastewater Plan for the East El Paso Area, Prepared for El Paso Water Utilities Public Service Board				

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NM-1983	1/1/2002	Standards for the Analysis and Processing of Surface-Water Data and Information Using Electronic Methods, Water-Resources Investigations Report 01-4044. U.S. Geological Survey, Reston, Virginia.				
NM-1984	1/1/2007	Operating Procedures for the Rio Grande Project. Elephant Butte Irrigation District, El Paso County Water Improvement District No. 1, and United States of America.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1985	11/1/1961	Groundwater conditions in Elephant Butte Irrigation District. Table V page 28.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-1986	5/2/2021	Readme tab from surface water dataset spreadsheet with description of contents	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1987	5/2/2021	Summary table of 2009 - 2018 New Mexico metered pumping and farm deliveries with list of backup data sources.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1988	5/2/2021	Readme tab from Project Accounting Dataset spreadsheet with description of contents	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1989	5/31/2021	Rio Grande Project final allocation from October 2019.	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-1990	8/1/2012	Hydrologic and Water Quality Models: Use, Calibration, and Validation, 2012 American Society of Agricultural and Biological Engineers.				
NM-1991	1/1/2014	El Paso Water Utilities 2014 Water Conservation Plan As per Rule 363.15 Required Water Conservation Plan Texas Water Development Board.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-1992	12/8/2015	Reclamation Managing Water in the West, Rio Grande Project - PowerPoint Presentation.				
NM-1993	7/15/2020	Canal and Farm Budget Spreadsheet Model				
NM-1994	7/15/2020	Monthly surface water flow dataset for Rio Grande Project modeling				
NM-1995	9/15/2020	Comparison of RiverWare outputs - Run 11 D1D2 v. Run 1 Base Run				
NM-1996	9/15/2020	Comparison of RiverWare outputs - Run 14d TX Hueco Pumping Off (Returns Left On) v. Run 1 Base Run				
NM-1997	9/15/2020	Comparison of RiverWare outputs - Run 15 Early EPCWID Ops (WWTP & Fabens Drains) v. Run 1 Base Run				
NM-1998	9/15/2020	Comparison of RiverWare outputs - Run 16 Conj Use 1 Hist All Acres D1D2 (Hist MI) v. Run 1 Base Run				
NM-1999	9/15/2020	Comparison of RiverWare outputs - Run 17a Conj Use 2a Hist Proj Acres (Pre-Comp MI) v. Run 1 Base Run				
NM-2000	9/15/2020	Comparison of RiverWare outputs - Run 3 NM Pumping Off v. Run 1 Base Run				
NM-2001	9/14/2020	RiverWare output summary - Run 1 Summary - Operational - Historical Base Run (All Pumping On)				
NM-2002	9/15/2020	RiverWare output summary - Run 15c Summary - Operational - Early EPCWID Ops (TX Hueco Pumping Off)				
NM-2003	9/15/2020	RiverWare output summary - Run 16 Summary - Operational - Conj Use 1 Hist All Acres D1D2 (Hist M&I)				
NM-2004	9/15/2020	RiverWare output summary - Run 17 Summary - Operational - Conj Use 2 Hist Proj Acres (Hist M&I)				
NM-2005	9/15/2020	RiverWare output summary - Run 4 Summary - Operational - TX Pumping Off				

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NM-2006	2/5/2020	Well Development in Texas and Mexico				
NM-2007	2/5/2020	Annual Allocation and Delivery Charges for EPCWID, Rio Grande Project Accounting, 1979-2018				
NM-2008	5/30/2019	Texas Input File to Run Rincon and Mesilla Goldsim Models.				
NM-2009	1/1/1985	River budget for the Rio Grande, El Paso - Juarez Valley. Journal of Arid Environments (1985) 8, 109-119.				
NM-2010	1/1/1999	The History of the Rio Grande Compact of 1938, WRRRI Conference Proceedings.				
NM-2011	12/1/2003	Consumptive Water Use for United States Power Production. National Renewable Energy Laboratory, Golden, Colorado.				
NM-2012	9/19/2008	Water and Wastewater System Master Plan Update, Final. Prepared for Utilities Department, City of Las Cruces, New Mexico.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2013	2/1/2010	Modifying Goodness-Of-Fit Indicators to Incorporate Both Measurement and Model Uncertainty in Model Calibration and Validation. Vol.53(1): 55-63, 2007 American Society of Agricultural and Biological Engineers.				
NM-2014	5/2/2021	Slip sheet for Project Accounting Dataset spreadsheet.				
NM-2015	5/21/2021	ToRiverWareModel tab from surface water dataset spreadsheet showing example of data transfer to RiverWare model worksheet.	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2016	3/8/2012	Las Cruces Utilities Water Conservation Plan.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

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NM-2017	6/1/2013	Using the KINEROS2 Modeling Framework to Evaluate the Increase in Storm Runoff from Residential Development in a Semiarid Environment. Journal of Hydrologic Engineering, ASCE.				
NM-2018	1/1/2015	Hydrologic and Water Quality Modeling: Spatial and Temporal Considerations. Vol. 58(6): 1661-1680. American Society of Agricultural and Biological Engineers.				
NM-2019	4/6/2015	Historical Irrigation Well Capacity in the LRG in New Mexico, Evidence from State Engineer Records, Barroll, Draft 4/6/2015				
NM-2020	9/15/2020	Comparison of RiverWare outputs - Run 12 D3 + Carryover v. Run 11 D1-D2				
NM-2021	9/15/2020	Comparison of RiverWare outputs - Run 13 Reduced Waste v. Run 1 Base Run				
NM-2022	9/15/2020	Comparison of RiverWare outputs - Run 14 All Hueco Pumping Off v. Run 1 Base Run				
NM-2023	9/15/2020	Comparison of RiverWare outputs - Run 14a TX Hueco Pumping Off v. Run 1 Base Run				
NM-2024	9/15/2020	Comparison of RiverWare outputs - Run 15a Early EPCWID Ops (WWTP) v. Run 1 Base Run				
NM-2025	9/15/2020	Comparison of RiverWare outputs - Run 17 Conj Use 2 Hist Proj Acres (Hist MI) v. Run 1 Base Run				
NM-2026	9/15/2020	Comparison of RiverWare outputs - Run 18 Conj Use 3 Auth Proj Acres (Pre-Comp MI) v. Run 1 Base Run				
NM-2027	9/15/2020	Comparison of RiverWare outputs - Run 2 All Pumping Off v. Run 1 Base Run				
NM-2028	9/15/2020	Comparison of RiverWare outputs - Run 4 TX Pumping Off v. Run 1 Base Run				
NM-2029	9/15/2020	Comparison of RiverWare outputs - Run 5 MX Pumping Off v. Run 1 Base Run				

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NM-2030	9/15/2020	Comparison of RiverWare outputs - Run 6 RM Pumping Off v. Run 1 Base Run				
NM-2031	9/15/2020	RiverWare output summary - Run 13 Summary - Operational - Reduced Waste				
NM-2032	9/15/2020	RiverWare output summary - Run 16a Summary - Operational - Conj Use 1a Hist All Acres D1D2 (1978 M&I)				
NM-2033	12/21/2020	Comparison of computed Rio Grande at El Paso Flow, Rincon-Mesilla Pumping Off (Run 6) vs Historical Base Run (Run 1)				
NM-2034	2/5/2020	EPCWID Total Allocation (Annual Allocation + Carryover), ILRG Model Runs 1 and 3, D3+Carryover Period (2008-2017)				
NM-2035	2/5/2020	EPCWID Allocation and Charge Diversion in Select Years				
NM-2036	8/12/2020	SWE CFB Model v. ILRG Model (v111 Run 0), EBID Total, 1940 - 2017 - Comparison Charts				
NM-2037	8/12/2020	SWE CFB Model v. ILRG Model (v111 Run 0), EPCWID Total, 1940 - 2017 - Comparison Charts				
NM-2038	3/29/2018	Evapotranspiration in High-Yielding Maize and under Increased Vapor Pressure Deficit in the US Midwest				
NM-2039	10/31/2019	INTERA Expert Report: Analysis of Irrigated Lands in the Rio Grande Valley from Caballo Reservoir in New Mexico to Fort Quitman, Texas				
NM-2040	6/30/2010	Multi-Decadal Landsat Analysis of Irrigated Acreages in the Lower Rio Grande Valley	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2041	7/15/2020	Expert Report of Daniel J. Morrissey, 2nd Edition				
NM-2042	9/14/2020	Expert Report of Charles P. Spalding and Daniel J. Morrissey, 3rd Edition				

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NM-2043	9/15/2020	Rebuttal Expert Report of Charles P. Spalding and Daniel J. Morrissey, 2nd Edition				
NM-2044	6/20/2006	2006 Letter from EBID to BOR re Allocation of RGP water				
NM-2045	12/13/2007	Latest EBID to BOR RGP Operations Correspondence				
NM-2046	10/1/2008	Lower Rio Grande Project Operating Agreement: Settlement of Litigation dated October 2008				
NM-2047	8/4/2005	Rio Grande Citizens Forum, August 4th, 2005, El Paso, Texas Tentative Meeting Notes (undated)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2048	10/9/2003	Letter: PSB Accounts caught irrigating during the 2003 irrigation season				
NM-2049		Procedure for Ordering Water by Farm Tract Water Users	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2050	3/7/2018	Notice To All Alcaldes from EPCWID dated March 7, 2018				
NM-2051	12/5/2018	Procedures and Conditions to all Alcaldes for receiving irrigation water				
NM-2052	1/1/2018	El Paso County Water Improvement District No. 1 Small Tract Irrigation Schedule for 2018				
NM-2053	1/1/2018	El Paso County Water Improvement District No. 1 2018 Small Tract Irrigation Schedule for Texas Properties Watered by Elephant Butte Irrigation District (EBID)				
NM-2054		Flow Data Collection Sites Checklist	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-2055		Map of Area Served by El Paso No. 1 District	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2056	8/1/2020	Operations Department	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2057	8/1/2020	Dispatcher Duties				
NM-2058	1/1/2020	Small Tract Irrigation Schedule for 2020				
NM-2059	6/24/2019	Sunday Water Order 6-23-2019	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2060	3/12/2008	Email: Order Schedule				
NM-2061	4/1/2015	Water Laws of the State of Texas that may be of Interest to the Water Users on a Community Ditch dated April, 2015	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2062	1/30/1989	Operational Guide for District Headings in Unit 6B	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2063	1/12/2010	Invoices from Helena Chemical Co. to David Salopek Farm 2010				
NM-2064	7/18/2019	SALOPEK Leaf Samples 2010-2013, 2018				
NM-2065	1/1/2010	SALOPEK EBID Assessments 2011-2019				

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NM-2066	1/11/2011	Invoices from Helena Chemical Co. to David Salopek 2011				
NM-2067	1/6/2011	DAVID SALOPEK Soil Analysis 2011, 2013, 2017				
NM-2068	2/13/2012	Invoices from Helena Chemical Co. to David Salopek				
NM-2069	1/1/2013	SALOPEK Well Water Sample Results 2013				
NM-2070	12/21/2012	Invoices from Helena Chemical Co. to David Salopek 2012-2013				
NM-2071	1/14/2014	Invoices from Helena Chemical Co. to David Salopek Farm 2014				
NM-2072	12/17/2014	Invoices from Helena Chemical Co. to David Salopek Farm 2014 - 2015				
NM-2073	11/5/2015	Invoices from Helena Chemical Co. to David Salopek Farm 2015				
NM-2074	12/19/2016	Invoices from Helena Chemical Co. to David Salopek Farm 2016				
NM-2075	1/23/2018	Invoices from Helena Chemical Co. to David Salopek Farm 2018				
NM-2076	1/15/2019	Invoices from Helena Chemical Co. to David Salopek Farm 2019				
NM-2077	1/1/2011	David Salopek Farms Well 303 Irrigation Dates				
NM-2078		David Salopek and Marion Salopek Response to Subpoena to Produce Documents, 141				
NM-2079	3/16/1998	Proposed Contract Between US and EPCWID for Conversion of Rio Grande Project Water				
NM-2080	12/8/2016	Results of Predictive Simulations for Hueco Bolson El Paso County, Texas Report by Montgomery & Associates Dated December 8, 2016				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2081	10/15/2019	Riparian Consumptive Use Chart				
NM-2082	10/15/2019	GoldSim Model Component Water Budget Operation Chart				
NM-2083	1/31/2005	Rules and Regulations Governing the Appropriation and Use of the Surface Waters of New Mexico adopted January 31, 2005				
NM-2084	1/30/2015	Expedited Hearing Procedures for LRG Over-Diversions				
NM-2085	7/30/2021	Herman Settemeyer Resume				
NM-2086	12/3/1948	Pecos River Compact dated December 3, 1948	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2087	11/1/1995	Report of the Investigation of Claims of Water Rights in the Upper Rio Grande (Above Fort Quitman) Segment of the Rio Grande Basin, Texas, dated November 1995				
NM-2088	12/11/1996	Memo from Herman Settemeyer to File re Special RGCC MEeting De ember 6, 1996				
NM-2089	3/12/1997	Letter from Jack Hammond to Thomas Turney dated March 12, 1997				
NM-2090	2/11/1997	Interoffice Memorandum from Herman Settemeyer to Barry McBee, John Baker, Ralph Marquez re The Rule of the TNRCC and the State of Texas in Rio Grande Water Issues				
NM-2091	7/12/2006	July 28 Meeting in El Paso				
NM-2092	3/2/2007	Report of the Engineer Advisers to the Rio Grande Compact Commissioners, dated March 2, 2007				
NM-2093	11/17/2010	E-mail string, top e-mail from Mr. Settemeyer to Mr. Gordon, datedNovember 17, 2010				

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NM-2094	9/15/2020	Expert Report of John C. Carron and Steven T. Setzer 3rd Edition, Revised for September 15, 2020				
NM-2095	9/15/2020	Rebuttal Expert Report of John C. Carron, Ph.D., and Steven T. Setzer, P.E., 2nd Edition Revised September 15, 2020				
NM-2096	12/28/2018	Water Right Transfers - Summary of EBID Board of Directors' approved policies				
NM-2097	10/28/2019	The History of Interstate Water Use on the Rio Grande: 1890-1955 by Jennifer Stevens dated 10/28/2019				
NM-2098	6/15/2020	Rebuttal Expert Report of Jennifer Stevens				
NM-2099	6/7/2018	Final 2017 accounting for Albuquerque Bernalillo County Water Utility Authority (ABCWUA) Permits: SP -4830, SP -4819, RG -960, RG -4462, & USR-2				
NM-2100	7/15/2020	Errata Expert Report of Gregory K. Sullivan, P.E. and Heidi M. Welsh				
NM-2101	12/30/2019	Reply and Supplemental Expert Report of Dr. David Sunding dated December 30, 2019				
NM-2102	6/15/2020	Expert Rebuttal Report to the BBA Water Consultants Report (December 30, 2019) and Expert Rebuttal to Land IQ Expert Rebuttal Report (December 30, 2019)				
NM-2103	5/21/2020	The State of Texas's Supplemental Disclosure of Rebuttal Expert Witness Information as to Rebuttal Expert Report of Land IQ, LLC				
NM-2104	7/1/2018	Water Needs of Pecan Trees: Revisiting McFarland & Worthington's Lysimeters				
NM-2105	8/16/2011	Updated Reservoir Model				
NM-2106	8/15/2011	Revised White Paper				

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NM-2107	8/6/2011	Call 525-8210; Rio Grande Compact				
NM-2108	12/8/1981	Deposition of S.E. Reynolds in City of El Paso v. S.E. Reynolds, Civil No. 80-730-HB				
NM-2109	6/12/2012	Affidavit of Margaret Barroll, Ph.D., in CV 691				
NM-2110	2/1/2001	INSTITUTIONAL ADJUSTMENTS FOR COPING WITH PROLONGED AND SEVERE DROUGHT IN THE RIO GRANDE BASIN				
NM-2111	1/1/2001	Far West Texas Regional Water Plan				
NM-2112	12/1/1998	Ground-Water Managment of the Hueco Bolson Aquifer in El Paso County, TX				
NM-2113	6/1/1994	Conjunctive Water Resource Management Technical Data Report - Volume II Technical Appendices				
NM-2114	9/17/1951	Use of ground water in El Paso area, Tex.				
NM-2115	2/7/1929	D.C. Henny, et al to Hon. Francis C. Wilson, Commissioner for New Mexico and Hon. T.H. McGregor, Commissioner for Texas, February 7, 1929				
NM-2116	10/1/1995	Legal and Institutional Framework for Rio Grande Project Water Supply and Use: A Legal Hydrograph				
NM-2117	10/12/1940	Investigation for Elimination of Mexican Interference with Water Supply				
NM-2118	8/6/1924	Agreement between the US and Hudspeth County Conservation and Reclamation District No. 1 providing for a water supply during the irrigation season of 1924				
NM-2119	10/4/1938	TX apportionment and role of Project				
NM-2120	3/7/1979	Memorandum of Meeting: Allocation of Water to Rio Grande Project Lands				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2121	6/1/1973	Water-Budget Studies of Lower Mesilla Valley and El Paso Valley				
NM-2122	6/20/1936	Proceedings of Inspection Trip, General Conference and Committee Meeting in Connection with Visit of Consulting Committee, June 15 to June 20, 1936				
NM-2123	8/1/1936	National Resources Committee: Rio Grande Joint Investigation, Progress Report - August 1, 1936				
NM-2124	12/1/2003	The New Mexico LRG Regional Water Plan				
NM-2125	12/31/1938	Quality of the Rio Grande Basin Above Fort Quitman, Texas				
NM-2126	2/27/1964	All-American Canal in Vicinity of El Paso				
NM-2127	9/27/2018	History of the Rio Grande, Irrigation in the El Paso Valley PowerPoint Presentation				
NM-2128	1/9/1939	Transmitting and explaining the Rio Grande Compact	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2129	6/18/2003	Discretion over Rio Grande Compact Credit Water				
NM-2130	1/7/2011	State Exh. No. 20 Cause No. CV 96-888; SS 97-101 - Farm Irrigation Efficiency EBID, NM				
NM-2131	10/2/1939	1939 - Minutes of the 2nd Meeting of the Rio Grande Compact Commission				
NM-2132	2/28/1940	1940 - Minutes of the 1st Annual Meeting / 5th meeting of the Rio Grande Compact Commission				
NM-2133	11/25/1940	1940 - Minutes of the 7th Meeting of the Rio Grande Compact Commission				
NM-2134	6/21/1942	1942 - Minutes of the 12th Meeting of the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2135	12/16/1944	1944 - Minutes of the 15th Meeting of the Rio Grande Compact Commission				
NM-2136	2/9/1945	1945 - Minutes of the 6th Annual / 16th Meeting of the Rio Grande Compact Commission				
NM-2137	2/14/2012	First Amended complaint for Declaratory and Injunctive Relief in State of NM v. USA, et al.; Case No. 11-cv-691-JAP-WDS	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2138	4/2/2011	Resolution by EBID and EP1 Boards re: 4th Discussion Draft Proposal to Address Groundwater Depletions of Rio Grande Project (RGP) Water and Modification to RGP Operating Manual in Regard to Extreme Drought Conditions				
NM-2139		Pat Gordon notes				
NM-2140	7/6/2011	June 2011 Letter from John D'Antonio to Pat Gordon - Loan of New Mexico Credit Water				
NM-2141	4/20/2011	Email string RE: RGP draft proposal re Operating Manual and depletions				
NM-2142	4/9/2011	NM OSE Meeting				
NM-2143	5/4/2012	Agenda0570772012 river pumping issue				
NM-2144	5/3/2011	Draft Bullet Points for the 4.0 Conjunctive District Water Right				
NM-2145	3/3/2010	Draft Bullet Points for the 4.0 Conjunctive District Water Right				
NM-2146	9/23/2010	NM. Adjudication - EP No. 1 Statement on US Claims				
NM-2147	7/11/1951	1938 - 1951 Documents- Hill GW proposal				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2148	9/5/1995	Haskell Treatment Plant, NPDES Permit Number TX0026751; Alternate Discharge Location				
NM-2149	1/1/1991	El Paso Water Resource Management Plan 1991-2040				
NM-2150	7/1/1991	El Paso Water Resource Management Plan, Phase I Completion Report				
NM-2151	8/1/1991	El Paso Water Resource Management Plan, Phase II Completion Report				
NM-2152	2/1/1992	El Paso Water Resource Management Plan, Phase III Completion Report				
NM-2153	8/1/1998	El Paso County Priority Groundwater Management Area Report				
NM-2154	11/5/1998	SOAH Docket No. 582-93-1540; TN RCC Docket No. 98-0999-MLM; Proposed Designation of a Priority Groundwater Management Area in El Paso County				
NM-2155	10/23/1998	Order No. 2 Seeking Additional Evidence to Complete the Record: SOAH Docket No. 582-98-1540, TN RCC Docket No. 98-0999-MLM				
NM-2156	9/1/1986	Prepared for Joint Public Meetings Concerning Proposed Critical Ground-Water Areas				
NM-2157	3/1/2005	Evaluation for the Hudspeth County Priority GW Management Study Area				
NM-2158	12/10/1998	An Order Creating A Priority Groundwater Management Area in El Paso County				
NM-2159	5/27/2004	EP, Juarez Will Not Run Out of Water				
NM-2160	2/4/2003	New Mexico Rio Grande Compact credit water in Rio Grande Project storage				
NM-2161	3/19/2003	New Mexico Rio Grande Compact credit waters in Elephant Butte Reservoir				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2162	9/2/2011	Clarification of existing Operating Plan for the Rio Grande Project				
NM-2163	8/10/2011	Response to your August 5, 2011 Letters & Revised Loan Offer				
NM-2164	10/29/2000	Relationship between the quantity of water salvaged by the American Canal Extension Project and EPCWID's quantity of annual diversion allocation.				
NM-2165	6/1/1994	Conjunctive Water Resource Management Technical Data Report - Volume I				
NM-2166	1/1/1999	Priority Groundwater Management Areas and Groundwater Conservation Districts; Report to the 76th Legislature				
NM-2167	1/8/2013	Texas Commission on Environmental Quality, News Release				
NM-2168	5/15/1969	1969 - Minutes of the 30th Annual Meeting of the Rio Grande Compact Commssion				
NM-2169	1/13/1987	1987 - Minutes of the Special (63rd) Meeting of the Rio Grande Compact Commssion				
NM-2170	10/24/1984	Open Letter from EBID to its Constituents				
NM-2171	2/6/1997	Draft Resolution - Rio Grande Compact	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2172	6/5/1996	Memo RE: CO issue with TX ability to release RGP water				
NM-2173	6/13/1996	NM position on settlement of El Paso applications for NM GW				
NM-2174	9/9/2002	Briefing at BOR addressing allegations re operation of RGP on August 16				
NM-2175	3/22/2001	2000 Calendar Year Report to the RGCC				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2176	4/23/2003	Revised offer of relinquishment of a portion of New Mexico's Accrued Rio Grande Compact				
NM-2177	3/27/2003	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-2178	3/21/2002	2002 - Minutes of the 63rd Annual Meeting of the Rio Grande Compact Commission				
NM-2179	7/3/2002	Rio Grande Project Operations				
NM-2180	7/22/1996	Water Dispute Flowing				
NM-2181	3/25/2004	2004 - Minutes of the 65th Annual Meeting of the Rio Grande Compact Commission				
NM-2182	1/26/2007	Draft Agenda, Rio Grande Project Accounting Workshop				
NM-2183	3/21/2002	Resolution of the Rio Grande Compact Commission Regarding the Development of an Appropriate Methodology for Determining the Annual Allocation of Usable Water in Rio Grande Project Storage				
NM-2184	3/21/2002	Memorandum of Understanding between the Rio Grande Compact Commission and the United States Bureau of Reclamation				
NM-2185	3/23/1995	1995 - Minutes of the 56th Annual Meeting of the Rio Grande Compact Commission				
NM-2186	8/7/2006	Allocation of Rio Grande Project Water				
NM-2187	3/10/2007	Diversion Allocation Model				
NM-2188	2/20/1958	1958 - Minutes of the 19th Annual Meeting of the Rio Grande Compact Commssion				

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NM-2189	2/24/1955	1955 - Minutes of the 16th Annual Meeting of the Rio Grande Compact Commssion				
NM-2190	2/19/1953	1953 - Minutes of the 14th Annual Meeting of the Rio Grande Compact Commssion				
NM-2191	2/22/1948	1948 - Minutes of the 9th Annual Meeting of the Rio Grande Compact Commission				
NM-2192	8/15/1939	1939 - Minutes of the 1st Meeting of the Rio Grande Compact Commission				
NM-2193	6/26/2009	2009 - Minutes of the Special Meeting of the Rio Grande Compact Commssion				
NM-2194	3/27/2008	2008 - Minutes of the 69th Annual Meeting of the Rio Grande Compact Commission				
NM-2195	3/22/2007	2007 - Minutes of the 68th Annual Meeting of the Rio Grande Compact Commission				
NM-2196	4/1/1998	59th Annual Meeting Rio Grande Compact Commission				
NM-2197	3/25/2011	Evaluation of the Effects of the Rio Grande Project 2008 Operating Agreement				
NM-2198	8/4/2011	RGP Compact Credit Pool Maintenance and Optimum Use of Water in Project Storage				
NM-2199	6/10/2011	Letter: Support for Pat Gordon's May 26, 2011 Letter				
NM-2200	4/5/2011	Urgent - Threatened intestate litigation over water in the Lower Rio Grande				
NM-2201	1/1/2008	RGC and Project Water Allocation and Issue Resurfacing				
NM-2202	8/4/2011	Reclamation's Rio Grande Project Operations Proposal to the Rio Grande Compact Commission				
NM-2203	8/4/2011	Reclamation's Rio Grande Project Operations Proposal to the Rio Grande Compact Commission				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2204	1/5/2012	End of Dec 2011 allocation and agenda for the allocation meeting of Jan. 10 2012	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2205	9/21/2012	Your August 24, 2012 letter				
NM-2206	5/7/2010	Relinquishment of a Portion of New Mexico's Accrued Rio Grande Compact Credit Water in Rio Grande Project Storage				
NM-2207	4/28/2010	Response to 3/4/2010 Ltr re NM's eval of the 2008 RGP OA and Manual				
NM-2208	2/10/2010	DRAFT Rio Grande Salinity Management Program Phase II Scope of Work				
NM-2209	6/9/2010	Rio Grande Project - Operations Manual, Revision of 01/10/2010 w/letter				
NM-2210	3/20/2014	2014 RGCC 75th Annual Meeting Transcript				
NM-2211	4/27/1951	Amendatory Contract for Rental of Water by Hudspeth County Conservation and Reclamation District No. 1				
NM-2212	1/20/2004	Response to January 5, 2004 Letter				
NM-2213	3/1/2004	Groundwater Pumping Within EBID				
NM-2214	7/7/2003	Letter of June 27, 2003 Pertaining to Evaporation of Credit Waters in Elephant Butte				
NM-2215	4/5/1996	RGCC Resolutions regarding 1996 Spill				
NM-2216	7/26/2011	Rio Grande Compact - Proposal from BOR				
NM-2217	10/30/2006	Final Judgment and Decree - In Re: The Adjudication of Water in The Upper Rio Grande Segment of the RG Basin				

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NM-2218	11/13/2007	Hudspeth County Underground Water Conservation District No. 1 Management Plan	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2219	6/22/2016	Agricultural Water Conservation Grant Contract between the TWDB and EPCWID Contract No. 1413521738, Amendment No. 1	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2220	10/1/2003	FINAL ENVIRONMENTAL SUMMARY FOR THE EL PASO COUNTY WATER IMPROVEMENT DISTRICT NUMBER ONE CANAL, STRUCTURE, POND AND PUMPING IMPROVEMENTS PROJECT				
NM-2221	4/16/2012	2012 Direction of the Rio Grande Compact Commission to the Engineer Adviser's and Associated Commitments by Reclamation				
NM-2222	3/21/2012	2012 RGCC 73rd Annual Meeting (95th) Transcript				
NM-2223	8/24/2012	Rio Grande Project ("Project") Objection to New Mexico River Pumpers				
NM-2224	3/1/2017	Calendar Year 2016 Report to the RGCC				
NM-2225	11/1/2017	Rio Grande Sediment Reports and Study				
NM-2226	8/4/2017	Draft - Catalog of Large Flow Obstructions in Main Canal of Rio Grande - Leasburg to American Dam	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2227		Google Earth Comparison Photos	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2228	4/30/2018	Article: Given SCOTUS lawsuit, Texas keeps an eye on NM's groundwater management				
NM-2229	6/30/2011	Rio Grande Project Allocations June 30, 2011	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-2230	4/1/2011	Hydrology of Mesilla-Rincon Basins in New Mexico - Presentation				
NM-2231	2/1/1995	El Paso County Water District #1 - Information Provided to Mr. Herman Settemeyer, Texas Natural Resource Conservation Commission				
NM-2232	2/15/2011	Presentation to the Rio Grande Salinity Coalition, Rio Grande Salinity Management Program - Alternatives Analysis Workshop 2				
NM-2233	6/30/2015	Rio Grande Salinity Management Program: Alternative Analysis for Distal Mesilla Basin				
NM-2234	8/7/2015	Rio Grande Salinity Management Program: Alternatives Analysis for Distal Mesilla Basin				
NM-2235	6/1/2009	Evaluation of Irrigation Efficiency Strategies for Far West Texas: Feasibility, Water Savings And Cost Considerations				
NM-2236		The Developing Law of the Rio Grande---Colorado, New Mexico, No Man's Land, and Texas				
NM-2237	3/31/2011	CLE - Law of the Rio Grande				
NM-2238	3/27/2003	2003 - Minutes of the 64th Annual Meeting of Rio Grande Compact Comm				
NM-2239	10/26/1995	Reaching the Limits: Stretching the Resources of the Lower Rio Grande - Proceedings of the 40th Annual New Mexico Water Conference				
NM-2240	7/1/2011	Aquifers of Texas, Report 380 to Texas Water Development Board				
NM-2241	8/26/2014	Agricultural Water Conservation Grant Contract between TWDB and EPCWID				

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NM-2242	5/12/2009	FINDING OF NO SIGNIFICANT IMPACT AND FINAL ENVIRONMENTAL ASSESSMENT FOR El Paso County Water Improvement District Number One, Canal, Structure, and Improvements Project				
NM-2243	2/12/2018	Application for Agricultural Water Conservation Grant from the TWDB				
NM-2244	3/16/2016	Estimate of Agricultural Irrigation Water Use in El Paso County, Texas during 2014 Using LANDSAT 8 NDVI Images				
NM-2245		Texas Watermaster Areas Map				
NM-2246	2/26/2015	DRAFT - Estimate of Agricultural Irrigation Water Use in Hudspeth County, Texas during 2013 Using LANDSAT 8 NDVI Images				
NM-2247	2/26/2015	Draft - Rough Estimate of Agricultural Irrigation Water Use in El Paso County, Texas during 2013 Using LANDSAT 8 NDVI Images				
NM-2248	3/3/2017	Estimate of Agricultural Irrigation Water Use in El Paso County, Texas during 2015 Using LANDSAT 8 NDVI Images and EPCWID				
NM-2249	6/1/2018	Meeting Report: 2018 Mesilla Basin Groundwater Monitoring Program May 24, 2018, Las Cruces, NM				
NM-2250	4/1/2008	The Impact of Full Beneficial Use of San Juan-Chama Project Water by the City of ABQ on NM's Rio Grande Compact Obligations				
NM-2251	7/8/2014	Action required: Biennial Report				
NM-2252	7/8/2014	Chapter 2: Agency Activities: Water Availability (FY2013-2014) of the Texas Commission on Environmental Quality, Biennial Report to the 84th Legislature	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-2253	2/12/2019	Rio Grande Compact, 2006 Compact Meeting EA Report				
NM-2254	4/26/2018	Texas rescinds its support and approval of the 2006 EA's Resolution	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2255	2/28/2019	CY2018 Accounting Update of New Mexico's Relinquishment Credit Allocation and Storage Since 2003				
NM-2256	1/1/1954	1954 Project O&M Project History				
NM-2257	12/1/2007	Final Environmental Assessment, Flood Control Improvements to the Rio Grande Canalization Project				
NM-2258	7/8/2015	Joint Memorandum Regional Meeting of the IBWC U.S. and Mexico	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2259	12/18/2003	Draft EIS River Management Alternatives for the Rio Grande Canalization Project				
NM-2260	8/7/2003	Reformulation of River Management Alternatives for the RGCP				
NM-2261	6/29/2004	Final EIS, River Management Alternatives for the Rio Grande Canalization Project				
NM-2262	5/1/2004	River Management Plan Rio Grande Canalization Project	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2263	6/4/2009	Record of Decision River Management Alternatives for the Rio Grande Canalization Project	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2264	1/1/2004	Biological Assessment				
NM-2265	10/14/1998	Rio Grande Rectification Project No. 6 re: ACE	C	US Objects to Authenticity (Fed. R. Evid. 901)		

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NM-2266	7/17/2001	Newsletter Alternatives Considered to Enhance RG Ecosystem				
NM-2267	5/7/2007	Rio Grande Project, Current Hydrologic Conditions of Upper Rio Grande Basin				
NM-2268	4/20/2016	1906 Convention Deliveries Binational Meeting				
NM-2269	4/9/2008	Allocation Increase	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2270	1/25/2007	2007 Rio Grande Project Water Supply Initial Allocation				
NM-2271	4/15/2008	Response to IBWC's March 5, 2008 letter requesting clarification on 2008 OA.				
NM-2272	3/23/2012	Schedule of Deliveries to Mexico				
NM-2273	2/5/2013	Issues relating to scheduling of water deliveries to Mexico under the Convention of 1906				
NM-2274	5/23/2005	Canalization Environmental Impact Statement Record of Decision				
NM-2275	5/1/2008	Reclamation Managing Water in the West, Rio Grande Project				
NM-2276	3/1/2013	Report to the RGCC Fiscal Year 2012				
NM-2277	10/3/2006	Standard Operating Procedures for Caballo Dam				
NM-2278	8/15/2008	United States Section International Boundary and Water Commission; Commissioner Briefing, New Operation Agreement and Manual				
NM-2279	3/28/2018	Rio Grande Compact Commission Meeting Powerpoint				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2280	2/5/2009	2009 Rio Grande Project Water Supply Initial Allocation				
NM-2281	9/29/2009	Letter RE: Elephant Butte and Caballo Reservoirs Monthly Elevation Report for September 2009				
NM-2282	4/10/2014	Collaborative Sediment Control Initiative				
NM-2283	8/5/2002	Rio Grande Project Operations, Rio Grande Project, Texas and New Mexico (Your letter dated July 21, 2002)				
NM-2284	9/12/2005	Final Allocation of 2005 Rio Grande Project Water Supply Based on End of August Data				
NM-2285	1/1/1986	Annual Operating Plan, Department of the Interior, BOR, Rio Grande Project, 1985 Operations, 1986 Outlook				
NM-2286	10/28/1999	Third Party Contract Among BOR, EPCWID, and Lower Valley Water District for the Conversion of Rio Grande				
NM-2287	2/18/1941	Contract between the US, City of El Paso and EPCWID to Supply Water to the City of El Paso for Municipal Purposes	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2288	6/24/2008	Operating Manual Conference Call				
NM-2289	5/2/2008	Cabello Release today and Cabello gate setting procedure				
NM-2290	3/5/2003	Rio Grande Project Accounting and Operating Rules for the 2003 Irrigation Season				
NM-2291	7/8/1999	Summary of June 25, 1999 Meeting to Discuss Water Accounting Procedures at Riverside Canal and Haskell Street Waste Water Treatment Plant's Discharge				
NM-2292	11/14/2001	Transmittal of Caballo Dam/Caballo Gauging Station Data and Regression Analyses				
NM-2293	9/25/2001	Caballo Monitoring and Accounting				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2294	8/12/2003	Analysis of Reclamations Rio Grande Project Water Supply Allocation Procedures and Proposal for 2004 Irrigation Season				
NM-2295	11/21/2006	RE: Rio Grande Project Water Supply Final Allocation				
NM-2296	8/22/1990	Regression Analysis, Computation Sheet, Allocation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2297	10/15/1993	Computation Sheet, Regression Analysis (1951-1978) used for allotment determination for CY 1990-present				
NM-2298	6/28/1990	Regression Analysis Summary, Computation Sheet				
NM-2299	2/18/1992	Regression Analysis, Computation Sheet, Allotment Procedures				
NM-2300	9/25/2006	Lower Rio Grande Water Users Organization Review Comments First Public Draft of Active Water Resources Management Rules and Regulations				
NM-2301	6/20/1950	Bureau of Reclamation, Statement of Water Supply				
NM-2302	1/27/1936	Letter from Raymond A. Hill, Engineer Advisor, State of Texas, to Frank B. Clayton, Rio Grande Compact Commissioner, State of Texas				
NM-2303	2/1/1936	Frank B. Clayton, Rio Grande Compact Commissioner for Texas, to National Resource Committee - Reference Memorandum of January 10, 1936	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2304	4/3/1979	JF Friedkin Letter to David Herrera Jordan				
NM-2305	1/1/1998	Transboundary Aquifers and Binational Ground-Water Data Base of the El Paso/Ciudad Juarez/Las Cruces Region				

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NM-2306	3/8/1995	Water Operations Division Functions	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2307	12/7/1995	Extreme concern about proposed RGP operation in 1996				
NM-2308	2/28/1996	Current and proposed 1996 operation of the RGP				
NM-2309	3/13/1998	Proposed Contract Between the U.S. and EPCWID for the Conversion of the RGP Water from Irrigation to Municipal to Miscellaneous Purposes and Uses Other Than Irrigation				
NM-2310	12/3/1998	BOR's Proposal to Limit Caballo Reservoir's Releases in 1999 to Comply with Rio Grande Compact Requirements				
NM-2311	12/1/1999	Third-Party Contract between US, City of El Paso and EPCWID for the Conversion of RG Project Water				
NM-2312	11/12/2000	Preliminary Determination of the Underflow of Rio Grande Captured by the City of El Paso's Canutillo Well Field	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2313	1/25/2002	Allocations of Project Water Supply for 2002, Rio Grande Project, Texas (Your letter of December 10, 2001)				
NM-2314	8/2/2002	Facsimile from Steve Vandiver, Engineer Adviser, State of Colorado, to Ken Maxey, Albuquerque Area Manager, Bureau of Reclamation, and Filiberto Cortez, Manager, El Paso Field Division, Bureau of Reclamation				
NM-2315	7/10/2003	June 27, 2003 letter regarding credit water and its evaporation and release				
NM-2316	3/1/2006	U.S. SECTION - IBWC ACTIVITIES, PERCHA DAM TO FORT QUITMAN PROJECT UPDATE	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2317	6/22/2006	Rio Grande Project Water Operations Meeting Agenda and Minutes	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2318	1/1/2001	Shallow Drought Water Supply Wells within El Paso City Limits & Priority Groundwater Management Area (PGMA); Texas Natural Resource Conservation Commission (now Texas Commission Environmental Quality, TCEQ) report to 77th State Legislature, Priority Groundwater Management Area and Groundwater Conservation Districts.				
NM-2319	2/27/1985	Extract from State Engineer Office Printout from SEO Computer Data Bank	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2320	4/21/1994	Water Rights - Rio Grande Project	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2321	4/27/1998	Basin Water Supply and Reservoir Operations Release Capacity Issue Paper				
NM-2322	10/1/1999	Letter: Proposed Contract Between U.S. and EPCWID for Conversion of Rio Grande Project Water from Irrigation to Miscellaneous Purposes and Uses Other than Irrigation, Rio Grande Project				
NM-2323	12/17/1999	EPCWID's Comments and Concerns about the BOR's Status Report of Limited Yearly Release from Caballo Reservoir for 1999 to Comply with the Rio Grande Compact				
NM-2324	3/27/2000	Salvage of Water by ACE Canal, new tables				
NM-2325	6/12/2002	Operation of Rio Grande Project and Rio Compact Accounting				
NM-2326	1/29/2003	Response to Points Raised In Paper - City of El Paso USBR History	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2327	11/1/2003	Interlocal Agreement between EPCWID and City of El Paso for Shallow Drought Water Supply Wells within El Paso City Limits	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2328	4/6/2006	Operating Agreement/Elephant Butte Irrigation District vs United States Department of the Interior et al U.S District Court New Mexico No CIV 00-1309 RB/KBM				
NM-2329	6/5/2006	EBID's letters to BOR re RGP D3 allocation				
NM-2330	6/16/2006	Operational Issues				
NM-2331	10/18/2007	Congressional Inquiry				
NM-2332	4/17/2008	Recognizing tremendous effort in finalizing Rio Grande Operating Agreement				
NM-2333	8/24/2011	August 2011 Releases of Water from Elephant Butte Reservoir				
NM-2334	4/30/1991	Contract Regarding Delivery of Water to the Public Service Board of the City of El Paso				
NM-2335	3/25/1999	Confidential Communication	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2336	10/18/1999	Fax to Cortez transmitting summary of mediation by Bickerman Dispute Resolution Group in US v. EBID				
NM-2337	9/13/2002	Operating Agreement Negotiations				
NM-2338	3/5/2008	IBWC concerns re: 2008 OA / Mexico				
NM-2339	8/15/2008	Agreement between BOR, EBID, EPCWID				

