

**No. 141, Original**

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**In the  
SUPREME COURT OF THE UNITED STATES**

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**STATE OF TEXAS,**

**Plaintiff,**

**v.**

**STATE OF NEW MEXICO and  
STATE OF COLORADO,**

**Defendants**

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**OFFICE OF THE SPECIAL MASTER**

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**UNITED STATES OF AMERICA’S NOTICE OF EXHIBIT DISCLOSURES AND  
OBJECTIONS**

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In response to the Special Master's September 16, 2021 Order regarding Remote Trial Proceedings, the United States provides the following exhibit disclosures and objections for Jesus Reyes. As of this filing, the parties agree that Mr. Reyes is expected to testify on Monday, October 11, 2021. Accordingly, the United States provides the following:

- **Attachment 1:** Mr. Reyes' cross-examination exhibit index, which identifies the United States' objections

All exhibit indexes and related exhibits have been uploaded to Box.com and are available for the parties to access and download. In an effort to resolve these objections, the parties have met and conferred good faith. While these objections remain unresolved, the parties believe many of these concerns will be resolved with additional context.

Respectfully submitted this 10th day of October 2021,

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**CERTIFICATE OF SERVICE**

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This is to certify that on the 10th day of October, 2021, I caused a true and correct copy of the **UNITED STATES OF AMERICA’S NOTICE OF EXHIBIT DISCLOSURES AND OBJECTIONS** to be served via electronic mail upon those individuals listed on the Service List, attached hereto.

Respectfully submitted,

/s/ Seth C. Allison  
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# **ATTACHMENT**

## **1**

<b>TrialExhibit</b>	<b>Trialexno</b>	<b>ProdBeg</b>	<b>ProdEnd</b>	<b>Date</b>	<b>Subject/Title</b>	<b>Category (A, B, C)</b>	<b>Category B Objections (Cite Fed. R. Evid.)</b>	<b>Category C Objections (Cite Fed. R. Evid.)</b>	<b>Admitted</b>
JT	JT-0426	NM_00063486	NM_00063487	2/16/1938	1938 Downstream Contract	A			Admitted
JT	JT-0436	NM_00132758	NM_00132765	3/7/2007	TCEQ Certificate of Adjudication No. 23-5940 (of US water rights)	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
JT	JT-0441	NM_00292947	NM_00292955	3/14/2008	Re: Section 729 Salinity Management feasibility Study in the Upper Rio Grande	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
JT	JT-0449	Reyes2- DepoEX0019_000 01	Reyes2- DepoEX0019_00007	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	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
JT	JT-0461	US0538670	US0538670	5/3/2012	River pumpers	A			
NM	NM-0032	Chavez- DepoEX0008_000 01	Chavez- DepoEX0008_00005	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	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-0087	EBID_NM_00074 3-0001	EBID_NM_000743- 0056	11/29/1988	Contract Regarding Delivery of Water to the El Paso County Lower Valley Water District Authority	B	U.S. Objects to Relevance. Fed. R. Evid. 401, 403		
NM	NM-0113	EBID_NM_00231 6-0001	EBID_NM_002316- 0066	12/2/1999	EPCWID WATER GUIDE 2000	B	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401, 403, & 802		
NM	NM-0193	EPCWID_053503	EPCWID_053560	1/28/1998	EPCWID Board meeting minutes Jan 1998	B/C	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401, 403, & 802	U.S. Objects to Foundation. Fed. R. Evid. 602	

