

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 22<sup>nd</sup> day of May, 2018, I caused true and correct copies of **The State of New Mexico's Answer to the State of Texas's Complaint, The State of New Mexico's Answer to the United States' Complaint in Intervention, and The State of New Mexico's Counterclaims** to be served by e-mail on all counsel of record and interested parties.

HECTOR H. BALDERAS  
New Mexico Attorney General  
TANIA MAESTAS  
Deputy Attorney General  
STATE OF NEW MEXICO  
P.O. Drawer 1508  
Santa Fe, New Mexico 87501  
505-239-4672

MARCUS J. RAEL, JR.\*  
DAVID A. ROMAN  
Special Assistant Attorneys General  
ROBLES, RAEL & ANAYA, P.C.  
500 Marquette Avenue NW,  
Suite 700  
Albuquerque, New Mexico 87102  
505-242-2228  
[marcus@roblesrael.com](mailto:marcus@roblesrael.com)  
*\*Counsel of Record*

BENNET W. RALEY  
LISA M. THOMPSON  
MICHAEL A. KOPP  
Special Assistant Attorneys General  
TROUT RALEY  
1120 Lincoln Street, Suite 1600  
Denver, Colorado 80203  
303-861-1963

May 23, 2018

## SPECIAL MASTER

**SPECIAL MASTER MICHAEL J. MELLOY**

United States Court of Appeals  
for the Eighth Circuit  
111 Seventh Avenue, S.E., Box 22  
Cedar Rapids, IA 52401-2101

[Judge Michael Melloy@ca8.uscourts.gov](mailto:Judge_Michael_Melloy@ca8.uscourts.gov)  
[TXvNM141@ca8.uscourts.gov](mailto:TXvNM141@ca8.uscourts.gov)  
(319) 423-6080  
*(service via email and U.S. Mail)*

**MICHAEL GANS, CLERK OF THE COURT**

(314) 244-2400

## UNITED STATES

**JAMES J. DUBOIS\***

**R. LEE LEININGER**

**THOMAS K. SNODGRASS**

U.S. Department of Justice  
Environment & Natural Resources Division  
999 18<sup>th</sup> Street  
South Terrace – Suite 370  
Denver, Colorado 80202

[james.dubois@usdoj.gov](mailto:james.dubois@usdoj.gov)  
(303) 844-1375  
[Lee.leininger@usdoj.gov](mailto:Lee.leininger@usdoj.gov)  
(303)844-1364  
[Thomas.snodgrass@usdoj.gov](mailto:Thomas.snodgrass@usdoj.gov)  
(303)844-7233

Seth Allison, Paralegal

**NOEL J. FRANCISCO\***

*Acting Solicitor General*

**JEFFREY H. WOOD**

*Acting Assistant Attorney General*

**ANN O'CONNELL**

*Assistant to the Solicitor General*

US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

[supremectbriefs@usdoj.gov](mailto:supremectbriefs@usdoj.gov)  
(202) 514-2217

**STEPHEN M. MACFARLANE**

U.S. DEPARTMENT OF JUSTICE

Environment & Natural Resources Division  
501 I Street, Suite 9-700  
Sacramento, CA 95814

[stephen.macfarlane@usdoj.gov](mailto:stephen.macfarlane@usdoj.gov)  
(916) 930-2204

**JUDITH E. COLEMAN**

US DEPARTMENT OF JUSTICE

Environment & Natural Resources Division  
P.O. Box 7611  
Washington, D.C. 20044-7611

[Judith.coleman@usdoj.gov](mailto:Judith.coleman@usdoj.gov)  
(202) 514-3553

## STATE OF NEW MEXICO

**HECTOR H. BALDERAS**

*New Mexico Attorney General*

**TANIA MAESTAS** (ext. 4048)

*Deputy Attorney General*

(505) 490-4060

[hbalderas@nmag.gov](mailto:hbalderas@nmag.gov)

[tmaestas@nmag.gov](mailto:tmaestas@nmag.gov)

**MARCUS J. RAEL, JR.**

**DAVID A. ROMAN**

*Special Assistant Attorneys General*

ROBLES, RAEL, AND ANAYA

500 Marguette Ave. NW, Ste. 700

Albuquerque, NM 87102

(505) 242-2228

[marcus@roblesrael.com](mailto:marcus@roblesrael.com)