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NM-2340	9/15/1993	SUMMATION OF OPERATION AND MANAGEMENT OBJECTIVES REGARDING THE RIO GRANDE PROJECT NEW MEXICO/TEXAS	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2341	2/22/2004	EBID Position on the USBR/EPCWID 20 January 2000 Operating Agreement				
NM-2342	4/12/2002	Email RE: Reply to Phil King's questions on the allocation procedure				
NM-2343	12/16/1999	Re-Draft of Proposal for Carryover of Rio Grande Project Yearly Allocation for Rio Grande Project Irrigation Districts				
NM-2344	12/15/2006	D3 Allocation with carryover storage for 2007				
NM-2345	4/17/1981	Meeting with the EPCWID to Discuss Development of an Operating Agreement	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2346	6/16/2006	Rio Grande Project Operating Procedures				
NM-2347	6/19/2006	Blair Conveyance Efficiency Paper				
NM-2348	6/21/2006	2006 Email Draft Allocation Proposal				
NM-2349	1/9/2007	2007 Rio Grande Project Allocation letters				
NM-2350	5/21/2007	Operating Agreement				
NM-2351	1/25/1983	IBWC Summary of 1981 Gains/Losses in the Rio Grade Between International Dam and Riverside Canal during Irrigation Months	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2352	6/30/1992	Contract Regarding Delinquent Water Right Taxes to Receive Annual Allotments of Rio Grande Project Water Supply				

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NM-2353	10/31/2000	Draft 2 - Sources and Quantity of Rio Grande Project Water Available for Conversion to Uses Other than Irrigation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2354	11/21/2000	Draft FONSI and Draft EA Construction & Enlargement of American Canal				
NM-2355	1/30/2003	Proposed Amendment to Reclamation Law to Allow El Paso to divert more Project water	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2356	8/2/2006	In Re: The Adjudication of Water Rights in the Upper Rio Grande Segment of the Rio Grande Basin - Filing of the Final Determination of Water Rights and Related Evidence and Motion to Set Dates for Filing Exceptions to the Final Determination and for Hearings on Exceptions	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2357	6/16/2009	2009 Rio Grande Project Water Supply Updated Allocation for End of May 2009 Rio Grande Project Data				
NM-2358	1/17/1989	Contract Among the City of El Paso, its Public Service Board, and the El Paso County Lower Valley Water District Authority providing for Water and Swage Treatment				
NM-2359	7/6/2000	Memorandum of Understanding Exchange MOU between El Paso County Water Improvement District No District and the Public Service Board PSB of the City of El Paso Rio Grande Project Texas				
NM-2360	5/1/2003	Project Report for EPCWID canal, structure, pond and pumping improvements prject	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2361	6/25/1996	Summary of Rio Grande Project Irrigation Operations during January and February 1996				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2362	6/28/1996	Rio Grande Project Operations				
NM-2363	9/17/1999	BOR's Plan to Monitor the Rio Grande Project in 1999 To Ensure Limited Release From Caballo Reservoir of No More Than 775000 Acre-Feet				
NM-2364	1/10/2000	Re: Letters between Fifer and Cortez dated 12/17/1999, 07/29/1999, 08/02/1999				
NM-2365	8/1/1975	Report on American Canal Extension	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2366	10/7/1986	American Canal Extension	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2367	11/1/1993	Operating Agreement Annual Operating Plan	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2368	12/1/1993	Final Environmental Assessment Rio Grande American Canal Extension El Paso, Texas	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2369	1/6/1999	BOR's Proposal to Limit Caballo Reservoir's Releases in 1999 to Comply with Rio Grande Compact Requirements				
NM-2370	6/11/1999	Request to Revise Rio Grande Project Water Accounting Procedures at Riverside Canal to Include Credit for Haskell Street Waste Water Treatment Plant's Discharge				
NM-2371	8/7/2000	Proposal for Rio Grande Project River Conveyance System Conservation Credit Program from A.W. Blair Engineering dated 8/7/2000				
NM-2372	9/19/2002	Rio Grande Project - Water Operations Meeting Agenda and Minutes	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2373	3/10/2008	2008 Operating Agreement for the Rio Grande Project				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2374	2/20/2004	Fwd: Reclamation's Allocation to Mexico				
NM-2375	6/19/2008	Allocation of the Rio Grande: Regional Workshop on the Hydrology and Ecology of the Nile River Basin Under Extreme Conditions				
NM-2376	1/25/2012	Regarding Email About Alleged Illegal Pumping of Water from Rio Grande Canalization Project				
NM-2377	8/27/2012	Briefing on the 2008 Compromise and Settlement Agreement Between the United States, Elephant Butte Irrigation District and El Paso County Water Improvement District #1.	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2378	4/18/2013	Monthly Allocation Meetings				
NM-2379	4/13/2017	RG Project Water request by IBWC				
NM-2380	12/6/2013	RIO GRANDE CANALIZATION PROJECT WATER BUDGET STUDY Final Report Appendix Lt	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2381	2/25/1905	An Act Relating to the Construction of a Dam and Reservoir on the Rio Grande, in New Mexico, for the Impounding of the Flood Waters of Said River for Purposes of Irrigation - Rio Grande Reclamation Project, Chap. 798, U.S. 33 Stat. 814				
NM-2382	5/17/2011	Impact of New Mexico Credit Relinquishment on Rio Grande Project Allocations and Elephant Butte Reservoir				
NM-2383	5/8/2011	Rio Grande Project, Current Hydrologic Conditions of Upper Rio Grande Basin				
NM-2384	9/30/2013	Lower Rio Grande RiverWare Model Draft Report				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2385	8/8/2011	Demand to Restore Release of Water from Elephant Butte Reservoir and Notice of Contract Violation and Damages				
NM-2386	8/8/2011	Complaint for Declaratory and Injunctive Relief, New Mexico v. United States, No. 1:11-cv-00691 (D.N.M. Aug. 8, 2011)				
NM-2387	1/8/2010	Order Designating Stream System Issue/Expedited Inter Se Proceeding No. 104: D-307-CV-96-888				
NM-2388	7/30/2008	Current Hydrologic Conditions of Upper Rio Grande Basin				
NM-2389	3/4/2010	NM Concerns about 2008 Rio Grande Project Operating Agreement and Operations Manual				
NM-2390	5/14/2013	Response to Technical Questions Regarding Supplemental Environmental Assessment	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2391	6/1/2013	Technical Memorandum Rio Grande Project: Analysis of Surface Water and Groundwater Resources under the 2008 Operating Agreement, Technical Memorandum No 86-68210-2013-3				
NM-2392	10/21/2004	Desalination of Brackish Groundwater in El Paso, Texas	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2393	11/1/2010	Analysis of Water Rights Prices in NM's Lower Rio Grande Basin: Tech Report No. 356				
NM-2394	12/8/2010	Proposed Accounting Procedures regarding Appendix C of 2001 Contract	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2395	5/17/2006	Draft of Cooperative Agreement No. 06-FC-40-2541' (EBID)	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2396	2/6/2012	Agriculture's Contribution to the New Mexico Economy	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2397	4/15/1994	Ltr re EPCWID requesting that TNRCC petition for adjudication of water rights in Rio Grande from Fort Quitman				
NM-2398	6/2/1997	Letter re Partially Executed Contract Regarding Delivery of Water to the Public Service Board (PSB) of the City of El Paso, Rio grande Project, Texas	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2399	11/2/2006	Briefing Prepared for Limbaugh and Johnson RE: Status of the Rio Grande Project Operating Agreement Negotiations Between EBID, EP#, and BOR	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2400	6/1/2017	Memo RE: EBID's Depletion Reduction and Offset Program WaterSMART Grant Proposal	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2401	4/14/2015	Reclamation Manual: Reuse of Bureau of Reclamation Project Water	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2402	8/30/2007	To update the status of RGP operating procedures	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2403	11/9/2012	Draft Groundwater Pumping Analysis on Project Operations, Technical Service Center Water Resources and Operations Group	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2404	5/27/2016	Bureau of Reclamation, Rio Grande Project Additional Point of Delivery, Wasteway 18, Dona Ana County, New Mexico				
NM-2405	11/9/1937	Contract between US and EBID for the Adjustment of Construction Charges and Cancellation of Power Privilege Agreement	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2406	1/12/2010	D2 Spreadsheet Email	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2407	5/16/2012	RGP Operations Manual, Revision of January 12, 2010, w/Recommendation of Changes				
NM-2408	5/16/2007	Current Hydrologic Conditions of Upper Rio Grande Basin - May 2007				
NM-2409	1/23/2008	Operating Agreement				
NM-2410	1/16/2014	Letter attaching Preliminary Analysis of Channel Seepage...Along the RGCP				
NM-2411	9/29/2009	Letter RE: Rio Grande Project (Elephant Butte & Caballo Reservoirs) Operations Plan for September 2009				
NM-2412	10/25/2003	Emergency Drought Relief request				
NM-2413	4/3/1997	Division of Waters in the Rio Grande Project Between EB Reservoir and Ft Quitman, Texas	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2414	8/16/1996	Contract Regarding Delinquent Water Right Taxes to Receive Annual Allotments of Rio Grande Project Water Supply	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2415	4/14/1983	Socorro Pond Effluent	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2416	11/1/2003	Overview of How Water Planning is Being Formulated in New Mexico				
NM-2417	12/12/2011	Email thread Re: Follow-up 3/29 e-mail requesting for well pumping data				
NM-2418	7/23/2009	Bureau Functions in RGP	C	Texas Objects to Authenticity (Fed. R. Evid. 901), US Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2419	12/10/2010	Email thread Re: Request for Conference call				
NM-2420	4/13/2011	Email thread RE: OA Points				
NM-2421	8/19/2005	Historical Water Management in the Lower Rio Grande				
NM-2422	5/2/2008	Email thread RE: Caballo Release today and Caballo gate setting procedure.				
NM-2423	3/27/2017	Allocation Committee - agenda item requested				
NM-2424	7/9/2019	Rio Grande Project July 2019 Allocation	C	US Objects to Authenticity (Fed. R. Evid. 901)		
NM-2425	5/2/2013	RE: Rio Grande Allocation Letter				
NM-2426	6/1/2010	Recent And Ongoing Modeling of RGP Operations in the Rincon and Mesilla Basins - PPT				
NM-2427	11/1/1955	Classification and Use of Irrigation Waters				
NM-2428	2/14/1956	Research by Civil Engineering Department, New Mexico College of A & MA, for Elephant Butte Irrigation District 1955 Irrigation Season				
NM-2429	9/1/1959	Some Relations Among Irrigation Water Quality, Soil Characteristics, and Management Practices in the Trans-Pecos Area				
NM-2430	10/1/1962	Salinity Control in Agriculture				
NM-2431	11/1/1963	Cotton Production in Far West Texas with emphasis on Irrigation and Fertilization				
NM-2432	7/1/1963	Salt Balance and Leaching Requirement in Irrigated Lands				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2433	10/1/1963	U. S. SALINITY LABORATORY RESEARCH REPORT No. 102/ Discharge and Salt Burden of the Rio Grande above Fort Quitman, Texas and Salt - Balance Conditions of the Rio Grande Project for the year 1962				
NM-2434	7/1/1965	Reconnaissance Investigations of the Ground-Water Resources of the Rio Grande Basin, Texas				
NM-2435	4/1/1966	PROPOSED PROJECT Extensions to the American Canal At El Paso, Texas As a Part of the Chamizal Project				
NM-2436	8/30/1968	Discharge and Salt Burden of the Rio Grande above Fort Quitman, Texas, and Salt -Balance Conditions on the Rio Grande Project SUMMARY REPORT for the 30 - year Period 1934-1963				
NM-2437	8/30/1968	Discharge and Salt Burden of the Rio Grande above Fort Quitman, Texas, and Salt -Balance Conditions on the Rio Grande Project SUMMARY REPORT for the 30 - year Period 1934-1963				
NM-2438	3/24/1971	Various docs re: Credit Sewage Effluent, Construction of American Canal Extension and the Chamizal Project				
NM-2439	12/1/1977	Report to the EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 on Water Rights and Water Supply				
NM-2440	7/30/1981	EVALUATION OF ANNUAL ALLOCATIONS AND DELIVERIES RGP 1951 - 1978				
NM-2441	1/1/1981	COMMENTS ON CANAL SEEPAGE MEASURING AND ESTIMATING PROCEDURES				
NM-2442	1/1/1984	Memorandum RE: Review of Rio Grande Project Operating Agreement				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2443	7/1/1994	GAIN AND LOSS STUDY OF THE RIO GRANDE IN THE REACH BETWEEN INTERNATIONAL DAM AND RIVERSIDE HEADING NEAR EL PASO, TEXAS/JUAREZ, CHIHUAHUA 1981-1984				
NM-2444	1/1/1997	Hydrology of the Shallow Aquifer and Uppermost Semiconfined Aquifer Near El Paso, Texas				
NM-2445	12/17/1999	RE: Proposal to Implement a Plan of Carryover of Unused Rio Grande Project Yearly Allocation to US Irrigation Districts				
NM-2446	3/1/2012	Draft Report: Evaluation of Flow Measurements Sites in the Rio Grande Project Area				
NM-2447	9/1/2017	Data Series Report, v1 Rio Grande Project, New Mexico and Texas Upper Colorado Region	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2448	1/9/2007	Operating Agreement Technical Group Meeting	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2449	4/30/2012	Response to Reclamation's April 23 Email to the NMISC Inviting Public "... Comment on the Scope and Concerns..."				
NM-2450	7/23/2011	Email string Re: Current Rio Grande Project Allocations				
NM-2451	8/11/2011	Email string RE: Confidential ACE Credit				
NM-2452	12/7/2007	Email thread RE: Draft 2007 close our and initial 2008 allocation				
NM-2453	8/15/2011	Calculation of Evaporation Losses				
NM-2454	9/18/2008	Minutes of the Water Operations Meeting	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2455	8/9/2011	News Article: State Sues to Block Water Release	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2456	4/24/2012	Email RE: River Pumpers				
NM-2457	7/27/2011	Email string RE: Credit Water Accounting				
NM-2458	1/19/2018	Meeting notes: Elephant Butte Irrigation District - 01/09/2018				
NM-2459	4/18/2017	Allocation Committee- Review Operational Manual- April 19th after 1906 Meeting				
NM-2460	10/14/2014	Email Thread Re: EBID NWRA Meeting with Principal Deputy Commissioner Lopez				
NM-2461	3/27/2016	Email thread RE: First Release				
NM-2462	8/1/2015	Rio Grande Project Operations in the Rincon and Mesilla Basins	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2463	10/31/2019	Expert Report: Barroll, Margaret, Ph.D.				
NM-2464	4/11/2018	Rio Grande Project - Operations Manual, Recommendation of Changes on 03/13/2018				
NM-2465	10/14/1988	Memo re: Contract Regarding the Delivery of Water to the El Paso County Lower Valley Water District Authority				
NM-2466	1/18/2011	RGP Adjudications	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2467	8/11/2006	Allocation Agreement Team Meeting				
NM-2468	3/25/2013	Edits to Groundwater Section				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2469	4/19/2017	Allocation Committee Review Allocation Manual				
NM-2470	6/30/2016	Request for Technical Memo (Email)				
NM-2471	3/23/2018	Final Plans for EB Releases				
NM-2472	3/15/2018	RGP Allocation and Accounting Procedures	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2473	10/20/2015	Channel Maintenance Alternatives and Sediment-transport Studies for the RG Canalization: Final Report				
NM-2474	12/8/2016	IBWC RGCP River Management Plan				
NM-2475	6/17/2014	River Sediment Management Alternatives				
NM-2476	7/27/2012	FNS Feature: A Pecan Epithet	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2477	10/30/2019	USIBWC Awards Contracts to Remove Sediment From the Rio Grande	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2478	4/26/2018	Response to Pearce letter urging channel maintenance to historic conditions (pre-1999).				
NM-2479	3/13/2012	1906 Convention - Treaty Question				
NM-2480	3/13/2012	US Allocation Meeting - March 13, 2012				
NM-2481	10/14/2014	Update on U.S. Section Activities in El Paso, Texas				
NM-2482	4/13/2018	Letter From IBWC to Gordon re Sediment Control				

No.	Date (Approx.)	Description	Category*	Objections**	Offered	Admit / Not Admit
NM-2483	3/14/2012	Re: 1906 Convention Deliveries to Mexico				
NM-2484	8/18/2014	Re: Letter from EBID - sediment control initiative - and River Sediment Management Alternatives report				
NM-2485	9/1/1995	Rio Grande Canalization Improvement Project	C	Texas Objects to Authenticity (Fed. R. Evid. 901)		
NM-2486	3/1/2016	Rio Grande Compact Engineer Advisers Meeting				
NM-2487	4/13/2018	Letter Rio Grande Canalization Project Channel Maintenance				
NM-2488	3/5/2019	RGC EA Meeting				
NM-2489		Revetment-Stabilization of the Channel of the Rio Grande				
NM-2490	6/15/2020	State of New Mexico's Disclosure of Rebuttal Expert Witnesses				
NM-2491	4/1/2017	CLC 2017 40 Year Plan - Appendices A-G (LRG-430 Subfile Order)				
NM-2492	4/1/2017	City of Las Cruces 2017 40-Year Water Development Plan				
NM-2493	1/1/2009	Appendices H (Return Flow Plan City of Las Cruces) to L - CLC 2017 40 Yr Water Plan				

In addition to the foregoing exhibits, New Mexico reserves the right to seek the introduction of any exhibit appearing on the trial exhibit list of any other party.

End Notes:

* By stipulation of the parties, all objections designated as “Category B” objections are reserved for trial.

** The parties are engaged in discussions to resolve several of the authenticity objections. If successful, New Mexico will file a supplemental exhibit list indicating withdrawn objections.

APPENDIX C

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

◆

OFFICE OF THE SPECIAL MASTER

◆

JOINT EXHIBIT LIST

August 25, 2021

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0001	12/31/1912	Rio Grande Project History 1912 1 of 2		
JT-0002	12/31/1912	Rio Grande Project History 1912 2 of 2		
JT-0003	12/31/1913	Rio Grande Project History 1913 1 of 1		
JT-0004	12/31/1914	Project History, Rio Grande Project - 1914		
JT-0005	12/31/1914	Rio Grande Project History 1914 2 of 3		
JT-0006	12/31/1914	Rio Grande Project History 1914 3 of 3		
JT-0007	12/31/1915	Project History, Rio Grande Project - 1915		
JT-0008	12/31/1915	Rio Grande Project History 1915 2 of 6		
JT-0009	12/31/1915	Rio Grande Project History 1915 3 of 6		
JT-0010	12/31/1915	Rio Grande Project History 1915 4 of 6		
JT-0011	12/31/1915	Rio Grande Project History 1915 5 of 6		
JT-0012	12/31/1915	Rio Grande Project History 1915 6 of 6		
JT-0013	12/31/1916	Rio Grande Project History 1916 1 of 6		
JT-0014	12/31/1916	Rio Grande Project History 1916 2 of 6		
JT-0015	12/31/1916	Rio Grande Project History 1916 3 of 6		
JT-0016	12/31/1916	Rio Grande Project History 1916 4 of 6		
JT-0017	12/31/1916	Rio Grande Project History 1916 5 of 6		
JT-0018	12/31/1916	Rio Grande Project History 1916 6 of 6		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0019	12/31/1917	Project History, Rio Grande Project - 1917		
JT-0020	12/31/1917	Rio Grande Project History 1917 2 of 4		
JT-0021	12/31/1917	Rio Grande Project History 1917 3 of 4		
JT-0022	12/31/1917	Rio Grande Project History 1917 4 of 4		
JT-0023	12/31/1918	Project History, Rio Grande Project - 1918		
JT-0024	12/31/1918	Rio Grande Project History 1918 2 of 9		
JT-0025	12/31/1918	Rio Grande Project History 1918 3 of 9		
JT-0026	12/31/1918	Rio Grande Project History 1918 4 of 9		
JT-0027	12/31/1918	Rio Grande Project History 1918 5 of 9		
JT-0028	12/31/1918	Rio Grande Project History 1918 6 of 9		
JT-0029	12/31/1918	Rio Grande Project History 1918 7 of 9		
JT-0030	12/31/1918	Rio Grande Project History 1918 8 of 9		
JT-0031	12/31/1918	Rio Grande Project History 1918 9 of 9		
JT-0032	12/31/1919	Rio Grande Project History 1919 1 of 9		
JT-0033	12/31/1919	Rio Grande Project History 1919 2 of 9		
JT-0034	12/31/1919	Rio Grande Project History 1919 3 of 9		
JT-0035	12/31/1919	Rio Grande Project History 1919 4 of 9		
JT-0036	12/31/1919	Rio Grande Project History 1919 5 of 9		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0037	12/31/1919	Rio Grande Project History 1919 6 of 9		
JT-0038	12/31/1919	Rio Grande Project History 1919 7 of 9		
JT-0039	12/31/1919	Rio Grande Project History 1919 8 of 9		
JT-0040	12/31/1919	Rio Grande Project History 1919 9 of 9		
JT-0041	12/31/1920	Rio Grande Project History 1920 1 of 8		
JT-0042	12/31/1920	Rio Grande Project History 1920 2 of 8		
JT-0043	12/31/1920	Rio Grande Project History 1920 3 of 8		
JT-0044	12/31/1920	Rio Grande Project History 1920 4 of 8		
JT-0045	12/31/1920	Rio Grande Project History 1920 5 of 8		
JT-0046	12/31/1920	Rio Grande Project History 1920 6 of 8		
JT-0047	12/31/1920	Rio Grande Project History 1920 7 of 8		
JT-0048	12/31/1920	Rio Grande Project History 1920 8 of 8		
JT-0049	12/31/1921	Project History, Rio Grande Project - 1921		
JT-0050	12/31/1921	Rio Grande Project History 1921 2 of 9		
JT-0051	12/31/1921	Rio Grande Project History 1921 3 of 9		
JT-0052	12/31/1921	Rio Grande Project History 1921 4 of 9		
JT-0053	12/31/1921	Rio Grande Project History 1921 5 of 9		
JT-0054	12/31/1921	Rio Grande Project History 1921 6 of 9		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0055	12/31/1921	Rio Grande Project History 1921 7 of 9		
JT-0056	12/31/1921	Rio Grande Project History 1921 8 of 9		
JT-0057	12/31/1921	Rio Grande Project History 1921 9 of 9		
JT-0058	12/31/1922	Rio Grande Project History 1922 1 of 6		
JT-0059	12/31/1922	Rio Grande Project History 1922 2 of 6		
JT-0060	12/31/1922	Rio Grande Project History 1922 3 of 6		
JT-0061	12/31/1922	Rio Grande Project History 1922 4 of 6		
JT-0062	12/31/1922	Rio Grande Project History 1922 5 of 6		
JT-0063	12/31/1922	Rio Grande Project History 1922 6 of 6		
JT-0064	12/31/1923	Project History, Rio Grande Project - 1923		
JT-0065	12/31/1923	Rio Grande Project History 1923 2 of 7		
JT-0066	12/31/1923	Rio Grande Project History 1923 3 of 7		
JT-0067	12/31/1923	Rio Grande Project History 1923 4 of 7		
JT-0068	12/31/1923	Rio Grande Project History 1923 5 of 7		
JT-0069	12/31/1923	Rio Grande Project History 1923 6 of 7		
JT-0070	12/31/1923	Rio Grande Project History 1923 7 of 7		
JT-0071	12/31/1924	Project History, Rio Grande Project - 1924		
JT-0072	12/31/1924	Rio Grande Project History 1924 2 of 3		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0073	12/31/1924	Rio Grande Project History 1924 3 of 3		
JT-0074	12/31/1925	Rio Grande Project History 1925 1 of 3		
JT-0075	12/31/1925	Rio Grande Project History 1925 2 of 3		
JT-0076	12/31/1925	Rio Grande Project History 1925 3 of 3		
JT-0077	12/31/1926	Rio Grande Project History 1926 1 of 3		
JT-0078	12/31/1926	Rio Grande Project History 1926 2 of 3		
JT-0079	12/31/1926	Rio Grande Project History 1926 3 of 3		
JT-0080	12/31/1927	Rio Grande Project History 1927 1 of 3		
JT-0081	12/31/1927	Rio Grande Project History 1927 2 of 3		
JT-0082	12/31/1927	Rio Grande Project History 1927 3 of 3		
JT-0083	12/31/1928	Project History, Rio Grande Project - 1928		
JT-0084	12/31/1928	Rio Grande Project History 1928 2 of 4		
JT-0085	12/31/1928	Rio Grande Project History 1928 3 of 4		
JT-0086	12/31/1928	Rio Grande Project History 1928 4 of 4		
JT-0087	12/31/1929	Rio Grande Project History 1929 1 of 4		
JT-0088	12/31/1929	Rio Grande Project History 1929 2 of 4		
JT-0089	12/31/1929	Rio Grande Project History 1929 3 of 4		
JT-0090	12/31/1929	Rio Grande Project History 1929 4 of 4		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0091	12/31/1930	Rio Grande Project History 1930 1 of 4		
JT-0092	12/31/1930	Rio Grande Project History 1930 2 of 4		
JT-0093	12/31/1930	Rio Grande Project History 1930 3 of 4		
JT-0094	12/31/1930	Rio Grande Project History 1930 4 of 4		
JT-0095	12/31/1931	Rio Grande Project History 1931 1 of 4		
JT-0096	12/31/1931	Rio Grande Project History 1931 2 of 4		
JT-0097	12/31/1931	Rio Grande Project History 1931 3 of 4		
JT-0098	12/31/1931	Rio Grande Project History 1931 4 of 4		
JT-0099	12/31/1932	Rio Grande Project History 1932 1 of 4		
JT-0100	12/31/1932	Rio Grande Project History 1932 2 of 4		
JT-0101	12/31/1932	Rio Grande Project History 1932 3 of 4		
JT-0102	12/31/1932	Rio Grande Project History 1932 4 of 4		
JT-0103	12/31/1933	Rio Grande Project History 1933 1 of 4		
JT-0104	12/31/1933	Rio Grande Project History 1933 2 of 4		
JT-0105	12/31/1933	Rio Grande Project History 1933 3 of 4		
JT-0106	12/31/1933	Rio Grande Project History 1933 4 of 4		
JT-0107	12/31/1934	Project History, Rio Grande Project - 1934		
JT-0108	12/31/1934	Rio Grande Project History 1934 2 of 3		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0109	12/31/1934	Rio Grande Project History 1934 3 of 3		
JT-0110	12/31/1935	Rio Grande Project History 1935 1 of 4		
JT-0111	12/31/1935	Rio Grande Project History 1935 2 of 4		
JT-0112	12/31/1935	Rio Grande Project History 1935 3 of 4		
JT-0113	12/31/1935	Rio Grande Project History 1935 4 of 4		
JT-0114	12/31/1936	Project History, Rio Grande Project - 1936		
JT-0115	12/31/1936	Rio Grande Project History 1936 2 of 5		
JT-0116	12/31/1936	Rio Grande Project History 1936 3 of 5		
JT-0117	12/31/1936	Rio Grande Project History 1936 4 of 5		
JT-0118	12/31/1936	Rio Grande Project History 1936 5 of 5		
JT-0119	12/31/1937	Rio Grande Project History 1937 1 of 5		
JT-0120	12/31/1937	Rio Grande Project History 1937 2 of 5		
JT-0121	12/31/1937	Rio Grande Project History 1937 3 of 5		
JT-0122	12/31/1937	Rio Grande Project History 1937 4 of 5		
JT-0123	12/31/1937	Rio Grande Project History 1937 5 of 5		
JT-0124	12/31/1938	Rio Grande Project History 1938 1 of 6		
JT-0125	12/31/1938	Rio Grande Project History 1938 2 of 6		
JT-0126	12/31/1938	Rio Grande Project History 1938 3 of 6		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0127	12/31/1938	Rio Grande Project History 1938 4 of 6		
JT-0128	12/31/1938	Rio Grande Project History 1938 5 of 6		
JT-0129	12/31/1938	Rio Grande Project History 1938 6 of 6		
JT-0130	12/31/1939	Rio Grande Project History 1939 1 of 6		
JT-0131	12/31/1939	Rio Grande Project History 1939 2 of 6		
JT-0132	12/31/1939	Rio Grande Project History 1939 3 of 6		
JT-0133	12/31/1939	Rio Grande Project History 1939 4 of 6		
JT-0134	12/31/1939	Rio Grande Project History 1939 5 of 6		
JT-0135	12/31/1939	Rio Grande Project History 1939 6 of 6		
JT-0136	12/31/1940	Project History, Rio Grande Project - 1940		
JT-0137	12/31/1940	Rio Grande Project History 1940 2 of 6		
JT-0138	12/31/1940	Rio Grande Project History 1940 3 of 6		
JT-0139	12/31/1940	Rio Grande Project History 1940 4 of 6		
JT-0140	12/31/1940	Rio Grande Project History 1940 5 of 6		
JT-0141	12/31/1940	Rio Grande Project History 1940 6 of 6		
JT-0142	12/31/1941	Project History, Rio Grande Project - 1941		
JT-0143	12/31/1941	Rio Grande Project History 1941 2 of 5		
JT-0144	12/31/1941	Rio Grande Project History 1941 3 of 5		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0145	12/31/1941	Rio Grande Project History 1941 4 of 5		
JT-0146	12/31/1941	Rio Grande Project History 1941 5 of 5		
JT-0147	12/31/1942	Project History, Rio Grande Project - 1942		
JT-0148	12/31/1942	Rio Grande Project History 1942 2 of 4		
JT-0149	12/31/1942	Rio Grande Project History 1942 3 of 4		
JT-0150	12/31/1942	Rio Grande Project History 1942 4 of 4		
JT-0151	12/31/1943	Rio Grande Project History 1943 1 of 7		
JT-0152	12/31/1943	Rio Grande Project History 1943 2 of 7		
JT-0153	12/31/1943	Rio Grande Project History 1943 3 of 7		
JT-0154	12/31/1943	Rio Grande Project History 1943 4 of 7		
JT-0155	12/31/1943	Rio Grande Project History 1943 5 of 7		
JT-0156	12/31/1943	Rio Grande Project History 1943 6 of 7		
JT-0157	12/31/1943	Rio Grande Project History 1943 7 of 7		
JT-0158	12/31/1944	Rio Grande Project History 1944 1 of 5		
JT-0159	12/31/1944	Rio Grande Project History 1944 2 of 5		
JT-0160	12/31/1944	Rio Grande Project History 1944 3 of 5		
JT-0161	12/31/1944	Rio Grande Project History 1944 4 of 5		
JT-0162	12/31/1944	Rio Grande Project History 1944 5 of 5		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0163	12/31/1945	Project History, Rio Grande Project - 1945		
JT-0164	12/31/1945	Rio Grande Project History 1945 2 of 6		
JT-0165	12/31/1945	Rio Grande Project History 1945 3 of 6		
JT-0166	12/31/1945	Rio Grande Project History 1945 4 of 6		
JT-0167	12/31/1945	Rio Grande Project History 1945 5 of 6		
JT-0168	12/31/1945	Rio Grande Project History 1945 6 of 6		
JT-0169	12/31/1946	Rio Grande Project History 1946 1 of 6		
JT-0170	12/31/1946	Rio Grande Project History 1946 2 of 6		
JT-0171	12/31/1946	Rio Grande Project History 1946 3 of 6		
JT-0172	12/31/1946	Rio Grande Project History 1946 4 of 6		
JT-0173	12/31/1946	Rio Grande Project History 1946 5 of 6		
JT-0174	12/31/1946	Rio Grande Project History 1946 6 of 6		
JT-0175	12/31/1947	Project History, Rio Grande Project - Calendar Year 1947		
JT-0176	12/31/1947	Rio Grande Project History 1947 2 of 8		
JT-0177	12/31/1947	Rio Grande Project History 1947 3 of 8		
JT-0178	12/31/1947	Rio Grande Project History 1947 4 of 8		
JT-0179	12/31/1947	Rio Grande Project History 1947 5 of 8		
JT-0180	12/31/1947	Rio Grande Project History 1947 6 of 8		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0181	12/31/1947	Rio Grande Project History 1947 7 of 8		
JT-0182	12/31/1947	Rio Grande Project History 1947 8 of 8		
JT-0183	12/31/1948	Rio Grande Project History 1948 1 of 8		
JT-0184	12/31/1948	Rio Grande Project History 1948 2 of 8		
JT-0185	12/31/1948	Rio Grande Project History 1948 3 of 8		
JT-0186	12/31/1948	Rio Grande Project History 1948 4 of 8		
JT-0187	12/31/1948	Rio Grande Project History 1948 5 of 8		
JT-0188	12/31/1948	Rio Grande Project History 1948 6 of 8		
JT-0189	12/31/1948	Rio Grande Project History 1948 7 of 8		
JT-0190	12/31/1948	Rio Grande Project History 1948 8 of 8		
JT-0191	12/31/1949	Rio Grande Project History 1949 1 of 7		
JT-0192	12/31/1949	Rio Grande Project History 1949 2 of 7		
JT-0193	12/31/1949	Rio Grande Project History 1949 3 of 7		
JT-0194	12/31/1949	Rio Grande Project History 1949 4 of 7		
JT-0195	12/31/1949	Rio Grande Project History 1949 5 of 7		
JT-0196	12/31/1949	Rio Grande Project History 1949 6 of 7		
JT-0197	12/31/1949	Rio Grande Project History 1949 7 of 7		
JT-0198	12/31/1950	Project History, Rio Grande Project - 1950		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0199	12/31/1950	Rio Grande Project History 1950 2 of 7		
JT-0200	12/31/1950	Rio Grande Project History 1950 3 of 7		
JT-0201	12/31/1950	Rio Grande Project History 1950 4 of 7		
JT-0202	12/31/1950	Rio Grande Project History 1950 5 of 7		
JT-0203	12/31/1950	Rio Grande Project History 1950 6 of 7		
JT-0204	12/31/1950	Rio Grande Project History 1950 7 of 7		
JT-0205	12/31/1951	Rio Grande Project History 1951 1 of 6		
JT-0206	12/31/1951	Rio Grande Project History 1951 2 of 6		
JT-0207	12/31/1951	Rio Grande Project History 1951 3 of 6		
JT-0208	12/31/1951	Rio Grande Project History 1951 4 of 6		
JT-0209	12/31/1951	Rio Grande Project History 1951 5 of 6		
JT-0210	12/31/1951	Rio Grande Project History 1951 6 of 6		
JT-0211	12/31/1952	Rio Grande Project History 1952 1 of 6		
JT-0212	12/31/1952	Rio Grande Project History 1952 2 of 6		
JT-0213	12/31/1952	Rio Grande Project History 1952 3 of 6		
JT-0214	12/31/1952	Rio Grande Project History 1952 4 of 6		
JT-0215	12/31/1952	Rio Grande Project History 1952 5 of 6		
JT-0216	12/31/1952	Rio Grande Project History 1952 6 of 6		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0217	12/31/1953	Project History, Rio Grande Project - 1953		
JT-0218	12/31/1953	Rio Grande Project History 1953 2 of 6		
JT-0219	12/31/1953	Rio Grande Project History 1953 3 of 6		
JT-0220	12/31/1953	Rio Grande Project History 1953 4 of 6		
JT-0221	12/31/1953	Rio Grande Project History 1953 5 of 6		
JT-0222	12/31/1953	Rio Grande Project History 1953 6 of 6		
JT-0223	12/31/1954	Rio Grande Project History 1954 1 of 6		
JT-0224	12/31/1954	Rio Grande Project History 1954 2 of 6		
JT-0225	12/31/1954	Rio Grande Project History 1954 3 of 6		
JT-0226	12/31/1954	Rio Grande Project History 1954 4 of 6		
JT-0227	12/31/1954	Rio Grande Project History 1954 5 of 6		
JT-0228	12/31/1954	Rio Grande Project History 1954 6 of 6		
JT-0229	12/31/1955	Rio Grande Project History 1955 1 of 5		
JT-0230	12/31/1955	Rio Grande Project History 1955 2 of 5		
JT-0231	12/31/1955	Rio Grande Project History 1955 3 of 5		
JT-0232	12/31/1955	Rio Grande Project History 1955 4 of 5		
JT-0233	12/31/1955	Rio Grande Project History 1955 5 of 5		
JT-0234	12/31/1956	Project History, Rio Grande Project - 1956		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0235	12/31/1956	Rio Grande Project History 1956 2 of 4		
JT-0236	12/31/1956	Rio Grande Project History 1956 3 of 4		
JT-0237	12/31/1956	Rio Grande Project History 1956 4 of 4		
JT-0238	12/31/1957	Rio Grande Project History 1957 1 of 5		
JT-0239	12/31/1957	Rio Grande Project History 1957 2 of 5		
JT-0240	12/31/1957	Rio Grande Project History 1957 3 of 5		
JT-0241	12/31/1957	Rio Grande Project History 1957 4 of 5		
JT-0242	12/31/1957	Rio Grande Project History 1957 5 of 5		
JT-0243	12/31/1958	Rio Grande Project History 1958 1 of 5		
JT-0244	12/31/1958	Rio Grande Project History 1958 2 of 5		
JT-0245	12/31/1958	Rio Grande Project History 1958 3 of 5		
JT-0246	12/31/1958	Rio Grande Project History 1958 4 of 5		
JT-0247	12/31/1958	Rio Grande Project History 1958 5 of 5		
JT-0248	12/31/1959	Project History, Rio Grande Project - 1959		
JT-0249	12/31/1959	Rio Grande Project History 1959 2 of 5		
JT-0250	12/31/1959	Rio Grande Project History 1959 3 of 5		
JT-0251	12/31/1959	Rio Grande Project History 1959 4 of 5		
JT-0252	12/31/1959	Rio Grande Project History 1959 5 of 5		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0253	12/31/1960	Rio Grande Project History 1960 1 of 4		
JT-0254	12/31/1960	Rio Grande Project History 1960 2 of 4		
JT-0255	12/31/1960	Rio Grande Project History 1960 3 of 4		
JT-0256	12/31/1960	Rio Grande Project History 1960 4 of 4		
JT-0257	12/31/1961	Project History, Rio Grande Project - 1961		
JT-0258	12/31/1961	Rio Grande Project History 1961 2 of 4		
JT-0259	12/31/1961	Rio Grande Project History 1961 3 of 4		
JT-0260	12/31/1961	Rio Grande Project History 1961 4 of 4		
JT-0261	12/31/1962	Rio Grande Project History 1962 1 of 4		
JT-0262	12/31/1962	Rio Grande Project History 1962 2 of 4		
JT-0263	12/31/1962	Rio Grande Project History 1962 3 of 4		
JT-0264	12/31/1962	Rio Grande Project History 1962 4 of 4		
JT-0265	12/31/1963	Rio Grande Project History 1963		
JT-0266	12/31/1964	Rio Grande Project History 1964 1 of 4		
JT-0267	12/31/1964	Rio Grande Project History 1964 2 of 4		
JT-0268	12/31/1964	Rio Grande Project History 1964 3 of 4		
JT-0269	12/31/1964	Rio Grande Project History 1964 4 of 4		
JT-0270	12/31/1965	Project History, Rio Grande Project - 1965		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0271	12/31/1965	Rio Grande Project History 1965 2 of 4		
JT-0272	12/31/1965	Rio Grande Project History 1965 3 of 4		
JT-0273	12/31/1965	Rio Grande Project History 1965 4 of 4		
JT-0274	12/31/1966	Rio Grande Project History 1966 1 of 2		
JT-0275	12/31/1966	Rio Grande Project History 1966 2 of 2		
JT-0276	12/31/1967	Project History, Rio Grande Project - 1967		
JT-0277	12/31/1967	Rio Grande Project History 1967 2 of 3		
JT-0278	12/31/1967	Rio Grande Project History 1967 3 of 3		
JT-0279	12/31/1968	Rio Grande Project History 1968 1 of 2		
JT-0280	12/31/1968	Rio Grande Project History 1968 2 of 2		
JT-0281	12/31/1969	Project History, Rio Grande Project - 1969		
JT-0282	12/31/1969	Rio Grande Project History 1969 2 of 2		
JT-0283	12/31/1970	Project History, Rio Grande Project - 1970		
JT-0284	12/31/1970	Rio Grande Project History 1970 2 of 2		
JT-0285	12/31/1971	Project History, Rio Grande Project - 1971		
JT-0286	12/31/1971	Rio Grande Project History 1971 2 of 2		
JT-0287	12/31/1972	Rio Grande Project History 1972 1 of 3		
JT-0288	12/31/1972	Rio Grande Project History 1972 2 of 3		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0289	12/31/1972	Rio Grande Project History 1972 3 of 3		
JT-0290	12/31/1973	Rio Grande Project History 1973 1 of 3		
JT-0291	12/31/1973	Rio Grande Project History 1973 2 of 3		
JT-0292	12/31/1973	Rio Grande Project History 1973 3 of 3		
JT-0293	12/31/1974	Rio Grande Project History 1974 1 of 2		
JT-0294	12/31/1974	Rio Grande Project History 1974 2 of 2		
JT-0295	12/31/1975	Project History, Rio Grande Project - 1975		
JT-0296	12/31/1975	Rio Grande Project History 1975 2 of 3		
JT-0297	12/31/1975	Rio Grande Project History 1975 3 of 3		
JT-0298	12/31/1976	Rio Grande Project History 1976 1 of 3		
JT-0299	12/31/1976	Rio Grande Project History 1976 2 of 3		
JT-0300	12/31/1976	Rio Grande Project History 1976 3 of 3		
JT-0301	12/31/1977	Rio Grande Project History 1977 1 of 2		
JT-0302	12/31/1977	Rio Grande Project History 1977 2 of 2		
JT-0303	12/31/1978	Rio Grande Project History 1978 1 of 2		
JT-0304	12/31/1978	Rio Grande Project History 1978 2 of 2		
JT-0305	12/31/1979	Project History, Rio Grande Project - 1979		
JT-0306	12/31/1979	Rio Grande Project History 1979 2 of 2		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0307	12/31/1980	Project History, Rio Grande Project - 1980		
JT-0308	12/31/1980	Rio Grande Project History 1980 2 of 3		
JT-0309	12/31/1980	Rio Grande Project History 1980 3 of 3		
JT-0310	12/31/1981	Rio Grande Project History 1981 1 of 2		
JT-0311	12/31/1981	Rio Grande Project History 1981 2 of 2		
JT-0312	12/31/1982	Rio Grande Project History 1982 1 of 2		
JT-0313	12/31/1982	Rio Grande Project History 1982 2 of 2		
JT-0314	12/31/1983	Project History, Rio Grande Project - 1983		
JT-0315	12/31/1983	Rio Grande Project History 1983 2 of 2		
JT-0316	12/31/1984	Project History, Rio Grande Project - 1984		
JT-0317	12/31/1984	Rio Grande Project History 1984 2 of 2		
JT-0318	12/31/1985	Project History, Rio Grande Project - 1985		
JT-0319	12/31/1985	Rio Grande Project History 1985 2 of 2		
JT-0320	12/31/1986	Rio Grande Project History 1986 1 of 2		
JT-0321	12/31/1986	Rio Grande Project History 1986 2 of 2		
JT-0322	12/31/1987	Rio Grande Project History 1987 1 of 3		
JT-0323	12/31/1987	Rio Grande Project History 1987 2 of 3		
JT-0324	12/31/1987	Rio Grande Project History 1987 3 of 3		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0325	12/31/1988	Project History, Rio Grande Project - 1988		
JT-0326	12/31/1988	Rio Grande Project History 1988 2 of 3		
JT-0327	12/31/1988	Rio Grande Project History 1988 3 of 3		
JT-0328	12/31/1989	Project History, Rio Grande Project - 1989		
JT-0329	1/16/1931	First Annual Report of the Rio Grande Compact Committee		
JT-0330	2/12/1932	1932 - Second Annual Report of the Rio Grande Compact Commission		
JT-0331	1/1/1933	1933 - Third Annual Report of the Rio Grande Compact Commission		
JT-0332	1/1/1934	1934 - Fourth Annual Report of the Rio Grande Compact Commission		
JT-0333	1/1/1935	1935 - Fifth Annual Report of the Rio Grande Compact Commission		
JT-0334	1/29/1936	1936 - Sixth Annual Report of the Rio Grande Compact Commission		
JT-0335	1/27/1937	1937 - Seventh Annual Report of the Rio Grande Compact Committee		
JT-0336	1/1/1940	1939 -1940 First and Second Annual Reports of the RGCC		
JT-0337	2/24/1941	1941 - Third Annual Report of the Rio Grande Compact Commission		
JT-0338	10/16/1942	1942 - Fourth Annual Report of the Rio Grande Compact Commission		
JT-0339	2/24/1944	1943 - Fifth Annual Report of the Rio Grande Compact Commission		
JT-0340	2/10/1945	1944 - Sixth Annual Report of the Rio Grande Compact Commission		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0341	2/27/1946	1945 - Seventh Annual Report of the Rio Grande Compact Commission		
JT-0342	2/20/1947	1946 - Eighth Annual Report of the Rio Grande Compact Commission		
JT-0343	2/24/1948	1947 - Ninth Annual Report of the Rio Grande Compact Commission		
JT-0344	2/6/1949	1948 - Annual Report of the RIO GRANDE COMPACT COMMISSION		
JT-0345	2/23/1950	1949 - Eleventh Annual Report of the Rio Grande Compact Commission		
JT-0346	2/24/1951	1950 - Twelfth Annual Report of the Rio Grande Compact Commission		
JT-0347	1/1/1952	1952-1958 - Fourteenth through Twentieth Annual Report of the Rio Grande Compact Commission		
JT-0348	2/26/1952	1951 - Thirteenth Annual Report of the Rio Grande Compact Commission		
JT-0349	2/18/1960	1959 - Twenty-First Annual Report of the Rio Grande Compact Commission		
JT-0350	2/18/1961	1960 - Twenty-Second Annual Report of the Rio Grande Compact Commission		
JT-0351	2/15/1962	1961 - Twenty-Third Annual Meeting of the Rio Grande Compact Commission		
JT-0352	2/21/1963	1962 - Twenty-Fourth Annual Report of the Rio Grande Compact Commission		
JT-0353	2/20/1964	1963 - Twenty-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0354	2/18/1965	1964 - Twenty-Sixth Annual Report of the Rio Grande Compact Commission		
JT-0355	2/17/1966	1965 - Twenty-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0356	2/16/1967	1966 - Twenty-Eighth Annual Report of the Rio Grande Compact Commission		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0357	2/19/1968	1967 - Twenty-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0358	5/15/1969	1968 - Thirtieth Annual Report of the Rio Grande Compact Commission		
JT-0359	3/5/1970	1969 - Thirty-First Annual Report of the Rio Grande Compact Commission		
JT-0360	2/18/1971	1970 - Thirty-Second Annual Report of the Rio Grande Compact Commission		
JT-0361	4/21/1972	1971 - Thirty-Third Annual Report of the Rio Grande Compact Commission		
JT-0362	3/20/1973	1972 - Thirty-Fourth Annual Report of the Rio Grande Compact Commission		
JT-0363	3/28/1974	1973 - Thirty-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0364	3/27/1975	1974 - Thirty-Sixth Annual Report of the Rio Grande Compact Commission		
JT-0365	3/18/1976	1975 - Thirty-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0366	3/24/1977	1976 - Thirty-Eighth Annual Report of the Rio Grande Compact Commission		
JT-0367	3/23/1978	1977 - Thirty-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0368	3/29/1979	1978 - Fortieth Annual Report of the Rio Grande Compact Commission		
JT-0369	3/27/1980	1979 - Forty-First Annual Report of the Rio Grande Compact Commission		
JT-0370	3/26/1981	1980 - Forty-Second Annual Report of the Rio Grande Compact Commission		
JT-0371	3/25/1982	1981 - Forty-Third Annual Report of the Rio Grande Compact Commission		
JT-0372	3/24/1983	1982 - Forty-Fourth Annual Report of the Rio Grande Compact Commission		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0373	3/22/1984	1983 - Forty-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0374	3/28/1985	1984 - Forty-Sixth Annual Report of the Rio Grande Compact Commission		
JT-0375	3/27/1986	1985 - Forth-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0376	4/2/1987	1986 - Forty-Eighth Annual Report of the Rio Grande Compact Commission		
JT-0377	4/7/1988	1987 - Forty-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0378	3/28/1989	1988 - Fiftieth Annual Report of the Rio Grande Compact Commission		
JT-0379	3/22/1990	1989 - Fifty-First Annual Report of the Rio Grande Compact Commission		
JT-0380	4/29/1991	1990 - Fifty-Second Annual Report of the Rio Grande Compact Commission		
JT-0381	3/26/1992	1991 - Fifty-Third Annual Report of the Rio Grande Compact Commission		
JT-0382	6/15/1993	1992 - Fifty-Fourth Annual Report of the Rio Grande Compact Commission		
JT-0383	3/31/1994	1993 - Fifty-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0384	3/23/1995	1994 - Fifty-Sixth Annual Meeting of the Rio Grande Compact Commission		
JT-0385	4/16/1996	1995 - Fifty-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0386	8/18/1997	1996 - Fifty-Eighth Annual Report of the Rio Grande Compact Commission		
JT-0387	3/26/1998	1997 - Fifty-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0388	3/25/1999	1998 - Sixtieth Annual Report of the Rio Grande Compact Commission		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0389	3/23/2000	1999 - Sixty-First Annual Report of the Rio Grande Compact Commission		
JT-0390	3/22/2001	2000 - Sixty-Second Annual Report of the Rio Grande Compact Commission		
JT-0391	3/21/2002	2001 - Sixty-Third Annual Report of the Rio Grande Compact Commission		
JT-0392	3/27/2003	2002 - Sixty-Forth Annual Report of the Rio Grande Compact Commission		
JT-0393	3/25/2004	2003 - Sixty-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0394	3/31/2005	2004 - Sixty-Sixth Annual Report of the Rio Grande Compact Commission		
JT-0395	3/23/2006	2005 - Sixty-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0396	3/22/2007	2006 - Sixty-Eighth Annual Report of the Rio Grande Compact Commission		
JT-0397	3/27/2008	2007 - Sixty-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0398	6/26/2009	2008 - Seventieth Annual Report of the Rio Grande Compact Commission		
JT-0399	3/26/2010	2009 - Seventy-First Annual Report of the Rio Grande Compact Commission		
JT-0400	3/30/2011	2010 - Seventy-Second Annual Report of the Rio Grande Compact Commission		
JT-0401	12/21/2012	2011 - Seventy-Third Annual Report of the Rio Grande Compact Commission		
JT-0402	3/21/2013	2012 - Seventy-Fourth Annual Report of the Rio Grande Compact Commission		
JT-0403	3/20/2014	2013 - Seventy-Fifth Annual Report of the Rio Grande Compact Commission		
JT-0404	3/24/2015	2014 - Seventy-Sixth Annual Report of the Rio Grande Compact Commission		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0405	3/31/2016	2015 - Seventy-Seventh Annual Report of the Rio Grande Compact Commission		
JT-0406	4/5/2017	2016 - Seventy-Eighth Annual Report of the Rio Grande Compact Commission		
JT-0407	3/29/2018	2017 - Seventy-Ninth Annual Report of the Rio Grande Compact Commission		
JT-0408	4/4/2019	2018 - Annual Report of the Rio Grande Compact Commission		
JT-0409	11/12/2020	2019 - Eighty-first Annual Report of the Rio Grande Compact Commission		
JT-0410	1/15/2015	Memorandum of Understanding between El Paso Water Utilities and the El Paso Water Improvement District No. 1 Regarding Other Usable Sewage Effluent under the 2001 Contract, Drainage of Runoff from Rio Bosque Land, and Construction and Operation of Riverside Regulating Reservoir dated January 15, 2015		
JT-0411	8/31/2015	New Mexico Universities Working Group on Water Supply Vulnerabilities Final Report to the Interim Committee on Water and Natural Resources dated August 31, 2015		
JT-0412	4/6/1983	Discussion of Project Accounting w/r/t EPWU Contract drain to canal diversions		
JT-0413	6/10/2020	The State of Texas's Amended Third Supplemental Disclosure of Expert Witness Information		
JT-0414	12/27/1937	Report of Committee of Engineers to Rio Grande Compact Commission		
JT-0415	3/18/1938	1938 - Proceedings of the Meeting of the Rio Grande Compact Commission Held at Santa Fe, New Mexico, March 3rd to March 18th, inc. 1938		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0416	10/1/1937	Rio Grande Compact Commission Meeting Proceedings Held in Santa Fe New Mexico September 27 to October 1, 1937		
JT-0417	1/10/1990	Letter: Dealing With El Paso's Water Problem		
JT-0418	8/5/2003	Emergency Authorization to Use Existing Wells as Supplemental Wells to EBID in Case No. LRG-1776		
JT-0419	12/31/2020	EBID Policies (undated)		
JT-0420		Description of Flat Rate Irrigation Also Known As Small Tract Irrigation (undated)		
JT-0421	1/1/2007	Irrigation Information		
JT-0422	1/9/1994	Return Flow-Rio Grande Project		
JT-0423	5/15/2003	Re: Emergency Application for Permit for Supplemental Wells - Local Impairment Analysis and Issues for Consideration		
JT-0424	1/3/1989	Rio Grande Project Histories (Future Work), Bureau of Reclamation		
JT-0425	2/1/1978	Bureau of Reclamation License Agreement with El Paso County Water Improvement District 1 for Installation of 4 Water Wells		
JT-0426	2/16/1938	1938 Downstream Contract		
JT-0427	6/28/2006	First Public Draft - Proposed Rules and Regulations Providing for AWRM of the Waters of the LRG Water Master District		
JT-0428	2/25/1952	Rio Grande Compact, Act of May 31, 1939, 53 Stat. 785 ("Compact") (Amended)		
JT-0429	1/1/1929	Comments on Compact Negotiations (undated, approx. 1929)		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0430	11/1/1919	Report to Bureau of Reclamation: Rio Grande Project, Report on Water Supply and Project Area High Line Canal Construction Power Development and City Water Supplies		
JT-0431	11/1/1904	A Discussion of the Past and Present Plans for Irrigation of the Rio Grande Valley		
JT-0432	11/15/1904	The Official Proceedings of the Twelfth National Irrigation Congress Held at El Paso, Texas, Nov. 15-16-17-18, 1904		
JT-0433	11/26/1928	Report of Seepage Study on Rio Grande Between Elephant Butte Dam and Leasburg Dam		
JT-0434	2/7/1927	Letter from J.W. Taylor to D.C. Henny		
JT-0435	1/1/1929	Rio Grande Compact: Report of Commissioner for New Mexico and Memorandum of Law on Interstate Compacts on Interstate Streams		
JT-0436	3/7/2007	TCEQ Certificate of Adjudication No. 23-5940 (of US water rights)		
JT-0437	4/2/1938	Provisions of the Rio Grande Compact		
JT-0438	12/22/1904	Elephant Butte Water Users Association, Articles of Incorporation		
JT-0439	5/21/1906	Convention between the United States and Mexico Providing for the Equitable Distribution of the Waters of the Rio Grande for Irrigation Purposes		
JT-0440	1/29/1985	1985 Operating Agreement for the Rio Grande Project		
JT-0441	3/14/2008	Re: Section 729 Salinity Management feasibility Study in the Upper Rio Grande		
JT-0442	8/30/2007	Comments on the Second Draft of Rules and Regulations for Active Water Resources Administration of the Waters of the Lower Rio Grande Water Master District		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0443	4/20/2007	Affidavit of Filiberto Cortez In EPCWID v EBID and BOR		
JT-0444	9/1/1947	Conover, Clyde S. Preliminary Memorandum on Ground-Water Supplies for Elephant Butte Irrigation District, September 1947		
JT-0445	2/1/2005	Prediction Accuracy for Projectwide Evapotranspiration Using Crop Coefficients and Reference Evapotranspiration		
JT-0446	4/1/1903	Pumping for Irrigation from Wells		
JT-0447	3/23/2017	Rebuttal testimony of Joel Kimmelshue, PHD, CPSS		
JT-0448	5/3/2004	Evapotranspiration of flood-irrigated pecans.		
JT-0449	2/19/2010	Agreement for the Sale of Sewage Effluent for Irrigation between Hudspeth County Conservation and Reclamation District No. 1 and the El Paso County Water Improvement District No. 1		
JT-0450	6/4/2020	Estimating Water Needs for Pecan Trees Guide H-636 by New Mexico State University		
JT-0451	5/3/2007	Energy Balance Measurements and a Simple Model for Estimating Pecan Water Use Efficiency dated May 3, 2007		
JT-0452		Yield Response to Water In Irrigated New Mexico Pecan Production: Measurements & Policy Implications by R. Skaggs, Z. Samani, A.S. Bawazir, M. Bleiweiss		
JT-0453	11/26/1937	Memorandum Re: Meeting of Committee of Engineers, at Santa Fe, November 22 to 24, 1937		
JT-0454	4/13/1902	Second Annual Report of the Reclamation Service, H.R. Doc. No. 58-44		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0455	1/6/1911	61st Congress, 3rd Session, House of Representatives, Document No. 1262: Fund for Reclamation of Arid Lands. Message from the President of the United States Transmitting a Report of the Board of Army Engineers in Relation to the Reclamation Fund		
JT-0456	1/1/1994	TX_00175492 Rio Grande Project		
JT-0457	6/18/1919	Extract of Report to Bureau of Reclamation: Water Supply of the Rio Grande River (extract)		
JT-0458	10/16/1938	TX Compact Commissioner discusses Clark's challenges to the Compact		
JT-0459	10/1/1949	Ground-Water Resources of the El Paso Area, Texas, Progress Report No. 6		
JT-0460	3/25/2004	Resolution of the Rio Grande Compact Commission Concerning Federal Agency Operations of Their Water-Related Facilities on the Rio Grande Compact Accounting		
JT-0461	5/3/2012	River pumpers		
JT-0462	7/1/1952	River Loss Caballo Dam to El Paso and Irrigation Wells		
JT-0463	11/14/2012	Elephant Butte Irrigation District Policy 2012-GW-1		
JT-0464	1/23/1906	B. M. Hall, Supervising Engineer, to Mr. David L. White, Territorial Irrigation Engineer		
JT-0465	6/27/1906	Contract between US, EBID, EPCWID, for Project Construction and Repayment		
JT-0466	1/12/1905	Observations on the Ground Waters of Rio Grande Valley		
JT-0467	9/11/1980	TX_00175935 State Engineer Order No. 126: Declaring the LRG Underground Water Basin		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0468	9/17/1982	State Engineer Order #135: In the Matter of State Engineer Special Order No. 135 Declaring an Extension of the Lower Rio Grande Underground Water Basin in Dona Ana, Grant and Sierra Counties		
JT-0469	6/29/1956	Friedkin, J.F., Memorandum re: 1906 Treaty Deliveries to Mexico		
JT-0470	3/5/2008	Bureau of Reclamation, Rio Grande Project Allocation of Project Water Supply ("Reclamation Data Table")		
JT-0471	10/30/2000	Order Granting the State's Motion to Dismiss the United States' Claims to Groundwater and Denying the United States' Motion for Summary Judgment, State of New Mexico ex rel. Office of the State Engineer v. Elephant Butte Irrigation District, CV- 96-888 In the Third Judicial District, Dona Ana County, State of New Mexico (SS104 Summary Judgment Order)		
JT-0472	8/16/2012	Order Granting the States Motion to Dismiss the United States Claims to Groundwater and Denying the United States Motion for Summary Judgment:D-307-CV-96-888		
JT-0473	4/17/2017	Findings of Fact and Conclusions of Law, State of New Mexico ex rel. Office of the State Engineer v. Elephant Butte Irrigation District, CV-96-888 In the Third Judicial District, Dona Ana County, State of New Mexico (SS104 Findings)		
JT-0474	8/22/2011	Final Judgment, State of New Mexico ex rel. Office of the State Engineer v. Elephant Butte Irrigation District, CV-96-888 In the Third Judicial District, Dona Ana County, State of New Mexico (SS101 LRG Adjudication Order)		