<b>TrialExhibit</b>	<b>Trialexno</b>	<b>ProdBeg</b>	<b>ProdEnd</b>	<b>Date</b>	<b>Subject/Title</b>	<b>Category (A, B, C)</b>	<b>Category B Objections (Cite Fed. R. Evid.)</b>	<b>Category C Objections (Cite Fed. R. Evid.)</b>	<b>Admitted</b>
NM	NM-0195	EPCWID_057239	EPCWID_057245	8/15/2007	Minutes of Special Meeting of Board of Directors of EPCWID	B	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401, 403, & 802		
NM	NM-0196	EPCWID_063833	EPCWID_063838	3/10/1993	Memorandum of Understanding between Hudspeth and EPCWID	B/C	U.S. Objects to Relevance. Fed. R. Evid. 401 & 403	U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-0200	EPCWID_074649	EPCWID_074778	1/11/2013	Notice and Agenda of Open and Closed Meetings of El Paso County Water Improvement District No. 1	B	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401, 403, & 802		
NM	NM-0201	EPCWID_138732	EPCWID_138733	1/14/2015	Revised Final Charges for 2014 under the 2001 Implementing Contract	A			
NM	NM-0202	EPCWID_138734	EPCWID_138735	1/23/2018	Final Charges for 2017 under the 2001 Implementing Contract	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-0226	EPWU000238452	EPWU000238457	8/10/1949	Contract between the City of El Paso and EPCWID	A			
NM	NM-0427	NM_00018033	NM_00018052	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	A			
NM	NM-0491	NM_00098678	NM_00098849	7/9/1998	Water Operations Department Operations Guide	B/C	U.S. Objects to Relevance. Fed. R. Evid. 401, 403	U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-0535	NM_00136595	NM_00136653	5/30/2014	Power Point Presentation: "El Paso County Water Improvement District #1"	B	U.S. Objects to Hearsay & Relevance. Fed. R. Evid. 401 & 802		
NM	NM-0630	NM_00251644	NM_00251646	10/5/2007	SUBJECT: Request for Confirmation of Irrigation Orders for January 2008 (Rio Grande Project)	A			

<b>TrialExhibit</b>	<b>Trialexno</b>	<b>ProdBeg</b>	<b>ProdEnd</b>	<b>Date</b>	<b>Subject/Title</b>	<b>Category (A, B, C)</b>	<b>Category B Objections (Cite Fed. R. Evid.)</b>	<b>Category C Objections (Cite Fed. R. Evid.)</b>	<b>Admitted</b>
NM	NM-0639	NM_00253821	NM_00253832	6/20/2006	Letter attaching "A Simplified Method for Allocation of Rio Grande Project Water Stored in Elephant Butte and Caballo Reservoirs"	A			
NM	NM-0818	NM_00469183	NM_00469697	1/1/2021	2021-Far-West-Texas-Water-Plan	B/C	U.S. Objects to Relevance. Fed. R. Evid. 401 & 403	U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-0826	NM_00470039	NM_00470043	4/7/2021	EBID and EPCWID complaints re 2020 EA report	A			
NM	NM-1778	NM2_00048810	NM2_00049439	1/1/2011	Far West Texas Water Plan prepared for the TWDB	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-2046	Reyes2-DepoEX0002_00001	Reyes2-DepoEX0002_00004	10/1/2008	Lower Rio Grande Project Operating Agreement: Settlement of Litigation dated October 2008	B	U.S. Objects to Hearsay Fed. R. Evid. 802		
NM	NM-2047	Reyes2-DepoEX0007_00001	Reyes2-DepoEX0007_00007	8/4/2005	Rio Grande Citizens Forum, August 4th, 2005, El Paso, Texas Tentative Meeting Notes (undated)	B	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401, 403, & 802		
NM	NM-2048	Reyes2-DepoEX0017_00001	Reyes2-DepoEX0017_00021	10/9/2003	Letter: PSB Accounts caught irrigating during the 2003 irrigation season	A			
NM	NM-2049	Reyes-DepoEX0004_00001	Reyes-DepoEX0004_00001		Procedure for Ordering Water by Farm Tract Water Users	A			
NM	NM-2058	Rios-DepoEX0005_00001	Rios-DepoEX0005_00001	1/1/2020	Small Tract Irrigation Schedule for 2020	B	U.S. Objects to Hearsay & Relevance. Fed. R. Evid. 401 & 802		
NM	NM-2060	Rios-DepoEX0009_00001	Rios-DepoEX0009_00005	3/12/2008	Email: Order Schedule	C		U.S. Objects to Foundation. Fed. R. Evid. 602	

