

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
APRIL 5, 2019 STATUS REPORT**

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April 5, 2019

COMES NOW the State of New Mexico and respectfully submits this status report to the Special Master pursuant to Paragraph 5 of the Case Management Plan.

Since New Mexico filed its previous Status Report on March 1, 2019, the following developments have occurred in *Texas v. New Mexico and Colorado*, No. 141, Original: First, Elephant Butte Irrigation District (“EBID”) filed objections to New Mexico’s First Request for Production of Documents from EBID on March 11, and El Paso County Water Improvement District No. 1 (“EPCWID”) filed responses to New Mexico’s First Request for Production of Documents from New Mexico on March 18. On March 29, New Mexico made its First Supplemental Production of Documents in response to Texas’s First Request for Production of Documents from New Mexico, and the United States made its Fourth Supplemental Production of Documents. New Mexico a third supplemental production of documents on April 2. New Mexico continues to gather responsive documents and will disclose any additional relevant documents it uncovers as expeditiously as possible.

The parties have also conducted additional depositions. On March 19, the parties conducted the deposition of John Stomp, operations manager of amicus Albuquerque Bernalillo County Water Utility Authority. On March 19 and March 20, Texas also noticed the depositions of 19 additional witnesses to occur in April and May, 2019. These witnesses are all current or former employees of the State of New Mexico. New Mexico intends to notice additional depositions in the near future, and understands Texas intends to do so, as well.

Finally, as the Special Master is no doubt aware, the Parties filed reply briefs on law of the case issues on March 15, with the United States filing its Reply on the United States’ Motion for Judgment on the Pleadings on March 22 with leave of the Special Master. The Parties presented argument on these issues at a hearing before the Special Master on April 2 in Denver, Colorado.

Respectfully submitted this 5th day of April, 2019,

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CERTIFICATE OF SERVICE

This is to certify that on the 5th of April, 2019, I caused true and correct copies of the **State of New Mexico's April 5, 2019 Status Report** to be served by e-mail and U.S. Mail on the Special Master and by e-mail to all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 5th day of April, 2019.

/s/ Michael A. Kopp _____

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