Joint Exhibit #	Date (Approx.)	Description	Offered*	Admit / Not Admit
JT-0475	6/17/1930	1929 Temporary Rio Grande Compact		

End Notes:

- * A number of parties have reserved objections to documents on the Joint Exhibit List. Accordingly, the parties do not agree that these documents may be offered into evidence at the beginning of trial. The parties stipulate that joint exhibits must be offered and accepted into evidence through witness examination in the ordinary course.

APPENDIX D

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

◆

OFFICE OF THE SPECIAL MASTER

◆

**STATE OF NEW MEXICO'S DEPOSITION DESIGNATIONS,
COUNTER-DESIGNATIONS, AND
UNRESOLVED OBJECTIONS TO DEPOSITION TESTIMONY
DESIGNATED BY TEXAS**

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**Counsel of Record*

August 25, 2021

I. New Mexico's Deposition Designations to be Admitted into Evidence (No Unresolved Objections)

Comes now the State of New Mexico, pursuant to Section IV of the April 9, 2021 Trial Management Order ("TMO") and submits as evidence the testimony of the following witnesses by designation as provided in the attached exhibits:¹

1. Remote Oral and Videotaped 30(b)(6) Deposition of the Texas Commission on Environmental Quality by and through Cari-Michel La Caille, taken on September 3, 2020, at **Exhibit A**. No counter-designations were proffered.
2. Remote Oral and Videotaped 30(b)(6) Deposition of the Texas Commission on Environmental Quality by and through Robin Cypher, taken on September 21, 2020 at **Exhibit B**. No counter-designations were proffered.
3. Remote Oral and Videotaped 30(b)(6) Deposition of the Texas Water Development Board by and through Temple McKinnon, taken on August 31, 2020 at **Exhibit C**. No counter-designations were proffered.
4. Remote Oral and Videotaped 30(b)(6) Deposition of the International Boundary and Water Commission U.S. Section by and through Rosalba Montes, taken on October 26, 2020 at **Exhibit D**. No counter-designations were proffered.
5. Remote Oral and Videotaped Deposition of United States history expert Nicolai Kryloff, taken on August 06, 2020 at **Exhibit E**. No counter-designations were proffered.

II. New Mexico's Unresolved Objections to the Texas Deposition Designations²

On June 30, 2021, Texas served deposition designations as to the following four (4) witnesses in its Texas Deposition Designations Pursuant to Section IV of the April 9, 2021 Trial Management Order ("Texas Designations") as specified in the following exhibits:

¹ These designations are provided for the "Phase 1" portion of the trial on liability as described by the Special Master in ¶ IX of the April 9, 2021 Trial Management Order [Dkt. 505] and ¶ 3 of the June 4, 2021 Order [Dkt. 508]. New Mexico anticipates separate witness and exhibit lists and designations will be required for "Phase 2" of the trial on quantification of damages and remedies.

² New Mexico and Texas met and conferred on August 13, 2021 via telephone and via subsequent email communications and were unable to reach a resolution regarding objections to the Parties' deposition designations as stated herein.

1. Dr. Margaret Barroll: **Exhibit F,³ and**
(October 21, 2020) **Exhibit F(1) – TX_MSJ_007671-TX_MSJ_007676**
(correcting testimony on pages 46-47 of the Barroll 10-21-2020 deposition)
2. John Longworth: **Exhibit G**
(November 20, 2020)
3. Estevan Lopez, P.E.: **Exhibit H**
(September 18, 2020)
4. Cheryl Thacker: **Exhibit I**
(September 18, 2020)

Pursuant to Section IV of the TMO, New Mexico objects as follows to the Texas Deposition Designations:

A. The Texas Designations are cumulative, repetitious, and redundant

New Mexico objects to the Texas Designations of Dr. Margaret Barroll, Mr. John Longworth, and Mr. Estevan Lopez in their entirety as cumulative, repetitious, and redundant of live testimony to be offered at trial. These three witnesses are considered key witnesses by all Parties and collectively have been subject to sixteen (16) depositions in this case by Texas and the United States. These three witnesses are listed as “will call” witnesses on New Mexico’s June 30, 2021 Second Trial Witness List and were also listed as “will call” witnesses on Texas’s June 30 Trial Witness List. They are all listed in The State of New Mexico’s Estimated Witness Order List Pursuant to Section III of the April 9, 2021 Trial Management Order, provided to all Parties on August 17, 2021. Despite the fact that it is clear these three witnesses will all be called to provide live testimony at trial, Texas seeks to *also* provide designated testimony.

³ These exhibits specify not only the Texas designations, but also the New Mexico counter-designations as discussed below in Section II(E). By submitting counter-designations, New Mexico does not waive its objections. Texas designations are in green and New Mexico counter-designations are in orange.

B. The Texas Designations contravene the mandate of the TMO

The Texas designations do not conform to the intent of TMO § IV, which states in pertinent part:

“[T]he Parties shall also indicate as to each such witness whether the witness will testify live ***OR*** by deposition. As to any witness designated to testify by deposition, the Party so designating shall serve together with the witness designation a written designation . . . of those portions of the deposition the offering Party intends to offer into evidence.” (Emphasis added).

New Mexico believes that the intent of the “Deposition Designations” section of the TMO is to describe the submission of the entirety of witness testimony by designation, where possible, rather than to encourage the submission of what is otherwise cross-examination or impeachment material for live trial witnesses. In other words, the TMO provides for mutually exclusive live ***or*** deposition-designated testimony. Inasmuch as these will undoubtedly be live witnesses, the submission of excerpts of their deposition testimony contravenes the intent of TMO § IV.

In the meet and confer, Texas took the position that the designated testimony was proffered under Fed.R.Civ.P 32(a)(2) and therefore not subject to the TMO mandate. However, where evidence offered under Fed.R.Civ.P 32(a)(2) is repetitions or cumulative, it may properly be rejected. *Gauthier v. Crosby Marine Serv., Inc.*, 752 F.2d 1085, 1089 (5th Cir. 1985) (district court properly excluded Rule 32(a)(2) deposition testimony from evidence as repetitious); *Fenstermacher v. Philadelphia Nat. Bank*, 493 F.2d 333, 338 (3d Cir. 1974) (“The district judge's refusal to permit the introduction of the depositions into evidence [pursuant to FRCP 32(a)(2)] was not prejudicial, however, since the depositions do not appear to add any information to that given in oral testimony by the deponents and otherwise developed at the hearing.”).

The Texas Designations should be rejected as repetitious and cumulative and an inappropriate and wasteful use of trial time for the Parties and the Special Master.

C. The Texas Designations contain objectionable questions

Should the Special Master not reject the Texas Designations of Dr. Barroll, Mr. Longworth, and Mr. Lopez in their entirety, New Mexico re-asserts all objections lodged by counsel for New Mexico during the subject depositions within the designated and counter-designated transcripts as follows, and to include the Texas Designations of Cheryl Thacker:

QUESTION AND ANSWER	OBJECTION LODGED	RELIEF
Barroll 52:13-53:4	52:17-19	Form, beyond scope objections operate to preclude admittance of the testimony.
Barroll 69:20-70:15	69:23, 70:7	Form objection operates to preclude admittance of the testimony.
Lopez 18:14-19:1	18:17, 22-23	Form and beyond scope objections operate to preclude admittance of the testimony.
Lopez 23:8-16	23:11	Form objection operates to preclude admittance of the testimony.
Lopez 25:17-26:10	25:20	Form objection operates to preclude admittance of the testimony.
Lopez 31:8-20	31:14, 19	Form and beyond scope objections operate to preclude admittance of the testimony.
Thacker 58:3-60:15	58:6; 58:12; 59:15-16; 60:6	Form, foundation, and legal opinion objections operate to preclude admittance of the testimony.

QUESTION AND ANSWER	OBJECTION LODGED	RELIEF
Thacker 62:3-64:4	62:13-14; 63:7; 63:21-22	Form, foundation, and legal opinion objections operate to preclude admittance of the testimony.

D. Most of the Thacker Texas Designations should be stricken as superseded.

In addition to the specific objections lodged by counsel for New Mexico in the Cheryl Thacker deposition, New Mexico objects to the designation of any Thacker testimony related to “Topic C” and the first bullet of “Topic D” of the United States’ Notice of Rule 30(b)(6) Deposition.

The United States’ Notice of Rule 30(b)(6) Deposition to New Mexico consisted of several topics and subtopics. In its Objections and Witness Designations to the United States’ Notice of Rule 30(b)(6) Deposition and to State of Texas’s Cross-Notice, served September 10, 2020 and attached hereto as **Exhibit J**, New Mexico carefully designated its witnesses to specific topics and subtopics. *Id.* However, at the September 18, 2020 deposition of New Mexico witness Cheryl Thacker, it became clear the delineations New Mexico tried to effect between its witnesses for “Topic C” were unclear to the United States. There was also confusion as to the scope of part of “Topic D.” *See id.* at pages 9-12; *see also* objections lodged by New Mexico counsel throughout the Cheryl Thacker designated testimony, **Exhibit I**.

Thereafter, New Mexico and the United States discussed the issue and the United States clarified the testimony it was seeking while New Mexico clarified the distinctions it was drawing between the designated witnesses. New Mexico offered, and the United States accepted, to designate another witness capable of answering the Topic C and Topic D questions as clarified. New Mexico issued new Rule 30(b)(6) witness designations and objections. *See Amended*

Objections and Witness Designations to the United States' Notice of Rule 30(b)(6) Deposition filed October 15, 2020, served October 19, 2020 and attached hereto as **Exhibit K** (PDF pages 10-12].

On October 21, 2020 the United States deposed Peggy Barroll on the subject Topics *See id.* and Barroll Designated Testimony, **Exhibit F** at 11:2-7. Thus, any testimony by Cheryl Thacker as to Topic C issues and Topic D (first bullet) are superseded and immaterial and the Texas designations of such testimony should be stricken. New Mexico provided the following specific objections to Texas following the meet-and-confer, and stands on these objections:

THACKER TESTIMONY	TOPIC / SUPERSEDED BY BARROLL 30(B)(6) TESTIMONY	COUNTER-DESIGNATIONS TO BE WITHDRAWN IF TX WITHDRAWS DESIGNATION, WHICH INCLUDES NM-LODGED OBJECTIONS
15:8-13	Topic C	12:12-13:16; 13:23-15:7
16:9-22	Topic C	17:10-15
17:16-22	Topic C	17:23-18:4; 21:10-25:17
69:5-10	Topic C	Topic C discussion; outside scope
72:14-73:15	Topic C	Topic C discussion; outside scope
82:13-19	Topic C	Topic C discussion; outside scope

E. New Mexico's Deposition Counter-Designations to be Admitted into Evidence (No Unresolved Objections)

D

Should the Special Master determine not to admit as evidence any or all of the Texas Designations, New Mexico has submitted counter-designations pursuant to Section IV of the TMO New Mexico hereby submits its counter-designations to the Texas Designations. New

Mexico's counter-designations as well as Texas's designations are specified in the attached exhibits:

- | | |
|---|--|
| 1. Dr. Margaret Barroll:
(October 21, 2020) | Exhibit F, and
Exhibit F(1) – TX_MSJ_007671-TX_MSJ_007676
(correcting testimony on pages 46-47 of the Barroll 10-21-
2020 deposition) |
| 2. John Longworth:
(November 20, 2020) | Exhibit G |
| 3. Estevan Lopez, P.E.:
(September 18, 2020) | Exhibit H |
| 4. Cheryl Thacker:
(September 18, 2020) | Exhibit I |

Dated: August 25, 2021

Respectfully submitted,

By: /s/ Jeffrey J. Wechsler
Jeffrey J. Wechsler

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Volume 1 - 09/03/2020

Summary Proceeding with Highlighted Clips

Printed 06/21/2021 04:59PM CDT

CONFIDENTIAL

NM Direct Designation

EXHIBIT

A

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,) Original Action Case
) No. 220141
06: VS.) (Original 141)
)
07: STATE OF NEW MEXICO,)
and STATE OF COLORADO,)
08:)
Defendants.)

09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: CARI-MICHEL LA CAILLE
14: SEPTEMBER 3, 2020
15: *****

16:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of
17: CARI-MICHEL LA CAILLE, produced as a witness at the
instance of the Defendant State of New Mexico, and
18: duly sworn, was taken in the above-styled and numbered
cause on September 3, 2020, from 1:02 p.m. to 2:03
19: p.m., before Heather L. Garza, CSR, RPR, in and for
the State of Texas, recorded by machine shorthand, at
20: the offices of HEATHER L. GARZA, CSR, RPR, The
Woodlands, Texas, pursuant to the Federal Rules of
21: Civil Procedure and the provisions stated on the
record or attached hereto; that the deposition shall
22: be read and signed.

23:
24:
25:

(continued page 00002)

0002

01: R E M O T E A P P E A R A N C E S
02:
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Mr. Stuart L. Somach
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-and-
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(continued page 00003)

0003

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-and-
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09:
10: FOR THE HUDSPETH COUNTY CONSERVATION AND RECLAMATION
DISTRICT NO. 1:

11: Mr. Andrew S. "Drew" Miller
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14: Austin, Texas 78701
15: (512) 320-5466
16: dmiller@kempsmith.com

17: VIDEOGRAPHER:

18: Ms. Kayla Brown

19: ALSO PRESENT:

20: Mr. Bobby Salehi
21:
22:
23:
24:
25:

(continued page 00004)

0004

01: EXAMINATION INDEX

02: WITNESS: CARI-MICHEL LA CAILLE

03: EXAMINATION	PAGE
BY MR. ROBLES	5

04:

05:

SIGNATURE REQUESTED	40
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06:

07:

REPORTER'S CERTIFICATION	41
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08:

09:

EXHIBIT INDEX

10:

PAGE

11: TCEQ - CL EXHIBIT NO.3	30
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2020 Texas Integrated Report Assessment
Results for Basin 23 Rio Grande River
Basin

13:

14:

15:

16:
17:
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19:
20:
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22:
23:
24:
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(continued page 00005)

0005

01: THE VIDEOGRAPHER: The time is 1:02 p.m.
02: We're on the record.
03: CARI-MICHEL LA CAILLE,
04: having been first duly sworn, testified as follows:
05: E X A M I N A T I O N
06: BY MR. ROBLES:
07: Q. Will you please state and spell your name?
08: A. Yes. My name is Cari-Michel, C-A-R-I,
09: hyphen, M-I-C-H-E-L, last name is La Caille, L-A,
10: capital C-A-I-L-L-E.

Page 00006

08: education. Will you please tell us, you know, the --
09: the education that you received prior to becoming --
10: joining the Texas Commission for Environmental
11: Quality?
12: A. Yes. I have a bachelor of science degree in
13: biology that I obtained from the Mary Baylor Hardin
14: University in 2005.

Page 00006

18: Q. After graduating, will you please tell us
19: your relevant work history prior to becoming an

20: employee of the TCEQ?

21: A. I was a student. I was a stay-at-home

22: mother. I worked for the United States Department of

23: Agriculture, and I also worked for the City of Austin.

24: Q. What did you do for the Department of

25: Agriculture?

(continued page 00007)

0007

01: A. I was a research associate on a biology

02: program that was investigating biological controls.

03: Q. When you say "biological controls," what do

04: you mean?

05: A. Looking for resources, such as insects, to

06: control native species that are overtaking areas in

07: the state.

08: Q. When did you begin your employment with the

09: Department of Agriculture, and when did it come to a

10: conclusion?

11: A. I'd probably say 2005 to 2006. I was still

12: working for them while I was employed with TCEQ.

13: Q. You also mentioned working for the City of

14: Austin; is that right?

15: A. Yes.

16: Q. What did you do for the City of Austin?

17: A. The last position I held there was pipe fire

18: prevention.

19: Q. What specifically did you do to help prevent

20: fires?

21: A. We did a lot of information to make sure that

22: occupancy loads were correct, fire sprinklers were

23: installed appropriately.

24: Q. When did you begin and when did you end your
25: employment with the City of Austin?

(continued page 00008)

0008

01: A. Probably 1989 through 1998.

Page 00008

08: Q. When were you first employed by TCEQ?

09: A. December of 2005.

10: Q. Would you please take us through that
11: progression from your first, you know, job at TCEQ to
12: where you find yourself today?

13: A. I started in 2005 as an enforcement
14: coordinator with the Office of Compliance and
15: Enforcement. I then was promoted to special assistant
16: to the director of the enforcement division, and I was
17: there until 2009. In 2009, I was hired as a special
18: assistant to the director in radioactive materials
19: division, and then in 2010, I became the assistant
20: director for the water supply division, and in 2016, I
21: became the director of the water supply division, and
22: that is my current position now.

Page 00011

01: Q. And is it correct to say that you hold the
02: position of water supply division director today?

03: A. Correct.

04: Q. Please explain those particular areas for
05: which the water supply division is responsible.

06: A. Sure. The water supply division at TCEQ
07: oversees the public drinking water program. We have
08: oversight of public water systems, primarily an
09: implementation of the Safe Drinking Water Act. We

10: also have general oversight for certain types of
11: districts and those usually are related to processing
12: bond applications, district creations, and managing
13: financial information that's submitted to us.

Page 00011

18: Q. As used by you and your office, what do you
19: -- what do you mean by "safe"?
20: A. That it meets federal and state drinking
21: water standards.
22: Q. As used by you and your office, what is meant
23: by the term "adequate"?
24: A. That the public water system can provide
25: enough water to meet the needs and the demand of those

(continued page 00012)

0012

01: residents that are within the system's distribution
02: system.

Page 00014

07: Q. (BY MR. ROBLES) What does the water supply
08: division do to ensure that there's an adequate supply
09: of drinking water?
10: MS. BARFIELD: Same objection.
11: A. When we're approving source water, we're
12: looking at the capacity of how they can produce the
13: water to serve the system.

Page 00015

22: Q. What is the water district database?
23: A. It's a database that we have that tracks our
24: bond applications, district creations. It's used to,
25: you know, delineate information about districts,

(continued page 00016)

0016

01: general information about districts.

Page 00016

19: Q. What is the safe drinking water information
20: system?
21: A. It is a federal database that we've
22: incorporated at the state level that is used to house
23: information about public water systems and compliance
24: with the requirements under the safe -- the Federal
25: Safe Drinking Water Act. It's used as a mechanism to

(continued page 00017)

0017

01: report to EPA certain data that we're required to
02: report.
03: Q. What is the water district?
04: A. In terms of the definition that would be in
05: the water code or just in general?
06: Q. As used by you as the director of the -- of
07: the water supply division?
08: A. I would say a water district is a political
09: subdivision of the state. That's a local governmental
10: entity that provides limited services to its customers
11: and residents. It's dependent upon the powers and for
12: the purpose in which it's created.
13: Q. How are water districts created?
14: A. There are three ways a water district can be
15: created, either by TCEQ, the legislature, or by the
16: commissioner's court.
17: Q. And who regulates water districts?
18: A. We have a continuing right of supervision

19: over water districts, but that is -- that jurisdiction
20: and authority is very limited in -- in that, that I
21: mean day-to-day operations of the districts are done
22: at the local level and not at the state level.

Page 00018

19: Q. (BY MR. ROBLES) If the water district is
20: classified as a public water system, what authority
21: does TCEQ have over it with regards to water quality?
22: MS. BARFIELD: Same objection.
23: A. They have to meet state and federal drinking
24: water standards.

Cypher, Robin

Volume 1 - 09/21/2020

Summary Proceeding with Highlighted Clips

Printed 06/21/2021 04:53PM CDT

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NM Direct Designation

EXHIBIT

B

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,) Original Action Case
) No. 220141
06: VS.) (Original 141)
)
07: STATE OF NEW MEXICO,)
and STATE OF COLORADO,)
08:)
Defendants.)

09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: ROBIN CYPHER
14: SEPTEMBER 21, 2020
15: *****

16:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of ROBIN
17: CYPHER, produced as a witness at the instance of the
Defendant State of New Mexico, and duly sworn, was
18: taken in the above-styled and numbered cause on
September 21, 2020, from 2:00 p.m. to 4:08 p.m.,
19: before Heather L. Garza, CSR, RPR, in and for the
State of Texas, recorded by machine shorthand,
20: remotely at the offices of HEATHER L. GARZA, CSR, RPR,
The Woodlands, Texas, pursuant to the Federal Rules of
21: Civil Procedure and the provisions stated on the
record or attached hereto; that the deposition shall
22: be read and signed.

23:
24:
25:

(continued page 00002)

0002

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(continued page 00003)

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19:
20: VIDEOGRAPHER:
21: Ms. Kayla Brown
22:
ALSO PRESENT:
23:
Bobby Salehi
24: Bonnie DeWitt
25:

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0004

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0005

01: THE VIDEOGRAPHER: The time is 2:00 p.m.
02: We're on the record.
03: ROBIN CYPHER,
04: having been first duly sworn, testified as follows:
05: E X A M I N A T I O N
06: BY MR. ROBLES:
07: Q. Will you please state and spell your name?
08: A. Robin Cypher, R-O-B-I-N, C-Y-P-H-E-R

Page 00006

20: Q. So before -- I want to ask a little more
21: detail about your experience and education. I take it
22: you must've received a bachelor's degree in some
23: particular subject; is that right?
24: A. That's correct.
25: Q. And what was -- and what degree did you

(continued page 00007)

0007

01: receive?
02: A. I received a BA in journalism.
03: Q. And when did you receive that degree?
04: A. 1990.