TrialExhibit	Trialexno	ProdBeg	ProdEnd	Date	Subject/Title	Category (A, B, C)	Category B Objections (Cite Fed. R. Evid.)	Category C Objections (Cite Fed. R. Evid.)	Admitted
NM	NM-2235	TX_00565670	TX_00565740	6/1/2009	Evaluation of Irrigation Efficiency Strategies for Far West Texas: Feasibility, Water Savings And Cost Considerations	B/C	U.S. Objects to Hearsay and Relevance. Fed. R. Evid. 401 & 802	U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-2243	TX_00595675	TX_00595698	2/12/2018	Application for Agricultural Water Conservation Grant from the TWDB	A			
NM	NM-2269A	US0108902	US0108902	4/9/2008	Letter from Reyes to EP# 1 Employees RE: Allocation Increase	A			
NM	NM-2280	US0138136	US0138144	2/5/2009	2009 Rio Grande Project Water Supply Initial Allocation	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-2284	US0154285	US0154296	9/12/2005	Final Allocation of 2005 Rio Grande Project Water Supply Based on End of August Data	C		U.S. Objects to Foundation. Fed. R. Evid. 602	
NM	NM-2287; US-0077; TX_0088	US0167400	US0167425	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	A			
NM	NM-2330	US0237833	US0237835	6/16/2006	Operational Issues	B	U.S. Objects to Relevance. Fed. R. Evid. 401 & 403		
NM	NM-2358	US0314059	US0314102	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	A			
NM	NM-2373	US0384146	US0384168	3/10/2008	2008 Operating Agreement for the Rio Grande Project	A			Admitted
NM	NM-2461	US0595045	US0595048	3/27/2016	Email thread RE: First Release	A			
NM	NM-2464	US0599457	US0599474	4/11/2018	Rio Grande Project - Operations Manual, Recommendation of Changes on 03/13/2018	A			Admitted
	NM-DEMO-001				Google Earth Demonstrative	A			
	NM-DEMO-002			9/28/2021	LRG Basin Tour	A			Admitted

<b>TrialExhibit</b>	<b>Trialexno</b>	<b>ProdBeg</b>	<b>ProdEnd</b>	<b>Date</b>	<b>Subject/Title</b>	<b>Category (A, B, C)</b>	<b>Category B Objections (Cite Fed. R. Evid.)</b>	<b>Category C Objections (Cite Fed. R. Evid.)</b>	<b>Admitted</b>
	NM-DEMO-003				Comparison of District Allotment Data 2008-2020	A			Admitted
	NM-DEMO-018				Photographs of Franklin Feeder and Franklin Canal	A			
TX	TX-0084	TX_DEPO- EX_00004914	TX_DEPO- EX_00004927	3/19/1998	Balliew, John Exhibit from Deposition Testimony, Vol. 1 (9/12/2019) EXHIBIT NO. 13: Contract for the Conversion of Rio Grande Project Water from Irrigation to Miscellaneous Purposes and Uses Other Than Irrigation dated March 19, 1998	A			Admitted
TX	TX-0277	TX_DEPO- EX_00089412	TX_DEPO- EX_00089447	8/31/2020	Reyes, Jesus Exhibit from Vritual Deposition Testimony, Vol. 1JR EXHIBIT NO. 16: Interoffice Memorandum dated January 15, 2014	A			
TX	TX-0279	TX_DEPO- EX_00089469	TX_DEPO- EX_00089473	8/31/2020	Reyes, Jesus Exhibit from Vritual Deposition Testimony, Vol. 1 JR EXHIBIT NO. 18: Interlocal Agreement for Water Supply	A			
US	US-0066	US0823247	US0823283		PPT Water Conservation and Management Projects in El Paso County Water Improvement District	A			
US	US-0067	US0823431	US0823444	3/18/1998	Contract between BOR and EPCWID No.1 for the Conversion of RGP Water	A			Admitted
US	US-0116	US0808519	US0808598	2/6/2001	Resolution authorizing the Mayor to sign the Rio Grande Project Implementing Third-Party Contract among the US, EPWID No.1 and City of El Paso for conversion of Rio Grande Project Water to Municipal Use	A			
US	US-0547	US0544879	US0544879	3/29/2016	Allocation Committee Designation 2016	A			Admitted

<b>TrialExhibit</b>	<b>Trialexno</b>	<b>ProdBeg</b>	<b>ProdEnd</b>	<b>Date</b>	<b>Subject/Title</b>	<b>Category (A, B, C)</b>	<b>Category B Objections (Cite Fed. R. Evid.)</b>	<b>Category C Objections (Cite Fed. R. Evid.)</b>	<b>Admitted</b>
NM	NM-0287	Gordon- DepoEX0003_000 01	Gordon- DepoEX0003_00075	7/11/2007	Minutes of Regular Meeting Board of Directors El Paso County Water Improvement District No. 1 (the "District") dated July 11, 2007	A			