



**MONTGOMERY
& ANDREWS**
LAW FIRM

JEFFREY J. WECHSLER
Direct: (505) 986-2637
Email: jwechsler@montand.com
www.montand.com

June 18, 2021

Via Electronic Mail

Hon. Michael J. Melloy
Special Master
United States Circuit Judge
111 Seventh Avenue, S.E., Box 22
Cedar Rapids, IA 52401
Michael_Melloy@ca8.uscourts.gov

**Re: State of Texas v. State of New Mexico, No. 141, Original
New Mexico's Status Letter Concerning Status of Planning Discussions for
Site Visit/Basin Tour**

Dear Special Master Melloy,

Paragraph 5 of the Special Master's Order dated June 4, 2021 [Dkt. 508] requests New Mexico file a report by June 18 as to the status of the discussions relating to the logistics of the proposed *Texas v. New Mexico* Rio Grande site visit ("Basin Tour"). This status report has been agreed to by New Mexico, Texas, the United States, and Colorado (the "Parties").

The Parties have had three (3) cooperative and productive telephone conferences on the logistics and possible dates of the site visit. The status of the major issues under discussion as of this date is as follows:

1. Land tour starting at Elephant Butte Dam and ending at the southern end of the Rio Grande Project – agreed. Site details are still under discussion.
2. "Fly-over" tour of Compact – under discussion.
3. Dates – under discussion.

The Parties continue to discuss and negotiate these issues. The Parties propose submitting to the Special Master a second status report with additional information on Monday, June 28. That status report will identify any issues in dispute that will benefit from discussion at the scheduled July 1 status conference.

REPLY TO:

325 Paseo de Peralta
Santa Fe, New Mexico 87501
Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307
Santa Fe, New Mexico 87504-2307

June 18, 2021
Page 2

Best regards,

/s Jeffrey J. Wechsler _____
Jeffrey J. Wechsler

cc: Counsel

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 June 18, 2021, I caused a true and correct copy of the **State of New Mexico's Status Letter Concerning Status of Planning Discussions for Site Visit/Basin Tour** to be served by e-mail upon the Special Master and all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 18th day of June, 2021.

/s/ Michael A. Kopp

Michael A. Kopp

Special Assistant Attorney General

TROUT RALEY

1120 Lincoln Street, Suite 1600

Denver, Colorado 80203

(303) 861-1963

SPECIAL MASTER

HONORABLE MICHAEL J. MELLOY

Special Master

United States Circuit Judge
111 Seventh Avenue, S.E., Box 22
Cedar Rapids, IA 52401-2101

TXvNM141@ca8.uscourts.gov
(319) 432-6080
(service via email and U.S. Mail)

MICHAEL E. GANS

Clerk of the Court

United States Court of Appeals - Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street, Suite 24.329
St. Louis, MO 63102

TXvNM141@ca8.uscourts.gov
(314) 244-2400

MEDIATOR

HON. OLIVER W. WANGER (USDJ RET.)

WANGER JONES HELSLEY PC
265 E. River Park Circle, Suite 310
Fresno, California 93720

owanger@wjhattorneys.com
(559) 233-4800 Ext. 203

DEBORAH L. PELL (Paralegal)

dpell@whjattorneys.com

UNITED STATES

ELIZABETH B. PRELOGAR*

Acting Solicitor General

EDWIN S KNEEDLER

Deputy Solicitor General

JEAN E. WILLIAMS

Deputy Assistant Attorney General

FREDERICK LIU

Assistant to the Solicitor General

U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

supremectbriefs@usdoj.gov
(202) 514-2217

JAMES J. DUBOIS*

R. LEE LEININGER

U.S. DEPARTMENT OF JUSTICE
Environment & Natural Resources Division
999 18th Street

james.dubois@usdoj.gov
(303) 844-1375
lee.leininger@usdoj.gov
(303) 844-1364

June 18, 2021
Page 5

South Terrace – Suite 370
Denver, Colorado 80202
SETH C. ALLISON, Paralegal

Seth.allison@usdoj.gov
(303)844-7917

JUDITH E. COLEMAN
JENNIFER A. NAJJAR
U.S. DEPARTMENT OF JUSTICE
Environment & Natural Resources Division
P.O. Box 7611
Washington, D.C. 20044-7611

Judith.coleman@usdoj.gov
(202) 514-3553
jennifer.najjar@usdoj.gov
(202) 305-0476

STATE OF NEW MEXICO

HECTOR H. BALDERAS
New Mexico Attorney General
TANIA MAESTAS
Chief Deputy Attorney General
CHOLLA KHOURY
Assistant Attorney General
ZACHARY E. OGAZ
Assistant Attorney General
STATE OF NEW MEXICO
P.O. Drawer 1508
Santa Fe, New Mexico 87501
PATRICIA SALAZAR - Assistant

hbaldaras@nmag.gov
tmaestas@nmag.gov
ckhoury@nmag.gov
zogaz@nmag.gov
psalazar@nmag.gov
(505) 239-4672

MARCUS J. RAEL, JR.*
LUIS ROBLES
SUSAN BARELA
Special Assistant Attorneys General
ROBLES, RAEL & ANAYA, P.C.
500 Marquette Avenue NW, Suite 700
Albuquerque, New Mexico 87102
CHELSEA SANDOVAL - Paralegal
PAULINE WAYLAND – Paralegal
BONNIE DEWITT – Paralegal

marcus@roblesrael.com
luis@roblesrael.com
susan@roblesrael.com
chelsea@roblesrael.com
pauline@roblesrael.com
bonnie@roblesrael.com
(505) 242-2228