05: Q. And from what university or college?

06: A. Again, Southwest Texas State University.

07: Q. How did you find yourself changing course and

08: going from journalism to wildlife science?

09: A. It was something that always interested me,

10: science. I just chose journalism initially.

11: Q. And when did you receive your master's

12: degree?

13: A. I believe it was 1997.

14: Q. At this particular university, what does it

15: mean to have master's degree in wildlife science?

16: A. I don't understand your question.

17: Q. What is the subject -- what subject matter--

18: what is the subject matter of wildlife science?

19: A. It can be a mixture of the analogy, aquatic

20: ecology, land management, fire ecology, mammology,

21: plant science.

22: Q. In receiving that -- that particular degree,

23: how much chemistry -- how many -- how much chemistry

24: did you study?

25: A. I had two classes of inorganic chemistry and

(continued page 00008)

0008

01: one class of organic chemistry.

02: Q. Now, you had mentioned that you worked four

03: years before being hired on with the Texas Commission

04: of Environmental Quality; is that right?

05: A. Not quite. Five years. Two-and-a-half in

06: the laboratory and two-and-a-half in the field.

07: Q. And what was the name or laboratory where you

08: were employed for I believe two years?

09: A. So Lower Colorado River Authority.

10: Q. And is that a governmental agency?

11: A. It's a quasi governmental agency.

12: Q. What do you mean by that?

13: A. They are not exactly state governments, but

14: they were mandated by the state government to manage

15: water --

16: Q. What --

17: A. And electricity and --

18: Q. I apologize for interrupting. And if at any

19: point, I stop you from completely answering a

20: question, would you let me know that, as well?

21: A. Sure.

22: Q. In the course of your work for that

23: particular organization, did you examine water

24: quality?

25: A. I don't understand your question. I analyzed

(continued page 00009)

0009

01: water quality samples, and I collected water quality

02: samples. I did not evaluate the data.

03: Q. When you say -- when you use the term

04: analysis, what do you mean?

05: A. Analytical analysis -- laboratory and

06: analytical analysis.

07: Q. Then I believe you were employed by another

08: agency; is that right, for approximately three years?

09: A. No. That's incorrect.

10: Q. All right. Did you stay with the same agency

11: and then take a different position?

12: A. That is correct.

13: Q. Okay. What position is that?

14: A. It was, again, at the Lower Colorado River

15: Authority, and it was in their field services area.

16: Q. What did you do in that field services area?

17: A. I collected water quality samples throughout

18: the Colorado River basin in the State of Texas.

19: Q. Aside from collecting water samples, did you

20: conduct any analysis or do any subsequent work with

21: those samples?

22: A. No, I did not.

23: Q. What year did you begin your work at the

24: Texas Commission on Environmental -- for Environmental

25: Quality?

(continued page 00010)

0010

01: A. 2001.

02: Q. And what position were you hired?

03: A. As an aquatic scientist on the Surface Water

04: Quality Monitoring Team.

05: Q. Since 2001, have you changed positions at the

06: Texas Commission on Environmental Quality?

07: A. No, I have not.

08: Q. So it's fair to say that as we sit here today

09: in 2020, you hold the same position; is that correct?

10: A. That is correct.

Page 00010

17: Q. Okay. So would you please explain to me what

18: it means to be a project quality assurance specialist?

19: A. The EPA requires a quality assurance project

20: plan for any of their grant funded projects. The SWQM

21: program works under the EPA grant, so they're required

22: to have a grant, a QAPP. I moderate that document. I
23: maintain it.

Page 00011

14: Q. Would you please explain the mission or the
15: goals of the Surface Water Quality Monitoring Program?
16: A. Our goal is to monitor and assess the data
17: for the statewide waters of Texas.

Page 00014

15: Q. What are quality assurance monitoring
16: procedures?
17: A. Quality assurance monitoring procedures. I'm
18: not sure I understand that question.
19: Q. So on the various documents on the TCEQ
20: Website, as well as in the text of the Website, there
21: is what's described as quality assurance monitoring
22: procedures, and so does that ring a bell?
23: A. I think you've misstate -- okay.
24: Q. Okay.
25: A. I believe you mean the surface water quality

(continued page 00015)

0015

01: monitoring procedures.
02: Q. Fair enough. Thank you for correcting me.
03: Would you please describe those procedures?
04: A. They are a list of standardized field
05: procedures that are provided to -- well, our water
06: quality samplers and other data providers that
07: describe the procedures and protocols to be used when
08: out in the field when collecting water quality
09: samples.
10: Q. What are the procedures for determining total

11: dissolved solids in a water body?

12: A. We use the multiprobe with the specific

13: conductance sensor.

14: Q. What is a multiprobe?

15: A. A multiprobe is a field instrument that

16: contains several sensors or may contain several

17: sensors like dissolved oxygen, temperature, PH, and

18: conductivity.

19: Q. So is it correct to say that a legible

20: current is run through the water, and that is a manner

21: in which it is determined how -- you know, the total

22: -- the dissolved solid load in that particular water

23: body? Is that a fair statement?

24: A. No.

25: Q. How would you describe it?

(continued page 00016)

0016

01: A. Conductivity is the measure of electrical

02: current running based on the anion/cation balance in a

03: water system that dissolve ions. The multiprobe, if

04: equipped with a conductivity sensor, can measure that

05: electrical current. There is an algorithm within the

06: sensor that can convert conductivity measurements into

07: total dissolved solid measurements; however, for TCEQ,

08: we only collect specific conductance. For the

09: integrated report, we determine total dissolved solids

10: by multiplying the specific conductance by a factor.

Page 00016

19: Q. Okay. So what other dissolved solids for

20: which TCEQ searches when it evaluates surface water?

21: A. Total dissolved solids is a sum of dissolved

22: salts, some organics, and maybe some other
23: constituents. It's very dependent upon the
24: geophysical area that it's in. So it's the sum of a
25: lot of different salts.

(continued page 00017)

0017

01: Q. So it's correct to say that when TECQ
02: determines total dissolved solids in a water body, it
03: looks for salts?

04: A. Salts are a part of total dissolved solids.

05: Q. Okay. So, now, are you saying that you do
06: not look for salts or that salts are a component of
07: dissolved solids?

08: A. Salts are a component of total dissolved
09: solids.

10: Q. In your evaluation of a water body, does TCEQ
11: conduct the sort of testing that will be able to
12: identify salts as opposed to the other types of
13: dissolved solids that may be in a water body?

14: A. We additionally look at sulfate and chloride.

15: Q. So is it -- and correct me if I -- if I
16: misunderstand. Is it -- is it correct to say that
17: when TCEQ examines the total -- the total dissolved
18: solids in a water body, it looks -- it determines the
19: content of salts?

20: A. Again, inorganic salts are a part of total
21: dissolved solids.

22: Q. What are the Texas surface water quality
23: standards?

24: A. They are the criteria that are used -- that
25: have been assigned to water bodies to meet assigned

(continued page 00018)

0018

01: uses, such as aquatic life use, contact recreation
02: use, fish consumption use, public water supply use.

Page 00019

18: Q. What is the total maximum daily load program?
19: A. The TMDL program identified -- water bodies
20: identified through the integrated report as having an
21: impairment. The TMDL program may -- if it's an
22: appropriate water body, they may implement a plan to
23: reduce permitted loadings to that water body so that
24: it can maintain its -- it can meet the standard.

Page 00020

09: Q. What is an implementation plan?
10: A. Once a TMDL has been accepted by EPA,
11: approved by EPA, an implementation plan is initiated,
12: which, again, describes the sources or potential
13: sources for the loadings into a water body.

Page 00022

06: Q. What is a water quality categories and
07: management strategy?
08: A. After water bodies have been assessed through
09: the integrated report, they are assigned a category.
10: The categories will determine what management
11: strategies may be assigned to them going forward.

Page 00022

24: Q. Okay. What is Category No. 1?
25: A. Category No. 1, I believe, means all uses are

(continued page 00023)

0023

01: fully supporting.

Page 00023

10: Q. So it's fair to say that a Category 1 --
11: Category 1 rating means that the particular water body
12: is available for all uses?
13: A. I believe that's a fair thing to say.
14: Q. What is Category 2?
15: A. I believe a Category 2 means that it's
16: meeting some of its uses, but not all. There was
17: enough data to assess for at least some of its uses.
18: Q. What is done, if anything, if a particular
19: water body is in Category 2?
20: MS. BARFIELD: Overbroad; outside the
21: scope of her designated testimony, which was limited
22: to the geographic area of the Rio Grande basin.
23: Q. (BY MR. ROBLES) You can go ahead and answer.
24: A. Category 2 is nothing usually happens to my
25: knowledge. You just continue routine monitoring.

Page 00024

01: Q. What is Category 3?
02: A. I believe Category 3 is that no uses were
03: assessed.
04: Q. So are you saying that the TCEQ would not
05: have conducted a study or that there's just no data
06: available?
07: A. There was no data available.
08: Q. When does that generally occur, when there's
09: no data available?
10: A. It can occur for a number of reasons. The --
11: the assessment requires that data would fall within a
12: seven to ten-year period of record. There may not be
13: data within that designated period of record. The

14: sample site at that water body may have been dropped
15: for some reason or another. The data provider decided
16: to move their resources elsewhere.

17: Q. What is Category 4?

18: A. Category 4 are water bodies that have been
19: impaired, have been determined not to be a use or
20: uses, and it has three subcategories. It has a 4A, a
21: 4B, and a 4C.

22: Q. So what is -- what is Category 4A?

23: A. 4A means that the water body was impaired,
24: but an implementation plan is in place.

25: Q. Is -- is there a particular threshold that

(continued page 00025)

0025

01: needs to be met so that a water body does require the
02: implementation -- or the -- I guess the -- the
03: application of an implementation plan?

04: A. I cannot answer that question.

05: Q. What is Category 4B?

06: A. I believe Category 4B is the impairment was
07: caused by a pollutant not pollution.

08: Q. What is the distinction between a pollutant
09: and non pollution?

10: A. A pollutant could be something that is
11: natural, like a -- a high metal is naturally found in
12: the ground. There's -- there's no management that's
13: going to reverse that, or it could be something like
14: there is a dam in place for hydroelectric and that dam
15: is not going to be removed.

16: Q. So if I understand -- help me understand
17: this. If a naturally-occurring pollutant exists in a

18: water body, that is not necessarily a particular
19: problem for which the implementation plan would be
20: appropriate?
21: MS. BARFIELD: The question is overbroad
22: and outside the scope as phrased for her defined
23: testimony.
24: Q. (BY MR. ROBLES) You can go ahead and answer.
25: A. It would depend on what the problem is or

(continued page 00026)

0026

01: what the implementation plan is for.

Page 00026

20: Q. What is Category 5?
21: A. Category 5 is assigned to waters that are
22: impaired -- that have been found to be impaired
23: through the integrative report.
24: Q. As you use the term impaired, what do you
25: mean?

(continued page 00027)

0027

01: A. The water bodies are not meeting their uses
02: as described in the water quality standards.

Page 00029

09: Q. (BY MR. ROBLES) What do you mean when you use
10: the term total dissolved solids?
11: A. The sum of dissolved salts and organics and
12: trace metals or even hydrocarbons can be in a total
13: dissolved solid.
14: Q. When TECQ examines for total dissolved
15: solids, does it look for any -- does it look for
16: specific salts?

17: A. Again, total dissolved solids is a sum of
18: dissolved constituents in a sample. Those
19: constituents can be dissolved salts, hydrocarbons, and
20: small organic -- little bit of organic matter.

21: Q. How would someone go about finding out the
22: percentage or the amount of total dissolved solids
23: that is, in fact, the salt as opposed to another
24: inorganic material or organic material?

25: A. Salinity would probably be your best bet on

(continued page 00030)

0030

01: getting a determination of the amount of inorganic
02: salts.

03: Q. How are inorganic salts identified in the
04: integrated report?

05: A. We use total dissolved solids, which includes
06: inorganic salts. There is also sulfate and chloride
07: measurements.

08: Q. So is it fair to say that sulfate and
09: chloride are individual ions?

10: A. They can be. If they disassociate, they can
11: be. Sometimes they don't and maintain as the sulfate
12: cation and chloride cation.

13: Q. Okay. But salts are generally the
14: combination of two different ions, for example, sodium
15: and chloride; is that right?

16: A. That is correct.

17: Q. So is there any way when I look at the
18: integrated report to be -- so that I can determine how
19: much or what percentage of total dissolved solids are,
20: in fact, sodium chloride?

21: A. You cannot do that using the integrated
22: report.
23: Q. Is there some other database that I could go
24: to that the TCEQ maintains where I could look at a
25: water body and determine how much sodium chloride is

(continued page 00031)

0031

01: in a particular water body?
02: A. Not that I know of. I can't answer that with
03: any degree of certainty.
04: Q. Is there any place or database that TECQ
05: maintains where I can go and determine how much of
06: other salts, of potassium and magnesium salt, is in a
07: given water body?
08: A. Our surface water quality database, the SWQM
09: IS, S-W-Q-M, I-S, may have some of the data.
10: Potassium magnesium are metals and so they would show
11: up as a metal component or a metal constituent.
12: Q. Now, you -- and you said that very quickly so
13: I'm going to give myself a little forgiveness. You
14: used an acronym, and I can't -- I can't repeat the
15: acronym because you said it quickly.
16: A. Sorry.
17: Q. But what is that acronym and what does it
18: mean?
19: A. The database is S-Q-U-M-I-S, the surface
20: water quality monitoring information system. It is
21: the database that houses our surface water quality
22: monitoring data.
23: Q. So is it fair to say that if I look through
24: this particular database, I could find -- I could find

25: what TECQ has recorded about the existence of sodium

(continued page 00032)

0032

01: chloride in the Texas water bodies that have been

02: exempt?

03: A. You would find the analytical results if they

04: were -- if samples were collected for them in the SWQM

05: IS database -- in the water quality database.

Page 00037

09: Q. Is there a person at TCEQ who has the

10: responsibility, among other responsibilities, to

11: identify the salinity levels in Texas' water bodies?

12: MS. BARFIELD: Overbroad; outside the

13: scope of the geographic area that the witness is

14: designated to talk about.

15: Q. (BY MR. ROBLES) You can go ahead and answer.

16: A. My Surface Water Quality Monitoring Program

17: does not measure salinity in inland freshwaters. We

18: only measure salinity in tidal or marine portions.

19: Q. So it's also correct to say that there is no

20: program at TCEQ that is passed among other things to

21: identify and manage salinity in surface -- or fresh --

22: surface water that is fresh?

23: A. I could only say that the Surface Water

24: Quality Monitoring Program does not do that.

Page 00042

19: Q. I'm going to show you what's been marked

20: Exhibit 5.

21: (Exhibit No. 5 was marked.)

22: Q. (BY MR. ROBLES) Do you see that in front of

23: you?

24: A. Yes, I do.

25: Q. What is it?

(continued page 00043)

0043

01: A. That appears to be a page from the 2020

02: integrated report for Basin 23.

03: Q. And, again, please take as much time as you'd

04: like to review it -- I should say Exhibit 5 -- because

05: I want to ask you questions about it.

06: A. Okay.

07: Q. From what you can tell, is Exhibit 5 a fair

08: and accurate copy of a page of the 2020 Texas

09: Integrated Report?

10: A. Yes. It appears to be.

11: MS. BARFIELD: I'm just going to object,

12: too, that there's more than one page here. Were you

13: intending that question to reflect just this first

14: page?

15: MR. ROBLES: Right. There's, I think,

16: 127 pages. I didn't think it --

17: MS. BARFIELD: Well, that was --

18: MR. ROBLES: -- it made sense to attach

19: them all so I'm only referring to specific pages, if

20: that answers your question.

21: MS. BARFIELD: Go ahead.

22: Q. (BY MR. ROBLES) Now, is this the integrated

23: report that you had referenced in your earlier

24: testimony today?

25: A. This is a portion of it.

(continued page 00044)

0044

01: Q. Now, would you help us -- would you walk us
02: through this particular document, what is referred to
03: by the acronym SEGID?
04: A. That refers to the segment ID, and it is a
05: numeric designation.
06: Q. Now, I had shown you previously what was
07: marked as Exhibit 2 -- or -- no, I'm sorry, it was
08: Exhibit No. 3. Do you remember that? That was the --
09: the portion of Basin 23 that had the segments and
10: stations identified on it.
11: A. Oh, the map.
12: Q. Yes. The map. So -- and I mentioned to you
13: that I was going to refer to Segment 2314 from that
14: particular map, and that's the -- the segment that's
15: being referenced in Exhibit 5; is that right?
16: A. Yes.
17: Q. Now, what is an AUID?
18: A. An AUID stands for assessment unit ID.
19: Q. And what -- what -- what is that unit that's
20: being assessed? Is it an area or something else?
21: A. It is a -- an area of a segment.
22: Q. So it's correct to say that this particular
23: page deals with a segment that -- which is the Rio
24: Grande above the International Dam; is that correct?
25: A. That is correct.

(continued page 00045)

0045

01: Q. And it's also reviewing an area from the
02: International Dam upstream to the Anthony Drain
03: confluence; is that right?
04: A. That is correct.

05: Q. Now, as we move down, I've highlighted
06: certain sections that I want to ask you about. So do
07: you see where it says, "General use"?
08: A. Yes.
09: Q. So I'm going to ask you about the particular
10: columns that are underneath that section that is
11: marked general use in Exhibit No. 5. Do you see
12: dissolved solids?
13: A. Yes.
14: Q. Now, is it correct to say that certain
15: dissolved solids are identified with specificity, like
16: chloride, for instance?
17: A. Yes.
18: Q. And there's one for sulfate; is that right?
19: A. Yes.
20: Q. And then there's a column for total dissolved
21: solids?
22: A. Yes.
23: Q. Now, it's correct to say that there is no --
24: there is no reference in this particular exhibit with
25: regard to that portion of total dissolved solids that

(continued page 00046)

0046

01: is composed of salt; is that right?
02: A. Yes. That's correct.
03: Q. So as we move along from perimeter, period of
04: record, and then you see criteria, do you see that?
05: A. Yes.
06: Q. Now, with regard to the third line, which is
07: dissolved solids, total dissolved solids, do you see
08: that number 1800?

09: A. Yes.

10: Q. Now, is -- is it correct to say that that

11: 1800 number is -- is -- is supposed to represent all

12: the constituents which make up total dissolved solids?

13: A. That is the criterion that has been assigned

14: to Segment 2314 for total dissolved solids in the

15: Texas Water Quality Standards.

16: Q. So what do you mean by criteria?

17: A. Criteria is the numeric criterion that has

18: been assigned to the dissolved solids for the -- that

19: -- a water body must meet that concentration of

20: dissolved solids to be considered not impaired.

21: Q. So the criterion column represents a numeric

22: value, which the water body should meet?

23: A. That is correct.

24: Q. And as I move along to the end column, do you

25: see that CAT?

(continued page 00047)

0047

01: A. Yes.

02: Q. And you would agree with me that CAT

03: represents category?

04: A. That's correct.

05: Q. And you and I had a discussion about what

06: category means?

07: A. Yes.

08: Q. Now, as I look at this particular document, I

09: do not see that -- or with regard to the total

10: dissolved solids, that there is a category assigned to

11: that particular constituent of surface water; is that

12: right?

13: A. I do not see a category for total dissolved
14: solids, no.

15: Q. Should the integrated report list the cat --
16: if applicable, the category to which the constituent,
17: you know -- let me -- that was a horrible question.

18: Is it correct to say that the integrated
19: report should list the category for the particular
20: pollutant that's found in surface water that's listed
21: in Exhibit 5?

22: A. The integrated report, the -- the water body
23: will take on the -- how should I put this -- worst
24: category. In this instance, you can see on a line
25: above for recreation use, the bacteria was found to

(continued page 00048)

0048

01: exceed the state standard for E. coli, therefore, it's
02: been assigned a Category 5C, and that would be the --
03: the water body would roll up to a Category 5C.

04: Q. If I remember correctly, you know, 5C
05: represents a category in which an implementation plan
06: is being considered; is that correct?

07: A. That's not correct.

08: Q. What is the correct definition for 5C?

09: A. 5C -- a water body in 5C is assigned for more
10: monitoring to verify the impairment.

11: Q. But with regard to the -- to total dissolved
12: -- or dissolved solids, it would be fair to say that
13: nothing is listed under category?

14: A. That is correct.

15: Q. Is that an omission or oversight?

16: A. No. Since that water body is not found to

17: have an issue with dissolved solids or, in fact, it
18: looks like anything -- it's not failing to meet the
19: state's standards so there's no water management plan
20: that needs to happen so it's not assigned a category.
21: Q. I'm going to turn the page to Page 2 --
22: A. Okay.
23: Q. -- and then turn the page to Page 3. Do you
24: see Page 3 of Exhibit 5 in front of you?
25: A. Okay. What page was I supposed to be looking

(continued page 00049)

0049

01: at?
02: Q. Well, I -- I apologize if I'm being
03: confusing. I have attached four pages to this
04: particular -- this particular exhibit --
05: A. Yes.
06: Q. -- but I understand your confusion because as
07: you read down below, you see Page 126 of 127.
08: A. Yes.
09: Q. Do you see that page?
10: A. All right. I'm on Page 126 of 127.
11: Q. Of Exhibit 5. We're still talking about the
12: same thing, I take it?
13: A. Yes.
14: Q. Now, this particular segment or I should say
15: area, you would agree with me, is that area from the
16: Anthony Drain confluence upstream to the New
17: Mexico/Texas state line?
18: A. That is correct.
19: Q. Is that -- and I'm sorry. I know you nodded
20: your head, but I didn't recall hearing an answer.

21: A. That is correct.

22: Q. Now, moving down to the general use where you
23: see a method, is it correct to say that in this
24: particular integrated report, there is no accounting
25: for the presence of sodium chloride or a salt of any

(continued page 00050)

0050

01: other kind?

02: A. Could you restate that question?

03: Q. Is it correct to say that on this particular
04: page of Exhibit 5, which is listed Page 126 of 127, is
05: it correct to say that this particular portion of the
06: report does not identify the existence of sodium
07: chloride or another salt?

08: A. It does not single out sodium chloride.

09: Q. If -- if I was to ask you, where could I go
10: in the TCE -- TCEQ database of documents and reports
11: to find out what is the level of sodium chloride in
12: that particular segment, where would I go?

13: A. I don't believe that we have a document like
14: that, and our database contains data rather than
15: reports.

16: Q. I apologize if I'm butchering the way that
17: you-all collect information and store it. Is there
18: somewhere where I could go find -- at TCEQ where I
19: could find the data that would tell me or anyone else
20: the salinity levels for this particular segment that
21: we're referencing in Exhibit 5?

22: A. Surface water quality data are in the surface
23: water quality monitoring information system, surface
24: water quality database. Those data may be in there if

25: they were collected.

(continued page 00051)

0051

01: Q. So as we sit here today, is it fair to say
02: that you do not know if that database has collected
03: information about the existence of sodium chloride,
04: salt, in the waters -- the surface waters of the Rio
05: Grande?

06: MS. BARFIELD: Mischaracterizes her
07: testimony; vague and ambiguous.

08: Q. (BY MR. ROBLES) You can go ahead and answer.

09: A. To my knowledge, there is no data in the
10: database for sodium chloride. There will be data for
11: sodium, and there will be data for chloride. There
12: will also be specific conductance, which could be
13: converted to salinity.

14: Q. Do you know why the data is recorded so that
15: there is no testing for sodium chloride, but there is
16: testing for sodium separate and apart from the ion
17: chloride?

18: A. Sodium is a metal that is tested for, and
19: chloride is the anion that we have state standards
20: for.

21: Q. Is there a reason why TCEQ tests for sodium?

22: A. Again, I believe there is a water quality
23: standard for it.

24: Q. It's just simply not reflected in the Texas
25: integrated report; is that a fair statement?

(continued page 00052)

0052

01: A. Let me think about this for a second. I

02: would like to retract my statement. I do not know for
03: sure that there is a water quality standard for
04: sodium.

05: Q. In -- based on your experience having worked
06: at TCEQ for almost 20 years, have you encountered a
07: situation in which you, your team members, or a
08: program has identified salinity as a problem in a
09: freshwater -- fresh surface -- in fresh inland surface
10: water?

11: MS. BARFIELD: Overbroad; vague and
12: ambiguous; outside the scope of the testimony she's
13: designated to give.

14: A. Throughout 20 years, yes, we have used the
15: total dissolved solids or specific conductance pointed
16: out that this -- a water body may have high salt
17: content.

18: Q. (BY MR. ROBLES) I'm sorry. Are you finished
19: with your question -- or your answer? I'm sorry.

20: A. I am. I am finished.

21: Q. Have you, a member of your team, or another
22: program at TCEQ, have any of you identified elevated
23: levels of salinities, sodium chloride, as -- as an
24: issue of concern in Basin 23?

25: A. I could say that we have not identified

(continued page 00053)

0053

01: sodium chloride as a concern in Basin 23.

02: Q. Have you, any members of your team, or
03: another program at TC -- TCEQ identified sodium as an
04: issue of concern with regard to the surface water
05: Basin 23?

06:

A. Not to my knowledge.

McKinnon, Temple

Volume 1 - 08/31/2020

Summary Proceeding with Highlighted Clips

Printed 06/21/2021 04:52PM CDT

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NM Direct Designation

EXHIBIT

C

01: IN THE SUPREME COURT OF THE UNITED STATES
BEFORE THE OFFICE OF THE SPECIAL MASTER
02: HON. MICHAEL J. MELLOY
03: STATE OF TEXAS, §
§
04: Plaintiff, §
§
05: vs. § ORIGINAL ACTION
§ CASE NO.: 220141
06: STATE OF NEW MEXICO, § (ORIGINAL 141)
and STATE OF COLORADO, §
07: §
Defendants. §

(continued page 00002)

0002

01: REMOTE VIDEOCONFERENCED DEPOSITION OF
02: TEMPLE MCKINNON, produced as a witness at the
03: instance of Defendant State of New Mexico, and
04: remotely duly sworn by agreement of all counsel, was

05: taken in the above-styled and numbered cause on
06: August 31, 2020, from 11:32 a.m. to p.m.
07: before Karen L. D. Schoeve, RDR, CRR, reported
08: remotely by computerized machine shorthand, pursuant
09: to the Federal Rules of Civil Procedure and the
10: provisions stated on the record or attached hereto;
11: that the deposition shall be read and signed.

12:

13: This deposition is being conducted
14: remotely regarding the COVID-19 State of Disaster
15: status of the world.

16:

17: REPORTER'S NOTE: Please note that due to
18: the quality of a Zoom videoconference and
19: transmission of data and overspeaking causes audio
20: distortion which disrupts the process of preparing a
21: videoconference transcript.

22:

23:

24:

25:

(continued page 00003)

0003

01: Please be advised that an UNCERTIFIED
02: ROUGH DRAFT version of this transcript exists. If
03: you are in possession of said rough draft, please
04: replace it immediately with this CERTIFIED FINAL
05: TRANSCRIPT.

06:

07: Quotation marks are used for clarity and
08: do not necessarily reflect a direct quote.

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(continued page 00004)

0004

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(continued page 00005)

0005

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Robles, Rael & Anaya
19:

20: Jesus Reyes
21: EPCWID
22: Jordan Brown, Videographer
23: THE COURT REPORTER:
24: Karen L. D. Schoeve
25: Certified Realtime Reporter
Registered Diplomate Reporter
Realtime Systems Administrator

(continued page 00006)

0006

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(continued page 00007)

0007

01: P R O C E E D I N G S

02: THE VIDEOGRAPHER: Time is a.m.

03: We're on the record.

04: MR. ROBLES: Good afternoon, I think,

05: since you're in Central Time. How are you today?

06: THE WITNESS: Good, how are you?

07: MR. ROBLES: I'm good. I'm good.

08: At this time I'm going to ask the

09: court reporter to swear you in.

10: TEMPLE McKINNON,

11: having been first duly sworn to tell the truth, the

12: whole truth, and nothing but the truth, so help her

13: God, testified as follows:

14: EXAMINATION

15: BY MR. ROBLES:

16: Q. Would you please state and spell your

17: name.

18: A. Temple McKinnon. T-e-m-p-l-e.

19: M-c-K-i-n-n-o-n.

Page 00008

25: Q. I'd like to begin by asking you about your

(continued page 00009)

0009

01: education. Would you please tell me the formal

02: education that you received that qualified you for

03: your position with the Texas Water Development

04: Board?

05: A. Yes, I have a Bachelor of Science degree

06: in Geological Sciences and a Master's
07: Degree -- Master of Science degree in Geological
08: Sciences.
09: Q. From which university did you obtain your
10: bachelor's degree?
11: A. University of Texas at Austin.
12: Q. And what year was that?
13: A. 1991.
14: Q. From which university did you obtain your
15: master's of science degree?
16: A. University of Montana in 2001.
17: Q. Aside from the two degrees that you've
18: just listed for me, had you received any other
19: formal education, you know, worked on a Ph.D.,
20: obtained a Ph.D., anything like that?
21: A. No.

Page 00010

10: Q. Okay. So after obtaining your master's
11: degree, you worked as a consultant -- with a
12: consulting firm?
13: A. I'm sorry. So I'll restate that
14: chronologically. So after I received my bachelor's
15: degree, I worked for an environmental consulting
16: firm called EnecoTech.
17: After a couple of years with them, I
18: worked for what is now the Texas Commission on
19: Environmental Quality. And then I got my master's
20: degree.
21: And after I received my master's
22: degree, I came to work for the Water Development
23: Board.

24: Q. Now, you had also mentioned working as a
25: manager of a geochemistry lab at University of

(continued page 00011)

0011

01: Montana?

02: A. Correct.

03: Q. Where does that figure?

04: A. What does it -- can you restate that?

05: Q. I believe you testified that you have
06: worked as the manager of a geochemistry lab at the
07: University of Montana?

08: A. That, okay, where does that figure.

09: That is -- as I completed my master's
10: degree and about eight months after my master's
11: degree before I returned to Texas to work with the
12: Water Development Board.

13: Q. So what type of work did you do with, I
14: believe it's EcoTech?

15: A. EnecoTech, E-n-e-c-o-T-e-c-h.

16: I conducted site assessments for
17: underground petroleum storage tanks that had
18: released contents to the soil and groundwater,
19: primarily.

20: Q. So when you say "conduct site
21: assessments," did you -- did you actually conduct a
22: testing of the ground beneath the storage tank that
23: apparently had a leak?

24: A. I collected the samples and took them to a
25: laboratory for analysis.

(continued page 00012)

0012

01: Q. To what extent did it involve conducting
02: groundwater testing, that particular job you had
03: with EnecoTech?

04: A. It involved monitor well installations,
05: the well development, sample collection of
06: groundwater.

07: Q. After working at EnecoTech, I understand
08: that you worked for the Texas Commission on
09: Environmental Quality?

10: A. Yes.

11: Q. And anytime that you worked for that
12: particular agency, did you do any work in either
13: surface water or groundwater?

14: A. No.

15: Q. You worked on your master's degree and
16: then you went to work for the Texas Water
17: Development Board; is that right?

18: A. Yes.

19: Q. When did you begin your work at the Texas
20: Water Development Board?

21: A. In 2001.

22: Q. In what position did you obtain -- what
23: was your entry position at the Texas Water
24: Development Board in 2001?

25: A. A research specialist.

(continued page 00013)

0013

01: Q. What is the job description of a research
02: specialist at the Texas Water Development Board?

03: A. The description of the job that I had was
04: to assist in the Office of Planning, for the

05: director of the Office of Planning, that was
06: primarily charged with developing the State water
07: plan. So any project he directed me towards, I was
08: to work on.

09: Q. I understand that you are now in surface
10: water?

11: A. No, I'm in planning.

12: Q. Oh, you're in planning. I'm sorry. I'm
13: sorry.

14: A. Right.

15: Q. After your work as a, I guess, a research,
16: I want to say, specialist; is that right?

17: A. Yes.

18: Q. What was your next position at the Texas
19: Water Development Board?

20: A. Regional water planner.

21: Q. What is a regional water planner?

22: A. It's a staff person that works directly
23: with regional water planning groups in the state.
24: So job responsibilities include management of the
25: grant contract that supports technical work for that

(continued page 00014)

0014

01: regional water planning group and then any
02: administrative or technical assistance that planning
03: group may need as they develop their regional water
04: plans.

05: Q. I apologize for interrupting.

06: A. That's okay.

07: Q. When did you take the position of regional
08: water planner?

09: A. Towards the end of 2002.

10: Q. How long did you work as the regional

11: water planner?

12: A. I worked in that department in various

13: capacities until 2016.

14: Q. In 2016, what was -- what was the position

15: that -- to which you were, I guess, hired or

16: assigned?

17: A. In 2016 I became director of the Water Use

18: Plant Projections and Planning Division.

19: Q. What are the goals and objectives of the

20: Water Use and Planning Division?

21: A. In our division, there are three

22: departments. One is charged with collecting water

23: use data and administering the planning data

24: collection. The other department is charged with

25: the oversight of the regional water planning groups

(continued page 00015)

0015

01: in the state. And then the third group is charged

02: with developing population and water demand

03: estimates and projections.

04: Q. What is the name of that -- I guess is it

05: a department or a group?

06: A. There's my division, so Water Use

07: Projections and Planning. And the three departments

08: under that division. There's the Water Use and

09: Planning Data Department. There's the Regional

10: Water Planning Department, and there's the Economic

11: and Demographic Analysis Department.

12: Q. Now, you went through them and I guess

13: maybe I should -- hold on a second. I apologize for
14: making you wait.
15: (Examined realtime screen.)
16: What is the -- so what is your role in
17: supervising those three departments that you
18: referenced in your testimony?
19: A. I'm responsible for the oversight of their
20: work and any identifying program initiatives,
21: keeping executive management informed of the
22: department's work.
23: Q. What is the -- what is the -- what are the
24: objectives, the goals of the regional water planning
25: department -- I'm sorry.

(continued page 00016)

0016

01: (Examined realtime screen.)
02: What are the objectives and goals of
03: the Water Use and Planning Data Department?
04: A. The -- so there's a requirement to conduct
05: an annual water use survey. That responsibility
06: falls within that department. They also administer
07: water system boundary viewer. So that's in
08: conjunction with the water use -- the annual water
09: use survey administration.
10: And then there's also a team that is
11: responsible for assisting external stakeholders,
12: with the -- primarily the regional water planning
13: group technical consultants, with the collection of
14: their planning data. And providing data request
15: information to external and internal parties of the
16: agency.

Page 00017

19: Q. So internal stakeholder are the other
20: divisions, departments within the Texas Water
21: Development Board; does that sound right?
22: A. Right. They might ask our division for
23: data requests or data that we collect to support
24: their program efforts.
25: Q. There is the third department. I believe

(continued page 00018)

0018

01: it is the economic and demographic analysis
02: department; is that right?
03: A. Yes.
04: Q. What is the economic and demographic
05: analysis department's objectives and goals?
06: A. They are responsible for developing annual
07: population estimates and annual water use estimates,
08: gallons per capita per day.
09: They're responsible for every five
10: years projecting the population and water demands
11: utilized in the regional water planning process.
12: They're also responsible for the
13: development of the socioeconomic impact analysis
14: that's utilized by the regional water planning
15: groups and included in the State water plan.

Page 00020

06: Q. So the focus of the economic analysis
07: conducted by the department which you supervise is
08: focused on what effect water shortages will have on
09: the economy?
10: A. Correct.

11: Q. To what extent, if any, does this
12: department focus on the economic effects of water
13: quality?
14: A. None.
15: Q. And just to give you a precise example to
16: make sure that you and I are speaking the same
17: language, so to speak. If, let's say, surface water
18: has a certain salinity content to it, would your --
19: would this department conduct any economic analysis
20: to determine the impact of salinity on, let's say,
21: farm production?
22: A. No.
23: MS. BARFIELD: Objection; foundation.
24: Q. (BY MR. ROBLES) Is there any group,
25: department, or division within the Texas Water

(continued page 00021)

0021

01: Development Board that would look at the economic
02: impact of water quality on a particular group, an
03: industry such as that, like, for example,
04: agriculture?
05: A. Not that I'm aware of.
06: Q. Having worked at the Texas Water -- the
07: Texas Commission on Environmental Quality, did you
08: ever run across any individuals who did work to
09: determine the economic impact of water quality?
10: A. No.

Page 00023

03: Q. What is a state water planning process?
04: A. Every five years, our agency is charged
05: with developing a State water plan, and we do that

06: by aggregating the results of the five-year cycle of
07: the regional water planning groups, the plans they
08: develop.

09: Q. What is the -- what is a regional water
10: planning process -- what is the regional water
11: planning process?

12: A. It is within the State of Texas, there are
13: 16 regional water planning groups, and it's by
14: statute.

15: There's specific interest groups that
16: must be represented on these planning groups. And
17: they have five years to produce a plan that
18: demonstrates their projected water demands for
19: certain categories of water use and identify water
20: supply needs for those categories of use; and then
21: come up with ways they're recommending to address
22: those water supply needs.

23: Q. What is the name of the regional water
24: planning area for El Paso County and Hudspeth
25: County?

(continued page 00024)

0024

01: A. It's the Far West Texas Regional Water
02: Planning Group, but it's also referred to as Region
03: E.

Page 00030

13: Q. What is a Water Use Survey Program?

14: A. Our annual Water Use Survey Program
15: is -- collects -- it surveys the active community
16: public water systems in the state and industrial
17: facilities across the state.

18: Q. How is that data used that's collected?

19: A. That data produces historic water use
20: estimates that are utilized in our development of
21: our water demand projections.

22: It also collects groundwater pumpage
23: data that's utilized in the development of the
24: groundwater availability model. It's utilized by
25: technical consultants of planning groups to inform

(continued page 00031)

0031

01: their supplies for the entities that they're
02: planning for.

03: Q. Does the Texas Water Development Board
04: reach conclusions that it provides to the regions,
05: or do the regions take the data that's collected
06: and come up with a plan which the Texas Water
07: Development Board approves?

08: A. The regions develop a plan for the Texas
09: Water Development Board to approve.

10: Q. What is the name of that plan?

11: A. The Regional Water Plan.

Page 00037

15: Q. If a region fails to implement the
16: approved Regional Water Plan, what steps or efforts
17: does the Texas Water Development Board take to find
18: out if that's happened?

19: A. Each regional water planning group, as
20: part of their plan development, they're required to
21: assess implementation progress from the previous
22: plan, so with their implementation survey that's
23: conducted with each plan. So that's how we assess

24: implementation progress.

25: Q. So it's correct to say that the way in

(continued page 00038)

0038

01: which the Texas Water Development Board determines

02: whether there is compliance by a region with its

03: Regional Water Plan is self-reporting?

04: A. Correct, plus any implementation our

05: agency is aware of by entities that come to our

06: agency for funding of projects. We provide that

07: information to planning groups so they're aware.

Page 00039

22: Q. (BY MR. ROBLES) To what extent, if any,

23: does the Texas Water Development Board's planning

24: process address the issue of water salinity?

25: A. Regional plans must discuss water quality

(continued page 00040)

0040

01: impacts of the strategies they recommend.

02: Q. What role, if any, does the Texas Water

03: Development Board play in the Rio Grande salinity

04: project?

05: A. None that I'm aware of.

06: Q. Who, if any -- maybe as opposed to asking

07: about a person -- which department, based on your

08: experience, would deal with a project such as that,

09: the Rio Grande salinity project?

10: A. I don't know.

11: Q. Does that term ring a bell at all?

12: A. No.

13: Q. With regard to the planning process, has

- 14: the Texas Water Development Board identified an
- 15: acceptable salinity level or budget?
- 16: A. No.

Montes, Rosalba

Volume 1 - 10/26/2020

Summary Proceeding with Highlighted Clips

Printed 06/21/2021 04:49PM CDT

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NM Direct Designation

EXHIBIT

D

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
 HON. MICHAEL J. MELLOY

03:
04: STATE OF TEXAS)
)
05: Plaintiff,)
) Original Action Case
06: VS.)
) No. 220141
) (Original 141)
07: STATE OF NEW MEXICO,)
 and STATE OF COLORADO,)
08:)
 Defendants.)

09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: ROSALBA MONTES
14: OCTOBER 26, 2020
15: *****
16:
17: REMOTE ORAL AND VIDEOTAPED DEPOSITION of ROSALBA
18: MONTES, produced as a witness at the instance of the
19: Defendant State of New Mexico, and duly sworn, was
20: taken in the above-styled and numbered cause on
21: October 26, 2020, from 1:13 p.m. to 2:40 p.m., before
22: Heather L. Garza, CSR, RPR, in and for the State of
 Texas, recorded by machine shorthand, at the offices
 of HEATHER L. GARZA, CSR, RPR, The Woodlands, Texas,
 pursuant to the Federal Rules of Civil Procedure and
 the provisions stated on the record or attached
 hereto; that the deposition shall be read and signed.

