

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 NOTICE OF EXHIBIT
DISCLOSURES AND OBJECTIONS FOR
JORGE GARCIA**

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November 2, 2021

In response to the Special Master's September 16, 2021 Order Regarding Remote Trial Protocols, the State of New Mexico provides the following exhibit disclosures and objections for Jorge Garcia. As of this filing, the parties anticipate that Mr. Garcia will testify on November 3, 2021. Accordingly, the State of New Mexico provides the following:

Attachment 1: The Jorge Garcia direct-examination exhibit index, which identifies the States of Texas's and the United States of America's objections.

Attachment 2: The Jorge Garcia cross-examination exhibit index, which identifies the State of New Mexico's objections. Note that there are no objections to these exhibits.

All exhibits, indexes, and related exhibits have been uploaded to Box.com and are available for the parties to access and download.

Dated: November 2, 2021

Respectfully submitted,

By: /s/ Jeffrey J. Wechsler
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STATE OF NEW MEXICO'S CERTIFICATE OF SERVICE

This is to certify that on this 2nd day of November, 2021, I caused a true and correct copy of **THE STATE OF NEW MEXICO'S NOTICE OF EXHIBIT DISCLOSURES AND OBJECTIONS FOR JORGE GARCIA** to be served upon all parties and *amici curiae*, by and through the attorneys of record and/or designated representatives for each party and *amicus curiae* in this original action. As permitted by order of the Special Master, and agreement among the parties, service was effected by electronic mail to those individuals listed on the attached service list, which reflects all updates and revisions through the current date.

Respectfully submitted,

Dated: November 2, 2021

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HONORABLE MICHAEL J. MELLOY

Special Master

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Texas and US Objections to New Mexico Direct Examination Exhibits for Jorge Garcia

Trialexno	ProdBeg	ProdEnd	Date	Subject/Title	Category	Category B Objection:	Category C Objection:	Notes
NM-0881	NM_00472028	NM_00472065	8/31/2017	Application for Permit to Change an Existing Water Right (LRG-430)	A			
NM-0943	NM_00473541	NM_00473541	1/1/2021	Map of CLC EBID parcels	A			
NM-0944	NM_00473542	NM_00473558	5/27/2021	NDPES Permit No. NM0023311	A			
NM-0946	NM_00473629	NM_00473630	11/1/2020	City of Las Cruces - 2020 EBID Tax Statements	A			
NM-0947	NM_00473631	NM_00473635	8/1/2017	CLC Jornada Overdiversion Action - 2016	A			
NM-0949	NM_00473708	NM_00473708	1/12/2020	City of Las Cruces Monthly Well Production	A			
NM-0955	NM_00473727	NM_00473727	5/28/2021	Application to Discharge to Waters of the United States Permit No. NM0023311 - Las Cruces Utilities Jacob Hands Wastewater Treatment Facility	A			
NM-0956	NM_00473728	NM_00473982	4/1/2017	CLC 40 Yr Plan 2017 - Appendices M-Q	A			
NM-0957	NM_00473983	NM_00473983	1/6/2021	CLC Groundwater Diversions 2016-2020	A			
NM-0963	NM_00474067	NM_00474069	1/6/2021	Jorge Garcia Resume	A			
NM-2491	Wilson-DepoEX0005_00001	Wilson-DepoEX0005_00215	4/1/2017	CLC 2017 40 Year Plan - Appendices A-G (LRG-430 Subfile Order)	A			
NM-2492	Wilson-DepoEX0007_00001	Wilson-DepoEX0007_00083	4/1/2017	City of Las Cruces 2017 40-Year Water Development Plan	A			
NM-2493	Wilson-DepoEX0008_00001	Wilson-DepoEX0008_00190	1/1/2009	Appendices H (Return Flow Plan City of Las Cruces) to L - CLC 2017 40 Yr Water Plan	A			
NM-DEMO-Garcia	NM-DEMO-Garcia	NM-DEMO-Garcia		Jorge Garcia - Demonstratives (01-08)	A			

New Mexico Objections to TX/US Cross-Examination Exhibits for Jorge Garcia

Trialexno	ProdBeg	ProdEnd	Date	Subject/Title	Category	CategoryBObjections	CategoryCObjections	ObjectionNotes
NM-0093	EBID_NM_001554-0001	EBID_NM_001554-0003	5/1/2014	Invitation to join newly formed Model Development Information Group	C		Proponent Cannot Lay a Foundation	
NM-0682	NM_00293352	NM_00293359	8/4/2006	LRGWUO Review Comments on the proposed rules and regulations providing for AWRA of the waters of the LRG Water Master District	C		Proponent Cannot Lay a Foundation	The document is unexecuted.
NM-0853	NM_00471362	NM_00471378	11/9/2007	Subfile Order - LRG-00035 :D-307-CV-96-888	B	Hearsay. Fed. R. Evid. 803		This document is not a record of Las Cruces Utilities.
NM-0952	NM_00473711	NM_00473723	7/9/2020	CLC Utilities Board Resolution 20-21-LCU005	A			
NM-0956	NM_00473728	NM_00473982	4/1/2017	CLC 40 Yr Plan 2017 - Appendices M-Q	A			
TX-0366	TX_DEPO-EX_00120112	TX_DEPO-EX_00120139		Widmer, Adrienne Exhibit from Deposition Testimony, Vol. 1 EXHIBIT 62: New Mexico Office of the State Engineer Application for Permit to Change an Existing Water Right	A			
TX-0367	TX_DEPO-EX_00120140	TX_DEPO-EX_00120145	2/1/2019	Water Right Summary with FCNM, Carrasco New Mexico Office of the State Engineer	C		Proponent Cannot Lay a Foundation	
TX-0368	TX_DEPO-EX_00120146	TX_DEPO-EX_00120153	10/8/2013	Transaction Summary	C		Proponent Cannot Lay a Foundation	
US-0660			1/1/2019	Rio Grande Transboundary Integrated Hydrologic Model and Water-Availability Analysis, New Mexico and Texas, United States, and Northern Chihuahua, Mexico	C	Improper Lay Opinion. Fed. R. Evid. 701	Proponent Cannot Lay a Foundation	