[droman@roblesrael.com](mailto:droman@roblesrael.com)

**BENNET W. RALEY**

**LISA M. THOMPSON**

*Special Assistant Attorneys General*

TROUT RALEY

1120 Lincoln Street, Suite 1600

Denver, CO 80203

**Chelsea Sandoval (Paralegal)**

(303) 861-1963

[braley@troutlaw.com](mailto:braley@troutlaw.com)

[lthompson@troutlaw.com](mailto:lthompson@troutlaw.com)

[mkopp@troutlaw.com](mailto:mkopp@troutlaw.com)

[Chelsea@roblesrael.com](mailto:Chelsea@roblesrael.com)

## STATE OF TEXAS

**STUART SOMACH\***

**ANDREW M. HITCHINGS**

**ROBERT B. HOFFMAN**

**FRANCIS M. "MAC" GOLDSBERRY II**

**THERESA C. BARFIELD**

**BRITTANY K. JOHNSON**

SOMACH SIMMONS & DUNN, PC

500 Capital Mall, Suite 1000

Sacramento, CA 95814

**Rhonda Stephenson - Secretary**

**Christina Garro - Paralegal**

(916) 446-7979

(916) 803- 4561 (cell)

[ssomach@somachlaw.com](mailto:ssomach@somachlaw.com)

[ahitchings@somachlaw.com](mailto:ahitchings@somachlaw.com)

[rhoffman@somachlaw.com](mailto:rhoffman@somachlaw.com)

[mgoldsberry@somachlaw.com](mailto:mgoldsberry@somachlaw.com)

[tbarfield@somachlaw.com](mailto:tbarfield@somachlaw.com)

[bjohnson@somachlaw.com](mailto:bjohnson@somachlaw.com)

[cgarro@somachlaw.com](mailto:cgarro@somachlaw.com)

**KEN PAXTON**, *Attorney General*

**JEFFREY C. MATEER**

*First Assistant Attorney General*

**BRANTLEY STARR**

*Deputy First Assistant Attorney General*

**JAMES E. DAVIS**, *Deputy Attorney General*

**PRICILLA M. HUBENAK**

Chief Environmental Protection Division

P.O. Box 12584

Austin, TX 78711-2548

(512) 463-2012

**AMICI / FOR INFORMATIONAL PURPOSES ONLY**

**ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY**

**JAMES C. BROCKMANN\***  
**JAY F. STEIN**  
STEIN & BROCKMANN, P.A.  
505 Don Gaspar Avenue  
P.O. Box 2067  
Santé Fe, New Mexico 87505

(505) 983-3880  
[jcbrockmann@newmexicowaterlaw.com](mailto:jcbrockmann@newmexicowaterlaw.com)  
[jfstein@newmexicowaterlaw.com](mailto:jfstein@newmexicowaterlaw.com)

**PETER AUH**  
ALBUQUERQUE BERNALILLO COUNTY  
WATER UTILITY AUTHORITY  
P.O. Box 568  
Albuquerque, NM 87103-0568

(505) 289-3092  
[pauh@abcwua.org](mailto:pauh@abcwua.org)

**CITY OF EL PASO**

**DOUGLAS G. CAROOM\***  
**SUSAN M. MAXWELL**  
BICKERSTAFF HEATH DELGADO  
ACOSTA, LLP  
2711 S. MoPac Expressway  
Building One, Suite 300  
Austin, TX 78746

(512) 472-8021  
[dcaroom@bickerstaff.com](mailto:dcaroom@bickerstaff.com)  
[smaxwell@bickerstaff.com](mailto:smaxwell@bickerstaff.com)

**CITY OF LAS CRUCES**

**JAY F. STEIN\***  
**JAMES C. BROCKMANN**  
STEIN & BROCKMANN, P.A.  
P.O. Box 2067  
Santa Fe, NM 87504

(505) 983-3880  
[jfstein@newmexicowaterlaw.com](mailto:jfstein@newmexicowaterlaw.com)  
[jcbrockmann@newmexicowaterlaw.com](mailto:jcbrockmann@newmexicowaterlaw.com)  
[administrator@newmexicowaterlaw.com](mailto:administrator@newmexicowaterlaw.com)