Page 00002

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18:
19: VIDEOGRAPHER:
20: Ms. Kayla Brown
21:
22: ALSO PRESENT:
23: Chuck Spalding
Bert Cortez
Rebecca Rizzuti
24:

Page 00004

02: WITNESS: ROSALBA MONTES
03: EXAMINATION PAGE
BY MS. BARELA 5
04:
05:
SIGNATURE REQUESTED 44
06:
07:
REPORTER'S CERTIFICATION 45
08:

Page 00005

01: THE VIDEOGRAPHER: The time is 1:13 p.m.
02: We're on the record.
03: ROSALBA MONTES,
04: having been first duly sworn, testified as follows:
05: E X A M I N A T I O N
06: BY MS. BARELA:
07: Q. Good afternoon, Ms. Montes. I'm Susan
08: Barela, and I'm one of the attorneys representing the
09: State of New Mexico in this litigation. I'll be
10: taking the continued deposition of IBWC 30(b)(6).
11: Would you please state your full name, spelling your
12: name, for the record?

13: A. Okay. My name is Rosalba Montes. That's
14: R-O-S-A-L-B, as in bravo, A, Montes, M-O-N-T-E-S, as
15: in Sam.

Page 00007

07: Ms. Montes, can you tell me what your current
08: professional position is?
09: A. My current professional position is
10: supervisory civil engineer, also known as the area
11: operations manager for the upper Rio Grande flood
12: field offices.
13: Q. And what are your responsibilities in that
14: role?
15: A. My responsibilities are flood control from
16: below Percha Dam -- Percha Diversion Dam all the way
17: through Hudspeth County, all the maintenance of all
18: the structures in between, including two international
19: bridges, the American Dam, American Canal, and
20: International Dam.
21: Q. Can you tell me what your work address is?
22: A. It is 2616 West Paisano Drive, El Paso, Texas
23: 79922.

Page 00012

24: background. Can you tell me where you went to
25: college?

Page 00013

01: A. I went to the University of Texas at El Paso.
02: Q. Did you receive a bachelor's degree?
03: A. Yes, ma'am, I did.
04: Q. In what?
05: A. In civil engineering.
06: Q. How about any post-graduate work, did you do

07: any post-graduate work?

08: A. Yes, ma'am. I got a master's from the

09: University of Phoenix in business administration.

10: Q. When did you first begin working for IBWC?

11: A. Started working in July of 2010.

12: Q. Can you please describe the various positions

13: that you've held at IBWC?

14: A. Yes, ma'am. I was originally hired in the

15: construction section as construction engineer project

16: manager. Do you want the years or just the positions?

17: Q. You can just go through the positions. I'm

Page 00013

22: A. After that, I was an engineer for the O&M,

23: operations and maintenance, headquarters office.

24: After that, I was a project engineer for the

25: engineering services department. After that, I was

Page 00014

01: the assistant area operations manager for the Amistad

02: Dam in Del Rio, Texas, and currently I am the area

03: operations manager for the Upper Rio Grande Field

04: Office here in El Paso, Texas. I've been here for two

05: years.

06: Q. Great. Thanks. Who do you report to?

07: A. I report directly to the O&M, operations and

08: maintenance, chief, who was in headquarters, Xochitl

09: Aranda.

10: Q. Will you please spell that for the record?

11: A. Yes. Xochitl is X-O-C-H-I-T-L. Aranda is

12: A-R-A-N-D-A.

13: Q. Thank you. Who reports to you?

14: A. I have three field offices, supervisors, that

15: report to me. One supervisor -- field supervisor is
16: in Las Cruces office in New Mexico. The other one is
17: the supervisor at the American Dam. The third one is
18: the supervisor at the Fort Hancock office. I also
19: have the team of administrators that would be under
20: the umbrella of the Upper Rio Grande such as a
21: secretary, supply tech, and an office manager.

Page 00017

02: questions that pertain to you. My first question is:
03: The USIBWC is required to maintain the channel of the
04: Rio Grande from Caballo Dam all the way to Fort
05: Quitman, Texas; is that correct?

Page 00017

07: A. It's actually from Percha Dam -- downstream
08: of Percha Dam, diversion dam, all the way to --
09: through Hudspeth County.
10: Q. (BY MS. BARELA) What is IBWC's understanding
11: of what it means to maintain the channel?
12: A. To maintain the channel, to comply with the
13: 1906 deliveries, and, also, for flood control.

Page 00018

07: Q. (BY MS. BARELA) How about the 1936
08: Canalization Act, are you familiar with that?
09: A. I've heard of it, ma'am, yes.
10: Q. And is it correct to state that the basis for
11: IBWC's requirement to maintain the channel from Percha
12: diversion dam to American diversion dam is that 1936
13: Canalization Act?
14: A. That is correct.

Page 00018

25: Q. (BY MS. BARELA) Ms. Montes, is the standard

Page 00019

01: for maintaining the channel by IBWC, is that
02: established in the IBWC River Management Plan?
03: A. I'm trying to get into CaseView. I wouldn't
04: call it a standard for maintaining the channel. It is
05: more, for me, a guide for maintaining the channel.
06: Q. Is the River Management Plan part of the Rio
07: Grande canalization project environmental impact
08: statement?
09: A. I believe it is.
10: Q. What was the standard, or as you stated,
11: guide regarding channel maintenance prior to the river
12: maintenance plan -- river management plan, excuse me?

Page 00019

15: A. That it is -- it is our responsibility to
16: clear it.
17: Q. And does that responsibility solely fall on
18: IBWC?
19: A. In -- in the Rio Grande, yes, ma'am.
20: Q. Is it IBWC's position that it is following
21: its River Management Plan and its general maintenance
22: of the channel?
23: A. Yes, ma'am. To the best of our ability.
24: Q. Has IBWC always followed its River Management
25: Plan?

Page 00020

01: A. As far as I know, ma'am.

Page 00020

06: Q. (BY MS. BARELA) Is it fair to say that there
07: was a time period where IBWC stopped work on
08: maintenance of the channel?

09: A. I don't know of it being stopped. I've only
10: been here for two years -- well, actually, ten years,
11: and I'm not aware of anything like that within the
12: past ten years.

13: Q. Am I correct to say that IBWC was not meeting
14: its channel maintenance requirements and sought help
15: from a number of outside parties, agencies, and/or
16: districts and a collaborative sediment control
17: initiative was initiated by IBWC?

Page 00020

20: A. I don't know the response to that, ma'am.
21: Q. (BY MS. BARELA) Are you familiar with the
22: collaborative sediment control initiative?
23: A. No, ma'am.
24: Q. Is it correct to state that the IBWC reports
25: to the Rio Grande Compact Commission on its channel

Page 00021

01: maintenance activities?
02: A. Yes, ma'am.
03: Q. Do you know why the reason for that is?
04: A. They have an interest in what is occurring
05: down the river.
06: Q. Does IBWC do that every year?
07: A. They meet periodic. I don't know if it's
08: every year or every two years.
09: Q. What are IBWC activities regarding sediment
10: removal in the channel?
11: A. The activities are to plan the phasing of it
12: and within our own equipment, we pick the areas
13: needing the sediment removed. We do that during the
14: non-irrigation season.

Page 00021

18: Q. What about IBWC activities regarding
19: maintenance of river gages in the project area?
20: A. We maintain the areas around the river gages.
21: The water accounting department under Billy Finn on a
22: periodic basis check their electronic equipment. My
23: office, the O&M, helps them out in anything that they
24: need repaired or replaced.
25: Q. Have there been sediment and removal projects

Page 00022

01: along the Rio Grande? And I'm interested in the area
02: between Percha Dam down to Fort Quitman?
03: A. Yes, ma'am. On an annual basis, we touched
04: all three areas, which is the canalization project,
05: the (unintelligible) project -- and -- and the Fort
06: Hancock -- I'm sorry, the rectification project.
07: Q. What are IBWC concerns with sediment
08: accumulation in the Rio Grande?
09: A. Our concerns are the source where the
10: sediment comes from. That is beyond our control
11: because it -- it comes from mountains, and the
12: sediment comes down the -- the arroyos and enters the
13: river. It -- it's recurring.
14: Q. What happens if sediment is not removed from
15: the Rio Grande?

Page 00022

20: A. If sediment is not removed in majority of the
21: areas, it creates a plug in the mouth of, if it's an
22: arroyo right there, and the sediment will continue and
23: actually, in some cases, plug the river. It will be
24: an obstruction.

25: Q. (BY MS. BARELA) Does the elevation of

Page 00023

01: groundwater affect losses from the Rio Grande?

Page 00023

03: A. I don't know the answer to that, no.

Page 00023

07: Q. Thank you. What prompted IBWC to start

08: performing sediment control in the channel?

09: A. I can only speak for historically what I've

10: heard, and it would be flooding in adjacent areas,

11: number one, and then number two, obstructions that

12: would -- wouldn't let the river flow and go its -- its

13: route -- intended route in its specific deliveries to

14: Mexico and deliveries to the El Paso County Water

15: Irrigation District.

Page 00025

19: Q. This document was previously admitted as IBWC

20: 30(b)(6) 11, and it's the IBWC United States and

21: Mexico Operations and Maintenance Manual, Upper Rio

22: Grande Projects, dated October, 2010. Are you

23: familiar with this document?

24: A. Yes, ma'am.

25: Q. Can you describe what it is, please?

Page 00026

01: A. The operations and maintenance manual is --

02: is a guideline for different areas that we are

03: responsible for, and it may have some data in there,

04: some statistics applicable to flows and what have you.

05: Q. And on the first page, it says it was

06: prepared by Upper Rio Grande Projects American Dam,

07: Carlos Marin Field Office; is that correct?

08: A. Yes, ma'am.

09: Q. Is the IBWC Carlos Marin Field Office
10: responsible for carrying out the responsibilities
11: outlined in this manual?

12: A. The operation and maintenance manual is for
13: overall Upper Rio Grande Projects. American Dam is
14: just one of the facilities, but this manual is
15: followed by -- by all three facilities that I have
16: under Upper Rio Grande.

Page 00027

14: Q. Page 6.

15: A. Okay. I'm there.

16: Q. And this should pull up Chapter 2 project
17: description; is that correct?

18: A. Yes, ma'am.

19: Q. I just want to make sure we're on the same
20: page. There where it says Section 2.1, it appears
21: that based on the description, that the Upper Rio
22: Grande Project consists of four projects between
23: Percha Dam in New Mexico to Quitman Canyon in Texas;
24: is that correct? And you --

25: A. That's correct.

Page 00028

03: A. That is correct.

04: Q. And is that still the case today?

05: A. Yes, ma'am.

06: Q. Let's go to Page 12.

07: A. Okay.

08: Q. And that should bring up a page that the
09: first heading is Section 2.8.1, "Mission." Are you on
10: that page?

11: A. Yes, ma'am.

12: Q. I want to understand the functions of the

13: Upper Rio Grande Project headquarters and generally

14: how the IBWC runs the Upper Rio Grande Project. Can

15: you read through the -- can you read through them just

16: to review to yourself the functions of the Upper Rio

17: Grande Project Office on this and the next page and

18: tell me if this is still accurate from your point of

19: view? And you can take a minute to review that.

20: A. There is only one change.

21: Q. What change is that?

22: A. The function under 2.8.2, No. 4, "Plan and

23: administer the operation and maintenance of an

24: extensive system of river gauges and facilities in the

25: Rio Grande and canal systems for the purpose of," and

Page 00029

01: so forth.

02: Q. And what's the change? Was that just removed

03: or was it modified?

04: A. It was modified just recently.

05: Q. What was that modification?

06: A. The operation of the water accounting system

07: now falls under the direction of Billy Finn -- William

08: Finn.

09: Q. The water accounting division; is that

10: correct?

11: A. That's correct.

12: Q. I have a question about Function No. 2 just

13: above where we were looking at on No. 4 there, which

14: states, "Formulate and be responsible for the

15: preliminary engineering and planning for the operation

16: and maintenance of the Upper Rio Grande Projects."
17: Can you tell me what this is ref -- referring to?
18: A. That refers to operating, maintaining all the
19: facilities within the projects. If there is anything
20: that needs to be repaired or replaced or updated I
21: would have to be responsible to identify what are the
22: needs through preliminary engineering and initiate the
23: planning for it.

Page 00030

01: A. That really falls under the engineering
02: department.
03: Q. Okay. Let's move on to the next page, Page
04: 13. If you look at Function No. 5, it talks about
05: hydrological data and records. Do you see that?
06: A. Yes, ma'am.
07: Q. Can you describe what data and records are
08: retained by this group?
09: A. The group, which would be engineering, does
10: the data and records would be any records of flows
11: going into the river, but it would also probably be in
12: conjunction with the water accounting.
13: Q. And as a follow-up, does this office prepare
14: any hydrologic reports or is that left for other
15: divisions?
16: A. My department doesn't. It's for other --
17: other divisions.
18: Q. I'm going to go to Page 19 now. Did you pull
19: up Chapter 3, Operations?
20: A. Yes, ma'am.
21: Q. And it looks like this also goes onto Page
22: 20, but at the bottom of this page, the last sentence

23: where it starts, "Normal irrigation flows are the
24: Bureau of Reclamation's responsibility and are
25: distributed in a river channel or in their canal

Page 00031

01: systems at their option." And that ended at the top

Page 00031

04: Q. Can you please clarify what is meant
05: by "distributed in the river channel or in their canal
06: systems at their option"?
07: A. I don't know the meaning of "at their
08: option." Can you clarify that?
09: Q. We could also say, and if you don't believe
10: me to be correct, we could say "at their discretion."

Page 00031

13: A. I would have to reply that the water is being
14: released and are distributed to the river channel, but
15: it's per agreement by all parties.
16: Q. (BY MS. BARELA) What is the circumstance when
17: BOR would put water into the river channel instead of
18: a canal system?

Page 00031

23: A. It -- it is my opinion that they were putting
24: the river channel instead of a canal system because
25: the flows where the canal -- out of the canal would

Page 00032

01: normally flow to is not ready to receive that
02: distribution.

Page 00032

06: Q. Keeping this in mind, what about flows
07: discharged to the Rio Grande from wastewater treatment
08: plants and irrigation wasteways, is IBWC responsible

09: for those waters or is that strictly a BOR

10: responsibility?

Page 00032

12: A. To the best of my knowledge, IBWC is not

13: responsible.

Page 00032

16: Q. Let's go to Page 24. Have you pulled that

17: up?

18: A. Yes, ma'am.

19: Q. Okay. In that first paragraph, the very last

20: sentence states, "In addition, a hydrologic" -- excuse

21: me -- "a hydraulic and hydrology review is performed

22: every ten years to ensure that the floodway capacity

23: and levee heights are adequate." Do you see that?

24: A. Yes, ma'am.

25: Q. How is this review documented?

Page 00033

01: A. The engineering department either does these

02: reviews or subcontracts it, and it's documented by a

03: report.

04: Q. What report reflects it?

05: A. To the best of my -- my knowledge, I believe

06: it's actually called an H&H study.

Page 00033

21: document are about grade controls. Let's go to Page

22: 25. Do you see in Section 4.4.1 where it says, "Grade

23: control structures"?

24: A. Yes, ma'am.

25: Q. And it states, "There are four grade control

Page 00034

01: structures within the rectification project." Do you

02: see that?

03: A. Yes, ma'am.

04: Q. And are you familiar with those structures?

05: A. Yes, ma'am.

06: Q. Can you please describe how these grade

07: structures work?

08: A. In general, the grade structures are to
09: divert water. Water comes down the river, and the
10: grade control meter can either slow down the flows
11: going downstream, and there's one like the grade
12: control structure where the water connected being
13: diverted to other irrigation canals in Hudspeth
14: County.

15: Q. What maintenance is required for these
16: structures?

17: A. The maintenance would be the painting, any
18: replacement of -- of the controls, weirs, they have
19: the weirs.

Page 00035

09: Q. This exhibit has been marked IBWC 30(b)(6)
10: 12, and we've previously admitted this exhibit. This
11: is a 2015 Rio Grande Compact Engineer Advisor meeting
12: PowerPoint by Carlos Pena. Do you see that?

13: A. Yes, ma'am.

14: Q. Are you familiar with this document?

15: A. I am familiar with the type of document, but
16: I may not have seen everything that's in it.

17: Q. Okay. Let's go to the second page of the
18: document.

19: A. Okay.

20: Q. And this slide lists USIBWC resources; is

21: that correct?

22: A. Yes, ma'am.

23: Q. Do you see the first bullet point that

24: says, "Number of employees"?

25: A. Yes, ma'am.

(continued page 00036)

0036

01: Q. Can you explain the 39 Upper Rio Grande?

02: A. Yes, ma'am. The 39 composes my

03: administration, Upper Rio Grande, and the three field

04: offices, which consist of the Las Cruces facility, the

05: American Dam facility, and the Fort Hancock facility,

06: all combined.

07: Q. And are these employees dedicated to IBWC

08: activities pertaining to the 1906 Convention?

09: A. The ones for the 1906, which is the delivery

10: of the water to Mexico, the main -- the main people

11: that are involved in it would be the Las Cruces office

12: and -- and the American Dam office.

13: Q. Let's go to Slide 4 or Page 4.

14: A. Okay.

15: Q. This is a slide on the Rio Grande Basin,

16: correct?

17: A. Yes, ma'am.

18: Q. And what is the Rio Grande Basin?

19: A. This takes -- this is the overall areas

20: receiving waters from the river down from the El Paso

21: area all the way down to the tail end of -- of Texas.

22: Q. Do you see the purple area that designates El

23: Paso -Juarez Convention of 1906?

24: A. Yes, ma'am.

25: Q. What does that area reflect?

Page 00037

05: Is this area the area that the -- your office, the

06: Upper Rio Grande Project Office, is focused on?

07: A. Yes, ma'am.

08: Q. Thank you. On Page 5, Slide 5, the third

09: bullet point where it states, "In case of

10: extraordinary drought, water deliveries to both

11: countries are reduced by the same percentage." Can

12: you please explain IBWC's understanding of this bullet

13: point?

14: A. Yes, ma'am. Even though I'm not directly

15: involved with the -- with the calculations, it means

16: that the United States, through the Convention of

17: 1906, is to deliver 60,000 acre-feet of water to

18: Mexico, which should the -- the reservoirs, Caballo

19: Dam, does not have enough water, then it is reduced,

20: and you don't get the 60,000 for that year -- 60,000

21: for that year.

Page 00038

03: Q. (BY MS. BARELA) Let's go to Slide 23. And,

Page 00038

07: Q. And this is the slide that states, "Channel

08: maintenance plan overview," correct?

09: A. That is correct.

10: Q. The first bullet point states, "US IBWC

11: initiated a draft five-year Channel Maintenance Plan

12: in 2013." Do you see that?

13: A. Yes, ma'am.

14: Q. Why did IBWC initiate this Channel

15: Maintenance Plan?

16: A. From what I have read, the Channel
17: Maintenance Plan is within the River Management Plan
18: at this time, but it's more of a guidance that was
19: required, and if I'm not mistaken, it was the record
20: of decision that required a maintenance plan.

21: Q. The second bullet states that the, "Purpose
22: is to maintain efficient water deliveries to U.S.
23: irrigation districts, City of El Paso, and Mexico ."
24: Do you see that?

25: A. Yes, ma'am.

Page 00039

01: Q. Is this IBWC's sole responsibility?

02: A. No, ma'am.

Page 00039

06: IBWC 30(b)(6) 13, and this is a April 8, 2016, IBWC
07: U.S. and Mexico U.S. Section Capital Project Plan; is
08: that correct?

09: A. Yes, ma'am.

Page 00039

21: ask you a question on. If you'd turn to Page 6.

22: A. Okay.

23: Q. And then that last paragraph
24: under, "Background and history," if you would become
25: familiar with that paragraph.

Page 00040

02: Q. I'm going to direct you to the first sentence
03: in that paragraph that states, "US IBWC faces many
04: challenges in operating the RGCP, by the most part is
05: the ongoing sediment delivery from the tributary --
06: tributary arroyos from Percha Dam all the way to Fort
07: Quitman, Texas, has historically been among the most

08: significant." Do you see that?

09: A. Yes, ma'am.

10: Q. Does IBWC agree with this statement?

11: A. Yes, ma'am.

12: Q. Then the second sentence goes onto state

13: that, "Depositing sediment in the river can result in

14: sediment plugs, island formation with vegetation, and

15: aggradation that prevents draining of irrigation

16: return flow that could result in increased

17: water-surface elevations and can impact directly levee

18: freeboard and flood conditions." Do you see that?

19: A. Yes, ma'am.

20: Q. Does IBWC agree with this statement?

21: A. Yes, ma'am.

22: Q. Why is it important for IBWC to control

23: sediment in the channel?

24: A. There are many reasons. One would be

25: distribution, and the other one would be preventing of

Page 00041

01: flooding. For the preventing of flooding, if you have

02: a lot of sediment building up and when a flood does

03: occur, the capacity of the levee system is reduced,

04: and the water would top over the levee system and,

05: thus, flood the adjacent areas.

Kryloff, Nicolai

Volume 1 - 08/06/2020

Summary Proceeding with Highlighted Clips

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NM Direct Designation

EXHIBIT

E

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,) Original Action Case
) No. 220141
06: VS.) (Original 141)
)
07: STATE OF NEW MEXICO,)
and STATE OF COLORADO,)
08:)
Defendants.)
09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: NICOLAI KRYLOFF
14: AUGUST 6, 2020
15: *****
16:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of NICOLAI
17: KRYLOFF, produced as a witness at the instance of the
Defendant State of New Mexico, and duly sworn, was
18: taken in the above-styled and numbered cause on
August 6, 2020, from 9:02 a.m. to 2:52 p.m., before
19: Heather L. Garza, CSR, RPR, in and for the State of
Texas, recorded by machine shorthand, at the offices
20: of HEATHER L. GARZA, CSR, RPR, The Woodlands, Texas,
pursuant to the Federal Rules of Civil Procedure and
21: the provisions stated on the record or attached
hereto; that the deposition shall be read and signed.
22:
23:
24:
25:

(continued page 00002)

0002

01: R E M O T E A P P E A R A N C E S
02:
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(continued page 00003)

0003

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19: john@uttonkery.com
20:
VIDEOGRAPHER:
21:
Mr. Christian Barrett
22:
23: ALSO PRESENT:
24: Scott Miltenberger
Shelly Dalrymple
25: Jennifer Stevens

(continued page 00004)

0004

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23: Fe, New Mexico September 27 to
October 1, 1937

24:

25:

(continued page 00005)

0005

01: THE VIDEOGRAPHER: The time is 9:02

02: a.m., and we are on the record.

03: NICOLAI KRYLOFF,

04: having been first duly sworn, testified as follows:

Page 00007

13: Q. And my purpose here is to fully understand

14: your opinions and your testimony so that I can prepare

15: for trial and so I'll -- I'll just ask that you be as

16: complete as possible to any of my questions. Does

17: that sound fair?

18: A. Yes, it does.

19: Q. And so that also means if at any time you

20: think of something you wish you had said or you'd like

21: to add to a previous answer, please just let me know.

22: I'm happy to go back and cover that subject.

Page 00026

23: Q. Have you done any previous historic research

24: involving an interstate Compact?

25: A. Not that I can think of, no.

Page 00029

01: under the summary. Here is where you -- you indicate

02: you started in March of 2018 on this matter; is that

03: right?

04: A. No, that's not correct. That's a
05: typographical error. It would be March, 2019.
06: Q. And your report was submitted then on May
07: 31st of 2019, that same year; is that right?
08: A. Yes.
09: Q. And so you had -- when in March were you
10: contacted; do you know?
11: A. Very late in the month.
12: Q. You only had a little over two months to
13: conduct your research and draft your report; is that
14: right?
15: A. That's correct.

Page 00064

08: Q. Page 7 to 8, you are talking about the 1929
09: Compact, and -- and you cite the 1929 Compact in
10: Appendix A, along with the 1938 final Compact. As a
11: principal of historical analysis, is it useful to
12: compare the 1929 Compact with the final 1938 Compact?
13: A. Useful in what way?
14: Q. Helping to understand what the parties
15: intended with the final Compact?
16: A. Yes.
17: Q. Did you do that comparison? Did you review
18: the differences between the two Compacts?
19: A. I think that I did, although I did not
20: include that explicitly in my report.
21: Q. Did you reach any conclusions by conducting
22: that comparison?
23: A. They were quite different. There were only a
24: few clauses or articles that survived from the 1929
25: Compact into the 1938 Compact.

Page 00065

01: Q. As a historian, what does that tell you?

02: A. I found that the 1938 Compact relied much

03: more directly on engineering knowledge, whereas the

04: 1929 Compact was a more -- more legalistic exercise.

05: Q. You mention in your report that one of the

06: purposes of the 1929 Compact was to preserve the

07: status quo; is that right?

08: A. The final 1929 Compact that was produced,

09: yes, it was designed to preserve the status quo.

10: Q. Was the 1938 Compact also designed to

11: preserve the status quo?

12: A. That Compact does not have those words or --

13: or that meaning in my recollection. I don't think

14: that included that type of language like the 1929

15: Compact did.

Page 00125

05: Q. Turning to your recommendations for further

06: research, I understood this to be suggesting that

07: post-Compact actions can help to understand what the

08: states intending with -- intended with the Compact.

09: Is that correct?

10: A. I think that post-Compact actions could show

11: us how other people have interpreted that intent.

12: Q. Including the states themselves?

13: A. Yes.

Barroll, Peggy

Volume 1 - 10/21/2020

Summary Proceeding with Highlighted Clips

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New Mexico Counter Designation

Texas Direct Designation

EXHIBIT

F

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,)
) Original Action Case
06: VS.) No. 220141
) (Original 141)
07: STATE OF NEW MEXICO,)
 and STATE OF COLORADO,)
08:)
 Defendants.)
09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: PEGGY BARROLL
14: OCTOBER 21, 2020
15: *****
16:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of PEGGY
17: BARROLL, produced as a witness at the instance of the
United States, and duly sworn, was taken in the
18: above-styled and numbered cause on October 21, 2020,
from 1:02 p.m. to 3:29 p.m, before Heather L. Garza,
19: CSR, RPR, in and for the State of Texas, recorded by
machine shorthand, at the offices of HEATHER L. GARZA,
20: CSR, RPR, The Woodlands, Texas, pursuant to the
Federal Rules of Civil Procedure and the provisions
21: stated on the record or attached hereto; that the
deposition shall be read and signed.
22:

Page 00002

01: R E M O T E A P P E A R A N C E S
02:
FOR THE PLAINTIFF STATE OF TEXAS:
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Page 00003

06: FOR THE UNITED STATES:

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11: -and-

Page 00007

01: THE VIDEOGRAPHER: The time is 1:02 p.m.

02: We're on the record.

03: (The witness was sworn.)

Page 00009

20: You've been identified as a 30(b)(6) witness

21: on behalf of New Mexico with respect to limited

22: topics; is that right?

23: A. That's right.

Page 00011

02: Q. And my understanding is that you've been

03: identified to -- to testify regarding Topic C?

04: A. That's correct.

05: Q. And the first bullet in Topic D; is that

06: correct?

07: A. Yes.

08: Q. Okay. Now, are there any other topics that

09: you've been prepared -- that you're prepared or

10: authorized to respond to for purposes of the 30(b)(6)?

11: A. No, I don't think that I'm authorized to

12: respond on any other topics.

13: Q. All right. And do you understand that you're

14: testifying as if you are the voice of the State of New

15: Mexico for purposes of this deposition so you're

16: testifying as to the positions of the State and those

17: positions will be binding on the State; do you

18: understand that?

19: A. Yes, I do.

20: Q. Okay. And you also testified as an

21: independent consultant in this case, but you're here

22: today -- are you here today as an independent

23: consultant or are you just speaking on behalf of the

24: State of New Mexico?

25: A. I'm speaking on behalf of the State of New

(continued page 00012)

0012

01: Mexico.

02: Q. Okay. And should we understand that the --

03: well, let me rephrase that.

04: Does -- does your role as a 30(b)(6) deponent

05: today change any of the responses that you gave at

06: your -- your prior depositions as an expert witness in

07: this case?

08: A. No, it does not.

09: Q. Okay. So should we understand the opinions

10: you gave as an independent consultant are also the

11: views of the State of New Mexico?

12: MR. WECHSLER: Well, I'll just object to

13: form. Yeah, to the extent that they are on the same

14: subject, Jim, I mean, there was a lot of subjects she
15: covered in her deposition, and I don't know that they
16: overlap with her designations.
17: MR. DUBOIS: Fair enough. Fair enough.

Page 00018

13: Q. Okay. Does New Mexico take any steps to
14: administer water rights in the Rio Grande basin below
15: Elephant Butte to assure that the project water supply
16: is not depleted or reduced by non-project water users
17: in New Mexico?
18: A. New Mexico takes many steps to administer
19: water below Caballo, below Elephant Butte, in order to
20: protect the water users and protect the project, such
21: as enforcing against illegal diversions, metering
22: groundwater, enforcing against over diversions, our
23: application process by which no additional
24: appropriations can be approved without offsets. There
25: are many steps New Mexico takes for administering

(continued page 00019)

0019

01: water below Elephant Butte.
02: Q. Okay.
03: A. New Mexico does not have an obligation to
04: ensure that no depletions occur.

Page 00025

18: Q. Let me just -- let me just -- let me just
19: back up and break that down a little differently. Are
20: offsets required for all water rights?
21: A. No.
22: Q. Okay. What water rights are offset required
23: for?

24: A. New appropriations after the declaration of
25: the Lower Rio Grande under groundwater basin in -- in

Page 00026

01: 1980 and 1982.

Page 00026

03: A. And the use of inchoate -- the -- the
04: expansion of inchoate declared water rights that would
05: have been declared, have had declarations prior to
06: 1980, expansion of the use beyond 1980 level of the
07: inchoate part.

08: Q. Explain that last part to me, please.

09: A. I only know it from a couple of water rights
10: that relates to.

11: Q. Okay.

12: A. And their NI, you know, non-irrigation water
13: rights, in which the -- I believe the court recognized
14: under the -- I forget which doctrine it is, but you
15: have a certain amount of time to make beneficial use
16: of the water you've declared after the declaration of
17: a basin, that the water right that had been already
18: put to use under the declaration was X, that they
19: would recognize the water right of Y, and the part
20: they hadn't used yet, they are required by the state
21: engineer's office to get offset for when they do use
22: it, and that's a water right associated with, like, a
23: CR RUA and Southern New Mexico Water Utility.

24: Q. Okay. So as I understand it, no offsets are
25: required for either water rights that were in

Page 00027

01: existence prior to the declaration of basin closure,
02: let -- let's just assume 1980 for purposes. I don't

03: really care if it's '80 or '81, and for the perfection
04: of inchoate rights that were declared before 1980, but
05: not perfected before 1980. Is that --

06: A. Offsets are required for the perfection of --

07: Q. Oh, okay. Okay. My misunderstanding.

08: That's why I was asking.

09: A. Yes.

10: Q. So for the pre-1980 water rights, no offsets
11: are required, regardless of when the appropriation was
12: made; is that correct?

13: A. That's correct.

14: Q. So for all of the water rights that were --
15: that were appropriated between 1908 and 1980, there is
16: no offset required?

17: A. That's correct.

18: Q. Regardless of whether they deplete the flows
19: of the Rio Grande or not, right?

20: A. That's correct.

21: Q. Okay. And the only enforcement of those
22: water rights is to make sure that they do not exceed
23: the permitted amount of under Stream System 101,
24: 4-and-a-half to 5-and-a-half acre-feet of water per
25: acre; is that correct?

(continued page 00028)

0028

01: MR. WECHSLER: Object to form.

02: THE REPORTER: I'm sorry, Jeff, did you
03: object?

04: A. That the only -- of those water rights.

05: There's lots of different areas --

06: Q. (BY MR. DUBOIS) That -- that broke -- your

07: answer just broke up on my audio, and I just want to
08: make sure that Heather got it rather than -- and maybe
09: we need to re-answer because it did break up there.
10: MR. DUBOIS: Heather, did you get that?
11: THE WITNESS: Doesn't look like it.
12: THE REPORTER: I was trying to ask Jeff
13: if he objected. They -- y'all spoke over each other
14: so I need to make sure y'all are speaking one at a
15: time.
16: MR. WECHSLER: I did object.
17: MR. DUBOIS: Yeah, I apologize. Yeah.
18: And I do - I do apologize, but it just seemed like it
19: all kind of broke up, and I lost that.
20: Q. (BY MR. DUBOIS) So going back to my question,
21: and we'll start over again and try it again. The only
22: enforcement of those water rights is to make sure they
23: do not exceed the permitted amount of, under Stream
24: System 101, 4-and-a-half to 5-and-a-half acre-feet of
25: water per acre; is that right?

(continued page 00029)

0029

01: MR. WECHSLER: Object to form.
02: A. Let's -- those water rights that were
03: existence and being exercised prior to 1980 do not
04: have any offset requirements, and the state engineer
05: does enforce against over diversion of those water
06: rights. There may be other areas of enforcement that
07: occur as to drilling new wells, transfers. I mean,
08: there is administration of those water rights. I
09: think the statement that there's no enforcement of --
10: of those water rights might be a little broad, and

11: then furthermore, if necessary, the state engineer can
12: administer water rights in priority to curtail water
13: rights in priority, if necessary.
14: Q. (BY MR. DUBOIS) Has that ever been done in
15: the Lower Rio Grande?
16: A. There certainly has not been any curtailment
17: of groundwater rights in priority in the Lower Rio
18: Grande.

Page 00031

17: A. The State of New Mexico has policies and
18: administrative practices in place to manage
19: non-project water rights in the Rio Grande basin below
20: Elephant Butte. The purpose of that administration is
21: to protect senior water rights and the Rio Grande
22: Project.
23: Q. (BY MR. DUBOIS) Have those policies or
24: administrative practices ever been applied or enforced
25: to prevent reduction or diminishment of the surface

(continued page 00032)

0032

01: water supply to the project?
02: MR. WECHSLER: Object to form.
03: A. There has been no priority administration
04: applied in the Lower Rio Grande to curtail water
05: rights that might impact the Rio Grande Project, but
06: there is, again, no -- New Mexico did not have an
07: obligation to prevent all depletions. New Mexico has
08: a right -- water users in the state of New Mexico have
09: a right to deplete water.

Page 00043

19: to be taken. And I guess I would like to make the

20: distinction based on what I was saying earlier, you --
21: you talked about models used to calculate depletions
22: to flow, and our models can and do do that, and that's
23: not always exactly the same as impairment to a senior
24: or other ground -- or -- or other surface water user.
25: Depletion does not always equal impairment. There can

Page 00044

01: be depletions that occur that do not result in any
02: impairment, and what involved in a priority call would
03: be that the senior user was, in fact, impaired, not
04: just the fact that depletions occurred.

Page 00046

12: Q. (BY MR. DUBOIS) So if the U.S. placed a call
13: on behalf of the project, how long would an
14: investigation of that call take?
15: A. I don't know.
16: Q. Okay. If the state engineer determined that
17: a call was valid, the state engineer would then make a
18: determination about curtailments in some fashion; is
19: that right?
20: A. That's right. The state engineer --
21: Q. And how long would -- go ahead. I'm sorry.
22: A. The state engineer would make a determination
23: as to what amount of curtailment was necessary, what
24: volume of water, say, was necessary to address the
25: call and probably involving use of groundwater models

(continued page 00047)

0047

01: to take into account any delays as to when the water
02: -- the water associated with curtailing groundwater
03: rights would show up back in the river and would come

04: up with -- he would be tasked with determining the
05: administration date and water rights junior to that
06: date would be curtailed.

07: Q. Any idea how long it would take to come up
08: with that kind of an analysis and plan?

09: A. I don't know. But the tools we've developed
10: as part of settlement talks and as part of our
11: litigation have definitely made it within striking
12: distance that we should be able to perform such an
13: analysis expeditiously.

14: Q. What do you -- what do you define as
15: expeditiously?

16: A. Within months rather than years.

Page 00051

02: Q. So as far as New Mexico's policies relating
03: to the administration of water delivered to EBID
04: pursuant to the 1938 contracts, what policies would
05: you point to that New Mexico has related to that
06: administration?

07: A. Well, the same policies and administration
08: mechanisms that I described earlier, the same policies
09: and administrative mechanisms we use for all water
10: rights in the Lower Rio Grande.

11: Q. So you don't distinguish between the contract
12: water delivered as part of Texas' Compact entitlement
13: and just a routine state water right?

14: A. So when I look at D1, it talks about New
15: Mexico policies relating to the administration of
16: water delivered to EBID pursuant to the 1938
17: contracts, the '70/80 operation and maintenance
18: transfer contracts, and the 2008 operating agreements.

19: Your question talked about delivery to Texas.

20: Q. No my question was -- I'm limiting my

21: question, first of all, to the first clause in that

22: bullet point, and that's New Mexico's policies related

23: to administration of water delivered to EBID pursuant

24: to the 1938 contracts between --

25: A. Okay.

(continued page 00052)

0052

01: Q. -- the United States and the districts. I'll

02: stop. That's all I want to talk about right now.

03: A. Okay. And delivery to EBID, though, you're

04: talking about delivery to Texas?

05: Q. The water that is delivered to EBID under the

06: contract is -- gets there as part of the Compact

07: entitlement that Texas is receiving in the Elephant

08: Butte reservoir; is that how you understand it?

09: A. Yeah. I guess -- I guess there is that --

10: that relationship, that the Compact delivery to

11: Elephant Butte is indeed described as delivery to

12: Texas. Yes. Okay. I'm following you.

13: Q. And the water that Texas is entitled to in

14: Elephant Butte Reservoir is the water that but for the

15: amount that EBID is entitled to under its contract on

16: New Mexico treaty, correct?

17: MR. WECHSLER: Object to form.

18: This is beyond the scope of her -- her

19: subjects.

20: MS. KLAHN: I'm trying to establish the

21: foundation to ask the question I asked five minutes

22: ago and trying to see if she understands the -- what

23: I'm asking. So that's where I'm going with this.

24: A. The administration of water below Elephant

25: Butte Reservoir is the same for all of the water

(continued page 00053)

0053

01: rights below Elephant Butte Reservoir. We do not have

02: a special administration for water associated with

03: water released pursuant -- that had been stored as

04: part of Texas' entitlement under the Compact.

Page 00058

18: MS. KLAHN: Kayla, could you pull up the

19: document that is called ISC fallowing update? I'm

20: going to shut the door, so people can't hear my dogs

21: barking.

22: (Exhibit No. 2 was marked.)

23: Q. (BY MS. KLAHN) Can you see that?

24: A. Yeah.

25: Q. Okay. I can't because I think I've made my

(continued page 00059)

0059

01: Zoom thing go away again, but if you have control of

02: that, let's take a look at that together. This should

03: be marked as Exhibit 2, I think. Is that right?

04: A. Yes.

05: Q. Have you seen this memorandum?

06: A. I think I saw a draft of it.

07: Q. When was that?

08: A. Back in July.

09: Q. Did you review this before your deposition

10: today?

11: A. No.

12: Q. If you'd go down with me to -- it's a cover
13: memo, which the ISC staff apparently sent to the
14: Interstate Stream Commission asking for approval of
15: this project and then the report that follows is
16: provides some examples, as I understand it, of other
17: efforts around the west that the consultant was
18: looking at.

19: A. I haven't read that report.

20: Q. Are you familiar with any of the example
21: projects that the ISC staff are using as a basis for
22: the recommendation?

23: A. I'm -- I'm familiar --

24: Q. Go to PDF Page 12 -- 11, sorry.

25: A. PDF Page 11. I have some familiarity with

(continued page 00060)

0060

01: the Fort Sumner Irrigation District program, though
02: I've never worked on it. I am -- have some
03: familiarity with the Lower Arkansas Super Ditch. I
04: was and had presentations by people involved in that
05: system. I'm not familiar with the Upper Colorado
06: River System Conservation Program. I am familiar with
07: the Rio Grande Water Conservation District Subdistrict
08: No. 1. I've been up there, and I've also attended
09: meetings in which people involved in that system have
10: presented information on how -- how it works.

11: Q. Are any of these projects mandatory for the
12: water users; do you know?

13: A. Not to my knowledge.

14: Q. Is that the concept that New Mexico's looking
15: at, a voluntary project in the Lower Rio Grande?

16: A. Well, the pilot project is indeed voluntary.

17: A farmer wants to get money for fallowing voluntarily

18: would apply and the alternative administration

19: discussions I have been involved with have also

20: involved voluntary -- voluntary systems by which money

21: is paid to farmers who agree to fallow.

22: Q. Did this pilot project -- project arise

23: because of the litigation between Texas and New Mexico

24: in this case?

25: MR. WECHSLER: Object to form;

(continued page 00061)

0061

01: foundation.

02: Q. (BY MS. KLAHN) Do you know?

03: A. There were a lot of reasons that it has come

04: about in part due to the hydrologic conditions and

05: dropping groundwater levels in the -- the Lower Rio

06: Grande in New Mexico, and it's also because of the

07: current litigation and a lot of different causes that

08: are all related to each other.

09: Q. Is the price that New Mexico is looking at

10: paying equivalent to what a pecan farmer could get if

11: he kept his trees in production; do you know?

12: A. I don't know.

13: Q. Is the expectation that pecan farmers

14: wouldn't participate in this because they have

15: permanent cover crop?

16: A. That is the expectation, though we believe

17: it's possible that there may be some orchards that are

18: not doing well that might end up in the program.

19: Q. Has the State of New Mexico done any

20: evaluation of potential folks who would want to
21: participate in this based on what's known about the
22: problems they are having in their production or
23: something like that?
24: A. I do not think we have done any evaluation of
25: that nature about individual farmers' situations.

(continued page 00062)

0062

01: Q. How about any evaluation of potential acreage
02: that might be persuaded to get into this?
03: A. We have done evaluations of what potential
04: acreage we would consider for the program on the basis
05: of irrigation status, but we have not done any formal
06: evaluation of individual farmer interests. Instead,
07: we -- this program is being run together with the
08: Lower Rio Grande Water Users Group, and there have --
09: I believe that the water users group entities have
10: been working with the farmers and have information as
11: to interest among the farmers.
12: Q. When you said at the beginning of your answer
13: there that you have -- the I -- the State of New
14: Mexico has done evaluations of what potential acreage
15: you'd consider for the program on the basis of
16: irrigation status, what does that mean?
17: A. We have evaluated historical irrigation of
18: acreage on an acre-by-acre basis from the remote
19: sensing, NDVI, and other analysis done mostly as part
20: of the litigation technical work in order to ensure
21: that we are not paying the fallowed acre that is not
22: being irrigated.
23: Q. I see. Would the goal be to fallow acreage

24: that is using a lot of water so you'd get a lot of
25: bang for your buck?

(continued page 00063)

0063

01: A. I believe the program will treat acreage
02: equally.
03: Q. So it wouldn't pay more for land that was
04: fallowing or basically wouldn't pay more for -- for
05: ground that's not going to be using a lot of water, if
06: you will?
07: A. I believe we are not making that distinction.
08: I believe that all land that is -- satisfies the
09: requirement for irrigation, having been irrigated,
10: will be treated equally.
11: MS. KLAHN: Kayla, could you pull up
12: that deposition exhibit that Yolanda sent to you this
13: morning? It was a single-page agenda item -- or
14: agenda, sorry.
15: THE VIDEOGRAPHER: Let me make sure I'm
16: pulling up the right one. Hold on.
17: MS. KLAHN: It should say groundwater
18: conservation pilot program. It's a JPEG.
19: (Exhibit No. 3 was marked.)
20: Q. (BY MS. KLAHN) And you have to tell me if
21: it's up because I can't see it.
22: A. I can see it. It's up.
23: Q. And is it the document that relates to some
24: meetings that are scheduled for next week?
25: A. Yes, it is.

(continued page 00064)

0064

01: Q. Okay. How many meetings like this has the
02: State of New Mexico had in the Lower Rio Grande; do
03: you know?

04: A. So there have been internal meetings between
05: the state and water user group representatives and
06: lawyers. There have been a number of them, but I
07: don't know how many. There have been no public
08: meetings, as yet, to my knowledge.

09: Q. So even though this is going to be online,
10: this is the first public -- set of public meetings
11: that's scheduled?

12: A. To my knowledge, that is true.

13: Q. Do you have any understanding of the feedback
14: that farmers have given to the state about this,
15: farmers that you've been talking to anyway? What have
16: they said about this program?

17: A. My understanding is that the water users
18: group entities, which include the New Mexico diverse
19: crop farmers have been involving their farmers in
20: these plans and that they believe there is interest in
21: participation in this program.

22: Q. In the absence of the pilot project, does --
23: is it your understanding that the state engineer could
24: authorize a local group of water users like in the
25: Lower Rio Grande to come up with their own alternative

Page 00065

01: scheme for administering water rights?

02: MR. WECHSLER: Object to form.

03: A. Yes. I believe that it would be possible for
04: another group of water users to organize and come up
05: with an alternative administration scheme, which if

06: acceptable to the state engineer, could be approved as
07: alternative administration.
08: Q. (BY MS. KLAHN) Would that be under the AWRM
09: statute?
10: A. Yeah. Yes, it would.

Page 00066

13: Q. (BY MS. KLAHN) Could you turn in this
14: document back to -- the document is Bates numbered,
15: and it -- you're welcome to take a look at it. It's a
16: packet of material we received from New Mexico in
17: discovery. It's Bates numbered, and it starts out
18: with while metering requirements. But if you go back
19: to New Mexico No. 210807, there's objectives -- list
20: of objectives. I don't know if you can hear my dogs.
21: I apologize. They're keeping us safe from the
22: mailman.
23: A. 807. Okay. Let me see if I can rotate this
24: sucker. I rotated it. Okay. So Objectives for Lower
25: Rio Grande District-Specific Regulations.

(continued page 00067)

0067

01: Q. So I want to draw your attention to Letter H.
02: We've talked a lot today about administration and how
03: it works with the Compact and -- Letter H on 210807
04: says that one of the objectives for Lower Rio Grande
05: District-Specific Regulations is to establish a system
06: for administration as required to meet downstream
07: interstate delivery entitlements.
08: A. Yes.
09: Q. Do you have an understanding what that
10: objective was aiming for?

11: A. My recollection is that at this time, I'm
12: uncertain as to whether there was a down -- any
13: Compact constraints or requirements below Elephant
14: Butte due to the language of the Compact being silent
15: or -- or, rather, at least not specifying -- sorry --
16: not specifying delivery targets below Elephant Butte.
17: So -- but we thought that that was possible to occur
18: and also thought, I think at the time we were trying
19: to be proactive, and we were trying to estimate what a
20: reasonable downstream delivery would be based on the
21: knowledge we had at the time and come up with an
22: administrative scheme that would allow us to try and
23: meet that.

24: Q. If the -- are you familiar with the draft
25: district-specific regulations, what the concept was

(continued page 00068)

0068

01: behind them?

02: A. Yes.

03: Q. Was it to drill groundwater wells within a
04: certain distance from the river?

05: A. In those rules, we did have -- we did
06: introduce a new administration scheme or propose a new
07: administration scheme, supply administration, and I
08: believe that was for a short-term temporary
09: curtailment of wells that were close to the river.

10: Q. And what --

11: A. In order to support the Rio Grande Project.

12: Q. And what was the reason for that approximate
13: -- or for that distance from the river for making them
14: based on the distance from the river?

15: A. Because wells that are a significant distance
16: from the river would not provide any effect on the
17: river within the short periods of time we were
18: thinking about the temporary administration.

19: Q. But the wells that are distant from the river
20: are still depleting the river, just taking longer for
21: the effect to hit the river, right?

22: A. Yes. This was a short-term administration
23: and, therefore, we were focused on wells that would
24: give a short-term response to the river.

25: Q. Was there any talk of curtailing or maybe not

(continued page 00069)

0069

01: entirely curtailing, but some curtailment of municipal
02: and irrigation wells -- I'm sorry -- municipal and
03: industrial wells?

04: A. Yes.

05: Q. For the City of Las Cruces?

06: A. I believe that some of their wells would have
07: fallen within that zone near the river for supply
08: administration and then, of course, the AWRM framework
09: rules also provide for depletion limit administration
10: and there was no restrictions on distance from the
11: river that were considered for the application
12: depletion limit administration.

Page 00069

20: Q. Would you consider EBID farmers holding
21: groundwater rights to have non-project groundwater
22: rights?

23: MR. WECHSLER: Object to form.

24: A. Well, in that discussion, I assumed that

25: Mr. Dubois regarded EBID farmer pumping as not being

(continued page 00070)

0070

01: included in the non-project groundwater rights.

02: Q. (BY MS. KLAHN) I know. I'm -- that's --

03: okay. That's fine, but that's not what I was asking.

04: I was just asking the question what do you consider

05: non-project water rights in the Lower Rio Grande?

06: A. Well --

07: MR. WECHSLER: Form.

08: A. Yeah. It's -- I mean, the project itself

09: doesn't have groundwater rights, but I regard the EBID

10: farmers that are pumping wells as part of a combined

11: right with an EBID surface water right, I would

12: consider that as in the -- in the broader sense within

13: the universe of -- of project-related water rights. I

14: wouldn't consider them in the category of non-project

15: water rights.

16: Q. (BY MS. KLAHN) So in terms of New Mexico's

17: views on administering the Lower Rio Grande, you don't

18: consider curtailment of the EBID farmers as a means to

19: avoid depletions to the Rio Grande?

20: MR. WECHSLER: Object to form.

21: A. Well, I do not think that EBID farm pumpers

22: would be exempt from priority administration.

1 behalf this deposition is taken, nor in the regular
2 employ of this attorney; and I certify that I am not
3 interested in the cause, nor of kin or counsel to
4 either of the parties.

5
6 That the amount of time used by each party at
7 the deposition is as follows:

8 MR. DUBOIS - 01:16:41

MR. WECHSLER - 00:00:00

9 MS. KLAHN - 00:45:07

MR. HARTMAN - 00:00:00

10 MR. HICKS - 00:11:48

MS. BARNCASTLE - 00:00:00

11
12
13 GIVEN UNDER MY HAND AND SEAL OF OFFICE,
14 this, the 31st day of October, 2020.

15 

HEATHER L. GARZA, CSR, RPR, CRR

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Page.line	Change From	Change to	Reason
13.10	Hotstef	Hohstadt	Transcript error
14.3-4	"which have been adopted and were succeeded in the constitution and in the New Mexico Supreme Court."	"which have been adopted and were upheld by the New Mexico Supreme Court."	Transcript error/ I misspoke
15.19-20	"New Mexico has the responsibility no to interfere with at or not to – or to ensure that that can occur to work in _"	"New Mexico has the responsibility to ensure its legal and regulatory framework allows Reclamation to deliver Project and Compact waters"	Clarification
15.24-16.1	"To work in concert with Reclamation when it comes to whatever is necessary surface water distribution of the project."	"To work in concert with Reclamation as necessary to assist in the delivery of surface water by the project."	Clarification
18.1-2	"it is, in fact, usable water or project supply."	"it is, in fact, project water, or project supply."	Clarification
24.9		Add to end: "Furthermore, the normal operations of the project, as understood by New Mexico, ensure that project users are delivered what they order. Reclamation adjusts Project releases to ensure the water that has been ordered is in fact delivered, regardless of contemporaneous gains or losses to the stream system."	My answer was incomplete
32.17-24	"A. Water users are -- water users in New Mexico cannot divert water that they're not entitled to and so that water users who do not have legal authority cannot divert surface water away from the Rio Grande project if groundwater use is impacting the Rio Grande project, then it would be necessary to, I believe, New Mexico would have to --sorry. Groundwater use depleting the project were alleged, it would have to be investigated and demonstrated. Groundwater depletions negatively impacting the project demonstrated the New Mexico remedied the priority administration, but this has not occurred."	"A. Water users in New Mexico cannot divert water that they are not entitled to. Water users who do not have legal authority cannot divert surface water away from the Rio Grande project. If it is alleged that groundwater use in New Mexico is impairing the project, then New Mexico would investigate it, and if necessary, remedy it."	Incomplete answer, transcript error
37.7	"information"	"investigation"	Transcript error

37.17-18	"And I say all water rights would be curtailed..."	"When I say water rights would be curtailed..."	Transcript error
39.7	"No."	"Some model runs that have be made in current studies can address this issue."	Incomplete answer
39.23		Add to end: " However, stream depletions calculated by a groundwater model alone cannot determine the actual change in the flows in the Rio Grande because the flow of the Rio Grande to Texas is controlled by Reclamation's operations of the Rio Grande project, which changes response to changes in gains and losses to the stream system."	Incomplete answer
46.15		Add "In part it would depend on the nature of the call. If it were a call based on instantaneous under-delivery of water to Texas, such that Texas was not receiving its Compact apportionment, New Mexico would evaluate the evidence, and rapidly work to resolve the under-delivery by whatever means necessary, ideally in cooperation with Reclamation. If it were a call based on deficits to Project performance or Project efficiency caused by New Mexico, then a more comprehensive evaluation would probably be necessary, but much of the work needed for such an evaluation has taken place as part of past and present hydrologic studies by New Mexico."	Incomplete answer
46.20	"That's right. The state engineer-- Q. And how long would -- go ahead. I'm sorry. A. The state engineer would make a determination as to what amount of curtailment was necessary, what volume of water, say, was necessary to address the call and probably involving use of groundwater models to take into account any delays as to when the water -- the water associated with curtailing groundwater rights would show up back in the river and would come up with -- he would be tasked with determining the administration date and water rights junior to that date would be curtailed."	"That's right. In the case of a call to address an immediate shortfall in delivery to Texas, New Mexico would take whatever steps were necessary to address that shortfall, which might involve other measures than curtailment of groundwater use, because of the delays inherent in groundwater impacts on surface water flows. In the case of a call based on impacts to Project performance or efficiency caused by New Mexico, the state engineer would made a determination as to what amount of curtailment of water use is necessary based on water rights data, and probably model results as well. Based on this analysis the state engineer would determine an administration date, and water rights junior to that date would be curtailed."	Unclear and incomplete answer.

47.9	"I don't know." But the tools we've developed as part of settlement talks and as part of our litigation have definitely made it within striking distance that we should be able to perform such an analysis expeditiously."	"Again, it depends on the type of priority call. In that case of a call made to alleviate an immediate shortfall of water to Texas, so that Texas is not receiving its Compact apportionment, New Mexico would act in a matter of days, to address this shortfall. The actions taken by New Mexico to address such a shortfall may or may not include curtailment of groundwater use, due to the inherent delayed impacts of groundwater pumping on surface water. For a call made by Reclamation to address deficits in project performance or efficiency caused by New Mexico, the more comprehensive analysis required would probably take a longer amount of time, but given the amount of work New Mexico has already done in this area, it should be achieved relatively expeditiously."	Unclear and incomplete answer.
61.5-6	"and it's also because of the current litigation and a lot of different causes that are all related to each other."	"The current litigation is related to the same issues: dropping groundwater conditions in the Mesilla basin."	I misspoke: my language was unclear.
80.13-14	"To provide you information about New Mexico's policies and the information required under Section C."	"The purpose of my testimony is to provide you information about New Mexico's policies and the information required under Section C."	Transcript error

Signature: Peggy Barroll 11/21/2020

Longworth, John

Volume 2 - 11/20/2020

Summary Proceeding with Highlighted Clips

Printed 07/18/2021 05:42PM CDT

CONFIDENTIAL

New Mexico Counter Designation

Texas Direct Designation

EXHIBIT

G

Page 00052

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,)
) Original Action Case
06: VS.) No. 220141
) (Original 141)
07: STATE OF NEW MEXICO,)
 and STATE OF COLORADO,)
08:)
 Defendants.)
09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: JOHN LONGWORTH
14: NOVEMBER 20, 2020
15: VOLUME 2
16: *****
17:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of JOHN
18: LONGWORTH, produced as a witness at the instance of
the United States, and duly sworn, was taken in the
19: above-styled and numbered cause on November 20, 2020,
from 1:03 p.m. to 5:33 p.m., before Heather L. Garza,
20: CSR, RPR, in and for the State of Texas, recorded by
machine shorthand, at the offices of HEATHER L. GARZA,
21: CSR, RPR, The Woodlands, Texas, pursuant to the
Federal Rules of Civil Procedure and the provisions
22: stated on the record or attached hereto; that the
deposition shall be read and signed.
23:

Page 00053

03: FOR THE PLAINTIFF STATE OF TEXAS:
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Page 00059

03: JOHN LONGWORTH,
04: having been first duly sworn, testified as follows:

Page 00094

04: Q. Yeah. We didn't get very far, but we're
05: going to pick up there for the rest of my question.
06: So Stream System Issue 101 was a determination of
07: consumptive irrigation requirements and farm delivery
08: requirements for all crops in the lower Rio Grande; is
09: that correct?
10: A. I believe that's how it was styled, yes.
11: Q. You stated that you were asked by the Office
12: of State Engineer legal division to formulate an
13: opinion on those specific topics; is that correct?
14: A. That's my recollection, yes.
15: Q. Let's start with what -- what is a farm
16: delivery requirement?
17: A. A farm delivery requirement in the context of
18: an adjudication is a general basin-wide determination
19: of what would be the amount of water necessary to be
20: delivered at the farm head gate to be able to meet the

21: consumptive irrigation requirement of the basin-wide
22: cropping pattern.
23: Q. Is a farm delivery requirement, and I'll
24: probably end up abbreviating it FDR. You'll still
25: understand what I'm talking about, right?

(continued page 00095)

0095

01: A. Yes.
02: Q. Is it an upper limit on the amount of water
03: an individual farmer may divert and deliver to an acre
04: of crop land in one year?
05: A. That broke up a little bit so let me look at
06: the question.
07: THE REPORTER: You may want to make sure
08: I heard it correct, as well.
09: MR. LEININGER: It looks correct,
10: Heather. Thank you.
11: THE WITNESS: Okay.
12: A. I believe that's correct, if I understand the
13: question. For per acre of the area that's being
14: adjudicated, it would provide the limit of the amount
15: that could be diverted at the head gate.

Page 00155

09: Q. (BY MS. KLAHN) Before we took our break,
10: Mr. Longworth, I was about to ask you about that --
11: your answer to the last question about the owner
12: management plan. You had indicated that when someone
13: submits an OWMAN, they have -- there have to be
14: signatures from the owners of the parcels that
15: somebody may manage. Do you recall that testimony?
16: A. Bear with me here for a second. In essence,

17: yes.

18: Q. Is there any verification of ownership that's

19: done at the state engineer's office; do you know?

20: A. Since there is potential for things like over

21: diversion, it is my understanding that there needs to

22: be an affidavit from the owner to be able to ensure

23: that they are aware of the potential implications of

24: an over diversion, for example.

25: Q. Okay. Are there any hydrological evaluations

(continued page 00156)

0156

01: done by the state engineer when an OWMAN application

02: is submitted?

03: A. Not to my knowledge.

04: Q. Could you pull up your January -- sorry.

05: MS. KLAHN: Could we have the January,

06: 2011, expert report that Mr. Longworth talked with

07: Mr. Leininger about put up?

08: THE VIDEOGRAPHER: Okay. You might have

09: to direct me to which one it is. I'm sorry.

10: MS. KLAHN: You're fine. Try 7. I

11: think that might be it.

12: Q. (BY MS. KLAHN) Can you -- can you scroll

13: down and let's see if it's the January report,

14: Mr. Longworth?

15: A. (Complying).

16: Q. Did -- when you prepared this report, what

17: kinds of conversations had you had with water users or

18: had your office had with water users in the lower Rio

19: Grande about --

20: A. I'm sorry to interrupt. I've lost the

21: realtime feed. How do I get that up again?

22: THE REPORTER: Do you still have it

23: pulled up and you're just not connected or --

24: THE WITNESS: I'm looking. I just don't

25: -- I don't see it. What's the way I get back into it?

(continued page 00157)

0157

01: THE REPORTER: Do y'all want to go off

02: the record for one minute?

03: MS. KLAHN: Sure.

04: THE WITNESS: Yeah.

05: THE VIDEOGRAPHER: The time is 5:17 p.m.

06: We're off the record.

07: (Break.)

08: THE VIDEOGRAPHER: The time is 5:19 p.m.

09: We're on the record.

10: Q. (BY MS. KLAHN) So we were looking at Exhibit

11: 7, I think. Yeah. So this -- the analysis that you

12: did in Exhibit 7, Mr. Longworth, what is a pure

13: modified Blaney-Criddle analysis in the sense of just

14: looking at the irrigated land and the crops in order

15: to determine the FDR and CIR; is that accurate?

16: A. At a very high sense. The modified

17: Blaney-Criddle method was used to determine the

18: consumptive use. After that point, we utilized the

19: standard processes for incorporating cropping

20: patterns, climatic data, in order to be able to

21: conclude with a consumptive irrigation requirement and

22: then ultimately -- excuse me -- an FDR.

23: Q. So the -- when you say the standard processes

24: for incorporating cropping patterns, what was the time

25: frame for the cropping patterns that you used in your

(continued page 00158)

0158

01: analysis; do you recall?

02: A. I believe so. In this report here, we

03: utilized the EBID's and Bureau of Reclamation's

04: cropping reports that they put out annually. During

05: discovery, there was one of EBID's experts raised some

06: concerns about that, that that document was not

07: appropriate, so we moved to a project we had worked on

08: where we did an extensive assessment of the cropping

09: pattern in 2008 and ultimately used essentially our

10: independent determination of what the cropping pattern

11: was for 2008, and that was the basis for our cropping

12: pattern.

13: Q. Okay. In the course of your work on this

14: report or on any of the reports for Stream System 101,

15: was there ever any discussion amongst your team or,

16: not talking about speaking with the attorneys now, but

17: any discussion amongst the technical folks about doing

18: an historical analysis about how much water had been

19: used historically on the parcels that you were looking

20: at?

21: A. Certainly, there was casual conversation

22: about that, but we landed on utilizing the

23: methodologies that we used in other adjudications,

24: notably that the -- there's a specific case, and I

25: apologize, I don't remember it, that provides some

(continued page 00159)

0159

01: direction to the state engineer in terms of what are

02: appropriate methodologies for adjudication processes,
03: and we utilized those methods in this report in
04: determining the C.
05: Q. (BY MS. KLAHN) So is it possible in the --
06: let me withdraw that. So the FDR and CIR numbers that
07: were agreed upon ultimately in the settlement apply
08: across the board with the various qualifications that
09: you talked about with Mr. Leininger and so on, but
10: those apply across the board to the cropping acreage
11: in the Lower Rio Grande; is that right?

12: A. Those acreages that qualify as groundwater
13: only or as surface water with groundwater or surface
14: water.

15: Q. Okay. So it's possible that there was one
16: farmer -- one or more parcels, let's say, that ended
17: up with a more generous CIR than what they had
18: historically diverted; would you agree with that?

19: MR. WECHSLER: Object to form.

20: A. The State's analysis of which I prepare is a
21: basin wide determination of historical view of what
22: was consumptively used. To the extent there are
23: parcels that use less than that, then in the sense I
24: believe you're using the word generous, meaning more
25: than what we determine, then, yes, they would have

(continued page 00160)

0160

01: received a higher CIR and FDR than they historically
02: used. The converse, of course, is also true where an
03: entity, farmer here, had parcels that perhaps use a
04: higher consumptive use and FDR and they're confined or
05: constrained by the Court's determination. In our

06: report, it could be both above and below.

07: Q. (BY MS. KLAHN) Okay. And the -- when you use

08: the adjective historical in your answer there, that

09: would be an historical view back to 2008, based on the

10: basin wide land survey that was performed?

11: A. That's a good question because I thought that

12: you were talking about historically diverted, meaning

13: over the course of time within the period that we look

14: at to get the general CIR -- I mean, the basin wide

15: CIR. So perhaps you can help me understand what you

16: meant by historically diverted.

17: Q. No, I think you understood what I meant when

18: I asked the question, which was that the CIR and FDR

19: numbers could be more generous in the sense of being a

20: larger rate of flow or volume than what was

21: historically diverted, but when you answered the

22: question, you said, "The State's analysis of which I

23: prepared is a basin wide determination of historical

24: view of what was consumptively used," and I was just

25: trying to define historical in your answer, and I

(continued page 00161)

0161

01: under -- so my question was: Does that refer back to

02: the 2008 land survey that you mentioned a minute ago?

03: A. So when we look at and how we incorporate

04: historical uses, we basic -- we utilize the climatic

05: data and ultimately average that so that gives us a

06: historical average of the various climatic conditions

07: and then apply that through the modified

08: Blaney-Criddle equation to the 2008 cropping pattern.

09: So the cropping pattern is static. The climatic data

10: is average over a period of time from a particular
11: weather station. That's how we go back to having a
12: historical view. It's based on the climatic data.
13: Q. And I -- I'm pretty sure. You're welcome to
14: look through this Exhibit 7. I'm pretty sure that
15: there's not any statement about the period of record
16: that you use. Do you recall what years of record for
17: the weather data that you used?

18: A. I believe it's on Page 5. Uses 71-year
19: period of record from the state university station,
20: which was previously the agricultural college station.

21: Q. I see. And the period starts in 1938 when
22: the Rio Grande Compact was signed?

23: A. That was the year it was signed, yes.

24: Q. No. I'm just reading from the sentence in
25: the third to last sentence in that top paragraph on

(continued page 00162)

0162

01: Page 5. It says, "This period starts in the year the
02: Rio Grande Compact was signed in 1938 and ends in
03: 2008."

04: A. Yeah. I believe -- that's what I said. It
05: was the year that was signed, yes. But January, we
06: weren't signed in January, so take an annual respect
07: that we didn't start the date that the Compact was
08: signed and ratified by the various states and the
09: United States.

10: Q. Why was 1938 the starting point instead of
11: 1929, for example, or 1919 when?

12: A. You kind of -- 1919 when? Is there more to
13: that?

14: Q. Why was 1938 the starting point?

15: A. It was our professional determination that

16: that would be an appropriate starting point given that

17: that -- at that point, the State of New Mexico was

18: obligated under a Compact.

19: Q. So we had some conversation before the break

20: about whether the Compact entered into the Stream

21: System 101 final judgment. Let me ask that question a

22: different way. How did the Compact enter into your

23: engineering analyses that are reflected in your

24: reports that were disclosed in the Stream System 101

25: proceeding?

(continued page 00163)

0163

01: A. I don't think the Compact entered into our

02: engineering analyses. We utilized the Compact signing

03: year as the climatic data, but that was -- as far as I

04: can remember, that was it.

05: Q. In your answer a minute ago, you said that it

06: was your professional determination that 1938 would be

07: an appropriate starting point given that at that

08: point, the State of New Mexico was obligated under a

09: Compact. What did you mean by that?

10: A. Well, at that point, I guess it wasn't 1938,

11: per se, but in and around 1938, the State of New

12: Mexico entered into a Compact with its neighboring

13: states on the Rio Grande.

14: Q. What significance would that have to the

15: starting point for your historical weather data

16: evaluation in your reports?

17: A. That was the time frame that we

18: professionally thought was a good starting point.

19: Q. Was it your intent when you prepared those

20: engineering analyses to try and determine what

21: historically had been used in New Mexico since the

22: signing of the Compact?

23: A. No.

24: MS. KLAHN: I think that's all the

25: questions I have for this witness.

Lopez, Estevan

Volume 1 - 09/18/2020

Summary Proceeding with Highlighted Clips

Printed 07/18/2021 05:39PM CDT

CONFIDENTIAL

New Mexico Counter Designation

Texas Direct Designation

EXHIBIT

H

Page 00001

01: IN THE SUPREME COURT OF THE UNITED STATES
02: BEFORE THE OFFICE OF THE SPECIAL MASTER
HON. MICHAEL J. MELLOY
03:
04: STATE OF TEXAS)
)
05: Plaintiff,)
) Original Action Case
06: VS.) No. 220141
) (Original 141)
07: STATE OF NEW MEXICO,)
and STATE OF COLORADO,)
08:)
Defendants.)
09:
10:
11: *****
12: REMOTE ORAL AND VIDEOTAPED DEPOSITION OF
13: ESTEVAN LOPEZ
14: SEPTEMBER 18, 2020
15: *****
16:
REMOTE ORAL AND VIDEOTAPED DEPOSITION of ESTEVAN
17: LOPEZ, produced as a witness at the instance of the
United States, and duly sworn, was taken in the
18: above-styled and numbered cause on September 18, 2020,
from 9:02 a.m. to 12:38 p.m., before Heather L. Garza,
19: CSR, RPR, in and for the State of Texas, recorded by
machine shorthand, remotely at the offices of HEATHER
20: L. GARZA, CSR, RPR, The Woodlands, Texas, pursuant to
the Federal Rules of Civil Procedure and the
21: provisions stated on the record or attached hereto;
that the deposition shall be read and signed.
22:

Page 00002

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12:

-and-

Page 00017

21: Q. And -- okay. Do you still stand by the --

22:

the conclusion that the Rio Grande below Elephant

23:

Butte was fully appropriated in 1938?

24:

A. I do.

25:

Q. Okay. And so that -- I just want to be clear

(continued page 00018)

0018

01:

that that's also the position of the State of New

02:

Mexico then?

03:

A. That's correct.

04:

Q. Okay. Okay. What does it mean that the

05:

river was fully appropriated?

06:

A. That means that all of the waters -- all of

07:

the surface waters of the river are -- have been

08: spoken for.

09: Q. Okay. So all of the surface water had

10: already been allocated to existing water rights? Is

11: that another way of saying it?

12: A. Yes. Let me -- let me review that. Yes,

13: that's correct.

14: Q. Okay. And does that mean that any additional

15: diversions after 1938 that deplete the river would

16: take water away from existing water rights?

17: MR. WECHSLER: Object to form.

18: A. It would impact those water rights, yes.

19: Q. (BY MR. DUBOIS) All right. If you're taking

20: water away from them, that would be a -- add adverse

21: impact of those water rights?

22: MR. WECHSLER: Object to form. And I

23: also think we're getting a little beyond the scope.

24: MR. DUBOIS: No, we aren't, but he can

25: answer if he knows anyway.

(continued page 00019)

0019

01: A. Generally speaking, I think that's correct.

Page 00019

16: Q. What is New Mexico's apportionment of water

17: under the Rio Grande Compact?

18: A. Under the Rio Grande Compact?

19: Q. Yes.

20: A. This is what we receive from Colorado under

21: Article 3 of the Compact at the state line, plus all

22: of the inflows that arise between the state line and

23: Elephant Butte, less our obligation to deliver water

24: into Elephant Butte under Article 4, plus 57 percent

25: of project supply below Elephant Butte, project supply

(continued page 00020)

0020

01: being comprised of releases of usable water, inflows

02: below Elephant Butte, and return flows, returning

03: drain flows.

04: Q. So let's -- let's -- and my question was

05: overly broad for my purposes, I guess. So let's just

06: focus on the apportionment of water below San Marcial,

07: the apportionment of water to New Mexico below San

08: Marcial. That's -- just focus on that and call that

09: out from the answer. So what's the apportionment of

10: water to New Mexico below San Marcial?

11: A. So I think this is probably the same thing,

12: but I'm going to -- I'm going to just clarify that I'm

13: referring to below Elephant Butte given that the

14: delivery point under Article 4 was changed in 1948.

15: So I'll -- I'll be responding --

16: Q. And that's fine. That's fine. I understand.

17: A. So as I -- as I answered above, and as I've

18: laid out in my reports and in questions -- in

19: responses to questions before, it is 57 percent of the

20: project supply, and that project supply being

21: comprised of releases of usable water inflows below

22: Elephant Butte and returning drain flows.

23: Q. So do the downstream contract -- do you --

24: are you familiar with what the term downstream

25: contracts refers to?

(continued page 00021)

0021

01: A. I am. Certainly as I've defined them in my

02: reports, there may -- and I think it's consistent with
03: how it's been used otherwise by others.

04: Q. And so when you're referring to the
05: downstream contracts, what are you referring to?

06: A. I'm referring -- in my report, I referred
07: specifically to three contracts, 19 -- I may get the
08: dates from memory, get them off, but --

09: Q. Would it be helpful to have them in front of
10: you?

11: A. I can look at my reports. I have the copy of
12: my reports in front of me. If it's all right, I can
13: refer to that if you'd like.

14: Q. You can. I can also -- I can also provide
15: you the contracts.

16: A. That's fine. So let me tell you generally,
17: it's a 1938 contract between Elephant Butte and --
18: Elephant Butte Irrigation District and Reclamation.
19: It's either 1937 to 1938, that -- that contract is,
20: and similar time frames for a contract between
21: Reclamation and El Paso County Water Improvement
22: District No. 1, and the third contract that I referred
23: to as one of the -- the downstream contracts is a 1938
24: contract between the two districts that was later
25: approved by the Department of Interior. I believe it

(continued page 00022)

0022

01: was in April of 1938. Is that -- is that sufficient
02: specificity?

03: Q. Yes. As I said, I can provide them. I just
04: wanted to make sure that we're talking about the same
05: things. So do the -- do the -- do the downstream

06: contracts between the United States and EBID and
07: between EBID and EPCWID define the apportionment to
08: New Mexico?
09: A. I think they inform the -- the apportionment
10: to New Mexico. They don't define it as explicitly as
11: -- as -- as I've defined here in my responses to you.
12: They inform it by -- in several ways. First of all,
13: the -- the contract between EBID and -- and EP No. 1
14: that is EPCWID has a shortage provision that is
15: specific and explicit about in times of shortage,
16: water is to be shared 57/43. In essence, in
17: proportion to the acreage in each of the districts as
18: a total of -- a total project authorized acreages.
19: And then the -- the two contracts between Reclamation
20: and the districts specify the acreages of each of the
21: districts, the authorized acreages of each of the
22: districts. That's consistent with that. Those two
23: contracts also have essentially identical terms except
24: for the -- the proportion of payment that is also
25: proportionate to the acreage and so those things

(continued page 00023)

0023

01: inform that apportionment, and in my report and in
02: responses to my prior depositions, I've explained how
03: the 57/43 that I assert is the apportionment below
04: Elephant Butte we get from a reading of the Compact
05: together with those downstream contracts and the
06: historical practice of how the project has been
07: operated up until essentially 2006.
08: Q. So is the contract with EBID the sole means
09: for New Mexico obtaining its apportionment under the

10: Compact?

11: MR. WECHSLER: Object to form.

12: A. Are you referring only to that -- the

13: apportionment below Elephant Butte?

14: Q. (BY MR. DUBOIS) Yes. I'm sorry. I should

15: have been clear on that. I apologize.

16: A. I believe that it is, yes.

17: Q. Okay. Is it New Mexico's position that the

18: contracts between the United States and the two

19: districts and the contract between the two districts

20: are integrated into the Compact?

21: A. I think what I testified is that they -- that

22: the Compact and the project are inextricably linked,

23: and the -- and the contracts are also kind of

24: inextricably linked to -- or inextricably intertwined,

25: I think is what I -- what I said in my report. I was

(continued page 00024)

0024

01: using some of the language that the -- that the

02: Supreme Court has used and relied on that -- on that

03: -- their findings, as well.

04: Q. What do you mean by inextricably intertwined?

05: A. They work together. They work together, and

06: you can't -- you can't -- you can't read them

07: independent of one another.

08: Q. So anything -- I'm just trying to understand

09: this. So anything that impacts the project water

10: supply impacts the apportionment; is that correct?

11: MR. WECHSLER: Object to form.

12: A. Could you rephrase that? I'm not

13: understanding what you're asking.

14: Q. (BY MR. DUBOIS) Well, I'm trying to
15: understand when you say that they're inextricably
16: intertwined and that they have to be read as part and
17: parcel of each other; is that correct? Is that what
18: you're saying?
19: A. Yes. And I'm specifically speaking as to how
20: you -- how you make a determination as to the
21: apportionment. Certainly, there is probably elements
22: that could be looked at independently, but -- but for
23: -- for getting to an apportionment below Elephant
24: Butte, I think you have to look at all three of these
25: -- all, I guess, four of these documents together.

(continued page 00025)

0025

01: Q. Okay. And so my question was then if they're
02: inter -- interdependent and intertwined, anything that
03: affects -- is anything that affects the project water
04: supply affecting the Compact?
05: A. So first of all, if -- I think you may have
06: just been reading what I answered earlier. I don't
07: think that I said they were inextricably
08: interdependent. I did they they were inextricably
09: intertwined. And that's -- if you're asking me the
10: difference, I don't know that I -- that I can say what
11: the difference is. But nevertheless, you asked if --
12: is anything that affects project supply also affecting
13: the Compact. I'm not sure. I don't know that. I
14: don't know the answer to that. Unless you give more
15: specificity to what you're talking about in -- in
16: anything.
17: Q. Is there any other apportionment in the

18: Compact to New Mexico below Elephant Butte, other than
19: the water under the contract with EBID?
20: MR. WECHSLER: Object to form.
21: A. I think I already answered that, and I said
22: no.
23: Q. (BY MR. DUBOIS) Okay. Is there any
24: apportionment of water to New Mexico below Elephant
25: Butte, other than project water that EBID is entitled

(continued page 00026)

0026

01: to under what we've been referring to as the
02: downstream contracts?
03: A. Again, I'm not seeing how this is different
04: than your prior question.
05: Q. It's slightly different so please answer it.
06: Or should I just -- can I take it that the answer to
07: that is no?
08: A. I'm rereading it.
09: Q. Uh-huh.
10: A. I think the answer is no.
11: Q. Okay. So are the -- the EBID project
12: allocation and New Mexico's apportionment under the
13: Rio Grande Compact below Elephant Butte the same?
14: A. They are not certainly -- they are certainly
15: not since the 2008 operating agreement.
16: Q. That's not what I asked. Are the EBID
17: project allotment and New Mexico's apportionment under
18: the Compact below Elephant Butte reservoir the same?
19: MR. WECHSLER: Object to form.
20: A. Not since two thousand -- not since 2006.
21: Q. (BY MR. DUBOIS) You're refusing to answer the

22: question.

23: A. I have answered the question.

24: Q. Let me try again.

25: A. You don't like my answer.

Page 00027

01: Q. All right. Let's rephrase the question then.

02: Is it the Compact's intent that the EBID project

03: allotment and New Mexico's apportionment under the Rio

04: Grande Compact below Elephant Butte reservoir the

05: same? Are they to be the same?

06: A. Would you please -- please define project

07: allotment for me, please?

08: Q. What EBID is entitled to receive under the

09: downstream contracts?

10: A. In that instance, I would say yes.

Page 00031

03: Q. (BY MR. DUBOIS) Is there any apportionment to

04: Texas under the Rio Grande Compact other than project

05: water that EPCWID is entitled to under its contracts?

06: MR. WECHSLER: Object to form.

07: A. I would say no.

08: Q. (BY MR. DUBOIS) Okay. Does New Mexico agree

09: that groundwater pumping in New Mexico below Elephant

10: Butte dam in the Mesilla and Rincon basins for

11: irrigation and municipal and industrial uses in New

12: Mexico deplete the flows of the Rio Grande that are

13: available for diversion by the Rio Grande Project?

14: MR. WECHSLER: Object to form; scope.

15: A. The groundwater pumping in New Mexico does

16: impact surface supply.

17: Q. (BY MR. DUBOIS) Does it deplete the surface

18: supply?

19: MR. WECHSLER: Same objection.

20: A. I think that it does, yes.

Page 00070

08: Q. Okay. So what, if any, investigations of

09: impacts in the river has been done regarding those

10: non-project irrigation users?

11: A. I think we've investigated every facet of

12: project operations and non-project operations, every

13: facet of water use in that section of the river that I

14: can think of, and, you know, having said all of that,

15: my -- my impression is that Texas has not been

16: shorted.

Page 00073

15: Q. Okay. Does groundwater have any -- anything

16: to do at all with the 1938 Compact apportionment?

17: A. No. Other than I would say that the Compact

18: allows the conjunctive use of that groundwater.

19: Q. And -- and what do you refer to with respect

20: to the Compact that gives rise to that answer?

21: A. Well, again, I'm -- I'm referring to

22: documents that were contemporaneous with the Compact

23: and -- and -- and the practice that has happened since

24: -- since then up until now. The specific document

25: that I -- that I would refer to there is the rules and

(continued page 00074)

0074

01: regs of the -- of the -- of the Compact commission.

02: Q. Are you referring, when you say this, to the

03: rules and regulations or other historic documents that

04: relate to the fact that except as provided for in the

05: Compact, each state is allowed to fully develop their
06: water resources, is that -- is that what you're
07: talking about?
08: A. Yes. That's paraphrased, but yes.
09: Q. Okay. And --
10: A. And then the other -- the other aspect of it
11: that I was referring to has been the historic practice
12: that has -- that has come about since the Compact was
13: signed.
14: Q. Okay. Let's -- let me look upstream a little
15: bit here above Elephant Butte just to understand and
16: provide some context for that. Are there any limits
17: on Colorado's ability to develop its upstream
18: resources within the Compact, is there any Compact
19: limit on what they can do in terms of -- of developing
20: water upstream.
21: MR. WALLACE: Object to form?
22: A. I think there are, and specifically, I think
23: that they are able to develop their -- their upstream
24: resources as long as they continue to meet their
25: obligations under Article 3 and -- and then there's

(continued page 00075)

0075

01: other limitations in terms of the storage of water in
02: post-Compact reservoirs, I think, in their instance,
03: it's post '37 reservoirs, but other than that, you can
04: develop their resources.
05: Q. And I think we -- we may have talked about
06: this in one of your prior depositions, but those
07: limitations are to ensure that depletions in Colorado
08: would be -- it seems what existed in 1938; is that

09: correct?