**JENNIFER VEGA-BROWN**  
**MARCIA B. DRIGGERS**  
LAW CRUCES CITY ATTORNEY'S OFFICE  
P.O. Box 12428  
Las Cruces, New Mexico 88004

(575) 541-2128  
[cityattorney@las-cruces.org](mailto:cityattorney@las-cruces.org)  
[marcyd@las-cruces.org](mailto:marcyd@las-cruces.org)

## ELEPHANT BUTTE IRRIGATION DISTRICT

**SAMANTHA R. BARNCASTLE\***

BARNCASTLE LAW FIRM, LLC

1100 South Main, Ste. 20

P.O. Box 1556

Las Cruces, NM 88005

**Janet Correll - Paralegal**

(575) 636-2377

(575) 636-2688 (fax)

[samantha@h2o-legal.com](mailto:samantha@h2o-legal.com)

[janet@h2o-legal.com](mailto:janet@h2o-legal.com)

## EL PASO COUNTY WATER AND IMPROVEMENT DISTRICT

**MARIA O'BRIEN\***

**SARAH M. STEVENSON**

MODRALL, SPERLING, TOEHL, HARRIS

& SISK, PA

500 Fourth Street N.W.

Albuquerque, New Mexico 87103-2168

(505) 848-1800 (main)

(505) 848-1803 (direct)

(505) 848-9710 (fax)

[mobrien@modrall.com](mailto:mobrien@modrall.com)

[sarah.stevenson@modrall.com](mailto:sarah.stevenson@modrall.com)

## HUDSPETH COUNTY CONSERVATION AND RECLAMATION DISTRICT

**ANDREW S. "DREW" MILLER\***

KEMP SMITH LLP

816 Congress Avenue, Suite 1260

Austin, TX 78701

(512) 320-5466

[dmiller@kempsmith.com](mailto:dmiller@kempsmith.com)

## STATE OF KANSAS

**STEPHEN R. MCALLISTER\***

*Solicitor General, State of Kansas*

**DEREK SCHMIDT**

*Attorney General, State of Kansas*

**JEFFREY A. CHANAY**

*Chief Deputy Attorney General*

**BRYAN C. CLARK**

*Assistant Solicitor General*

**DWIGHT R. CARSWELL**

*Assistant Attorney General*

120 S. W. 10<sup>th</sup> Ave., 2<sup>nd</sup> Floor

Topeka, KS 66612

(785) 296-2215

[Steve.mcallister@trqlaw.com](mailto:Steve.mcallister@trqlaw.com)

**NEW MEXICO PECAN GROWERS**

**TESSA T. DAVIDSON\***  
DAVIDSON LAW FIRM, LLC  
4206 Corrales Road  
P.O. Box 2240  
Corrales, NM 87048  
(505) 792-3636

[tessa@tessadavidson.com](mailto:tessa@tessadavidson.com)

**Patricia McCan – Paralegal**

[patricia@tessadavidson.com](mailto:patricia@tessadavidson.com)

**NEW MEXICO STATE UNIVERSITY**

**JOHN W. UTTON\***  
UTTON & KERY  
317 Commercial NE  
Albuquerque, New Mexico 87102

(505) 699-1445  
[john@uttonkery.com](mailto:john@uttonkery.com)

**LIZBETH ELLIS**  
*General Counsel*  
**CLAYTON BRADLEY**  
*Counsel*  
New Mexico State University  
Hadley Hall Room 132  
2850 Weddell Road  
Las Cruces, NM 88003

(575) 646-2446  
[lellis@ad.nmsu.edu](mailto:lellis@ad.nmsu.edu)  
[bradleyc@ad.nmsu.edu](mailto:bradleyc@ad.nmsu.edu)

\*Indicates Counsel of Record

Respectfully submitted this 23<sup>rd</sup> day of May 2018,

*/s/ Marcus J. Rael, Jr.*

---

(Counsel of Record)  
MARCUS J. RAEL, JR.  
Robles, Rael & Anaya, P.C.  
500 Marquette Ave., NW, Ste. 700  
Albuquerque, NM 87102  
(505) 242-2228  
Attorney for State of New Mexico