10: MR. WALLACE: Object to form.

11: A. I think that's largely -- largely correct.

Page 00075

18: Q. Now, with respect to development above

19: Elephant Butte reservoir, to the extent that there are

20: limits on what New Mexico can do in terms of

21: developing full water resources above Elephant Butte,

22: is that also similarly limited to -- to depletions

23: that would have existed at -- in 1938?

24: A. I think that's correct. I think there's

25: reference in New Mexico -- in New Mexico's case to

(continued page 00076)

0076

01: depletions as of 1929. I think there's a couple of

02: references to that, one with regard to reservoirs

03: built after '29, and then a second for the -- in the

04: resolution -- the 1948 resolution that changed the --

05: our delivery point from San Marcial to Elephant Butte,

06: I think there's also -- depletions above Otowi have to

07: be constrained to 1929, and if they're not, then you

08: have to make an adjustment as between above Otowi and

09: below Otowi.

Page 00076

16: Q. Were New Mexico's ability to develop -- fully

17: develop its water resources below Elephant Butte

18: Reservoir also constrained by ensuring that depletions

19: below Elephant Butte reservoir did not exceed that

20: which existed in 1938?

21: A. I don't think those are similarly

22: constrained, no.

23: Q. Okay. So -- and here, I'll -- I'll separate
24: out New Mexico from Texas below Elephant Butte. So
25: New Mexico -- Colorado was constrained by the

(continued page 00077)

0077

01: depletions that existed as of 1938 in its delivery to
02: New Mexico, and New Mexico was constrained in terms of
03: its deliveries into Elephant Butte reservoir based
04: upon depletions that existed in 1938, but New Mexico
05: below Elephant Butte reservoir is not constrained by
06: depletions that might have existed in 1938; is that --
07: is that what you're saying, that there's a distinction
08: between the obligations above Elephant Butte and those
09: that exist below Elephant Butte?

10: MR. WALLACE: Object to form.

11: A. I think that's correct. There is a
12: distinction.

13: Q. (BY MR. SOMACH) And explain to me that
14: distinction.

15: A. There is no constraint below Elephant Butte.
16: There is no 1938 -- in my report and in response to
17: previous depositions, I -- I've responded about the
18: '38 condition -- depletion condition. That's --
19: that's what I was talking about. There is -- there is
20: no -- there is no such condition placed in the Compact
21: for the section below Elephant Butte.

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01: A. I, as New Mexico, concur with the opinions
02: expressed by I, as Estevan Lopez.
03: Q. Okay. And presumably, to the extent that
04: questions were asked of you in depositions, you, as

05: the State of New Mexico, concur with the answers you
06: gave to those questions when you were acting as
07: Estevan Lopez, expert witness; is that correct?
08: A. Yes. That's generally correct. As I
09: mentioned earlier with Mr. Dubois, I think there was a
10: lot of questions, and I might answer some of those
11: questions with a bit of different nuance, answering on
12: behalf of the State of New Mexico.
13: Q. And why -- why is that? Why would it -- why
14: would your answers be more nuanced for the State of
15: New Mexico than when you responded to those same
16: questions on behalf of the -- of the -- on your own
17: behalf?
18: A. Well, I think -- I think even -- even from my
19: very first deposition, I've -- just speaking as -- as
20: Estevan Lopez, I think my understanding has evolved
21: somewhat over time of various aspects of things, and
22: -- and that continues into today as -- as I speak for
23: the State of New Mexico.
24: Q. Okay. So -- so it's just the evolution over
25: time of the more you've thought about these things,

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01: the little variation, it's nothing more systemic, more
02: -- more substantive than just that evolution; is that
03: correct?
04: A. I think that's correct. I think as a result
05: of your questions and those of other lawyers, I
06: certainly have thought about things much in more
07: detail than I have as I wrote these things initially.

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25: Q. Do you, State of New Mexico, think that you

(continued page 00093)

0093

01: have a obligation not to deplete or reduce project
02: supply if you -- if you know that your actions are
03: depleting project supply?
04: MR. WECHSLER: Object to form.
05: A. Again, I -- I don't -- I don't think that we
06: -- if -- if our actions are such that were depleting
07: the project supply and Texas is not getting their
08: apportionment and they let us know and, yes, in fact,
09: we verify it, yes, I think we have to do something
10: about it.

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19: Q. I'm sorry. You -- you qualified your answer
20: to the last question with "if Texas lets us know."
21: What happens if Texas doesn't provide you notice, but
22: nonetheless, you are aware that you are depleting
23: supplies that otherwise would be going to Texas? Do
24: you have an obligation if you know that that's what's
25: happening?

(continued page 00094)

0094

01: A. I would say no, not if we're depleting
02: supplies, but rather if Texas is not getting its
03: apportionment, then we have an obligation.
04: Q. Even if Texas hasn't provided you notice?
05: A. If we know about it, I would say yes.

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13: Q. What I'm looking for or what I'm asking is
14: whether or not the -- the Compact apportionment treats
15: New Mexico below Elephant Butte the same as it treats

16: the apportionment to Texas below Elephant Butte
17: reservoir. Is there any distinction made in the
18: Compact?
19: A. In my estimation, no. I believe that both
20: should be treated -- that the Compact should -- treats
21: both equally.

Thacker, Cheryl

Volume 1 - 09/18/2020

Summary Proceeding with Highlighted Clips

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New Mexico Counter Designation

Texas Direct Designation

EXHIBIT

1

Page 00002

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03: CHERYL THACKER,
04: having been first duly sworn, testified as follows:

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05: Q. (BY MR. LEININGER) All right. Let's -- Ms.
06: Thacker, let's start then with a question. You were
07: identified in New Mexico's response to our 30(b)(6)
08: and New Mexico's witness designations of our notice of
09: 30(b)(6) for specific topics, designated to answer
10: specific topics. Are you aware of that?

11: A. Yes.

12: Q. Okay. And it's United States Topic C is one

13: of them, and I'll just read what the United States

14: Topic C is. "New Mexico's administration,

15: implementation, and enforcement of its obligations of

16: the Compact and under state laws, regulations,

17: policies, or actions in, 1, delivery of Rio Grande

18: Compact water to the State of New Mexico; 2, delivery

19: of Rio Grande Compact water to the State of Texas;

20: and, 3, water released from storage meet Compact

21: irrigation demands below Elephant Butte reservoir ."

22: You were identified as the 30(b)(6) deponent for the

23: State of New Mexico to answer questions related to

24: that topic. Is that your understanding?

25: A. Yes.

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01: MR. WECHSLER: Well, and to be clear,

02: Lee, we separated that one topic out between Mr. Lopez

03: and Ms. Thacker. So Ms. Thacker is handling the state

04: laws, regulations, and policies part of that subject.

05: MR. LEININGER: Okay. Very well.

06: Q. (BY MR. LEININGER) In the course of this

07: questioning, correct me if I'm asking questions to

08: which you were not -- let's start with -- I'm curious

09: in your role as water resources manager for New Mexico

10: Office of the State Engineer, what your actions and

11: responsibilities are with topics -- with this related

12: topic matter. So let's start with how does -- how

13: does New Mexico ensure it's delivered the amount of

14: water it's entitled to?

15: A. Oh, I would defer to Rolf Schmidt-Petersen

16: and to Estevan Lopez specific to that question.

17: Q. All right. So your involvement isn't with

18: regard to tracking or accounting or measuring of water

19: in the Rio Grande that New Mexico as part of its

20: Compact entitlement?

21: A. As part of the Compact entitlement, I don't

22: have any part in that.

23: Q. Okay. So let's just test your knowledge here

24: a little bit. Just a reminder that this 30(b)(6)

25: notice is for you to answer questions we have on

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01: behalf of the State of New Mexico, so as I understood

02: with the caveat by Mr. Wechsler, you were identified

03: to answer some of these questions with regard to the

04: Compact and New Mexico's administration enforcement

05: and implementation of its obligations under the

06: Compact. So let's continue here, but if you're at a

07: point where you are going to define the limits of your

08: testimony, I would appreciate it if you'd just let us

09: know sooner rather than later as I go through these

10: questions. Okay?

11: MR. WECHSLER: Well, and I'm happy to be

12: -- to help with that, Lee, now, if you'd like.

13: MR. LEININGER: Sure, Jeff. I mean,

14: these questions with regard to administration and

15: enforcement of obligations under the Compact are going

16: to be limited to what the OSE actually does in terms

17: of its accounting policies for purposes of the Compact

18: and delivery of Rio Grande project water under the

19: Compact. Okay?

20: MR. WECHSLER: Yeah. So -- so any

21: issues that go to the purposes, the function, the
22: accounting under the Compact, in our designation,
23: that's what we listed Mr. Lopez for, and what Ms.
24: Thacker is familiar with are the -- the state laws,
25: the regulations, the policies that have to do with
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01: state law -- state water administration. Separate and
02: apart from the Compact, but obviously as you heard
03: from Mr. Lopez this morning, they're related. So if
04: you have specific questions about what it is the state
05: engineer is doing down there with regard to their
06: laws, regulations, policies, water administration, Ms.
07: Thacker is the person for that.

08: Q. (BY MR. LEININGER) Okay. Ms. Thacker, how
09: does the -- the state engineer account for the water
10: that it is entitled to -- the Rio Grande water it is
11: entitled to under the Compact?
12: A. I don't know how a state engineer accounts
13: for the water under the Compact.

Page 00016

09: continue with these questions. The Compact is also
10: state law, is it not?
11: A. You know, again, my knowledge of the Compact
12: is limited.
13: Q. Do you know if in carrying out your duties as
14: a water resources manager for the New Mexico Office of
15: State Engineer, you must comply with the Compact?
16: A. Well, I -- I'm not sure about that, but I
17: know I have to comply with the constitution of New
18: Mexico as well as statutes and regulations.

19: Q. Okay. And one of those statutes is the Rio
20: Grande Compact, correct?
21: A. Again, I -- my knowledge of the Compact is so
22: limited, I can't speak to that.

Page 00017

10: Q. And who would be knowledgeable of the three
11: -- three other deponents that have been designated?
12: A. You know, I'm -- I'm not sure. I would say
13: probably Estevan and Rolf Schmidt-Petersen.
14: MR. WECHSLER: It is Mr. Lopez that we
15: designated for those subjects.
16: Q. (BY MR. LEININGER) Well, it appears that she
17: was designated for Topic -- Topic C without the
18: specific caveat so let's keep going. Where does New
19: Mexico measure the amount of water for delivery to
20: Texas under the Compact?
21: A. I don't know. I don't know the answer to
22: that.
23: MR. WECHSLER: Yeah. And, again, I'll
24: object to the whole line of questioning as outside the
25: scope. In our designation on Topic C, we listed both
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01: Mr. Lopez and Ms. Thacker, and, again, Ms. Thacker is
02: really only here and designated to talk about state
03: law, regulations, and policies with the administration
04: of water in the LRG.

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10: MR. WECHSLER: We can -- I mean, you're
11: welcome to keep asking the questions, Lee, but I think
12: I've made very clear, you know, you-all asked for

13: somebody to talk about state laws, regulations, and
14: policies as part of this topic. Any subjects having
15: to do with the Compact, Compact obligations, Compact
16: duties, Compact administration, that -- those are the
17: subjects that Mr. Lopez was designated for. Ms.
18: Thacker was designated to talk about any state law,
19: regulations, laws, that sort of thing because those
20: are things that Mr. Lopez is not familiar with and so
21: you -- you can keep asking her questions about the --
22: the Compact, but I'll object to those as beyond the
23: scope that she's been designated to answer.

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06: MR. LEININGER: So can you explain to me
07: what you meant under Sub B as to New Mexico's
08: knowledge and what Cheryl Thacker is identified for?
09: MR. WECHSLER: Absolutely. Happy to.
10: Topic C indicates New Mexico's administration,
11: implementation, and enforcement of its obligations
12: under the Compact and under state laws, regulations,
13: policies of actions with regard to three subjects, and
14: so if you look at our designations, what we designated
15: Mr. Lopez for was all of those issues with regard to
16: the Compact, anything having to do with the Compact,
17: and the -- the -- Ms. Thacker was designated for
18: anything having to do with state laws, regulations, or
19: policies that occur down in the lower Rio Grande in
20: case there were any of those issues that Mr. Lopez
21: simply didn't understand because there's a lot of
22: nuances having to do with state laws, regulations, and
23: policies. So she is -- if you have questions about
24: the -- the laws and policies having to do with water
25: administration within the LRG, she is designated for
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01: that purpose.

02: MR. LEININGER: Right. But this topic

03: is as that relates to your Compact obligations,

04: correct?

05: MR. WECHSLER: Which is what Mr. Lopez

06: is designated to testify to, to the Compact

07: obligations.

08: MR. LEININGER: All right. So this line

09: of questioning is with regard to how the OSE

10: administers water in compliance with the Compact

11: obligations. If your answer is it doesn't, just does

12: its water administration consistent with state laws,

13: that's fine. But I think we're entitled to an answer.

14: MR. WECHSLER: And For that question,

15: you'll have to ask Mr. Lopez. This is not a question

16: that Ms. Thacker is designated or prepared to testify

17: to.

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03: A. What we do here in the District 4 office is

04: we monitor how much water is pumped from each well,

05: and specific to a specific water right, and an over

06: diversion would be that amount of water diverted that

07: goes beyond their water right.

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10: well. Do you monitor how much water -- how much

11: surface water is diverted by each water right holder?

12: A. What we do is in our WATERS database, we

13: include the allotments set by the surface water

14: allotments set by EBID, and we just assume that every

15: water user takes that full allotment of surface water,

16: and then we make sure that the groundwater amount of
17: water is constrained within the Stream System 101
18: settlement agreement.

19: Q. Okay. So the OSE does no administration of
20: the amount of surface water that is beneficially used
21: by each of the EBID farmers; is that correct?

22: A. We just make the assumption that every EBID
23: farmer takes their full allotment.

24: Q. And the OSE does no monitoring of that or --
25: well, let's just start there. The OSE does no

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(continued page 00034)

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01: monitoring of each farmer diversion of surface water?

02: A. Not in this office, we don't.

03: Q. With regard to groundwater, does the OSE
04: monitor how much each farmer is diverting to the
05: groundwater?

06: A. Absolutely.

07: Q. Okay. How do you go about doing that?

08: A. Well, we require metering all wells for
09: irrigation purposes, as well as commercial and
10: non-domestic purposes, and so for irrigation purposes
11: in particular, we require quarterly meter readings and
12: those meter readings are entered into our WATERS
13: database, and that allows us to account for the amount
14: of water each farmer is using.

15: Q. Okay. In your previous answer, you said with
16: regard to ensuring there's not an over diversion, you
17: make -- I'm looking at your answer here on Line 26:17.
18: "We make sure the groundwater amount of water is
19: constrained within the Stream System 101 settlement

20: agreement." So how does -- how do the OSE then
21: administer to constrain groundwater pumping within the
22: Stream System Issue 101 settlement agreement?
23: A. Well, I'll go ahead and give you a scenario.
24: In our WATERS database, we input for every farmer the
25: amount of the allotment EBID has designated for that
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(continued page 00035)

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01: year. So, for instance, if the amount of water the
02: allotments from EBID surface water is 2 acre-feet per
03: acre per annum, we input that into our WATERS
04: database, and then we look at the Stream System 101
05: settlement agreement, and we see for most farmers,
06: they have a total FDR farm delivery requirement of 4.5
07: acre-feet per acre per annum. So what we'll do is
08: straight away, we assume that the farmer will use all
09: the full 2 acre-feet per acre per annum, and what that
10: does, we subtract that from the 4.5 farm delivery
11: requirement, and that gives us a number stating that
12: they have 2.5 acre-feet per acre per annum that can be
13: diverted from their well or wells.
14: Q. If they exceed -- under your scenario, if
15: they exceed the 2.5 acre-feet per annum, is that an
16: over diversion?
17: A. It is.
18: Q. And how do you enforce against an over
19: diversion?
20: A. Our water master, who is Ryan Serrano and his
21: staff, will notify the farmer that is over diverting,
22: and they will often red tag, literally put a red tag
23: on the well, and there's also written correspondence

24: to those farmers and they investigate and work with

25: the farmer to rectify that over diversion.

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(continued page 00036)

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01: Q. Is your well metering, is that realtime?

02: A. It is not. It's -- we require the farmers to

03: submit their meter readings January, April, July, and

04: October by the 10th of those months.

05: Q. So let's say in July, you get a meter

06: reading, and it appears that under this scenario which

07: the farmer was entitled to 2.5 acre-feet per annum,

08: pumping, and it's been exceeded, what -- what actions

09: do you take when you get that information?

10: A. Well, the water master again will contact

11: that farmer and investigate the situation, for

12: instance, talk to the farmer about, well, is -- is

13: your meter working correctly, were the meter readings

14: written down and submitted correctly. Often, that's

15: what happens. The farmer will inadvertently report

16: the meter readings incorrectly or there may be a

17: metering -- there's -- a meter can be tenths or

18: hundredths. They may have a decimal place off. So

19: they'll -- the water master is real diligent about

20: working with the farmers to make sure that those meter

21: readings were entered correctly and submitted

22: correctly. And we'll also go out -- they will, not

23: me, but the water masters will go out and inspect the

24: wells and work with the farmer to make sure that that

25: well is working correctly.

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(continued page 00037)

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01: Q. Okay. Let's --

02: A. And --

03: Q. I'm sorry. Go ahead. I didn't mean to

04: interrupt.

05: A. No, that's okay. Go ahead.

06: Q. Let -- let's assume that the meter is reading

07: correctly, that the well is working correctly, and the

08: 2.5, which is what should be the limit to groundwater

09: pumping has been exceeded in July and you've got the

10: meter reading, it's accurate, the water use is being

11: exceeded, what does the OSE do to rectify this over

12: diversion at that time?

13: A. So a water master will work with the farmer,

14: and he will come up with a replacement plan so that

15: that farmer will pay back that water. Typically it

16: occurs in the following irrigation season.

17: Q. So is the -- is the farmer allowed to

18: continue to pump?

19: A. No.

20: Q. In irrigation season?

21: A. I don't believe so, no.

22: Q. And how do you prevent farmer from pumping

23: beyond that 2.5 after notification that they've

24: exceeded their amount they're entitled to?

25: A. Well, the water masters go out and inform the

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(continued page 00038)

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01: farmer that he can no longer pump that water from that

02: well.

03: Q. And --

04: A. And then if there's -- if they refused to

05: follow those instructions, it'll -- it can go to a

06: compliance order and eventually to the administrative

07: litigation unit for full compliance.

08: Q. Do you take any physical action at the time

09: you're aware of the over diversion to prevent

10: additional pumping that well had?

11: A. What do you mean by physical action?

12: Q. Do you lock it down so that --

13: A. I am not aware of locking that down. I would

14: have to ask -- or you would have to ask Ryan Serrano.

15: Q. How many compliance orders do you typically

16: issue every year?

17: A. I think there was between 10 and 20 a year.

18: Not very many.

19: Q. That is the number of over diversions that

20: you've discovered?

21: A. I believe that's the number of over

22: diversions where the farmer hasn't come into our

23: office and worked with our water masters to come up

24: with a replacement water plan, and I think they --

25: those are the folks that just refuse to cooperate.

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(continued page 00039)

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01: Q. So if I understand you correctly, then for

02: farmers that agree to cooperate, there -- there is no

03: compliance order issued and they're expected to

04: account for their over diversion in their water use

05: the following year?

06: A. Well, this would depend on the arrangements
07: they have with the water master and his group, but as
08: far as I know, that's the way they handle it, and it
09: needs to be in the following irrigation season.

10: Q. So essentially in the -- these enforcement
11: actions, the OSE checks the meter readings at the end
12: of the year, and if the total meter diversion exceeded
13: the farmers' water right for groundwater pumping
14: purposes, that's when you'd take some action the
15: following year to correct for that amount that was
16: over diverted; is that correct?

17: A. That's correct.

18: Q. As long as the groundwater pumper was within
19: this permitted amount, and I think you've defined this
20: permitted amount as 4.5 acre-foot for most irrigation
21: uses, subtracting off their surface water allocation,
22: then they had a permitted amount of water to pump from
23: the ground for that year; is that correct?

24: A. Yes.

25: Q. Okay. And as long as they are within that

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(continued page 00040)

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01: permitted amount, there's no over diversion?

02: A. That's correct.

03: Q. So New Mexico only administers to the
04: permitted amount in an irrigator's permit?

05: A. Well, it's not just water that's -- or excuse
06: me a water right that's certainly permitted. We
07: require metering on all irrigation -- all farmed, all
08: meters -- water meters that irrigate and so this could
09: be whether it's adjudicated, a water right might be

10: adjudicated but not permitted specifically. It might
11: be a water right that is declared but not specifically
12: permitted, so I don't want to stop at saying it's just
13: permitted water right.

14: Q. So New Mexico administers to water rights
15: that are declared; is that correct?

16: A. Yes. If that's the only information we have
17: on file of the water right unless it's been some other
18: information, for instance, it's adjudicated, then yes.
19: That's the best information we have.

20: Q. Are these declared rights un-permitted rights
21: that were in existence prior to when the basin was
22: declared?

23: A. Yes. They have to be water rights that were
24: established prior to the closing of the basin.

25: Q. That was 1980?

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01: A. Correct.

02: Q. So for these declared rights that New Mexico
03: administers to, this is based upon what -- what proof
04: of establishment beneficial use. How does OSE verify
05: a declaration?

06: A. Well, in the lower Rio Grande, we have the
07: hydrographic survey, and so that was completed as part
08: of the adjudication, and so that's essentially a field
09: check that was done. So it's -- we can verify that's
10: another way to look at the declaration and give some
11: context to it and shore up the declaration
12: essentially.

13: Q. Okay. So for purposes of over diversion, you
14: guys go through the same processes you do with

15: permitted wells; you determine from the metering data
16: whether or not they are exceeding their declaration?
17: A. That's correct.

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16: A. We do an analysis when application is filed,
17: and that's when we do in my work to make sure that the
18: flows to the river are protected. But as far as the
19: over diversion issue, our view in protecting the water
20: of the surface -- surface water is to have those over
21: diversions be replaced on a one-to-one basis.

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06: Q. How do you -- what's your understanding of
07: the purpose of the AWRM?
08: A. Well, the purpose is to -- number one, we
09: can't manage what we don't measure so essentially
10: it's, number one, measuring through metering, and then
11: putting in a water master district, appointing a water
12: master, and just being really clear on the -- the
13: diversions, metering, and being sure, first of all, to
14: make sure that everyone is staying -- all the farmers
15: are not over diverting their waters. So right now,
16: there's what we're actively managing the resource.

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16: A. Well, the AWRM really gave us tools to manage
17: the water, and, you know, for instance, the metering
18: order and designation of the water master. Having the
19: WATERS database and people to input that data and
20: really actively managing and following the groundwater
21: diversions and just all those tools we use.
22: Q. And it also allows for offsets of water use
23: that may be impacting other water users?
24: A. What do you mean by "offsets"? I'm not

25: following.

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01: Q. Sure. So if there is, for example, an over

02: diversion of water, the AWRMs would allow for a active

03: management system of offsetting, those impacts of over

04: diversion?

05: A. Well, the only -- the only way I see is

06: through the same ownership management, and I -- I

07: would say that's one of our tools in our AWRM toolbox,

08: but if it's an over diversion where the farmer is not

09: part of a same ownership management, that is where we

10: require offsets. Replacement water. I prefer to use

11: that word.

12: Q. Let's say there's a determination that return

13: flows from project releases have declined and have

14: depleted flows in the Rio Grande such that it's

15: affecting deliveries downstream. Do you follow me?

16: A. I think so.

17: Q. Okay. Does the AWRM give the OSE authority

18: to curtail groundwater pumping that may be depleting

19: those surface flows?

20: A. In my knowledge, that's not the intent of the

21: AWRM. That's not one of our tools in our toolbox.

22: It's -- AWRM is used to really, like the acronym says,

23: you know, actively manage the water resource, and we

24: can't manage what we can't measure and so we would --

25: we -- our goal is to keep the river whole, the whole

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01: system whole, and so, again, that's what's so good
02: about the metering order and the water master, and all
03: these tools we use help us know where we are and so we
04: keep the water right owners, keep those boundaries in
05: place so we know what they're diverting.

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04: Q. (BY MR. LEININGER) So the United States On
05: behalf of the Bureau of Reclamation came to the OSE to
06: state that its ability to deliver project water at Rio
07: Grande head gates has been shortened, can't be
08: fulfilled, okay, and we asked the OSE to take action
09: against groundwater pumpers, does the OSE have the
10: ability to reduce the amount of groundwater pumping
11: below the 4.5 acre-foot per acre that has been
12: permitted?

13: MR. WECHSLER: Object to form.

14: A. Well, I would say if that were the case, we'd
15: do an investigation, and we would see who's causing
16: the problem and if indeed there is a problem because
17: there's always two sides to every story and so, yes,
18: if it turns out that there are issues, the state
19: engineer absolutely does have the authority to -- to
20: decrease the amount of water from groundwater wells,
21: but that would require an investigation and a -- more
22: information.

23: Q. (BY MR. LEININGER) Okay. And I'm just
24: curious about that authority because you mentioned the

25: AWRMs. Do the AWRMs apply in the lower Rio Grande?

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(continued page 00058)

01: MR. WECHSLER: Object to form.

02: A. Apply for what? What do you mean by that?

03: Q. (BY MR. LEININGER) Well, there's been no

04: rules and regulations adopted consistent with the

05: AWRMs in the lower Rio Grande, correct?

06: MR. WECHSLER: Object to form.

07: A. Well, there's no district-specific regs for

08: active water resource management.

09: Q. (BY MR. LEININGER) Okay. So what is the

10: authority the OSE can use to decrease the amount of

11: water from groundwater wells?

12: MR. WECHSLER: Form and foundation.

13: A. Well -- well, the constitution of New Mexico

14: saying that all the water belongs to the public, and

15: it's subject to appropriation and beneficial use.

16: That's the main charge as the state engineer in our

17: office is to protect all water right owners. So

18: that's absolutely the authority.

19: Q. (BY MR. LEININGER) Okay. And -- and under

20: the constitution, New Mexico has adopted the prior

21: appropriation system, right?

22: A. Yes. It's first in time, first in right.

23: Q. So the OSE would then administer in a first

24: in time, first in right against these groundwater

25: pumpers that may be impacting senior water use of the

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01: project?

02: A. Well, it's possible; however, again, we have

03: to do an investigation and determine who was causing

04: the depletion.

05: Q. Sure.

06: A. Because you can see --

07: Q. And I -- yeah, I'm sorry to interrupt, but I

08: do want to give Sarah some time here. But the

09: question, again, is just the OSE's statutory authority

10: to administer in priority in the lower Rio Grande

11: given the scenario that the irrigate -- the irrigation

12: of wells is impacting surface water flows. What is

13: that statutory authority? You mentioned the

14: constitution. Is there anything else?

15: MR. WECHSLER: Object to form; calls for

16: a legal conclusion.

17: A. Yeah, I'd follow Mr. Wechsler's point. I'm

18: not an attorney, but I do know that we've been given

19: the tools, we've been given the constitution of New

20: Mexico, the statutes, rules and regs, and our ability

21: to permit wells and condition those permits.

22: Q. (BY MR. LEININGER) And I'm just trying to get

23: -- and really I'm sorry I have to keep coming back to

24: this, but I need some specificity with regard to the

25: tools that the OSE has at its disposal to address this

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01: injury of junior use to a senior water right. So in

02: the lower Rio Grande, you mentioned the constitution,

03: and then you mentioned the statutes, and if you could

04: just define for me what those statutes are that the

05: OSE uses to administer in that scenario?

06: MR. WECHSLER: Again, object to form.

07: A. Well, it would depend on the situation to be

08: honest. It would depend on who's causing the injury.

09: We need need more specificity on who's doing --
10: causing the injury. So, yes, absolutely. We have the
11: authority to -- the state engineer has the authority
12: to protect surface waters of the State of New Mexico
13: and the -- the whole water system, but without knowing
14: specifically who's causing the harm, I can't speak to
15: how we would administer that.

16: Q. (BY MR. LEININGER) Okay. Without rules and
17: regs promulgated and adopted for the LRG, can the OSE
18: still use the AWRM statute to enforce within priority?

19: A. Well, my understanding of the AWRM is so we
20: don't have to administer in priority. It's to give us
21: the tools for a priority call -- or administering by a
22: priority is not -- you know, that's the nuclear
23: option, as it were. We want to use AWRMs so that we
24: don't have to do that.

25: Q. Okay. And that AWRM tool is one that's

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01: available in the lower Rio Grande right now?

02: A. Well, the state -- statewide regulations,
03: yes. But just because there's no AWRM
04: district-specific regs doesn't mean we don't have the
05: tools to administer water rights.

06: Q. Sure. And you -- you gave me the explanation
07: of how you would administer water rights. My -- my
08: question had just been what's in your toolbox with
09: regard to what is the United States' ability to
10: deliver project water downstream at head gates where
11: there's a proven causation of depletion of return
12: flows that the United States is entitled to, and it's

13: due to groundwater pumping. Okay? So my
14: understanding is the OSE feels that the AWRM gives
15: them the ability to curtail junior groundwater right
16: if the United States is being impacted in this way; is
17: that right?

18: MR. WECHSLER: Object to form.

19: A. No. That's not the intent of the active
20: water resource management to curtail junior
21: groundwater rights. It's to -- I think shortage
22: sharing might be a good way to put it, but we can't
23: administer anything, any water, un -- until we measure
24: it. So that's really the intent of the AWRM, giving
25: us the ability to have the metering order, have a

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01: water master. You know, we have the statewide AWRM
02: regs.

03: Q. (BY MR. LEININGER) Okay. So -- we're almost
04: done with this line of questioning. So if the United
05: States is showing that it's being injured -- its
06: senior water right is being injured, and the senior
07: water right, as we've discussed, is a surface water
08: right of the Rio Grande, and that's determined to be
09: due to groundwater pumping in New Mexico, you're
10: saying that the active water resource management
11: cannot be used to curtail groundwater -- junior
12: groundwater rights; is that correct?

13: MR. WECHSLER: Object to form; asked and
14: answered.

15: A. Well, again, that's not the intent of the
16: AWRM, and your scenario really is very broad and so it

17: doesn't mean that the state engineer doesn't have
18: authority to curtail groundwater, but in your
19: scenario, we don't know who's doing it. We don't know
20: if it's -- where in the aquifer -- where in the basin
21: this is occurring. So to just say, yeah, we'll --
22: we'll just curtail, what does that mean, we need a lot
23: more specifics and do an investigation, as I
24: mentioned.

25: Q. (BY MR. LEININGER) So -- so this -- this
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(continued page 00063)

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01: assumes that the United States' project water right,
02: and let's give it a 1903 water right is being injured.
03: What I'm hearing -- correct me if I'm wrong, but what
04: I'm hearing is the OSE has tools other than priority
05: administration to fulfill the United States' entire
06: senior water right?

07: MR. WECHSLER: Object to form.

08: A. Well, again, that's not the intent of AWRM.
09: And we can't manage what we can't measure, and that's
10: the point of AWRM. And so we don't -- we -- we have
11: ability to do an investigation, to figure out who's
12: causing the harm, if someone is, and so, yes, we --
13: the state engineer absolutely can curtail, but without
14: specifics, I can't answer beyond that.

15: Q. (BY MR. LEININGER) And I'll just -- let's
16: just wrap this up with when you say absolutely, the
17: OSE can curtail junior groundwater rights that are
18: effecting or hurting/injuring senior water rights, I'm
19: just trying to understand how the OSE would go about
20: doing that. What -- what laws would they utilize?

21: MR. WECHSLER: Object to form; calls for
22: a legal conclusion.
23: A. That's the point of all the statutes is to --
24: to keep the river system whole, the whole LRG system
25: whole. So the state engineer has the authority to do
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01: that under those statutes, but, again, without
02: specific -- I can't answer specifically how we would
03: do that because every situation is case by case, but
04: we do have the authority to do that.
05: MR. LEININGER: Jeff, it's been almost
06: another hour, and I am ready to turn it over to Sarah
07: so do you want to -- Sarah, do you want to start now
08: or do you want to -- Cheryl, do you want to take a
09: short break?
10: MS. KLAHN: We can take five minutes if
11: that would help.
12: MR. WECHSLER: Sounds good.
13: THE WITNESS: That would be good.
14: THE VIDEOGRAPHER: The time is 3:35 p.m.
15: We're off the record.
16: (Break.)
17: THE VIDEOGRAPHER: The time is 3:42 p.m.
18: We're on the record.
19: E X A M I N A T I O N
20: BY MS. KLAHN:
21: Q. Hello, Ms. Thacker. My name is Sarah Klahn.
22: I represent the State of Texas. I took your
23: deposition, I think in, like, May of 2019 or something
24: like that. Do you recall that?

25: A. I do.

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01: Q. What's your understanding of the difference

02: between the deposition we're having today and the

03: deposition that was taken in 2019 of you?

04: A. My understanding is I was just a fact witness

05: back in 2019, but this is more specific to my duties

06: as for water right administration.

07: Q. What did you do to get ready for this

08: deposition?

09: A. I spoke to my attorneys who are helping me

10: with this.

11: Q. Who did you speak with specifically?

12: A. Shelly Dalrymple, Gregg Ridgley, and Maureen

13: Dolan.

14: Q. Did you meet with Mr. Wechsler?

15: A. Oh, yes, I did. Yes, thank you.

16: Q. How long did you meet with your lawyers?

17: A. Gosh, it probably was a total of about eight

18: hours maybe.

19: Q. Did you have multiple meetings?

20: A. I did.

21: Q. Did you go up to Santa Fe for the meetings or

22: did you do them by phone?

23: A. Just by phone.

24: Q. Did you meet with Mr. Lopez at all before

25: this deposition?

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01: A. I did not.

02: Q. How about Mr. Schmidt-Petersen?

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10: Q. Okay. So when you say you assume that EBID

11: farmers are using their full allotment in the context

12: of that statement, are you assuming that EBID farmers

13: have 3 acre-feet per acre available to them every

14: year?

15: A. Oh, no. I'm sorry. I meant the allotment

16: that they announced per irrigation season, for

17: instance, 2 acre-feet, you know, they announced that.

18: That's what I was referring to.

19: Q. Okay. So -- and this evaluation that you're

20: doing would happen at the end of the irrigation

21: season?

22: A. Well, we include that at the beginning of the

23: irrigation season when we get that information from

24: EBID. So -- but the final accounting and final wrap

25: up occurs at the end of the year, yeah.

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01: Q. So if EBID changes their allocation over the

02: course of a season, your final tally of groundwater

03: use would take that into account?

04: A. We would, yes.

05: Q. Now, based on the extended discussion that

06: Mr. Wechsler had with Mr. Leininger at the beginning

07: of the deposition, is it fair to say that you are not

08: aware of specific activities New Mexico has done to

09: enforce compliance with the Rio Grande Compact?

10: A. That's absolutely right.

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15: Q. Could you list the tools in your toolbox for

16: the AWRM?

17: A. Sure. The metering order requiring all

18: farmers and non-domestic users to meter their wells.

19: We have the designation of the water master districts,

20: the appointments of the water master. We have the

21: water master reports that he does every year, and --

22: and I think, you know, just the AWRM state regulations

23: or -- yeah, regulations.

24: Q. So the -- the AWRM -- let me strike that.

25: So regulations have been adopted on a

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01: statewide basis to implement active water resource

02: management in New Mexico; is that correct?

03: A. Yes, it is.

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09: Q. Okay. So give me an example of how you use

10: the constitution on a day-to-day basis.

11: A. Well, that's -- that's just the over arching

12: reason we're here essentially. It's just we have to

13: keep that in mind. We have the authority to

14: administer water rights and so it's not something I

15: just look at every day and say, oh, okay,

16: constitution, but the point is the stated engineer has

17: the authority to protect the water of the -- the state

18: and specifically in the lower Rio Grande.

19: Q. I understand the state engineer has

20: authority. His office is in Santa Fe. I'm curious
21: how often Mr. D'Antonio himself is involved in
22: administrative decisions about water rights in the
23: lower Rio Grande.
24: A. Well, he's designated me as one of the
25: administrators down here, and with that in mind, he's
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01: given me the responsibility to administer water rights
02: and apparently put his faith in me to do that and so
03: that's my job as his agent to administer water rights.
04: Q. So in your answer of one question ago, you
05: said but the point is the state engineer has the
06: authority to protect water of the state and
07: specifically in the lower Rio Grande. What your --
08: your testimony would be perhaps that you have the
09: authority because it was delegated to you by the state
10: engineer to protect water of the state and
11: specifically the lower Rio Grande; is that right?

12: MR. WECHSLER: Object to form.

13: A. That's right.

14: Q. (BY MS. KLAHN) Do you understand your duties
15: to extend to protecting water in the lower Rio Grande
16: to ensure waters delivered to Texas under the Compact?

17: A. I wouldn't characterize it that way. I would
18: say specifically my authority is to do evaluations
19: when an application is filed for impairment, and to
20: ensure no new depletions occurred on the river. So
21: that's -- that's the authority I've been given.

22: Q. How does that answer my question?

23: A. I think it does. I -- I don't know what you
24: mean.

25: Q. Well, I asked if your duties extended to
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01: protecting water in the lower Rio Grande to ensure
02: that water is delivered to Texas under the Compact,
03: and you said -- your answer to me was you do an
04: evaluation when an application is filed for impairment
05: and to ensure no new depletions occurred on the river.
06: And I just want you to connect the dots for me. How
07: is that ensuring delivery of Texas' water under the
08: Compact?
09: A. Well, since I'm not specifically involved
10: with the Compact, I can't speak to that, but my job
11: and our job in the District 4 is to make sure that
12: anyone who wants to change an element of their water
13: right doesn't cause depletions to surface water flows,
14: so that -- that's the only thing I have the authority
15: to do in my position.

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07: Q. In your discussions with Mr. Leininger, you
08: referred several times to keeping the river whole.
09: Can you define for me what it means to keep the river
10: whole?
11: A. Sure. Again, when a water right owner comes
12: in and wants to change an element of their water
13: right, for instance, change location of wells for
14: replacement wells or change purpose or place of use,
15: my job is to be sure that no new depletions occurred
16: to the river and so that's what I mean keeping the
17: river whole, no new depletions.

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02: Q. You used the term nuclear option with regard
03: to curtailment. Why is curtailment a nuclear option?
04: A. No. I would say priority administration.
05: Curtailment isn't a nuclear option. And I guess the
06: question, too, is what do you mean by curtailment in
07: your eyes.
08: Q. Shutting down a water right period.
09: A. Okay.
10: Q. Lock the well, lock the head gate, don't let
11: them take water. That's curtailment.
12: A. Okay.
13: Q. How do you define it?
14: A. I would agree. And when I say nuclear
15: option, I mean priority administrations where we make
16: a call on the river and shut a whole bunch of water
17: rights down. Yes, the state engineer has that
18: authority, but we would prefer to use the active water
19: resource management tools so we don't have to do that.
20: Q. So in your view, in your job, active water
21: resource management provides you tools so you can
22: avoid operating under strict priority system?
23: A. Well, I think it's to encourage shortage
24: sharing and cooperation with the farmers and just
25: managing the river so that -- excuse me -- managing

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01: groundwater diversions so that the farmers don't
02: exceed their water rights as it is on file.
03: Q. So what do you mean by shortage sharing?
04: A. I think that's where our same ownership

05: management comes in to where two farmers can
06: essentially put two farms under one ownership
07: management and where one farmer cannot necessarily
08: irrigate their field, and instead, the other farmer
09: used that water on his lands. So that gives us the
10: tools to do that.

11: Q. So in that example, one farmer is not
12: irrigating, and the other farmer is using more water
13: than he's entitled to, correct?

14: A. No, that's not right.

15: Q. Well, I don't understand where the shortage
16: comes in then?

17: A. Well, the farmer isn't using more than he's
18: entitled to. It's all within the same water rights as
19: in the two water rights, the mass balance is
20: maintained.

21: Q. Using more -- the farmer that's using
22: additional water is using more water than he would be
23: able to if his neighbor hadn't agreed to loan him his
24: water, correct?

25: A. That's true.

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01: Q. And this is the only water district in New
02: Mexico that has an owner management program; isn't
03: that right?

04: A. I'm not sure about other districts. I can't
05: speak to that.

06: Q. When -- when you were deposed last spring,
07: you told me you didn't have any involvement with the
08: owner management program. Is that still true?

09: A. I don't administer it on a day-to-day basis.

10: I do -- I do know how it works, but I don't do the

11: paperwork and I'm not actively involved with it.

12: Q. Are you involved with the year-end evaluation

13: of whether anybody exceeded the mass balance as you

14: call it under an owner management program?

15: A. I'm not. Other than I hear Ryan Serrano give

16: a summary and overview, but that's -- he -- he

17: administers that.

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20: Q. (BY MS. KLAHN) While we're waiting for that

21: to come up, Ms. Thacker, did Mr. D'Antonio or anyone

22: else at the Office of the State Engineer ever give you

23: any instructions or guidance about the role of the

24: Compact in your professional duties?

25: A. No.

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01: Q. Would that be true in -- because I believe

02: you had two positions with the Office of the State

03: Engineer; is that right?

04: A. Actually, I've had three.

05: Q. Have you ever had any instruction or guidance

06: on how the Compact plays into your duties?

07: A. No.

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09: (Exhibit No. 1 was marked.)

10: Q. (BY MS. KLAHN) Okay. So the way this works

11: is you should have control of the document that you

12: should be able to see in front of you. Can you see

13: it?

14: A. I can.

15: Q. Okay. And this is a document we got from the

16: State of New Mexico somehow or the other in the

17: context of this litigation, and it starts with New

18: Mexico Bates No. 00210791, and it's a collection of

19: documents related to, I believe, the AWRM effort in

20: the lower Rio Grande. The first page is well metering

21: requirements, but I would like you to page down

22: through this to what should be PDF Page 17. And maybe

23: you can flip it so that it's the right way. Perfect.

24: Okay. So the title of this is, "Objectives for Lower

25: Rio Grande District-Specific Regulations for

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01: Implementation of Active Water Resources Management in

02: the Lower Rio Grande Water Master District." I'd ask

03: you to take a look at these objectives, A through M.

04: A. Okay.

05: Q. And I'd like to draw your attention to the

06: first bullet point up there, Bullet Point A, "Protect

07: senior water rights from impairment through

08: administration of both surface and groundwater rights

09: within the Lower Rio Grande Water Master District by

10: priority administration or other methods as provided

11: by the AWRM regulations." Do you see that?

12: A. I do.

13: Q. So this is -- this was apparently an

14: objective for implementation of Lower Rio Grande

15: specific AWRM rules. Is this an objective of your

16: office in the absence of Lower Rio Grande specific

17: regulations?

18: MR. WECHSLER: Object to form.

19: Q. (BY MS. KLAHN) You can answer.

20: A. Well, I think the state engineer obviously

21: has the authority to administer based on priority

22: administration, but we haven't had to do that since

23: I've been here.

24: Q. Remind me what it would take for there to be

25: priority administration in your estimation.

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01: A. I would think that someone would have to make

02: a call, and we'd do an investigation and figure out if

03: there were the issues that were -- if there were

04: problems that were indeed causing impairment that's

05: the person calling, and so we would have the -- the

06: state engineer has the authority to stop pumping from

07: junior wells if necessary, but fortunately, we haven't

08: had to do that.

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13: Q. I'd like to draw your attention to Paragraph

14: H. This is an objective to establish a system for

15: administration as required to meet downstream

16: interstate delivery entitlements. What do you

17: understand that to mean?

18: A. I'm really not sure what that means. I need

19: direction on how we would do that. I'm not sure.

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,
Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,
Defendants.
◆

OFFICE OF THE SPECIAL MASTER

◆

**STATE OF NEW MEXICO'S OBJECTIONS AND WITNESS DESIGNATIONS TO THE
UNITED STATES' NOTICE OF RULE 30(b)(6) DEPOSITION AND TO STATE OF
TEXAS'S CROSS-NOTICE**
◆

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Pursuant to the Case Management Plan dated September 6, 2018, as amended (CMP), and Rule 30(b)(6) of the Federal Rules of Civil Procedure, the State of New Mexico objects to and provides witness designations for the United States' Notice of Rule 30(b)(6) Deposition of the State of New Mexico and the State of Texas's Cross-Notice (collectively, "United States' Notice") as follows:

GENERAL OBJECTIONS

1. New Mexico's objections and responses are based on information presently available. At present, New Mexico has not yet completed its investigation or preparation for trial, either of which may provide information responsive to this discovery request.

2. New Mexico objects to United States' Notice, including the instructions and definitions contained therein, to the extent that they impose obligations on New Mexico that exceed the possible scope of discovery as set forth in the Federal Rules of Civil Procedure. New Mexico reserves all objections and rights to which it is entitled under the Federal Rules of Civil Procedure and applicable law.

3. New Mexico objects to each and every instruction, definition and/or topic identified for examination to the extent the instruction, definition and/or topic is vague, ambiguous, unintelligible, compound, conjunctive, or disjunctive, and not full and complete in and of itself, so as to make a response impossible without speculation as to the meaning of the request.

4. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that the instruction, definition and/or topic seeks information protected by the attorney-client privilege, the work product doctrine, joint defense privilege, or any other applicable privilege. New Mexico's responses herein, and/or the witness' testimony, are not intended to, nor should they be construed as, a waiver or relinquishment of any part of the protections afforded by the attorney-client privilege, the work product doctrine, the joint defense privilege, or any other applicable privileges or immunities. The inadvertent production of any such privileged information or document(s) is not a waiver of New Mexico's right to assert any

applicable privilege or doctrine relative to any such information or document(s), or any other information, document(s), or matter, pursuant to the terms of paragraph 7.2.3 of the CMP.

5. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that it seeks the legal analysis, legal conclusions, or the statutory basis supporting a factual conclusion.

6. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that they seek New Mexico's counsels', or any other counsel's, legal reasoning, theory, or statutory basis supporting a factual conclusion.

7. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent it seeks expert analysis and/or testimony.

8. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent the instruction, definition and/or topic is unduly and unreasonably oppressive, harassing, burdensome, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, or constitutes an abuse of the discovery process.

9. New Mexico objects to definition number 12 in the United States' Notice to the extent it seeks information "from statehood to present" as unduly and unreasonably oppressive, harassing, burdensome, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

10. New Mexico objects to the form of each and every topic for examination to the extent that it is not full and complete in and of itself, and instead relies on preface and instructions.

11. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent it seeks information or documents that are not in the possession,

custody, or control of New Mexico, its agents, or employees.

12. New Mexico's decision to provide information or documents, notwithstanding the objectionable nature of any of the discovery requests, should not be construed as a stipulation or admission that the information is relevant or admissible, a waiver of New Mexico's general or specific objections, or an agreement that requests for similar discovery will be treated in a similar manner.

13. To the extent New Mexico identifies witnesses, information, or documents as responsive to any of the United States' requests, it does not constitute an admission that New Mexico agrees with any characterizations, disputed facts, or other information contained in the specific request.

14. New Mexico and United States conferred in advance of United States' formal service of this notice of deposition, wherein counsel for New Mexico advised counsel for United States that witnesses would only be designated by New Mexico to provide testimony on the topics as identified below. New Mexico witnesses are not designated by New Mexico to provide testimony on any topics identified in United States' "Exhibit A," except as expressly identified herein, and the above General Objections are incorporated into each specific Topic.

**NEW MEXICO’S SPECIFIC OBJECTIONS AND RESPONSES TO
THE UNITED STATES’ “EXHIBIT A”**

UNITED STATES’ TOPIC A: The responses, allegations, and affirmative defenses in New Mexico’s answers to the complaint of the United States and to the complaint of Texas, including

- What is Texas’ apportionment of water under the Compact?
- What amount of water is Texas entitled to receive to lands in Texas based on Texas’ apportionment of water under the Compact?
- What is the relationship of the Project and Texas’ apportionment of water under the Compact?
- What is New Mexico’s apportionment of water under the Compact?
- What is the relationship of the Project and New Mexico’s apportionment of water under the Compact?
- What are New Mexico’s obligations to ensure Texas receives its full apportionment under the Compact?
- How does New Mexico ensure Texas receives its full apportionment under the Compact?

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC A:

New Mexico objects to the preface sentence in this Topic on the grounds that by using the term “including” it fails to describe the testimony sought with reasonable particularity as required by Rule 30(b)(6). A notice must avoid such terms as they put the responding party in the impossible task of preparing for an open-ended and theoretically infinite subject. *See, e.g., Reed v. Bennett*, 183 F.R.D. 689, 692 (D.Kan. 2000).

New Mexico objects to the preface sentence in that it impermissibly requires New Mexico to speculate as to the discovery being sought and to parse through hundreds of responses, allegations, and affirmative defenses in New Mexico’s answers to the complaints of the United

States and Texas to infer the discovery sought by the United States. *See, e.g., Catt v. Affirmative Ins. Co.*, No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did “not identify the subject matter to be covered with ‘reasonable particularity’”); *Smithkline Beecham Corp. v. Apotex Corp.*, No. 98-C-3952, 2000 WL 116082, at *10 (N.D. Ill., Jan. 24, 2000) (finding Rule 30(b)(6) notice requesting designation of a witness to testify regarding responses to interrogatories and requests for production was overbroad, unduly burdensome, and inefficient).

New Mexico objects to the preface sentence in that it requires New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy.

New Mexico objects to the second bullet in that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in that the word “amount” is vague and ambiguous.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Estevan L. Lopez, former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to the seven (7) specific bullet points following the preface sentence. Mr. Lopez is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

UNITED STATES’ TOPIC B: New Mexico’s counterclaims against the United States and Texas, including the allegations pleaded in support of the same, and the remedies requested, related to:

- Counterclaim No. 1 - Compact violation by Texas caused by unauthorized depletions.
 - defining and providing scope of “unauthorized diversions” in Texas.

- Counterclaim No. 2 - Interference with Compact Apportionment against the United States was dismissed.
 - Questions under this counterclaim will be limited to what New Mexico was apportioned, and how Project operations are inconsistent with New Mexico's apportionment.
- Counterclaim No. 3 - Improper Release of Compact Credit Water against the United States was dismissed.
 - Questions under this counterclaim will be limited to New Mexico's understanding of the Compact's water accounting system for credit water, reservoir water evaporation and evaporation accounting.
- Counterclaim No. 4 - Compact Violation and Unjust Enrichment Against Texas.
 - questioning on Project lands receiving an equal amount of surface water per acre
- Counterclaim No. 5 - Violation of the Water Supply Act by the United States was dismissed.
 - Questions under this counterclaim will be limited to how an action pursuant to the Water Supply Act Pub. L. No. 85-500, 72 Stat. 297, 319 (July 3, 1958) violates the Compact.
- Counterclaim No. 6 - Improper Compact and Project Accounting against the United States was dismissed.
 - Questions under this counterclaim will be limited to how Project accounting is inconsistent with the Compact.
- Counterclaim No. 7 - Violation of the Miscellaneous Purposes Act and the Compact against Texas and the United States was dismissed.
 - Questions under this counterclaim will be limited to how any of the Miscellaneous Purposes Act contracts violate the Compact.
- Counterclaim No. 8 - Improper Project Maintenance against the United States was dismissed.
 - Questions under this counterclaim will be limited to the standards of Project maintenance the United States is subject to under the Compact, how the United States maintenance efforts violate the Compact, and how the alleged failure of the United States' maintenance has injured New Mexico.

- Counterclaim No. 9 - Failure to Enforce the 1906 Convention and Compact Violation against the United States was dismissed.
 - Questions under this counterclaim will be limited to how pumping of groundwater in Mexico and unauthorized surface diversions from the Rio Grande by Mexico have violated the Compact.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC B:

New Mexico objects to the preface sentence in this Topic on the grounds that by using the term “including” it fails to describe the testimony sought with reasonable particularity as required by Rule 30(b)(6). A notice must avoid such terms as they put the responding party in the impossible task of preparing for an open-ended and theoretically infinite subject. *See, e.g., Reed v. Bennett*, 183 F.R.D. 689, 692 (D.Kan. 2000).

New Mexico objects to the preface sentence and the nine bullets in that they impermissibly require New Mexico to speculate as to the discovery being sought and to parse through hundreds of allegations and claims in New Mexico’s counterclaims and requested remedies to the United States and Texas to infer the discovery sought by the United States. *See, e.g., Catt v. Affirmative Ins. Co.*, No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did “not identify the subject matter to be covered with ‘reasonable particularity’”).

New Mexico objects to the preface sentence and the nine bullets in that they require New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy. Specifically, as to the fifth sub-bullet, which requires New Mexico to provide a witness to interpret a statute and testimony as to legal conclusions and analysis, New Mexico is unable to prepare or provide a witness for this sub-Topic.

New Mexico objects to the use of the term “scope” is the 1st sub-bullet as vague and ambiguous such that New Mexico is unable to determine the discovery sought by the United States.

New Mexico objects to the fifth (5th) bullet, including the sub-bullet, as seeking testimony on a subject that is protected by privilege or the work product doctrine and as seeking testimony on a pure legal issue.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge:

(A) Estevan L. Lopez, former Director of the New Mexico Interstate Stream

Commission, is designated by New Mexico to provide testimony as to seven (7) of the sub-bullets above, excepting the fifth (5th) and eighth (8th) sub-bullets.

(B) Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream

Commission, is designated by New Mexico to provide testimony on the eighth (8th) sub-bullet only.

Mr. Lopez and Mr. Schmidt-Petersen are not designated by New Mexico to provide testimony on this Topic except as expressly identified herein. New Mexico is not designating a witness to provide testimony on the 5th bullet.

UNITED STATES’ TOPIC C: New Mexico’s administration, implementation, and enforcement of its obligations under the Compact and under state laws, regulations, policies or actions in (1) delivery of Rio Grande Compact water to the State of New Mexico, (2) delivery of Rio Grande Compact water to the State of Texas, and (3) water released from storage to meet Compact irrigation demands below Elephant Butte Reservoir.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC C:

New Mexico objects to this Topic on the grounds that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought.

New Mexico objects to this Topic to the extent it calls for a witness to interpret laws and regulations and to the extent it seeks testimony as to legal conclusions and analysis.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge:

(A) Estevan L. Lopez, former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to New Mexico's policies under the Compact relating to the three (3) identified subjects.

(B) Cheryl Thacker, Water Resources Manager for the New Mexico Office of the State Engineer, is designated by New Mexico to provide testimony as to New Mexico's administration, implementation, and enforcement as to the three (3) identified subjects.

Mr. Lopez and Ms. Thacker are not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

UNITED STATES' TOPIC D: New Mexico's policies relating to administration of surface water or groundwater below Elephant Butte Reservoir related to:

- New Mexico's policies relating to administration of water delivered to EBID pursuant to the 1938 contracts between the United States and the districts, the 1979/1980 operation and maintenance transfer contracts between the United States and the districts, and the 2008 Operating Agreement.
- New Mexico's policies on supplemental irrigation wells as defined by New Mexico.
- New Mexico's policies on conjunctive use of surface water and groundwater for irrigation purposes.

- New Mexico’s policies, positions and actions in State of New Mexico ex rel. Office of the State Engineer v. EBID, et al., No. D-307-CV-96-888, County of Dona Ana, Third Judicial District related to:
 - water rights offered or consented to for the Project irrigation users, non-Project irrigation users, and municipal water right holders.
 - water rights offered for the United States’ right to water for the Rio Grande Project and the determination of such rights in Stream System Issue No. 104.
 - Stream System Issue No. 101 and the determination of consumptive irrigation water amounts and farm delivery water requirements for all crops in the Lower Rio Grande Basin.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC D:

New Mexico objects to the first bullet under this Topic to the extent it calls for legal interpretation of contracts to which it is not a party and to the extent it seeks testimony as to legal conclusions and analysis. New Mexico further objects to the terms “policies” and “policies, positions, and actions” as vague and ambiguous and as overly broad and unduly burdensome.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Cheryl Thacker is designated by New Mexico to provide testimony as to the first three (3) bullets.

New Mexico objects to the fourth bullet and the first sub-bullet thereafter in that they impermissibly require New Mexico to speculate as to the discovery being sought and to parse through thousands of subfiles, allegations, and claims in the referenced adjudication. Further, these subjects require New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy. New Mexico further objects to the fourth bullet and first sub-bullet thereafter in that they are vague, ambiguous, burdensome, overbroad, seek information neither relevant to the subject matter of the action nor reasonably calculated to lead

to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process. *See, e.g., Catt v. Affirmative Ins. Co.*, No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did “not identify the subject matter to be covered with ‘reasonable particularity’”). New Mexico is not able to prepare or provide a witness to testify as to these two (2) sub-topics.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, John W. Longworth, Senior Engineering Executive of the New Mexico Office of the State Engineer and former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to the last two sub-bullets.

Ms. Thacker and Mr. Longworth are not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

If the United States or Texas intend to ask questions about specific “policies” or documents, New Mexico requests that the United States and Texas provide copies of those specific policies or documents at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES’ TOPIC E: New Mexico’s communications with the United States, its officers, employees, or agents, concerning complaints about Project operations and related water use, from 1938 to present, related to:

- wells drilled below Elephant Butte reservoir
- Project accounting for groundwater pumping in Texas
- Contracts for municipal use of water by El Paso
- management of Project facilities by the Districts after the transfer of operations and maintenance responsibility to the Districts

- allegations of Compact violations
- the Operating Agreement

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC E:

New Mexico objects to this Topic on the grounds that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in that the terms and phrases “communications” and “related water use” are vague, ambiguous, overbroad, seek information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, and are not proportional to the scope of this case.

New Mexico objects to the time period designated in this Topic, “from 1938 to present”, as overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, and is not proportional to the scope of this case.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to complaints by New Mexico to the United States as to the six (6) specific bullets in this Topic. Mr. Schmidt-Petersen is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

If the United States or Texas intend to ask questions about specific “communications,” documents or “complaints,” New Mexico requests that the United States and Texas provide

copies of those specific communications, documents or complaints at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES' TOPIC F: New Mexico's communications with the United States, its officers, employees, or agents, concerning complaints about maintenance of the Rio Grande channel.

NEW MEXICO'S OBJECTIONS AND DESIGNATIONS AS TO TOPIC F:

New Mexico objects to this Topic in that the term "the Rio Grande channel" is vague, ambiguous, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process. New Mexico further objects to the phrase "New Mexico's communications with the United States, its officers, employees, or agents" as vague and ambiguous and overly broad and unduly burdensome.

Subject to and without waiver of the foregoing objections, Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony on this Topic as it relates to the Rio Grande river channel below Elephant Butte dam and reservoir. Mr. Schmidt-Petersen is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

If the United States or Texas intend to ask questions about specific "communications," documents or "complaints," New Mexico requests that the United States and Texas provide copies of those specific communications, documents or complaints at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES' TOPIC G: New Mexico Interstate Stream Commission, Office of State Engineer, Attorney General Office and Governor's Office substantive communications

related to the Operating Agreement and Compact litigation with other New Mexico entities, namely: The City of Las Cruces, its officers, employees, agents, or legal counsel; New Mexico State University, its officers, employees, agents, or legal counsel; the City of Albuquerque, its officers, employees, agents, or legal counsel; and the consortium of farmers in the lower Rio Grande collectively referred to as the New Mexico Pecan Growers or the Southern Rio Grande Diversified Crop Farmers Association, their officers, employees, agents, or legal counsel.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC G:

New Mexico objects to this Topic in that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in that the phrase “substantive communications” is vague, ambiguous, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

New Mexico objects in that the request for communications between the personnel in four (4) New Mexico state agencies and the “officers, employees, agents, or legal counsel” of five (5) New Mexico entities – two of which are municipalities with hundreds of interactions annually with the designated state agencies -- is overbroad, burdensome, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

New Mexico objects in that this Topic requires New Mexico to reveal privileged attorney work product and strategy and to violate applicable privileges.

Subject to and without waiver of the foregoing objections, John W. Longworth, Senior Engineering Executive of the New Mexico Office of the State Engineer and former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony on this Topic. Mr. Longworth is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

New Mexico will not be designating a witness to testify to “substantive communications related to the . . . Compact litigation,” except to the extent that those communications took place in the presence of a third party and was therefore not protected.

If the United States or Texas intend to ask questions about specific “communications,” documents or correspondence, New Mexico requests that the United States and Texas provide copies of those specific communications, documents or correspondence at least two days in advance of the deposition so that the witness may be adequately prepared.

Respectfully submitted this 10th day of September, 2020.

/s/ Jeffrey Wechsler
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No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

OFFICE OF THE SPECIAL MASTER

STATE OF NEW MEXICO'S CERTIFICATE OF SERVICE

This is to certify that on the 10th of September, 2020, I caused a true and correct copy of the **State of New Mexico's Objections and Witness Designations to the United States' Notice of 30(b)(6) Deposition and to the State of Texas's Cross-Notice** to be served by e-mail upon all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 10th day of September, 2020.

/s/ Michael A. Kopp

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No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆

STATE OF TEXAS,
Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,
Defendants.
◆

OFFICE OF THE SPECIAL MASTER

◆

**STATE OF NEW MEXICO'S AMENDED OBJECTIONS AND WITNESS
DESIGNATIONS TO THE UNITED STATES' NOTICE OF RULE 30(b)(6)
DEPOSITION FILED OCTOBER 15, 2020**
◆

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EXHIBIT

 K

Pursuant to the Case Management Plan dated September 6, 2018, as amended (CMP), and Rule 30(b)(6) of the Federal Rules of Civil Procedure, the State of New Mexico objects to and provides witness designations for the United States' Notice of Rule 30(b)(6) Deposition of the State of New Mexico ("U.S. Amended Notice" as filed by the United States on October 15, 2020) as follows:

GENERAL OBJECTIONS

1. New Mexico's objections and responses are based on information presently available. At present, New Mexico has not yet completed its investigation or preparation for trial, either of which may provide information responsive to this discovery request.

2. New Mexico objects to the U.S. Amended Notice, including the instructions and definitions contained therein, to the extent that they impose obligations on New Mexico that exceed the possible scope of discovery as set forth in the Federal Rules of Civil Procedure. New Mexico reserves all objections and rights to which it is entitled under the Federal Rules of Civil Procedure and applicable law.

3. New Mexico objects to each and every instruction, definition and/or topic identified for examination to the extent the instruction, definition and/or topic is vague, ambiguous, unintelligible, compound, conjunctive, or disjunctive, and not full and complete in and of itself, so as to make a response impossible without speculation as to the meaning of the request.

4. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that the instruction, definition and/or topic seeks information protected by the attorney-client privilege, the work product doctrine, joint defense privilege, or any other applicable privilege. New Mexico's responses herein, and/or the witness' testimony, are not intended to, nor should they be construed as, a waiver or relinquishment of any part of the protections afforded by the attorney-client privilege, the work product doctrine, the joint defense privilege, or any other applicable privileges or immunities. The inadvertent production of any such privileged information or document(s) is not a waiver of New Mexico's right to assert any

applicable privilege or doctrine relative to any such information or document(s), or any other information, document(s), or matter, pursuant to the terms of paragraph 7.2.3 of the CMP.

5. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that it seeks the legal analysis, legal conclusions, or the statutory basis supporting a factual conclusion.

6. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent that they seek New Mexico's counsels', or any other counsel's, legal reasoning, theory, or statutory basis supporting a factual conclusion.

7. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent it seeks expert analysis and/or testimony.

8. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent the instruction, definition and/or topic is unduly and unreasonably oppressive, harassing, burdensome, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, or constitutes an abuse of the discovery process.

9. New Mexico objects to definition number 12 in the U.S. Amended Notice to the extent it seeks information "from statehood to present" as unduly and unreasonably oppressive, harassing, burdensome, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

10. New Mexico objects to the form of each and every topic for examination to the extent that it is not full and complete in and of itself, and instead relies on preface and instructions.

11. New Mexico objects to each and every instruction, definition and/or topic for examination to the extent it seeks information or documents that are not in the possession,

custody, or control of New Mexico, its agents, or employees.

12. New Mexico's decision to provide information or documents, notwithstanding the objectionable nature of any of the discovery requests, should not be construed as a stipulation or admission that the information is relevant or admissible, a waiver of New Mexico's general or specific objections, or an agreement that requests for similar discovery will be treated in a similar manner.

13. To the extent New Mexico identifies witnesses, information, or documents as responsive to any of the United States' requests, it does not constitute an admission that New Mexico agrees with any characterizations, disputed facts, or other information contained in the specific request.

14. New Mexico and United States conferred in advance of United States' formal service of this U.S. Amended Notice, wherein counsel for New Mexico advised counsel for United States that witnesses would only be designated by New Mexico to provide testimony on the topics as identified below. Further, the United States agreed that neither witness produced by New Mexico and deposited by the United States and Texas on September 18, 2020 were to be re-produced for further deposition. New Mexico witnesses are not designated by New Mexico to provide testimony on any topics identified in U.S. Amended Notice's "Exhibit A" except as expressly identified herein, and the above General Objections are incorporated into each specific Topic.

15. New Mexico objects to the United States' demand for "written notice at least five (5) business days before the deposition" in that the United States' service of the U.S. Amended Notice was served only four (4) business days in advance of the October 21 deposition date. However, New Mexico has previously notified the United States of the identity of the New Mexico designees.

**NEW MEXICO’S SPECIFIC OBJECTIONS AND RESPONSES TO
THE UNITED STATES’ “EXHIBIT A”**

UNITED STATES’ TOPIC A: The responses, allegations, and affirmative defenses in New Mexico’s answers to the complaint of the United States and to the complaint of Texas, including

- What is Texas’ apportionment of water under the Compact?
- What amount of water is Texas entitled to receive to lands in Texas based on Texas’ apportionment of water under the Compact?
- What is the relationship of the Project and Texas’ apportionment of water under the Compact?
- What is New Mexico’s apportionment of water under the Compact?
- What is the relationship of the Project and New Mexico’s apportionment of water under the Compact?
- What are New Mexico’s obligations to ensure Texas receives its full apportionment under the Compact?
- How does New Mexico ensure Texas receives its full apportionment under the Compact?

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC A:

New Mexico objects to this topic in that the United States fully questioned the witness designated for this topic on September 18, 2020. New Mexico is not providing a witness designated for this topic on October 21, 2020.

New Mexico objects to the preface sentence in this Topic on the grounds that by using the term “including” it fails to describe the testimony sought with reasonable particularity as required by Rule 30(b)(6). A notice must avoid such terms as they put the responding party in the impossible task of preparing for an open-ended and theoretically infinite subject. *See, e.g., Reed v. Bennett*, 183 F.R.D. 689, 692 (D. Kan. 2000).

New Mexico objects to the preface sentence in that it impermissibly requires New Mexico to speculate as to the discovery being sought and to parse through hundreds of responses, allegations, and affirmative defenses in New Mexico's answers to the complaints of the United States and Texas to infer the discovery sought by the United States. *See, e.g., Catt v. Affirmative Ins. Co.*, No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did "not identify the subject matter to be covered with 'reasonable particularity'"); *Smithkline Beecham Corp. v. Apotex Corp.*, No. 98-C-3952, 2000 WL 116082, at *10 (N.D. Ill., Jan. 24, 2000) (finding Rule 30(b)(6) notice requesting designation of a witness to testify regarding responses to interrogatories and requests for production was overbroad, unduly burdensome, and inefficient).

New Mexico objects to the preface sentence in that it requires New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy.

New Mexico objects to the second bullet in that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in that the word "amount" is vague and ambiguous.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Estevan L. Lopez, former Director of the New Mexico Interstate Stream Commission, was designated by New Mexico to provide testimony as to the seven (7) specific bullet points following the preface sentence and was fully questioned on these topics September 18, 2020. Mr. Lopez was not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

UNITED STATES' TOPIC B: New Mexico's counterclaims against the United States and Texas, including the allegations pleaded in support of the same, and the remedies requested, related to:

- Counterclaim No. 1 - Compact violation by Texas caused by unauthorized depletions.
 - defining and providing scope of “unauthorized diversions” in Texas.
- Counterclaim No. 2 - Interference with Compact Apportionment against the United States was dismissed.
 - Questions under this counterclaim will be limited to what New Mexico was apportioned, and how Project operations are inconsistent with New Mexico's apportionment.
- Counterclaim No. 3 - Improper Release of Compact Credit Water against the United States was dismissed.
 - Questions under this counterclaim will be limited to New Mexico's understanding of the Compact's water accounting system for credit water, reservoir water evaporation and evaporation accounting.
- Counterclaim No. 4 - Compact Violation and Unjust Enrichment Against Texas.
 - questioning on Project lands receiving an equal amount of surface water per acre
- Counterclaim No. 5 - Violation of the Water Supply Act by the United States was dismissed.
 - Questions under this counterclaim will be limited to how an action pursuant to the Water Supply Act Pub. L. No. 85-500, 72 Stat. 297, 319 (July 3, 1958) violates the Compact.
- Counterclaim No. 6 - Improper Compact and Project Accounting against the United States was dismissed.
 - Questions under this counterclaim will be limited to how Project accounting is inconsistent with the Compact.
- Counterclaim No. 7 - Violation of the Miscellaneous Purposes Act and the Compact against Texas and the United States was dismissed.

- Questions under this counterclaim will be limited to how any of the Miscellaneous Purposes Act contracts violate the Compact.
- Counterclaim No. 8 - Improper Project Maintenance against the United States was dismissed.
 - Questions under this counterclaim will be limited to the standards of Project maintenance the United States is subject to under the Compact, how the United States maintenance efforts violate the Compact, and how the alleged failure of the United States' maintenance has injured New Mexico.
- Counterclaim No. 9 - Failure to Enforce the 1906 Convention and Compact Violation against the United States was dismissed.
 - Questions under this counterclaim will be limited to how pumping of groundwater in Mexico and unauthorized surface diversions from the Rio Grande by Mexico have violated the Compact.

NEW MEXICO'S OBJECTIONS AND DESIGNATIONS AS TO TOPIC B:

New Mexico objects to the 1st, 2nd, 3rd, 4th, 6th, 7th, and 9th sub-bullets in that the United States fully questioned the witness designated for these topics on September 18, 2020. New Mexico is not providing a witness designated for these topics, nor for the 5th sub-bullet (for the reasons set forth below), on October 21, 2020.

New Mexico objects to the preface sentence in this Topic on the grounds that by using the term “including” it fails to describe the testimony sought with reasonable particularity as required by Rule 30(b)(6). A notice must avoid such terms as they put the responding party in the impossible task of preparing for an open-ended and theoretically infinite subject. *See, e.g., Reed v. Bennett*, 183 F.R.D. 689, 692 (D.Kan. 2000).

New Mexico objects to the preface sentence and the nine bullets in that they impermissibly require New Mexico to speculate as to the discovery being sought and to parse through hundreds of allegations and claims in New Mexico's counterclaims and requested remedies to the United States and Texas to infer the discovery sought by the United States. *See,*

e.g., Catt v. Affirmative Ins. Co., No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did “not identify the subject matter to be covered with ‘reasonable particularity’”).

New Mexico objects to the preface sentence and the nine bullets in that they require New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy. Specifically, as to the fifth sub-bullet, which requires New Mexico to provide a witness to interpret a statute and testimony as to legal conclusions and analysis, New Mexico is unable to prepare or provide a witness for this sub-Topic.

New Mexico objects to the use of the term “scope” is the 1st sub-bullet as vague and ambiguous such that New Mexico is unable to determine the discovery sought by the United States.

New Mexico objects to the fifth (5th) bullet, including the sub-bullet, as seeking testimony on a subject that is protected by privilege or the work product doctrine and as seeking testimony on a pure legal issue.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge:

(A) Estevan L. Lopez, former Director of the New Mexico Interstate Stream

Commission, was designated by New Mexico to provide testimony as to seven (7) of the sub-bullets above, excepting the fifth (5th) and eighth (8th) sub-bullets, and was fully questioned on those topics on September 18, 2020.

(B) Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream

Commission, is designated by New Mexico to provide testimony on the eighth (8th) sub-bullet only.

Mr. Schmidt-Petersen is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein. New Mexico is not designating a witness to provide testimony on the 5th bullet.

UNITED STATES' TOPIC C: New Mexico's administration, implementation, and enforcement of its obligations under the Compact and under state laws, regulations, policies or actions in (1) delivery of Rio Grande Compact water to the State of New Mexico, (2) delivery of Rio Grande Compact water to the State of Texas, and (3) water released from storage to meet Compact irrigation demands below Elephant Butte Reservoir.

NEW MEXICO'S OBJECTIONS AND DESIGNATIONS AS TO TOPIC C:

New Mexico objects to this Topic on the grounds that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought.

New Mexico objects to this Topic to the extent it calls for a witness to interpret laws and regulations and to the extent it seeks testimony as to legal conclusions and analysis.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge:

(A) Estevan L. Lopez, former Director of the New Mexico Interstate Stream Commission, was designated by New Mexico to provide testimony as to New Mexico's policies specifically under the Compact relating to the three (3) identified subjects, and was fully questioned on those topics on September 18, 2020.

(B) Dr. Margaret Barroll, former hydrogeologist with the New Mexico Office of the State Engineer, is designated by New Mexico to provide testimony as to New Mexico's

state law administration, implementation, and enforcement as to the three (3) identified subjects.

Dr. Barroll is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

UNITED STATES' TOPIC D: New Mexico's policies relating to administration of surface water or groundwater below Elephant Butte Reservoir related to:

- New Mexico's policies relating to administration of water delivered to EBID pursuant to the 1938 contracts between the United States and the districts, the 1979/1980 operation and maintenance transfer contracts between the United States and the districts, and the 2008 Operating Agreement.
- New Mexico's policies on supplemental irrigation wells as defined by New Mexico.
- New Mexico's policies on conjunctive use of surface water and groundwater for irrigation purposes.
- New Mexico's policies, positions and actions in State of New Mexico ex rel. Office of the State Engineer v. EBID, et al., No. D-307-CV-96-888, County of Dona Ana, Third Judicial District related to:
 - water rights offered or consented to for the Project irrigation users, non-Project irrigation users, and municipal water right holders.
 - water rights offered for the United States' right to water for the Rio Grande Project and the determination of such rights in Stream System Issue No. 104.
 - Stream System Issue No. 101 and the determination of consumptive irrigation water amounts and farm delivery water requirements for all crops in the Lower Rio Grande Basin.

NEW MEXICO'S OBJECTIONS AND DESIGNATIONS AS TO TOPIC D:

New Mexico objects to the first bullet under this Topic to the extent it calls for legal interpretation of contracts to which it is not a party and to the extent it seeks testimony as to legal

conclusions and analysis. New Mexico further objects to the terms “policies” and “policies, positions, and actions” as vague and ambiguous and as overly broad and unduly burdensome.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Cheryl Thacker was designated by New Mexico to provide testimony as to the second two (2) bullets, and was fully questioned on those topics on September 18, 2020.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Dr. Margaret Barroll, former hydrogeologist with the New Mexico Office of the State Engineer, is designated by New Mexico to provide testimony as to the first bullet.

New Mexico objects to the fourth bullet and the first sub-bullet thereafter in that they impermissibly require New Mexico to speculate as to the discovery being sought and to parse through thousands of subfiles, allegations, and claims in the referenced adjudication. Further, these subjects require New Mexico to provide testimony as to legal conclusions and reveal privileged attorney work product and strategy. New Mexico further objects to the fourth bullet and first sub-bullet thereafter in that they are vague, ambiguous, burdensome, overbroad, seek information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process. *See, e.g., Catt v. Affirmative Ins. Co.*, No. 08-CV-243, 2009 WL 1228605, at *6--7 (N.D. Ind. Apr. 30, 2009) (topics listed as allegations in the complaint, answers, affirmative defenses did “not identify the subject matter to be covered with ‘reasonable particularity’”). New Mexico is not able to prepare or provide a witness to testify as to these two (2) sub-topics.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, John W. Longworth, Senior Engineering Executive of the New Mexico Office of

the State Engineer and former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to the last two sub-bullets. Mr. Longworth is not designated by New Mexico to provide testimony on these topics except as expressly identified herein.

If the United States intends to ask questions about specific “policies” or documents, New Mexico requests that the United States provide copies of those specific policies or documents at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES’ TOPIC E: New Mexico’s communications with the United States, its officers, employees, or agents, concerning complaints about Project operations and related water use, from 1938 to present, related to:

- wells drilled below Elephant Butte reservoir
- Project accounting for groundwater pumping in Texas
- Contracts for municipal use of water by El Paso
- management of Project facilities by the Districts after the transfer of operations and maintenance responsibility to the Districts
- allegations of Compact violations
- the Operating Agreement

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC E:

New Mexico objects to this Topic on the grounds that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in that the terms and phrases “communications” and “related water use” are vague, ambiguous, overbroad, seek information neither relevant to the subject matter of the action nor

reasonably calculated to lead to the discovery of admissible evidence, and are not proportional to the scope of this case.

New Mexico objects to the time period designated in this Topic, “from 1938 to present”, as overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, and is not proportional to the scope of this case.

Subject to and without waiver of the foregoing objections, and to the extent New Mexico has knowledge, Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony as to complaints by New Mexico to the United States as to the six (6) specific bullets in this Topic. Mr. Schmidt-Petersen is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

If the United States intends to ask questions about specific “communications,” documents or “complaints,” New Mexico requests that the United States provide copies of those specific communications, documents or complaints at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES’ TOPIC F: New Mexico’s communications with the United States, its officers, employees, or agents, concerning complaints about maintenance of the Rio Grande channel.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC F:

New Mexico objects to this Topic in that the term “the Rio Grande channel” is vague, ambiguous, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the

scope of this case, and constitutes an abuse of the discovery process. New Mexico further objects to the phrase “New Mexico’s communications with the United States, its officers, employees, or agents” as vague and ambiguous and overly broad and unduly burdensome.

Subject to and without waiver of the foregoing objections, Rolf Schmidt-Petersen, current Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony on this Topic as it relates to the Rio Grande river channel below Elephant Butte dam and reservoir. Mr. Schmidt-Petersen is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

If the United States intends to ask questions about specific “communications,” documents or “complaints,” New Mexico requests that the United States provide copies of those specific communications, documents or complaints at least two days in advance of the deposition so that the witness may be adequately prepared.

UNITED STATES’ TOPIC G: New Mexico Interstate Stream Commission, Office of State Engineer, Attorney General Office and Governor’s Office substantive communications related to the Operating Agreement and Compact litigation with other New Mexico entities, namely: The City of Las Cruces, its officers, employees, agents, or legal counsel; New Mexico State University, its officers, employees, agents, or legal counsel; the City of Albuquerque, its officers, employees, agents, or legal counsel; and the consortium of farmers in the lower Rio Grande collectively referred to as the New Mexico Pecan Growers or the Southern Rio Grande Diversified Crop Farmers Association, their officers, employees, agents, or legal counsel.

NEW MEXICO’S OBJECTIONS AND DESIGNATIONS AS TO TOPIC G:

New Mexico objects to this Topic in that it fails to describe the testimony sought with reasonable particularity and forces New Mexico to speculate as to the discovery being sought in

that the phrase “substantive communications” is vague, ambiguous, overbroad, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

New Mexico objects in that the request for communications between the personnel in four (4) New Mexico state agencies and the “officers, employees, agents, or legal counsel” of five (5) New Mexico entities – two of which are municipalities with hundreds of interactions annually with the designated state agencies -- is overbroad, burdensome, seeks information neither relevant to the subject matter of the action nor reasonably calculated to lead to the discovery of admissible evidence, is not proportional to the scope of this case, and constitutes an abuse of the discovery process.

New Mexico objects in that this Topic requires New Mexico to reveal privileged attorney work product and strategy and to violate applicable privileges.

Subject to and without waiver of the foregoing objections, John W. Longworth, Senior Engineering Executive of the New Mexico Office of the State Engineer and former Director of the New Mexico Interstate Stream Commission, is designated by New Mexico to provide testimony on this Topic. Mr. Longworth is not designated by New Mexico to provide testimony on this Topic except as expressly identified herein.

New Mexico will not be designating a witness to testify to “substantive communications related to the . . . Compact litigation,” except to the extent that those communications took place in the presence of a third party and was therefore not protected.

If the United States intends to ask questions about specific “communications,” documents or correspondence, New Mexico requests that the United States provide copies of those specific

communications, documents or correspondence at least two days in advance of the deposition so that the witness may be adequately prepared.

Respectfully submitted this 19th day of October, 2020.

/s/ Jeffrey Wechsler
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No. 141, Original

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STATE OF TEXAS,

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STATE OF NEW MEXICO and
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Defendants.

OFFICE OF THE SPECIAL MASTER

STATE OF NEW MEXICO'S CERTIFICATE OF SERVICE

This is to certify that on the 19th of October, 2020, I caused a true and correct copy of the **State of New Mexico's Amended Objections and Witness Designations to the United States' Notice of 30(b)(6) Deposition (filed October 15, 2020)** to be served by e-mail upon all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 19th day of October, 2020.

/s/ Michael A. Kopp

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