BENNETT W. RALEY
LISA M. THOMPSON
MICHAEL A. KOPP
Special Assistant Attorneys General

braley@troutlaw.com
lthompson@troutlaw.com
mkopp@troutlaw.com
(303) 861-1963

June 18, 2021
Page 6

TROUT RALEY
1120 Lincoln Street, Suite 1600
Denver, Colorado 80203

JEFFREY WECHSLER
Special Assistant Attorney General
MONTGOMERY & ANDREWS
325 Paseo De Peralta
Santa Fe, NM 87501
DIANA LUNA – Paralegal

jwechsler@montand.com
(505) 986-2637

dluna@montand.com

JOHN DRAPER
Special Assistant Attorney General
DRAPER & DRAPER LLC
325 Paseo De Peralta
Santa Fe, NM 87501
DONNA ORMEROD – Paralegal

john.draper@draperllc.com
(505) 570-4591

donna.ormerod@draperllc.com

STATE OF COLORADO

PHILIP J. WEISER
Attorney General of Colorado
ERIC R. OLSON
Solicitor General
LAIN LEONIAK
Acting First Assistant Attorney General
CHAD M. WALLACE*
Senior Assistant Attorney General
PRESTON V. HARTMAN
Assistant Attorney General
COLORADO DEPARTMENT OF LAW
Ralph Carr Judicial Center
7th Floor
1300 Broadway
Denver, CO 80203
NAN EDWARDS, Paralegal II

eric.olson@coag.gov

chad.wallace@coag.gov
(720) 508-6281 (direct)
preston.hartman@coag.gov
(720) 508-6257 (direct)

nan.edwards@coag.gov

STATE OF TEXAS

STUART SOMACH*
ANDREW M. HITCHINGS
ROBERT B. HOFFMAN
FRANCIS M. GOLDSBERRY II

ssomach@somachlaw.com
ahitchings@somachlaw.com
rhoffman@somachlaw.com
mgoldsberry@somachlaw.com

June 18, 2021

Page 7

THERESA C. BARFIELD
SARAH A. KLAHN
BRITTANY K. JOHNSON
RICHARD S. DEITCHMAN
SOMACH SIMMONS & DUNN, PC
500 Capital Mall, Suite 1000
Sacramento, CA 95814-2403
CORENE RODDER - Secretary
CRYSTAL RIVERA - Secretary
CHRISTINA GARRO – Paralegal
YOLANDA DE LA CRUZ - Paralegal

tbarfield@somachlaw.com
sklahn@somachlaw.com
bjohnson@somachlaw.com
rdeitchman@somachlaw.com
(916) 446-7979
(916) 803- 4561 (cell)

crodder@somachlaw.com
crivera@somachlaw.com
cgarro@somachlaw.com
ydelacruz@somachlaw.com

KEN PAXTON

Attorney General

JEFFREY C. MATEER

First Assistant Attorney General

DARREN L. McCARTY

Deputy Attorney General for Civil Litigation

PRISCILLA M. HUBENAK

Chief, Environmental Protection Division

OFFICE OF ATTORNEY GENERAL

OF TEXAS

P.O. Box 12548

Austin, TX 78711-2548

(512) 463-2012

(512) 457-4644 Fax

Priscilla.Hubenak@oag.texas.gov

AMICI / FOR INFORMATIONAL PURPOSES ONLY

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

JAMES C. BROCKMANN*

(505) 983-3880

JAY F. STEIN

jcbrockmann@newmexicowaterlaw.com

STEIN & BROCKMANN, P.A.

jfstein@newmexicowaterlaw.com

P.O. Box 2067

administrator@newmexicowaterlaw.com

Santé Fe, New Mexico 87504

Administrative Copy

PETER AUH

(505) 289-3092

ALBUQUERQUE BERNALILLO COUNTY
WATER UTILITY AUTHORITY

pauh@abcwua.org

P.O. Box 568

Albuquerque, NM 87103-0568

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
smaxwell@bickerstaff.com

CITY OF LAS CRUCES

JAY F. STEIN *
JAMES C. BROCKMANN
STEIN & BROCKMANN, P.A.
P.O. Box 2067
Santé Fe, New Mexico 87504
Administrative Copy

(505) 983-3880
jcbrockmann@newmexicowaterlaw.com
jfstein@newmexicowaterlaw.com
administrator@newmexicowaterlaw.com

JENNIFER VEGA-BROWN
ROBERT CABELLO
LAW CRUCES CITY ATTORNEY'S OFFICE
P.O. Box 20000
Las Cruces, New Mexico 88004

(575) 541-2128
jvega-brown@las-cruces.org
rcabello@las-cruces.org

ELEPHANT BUTTE IRRIGATION DISTRICT

SAMANTHA R. BARNCASTLE*
BARNCASTLE LAW FIRM, LLC
1100 South Main, Suite 20 (88005)
P.O. Box 1556
Las Cruces, NM 88004
JANET CORRELL – Paralegal

(575) 636-2377
(575) 636-2688 (fax)
samantha@h2o-legal.com
janet@h2o-legal.com

EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1

MARIA O'BRIEN*
SARAH M. STEVENSON
MODRALL, SPERLING, ROEHL, HARRIS
& SISK, PA
500 Fourth Street N.W., Suite 1000

(505) 848-1803 (direct)
mobrien@modrall.com
sarah.stevenson@modrall.com

June 18, 2021
Page 9

Albuquerque, New Mexico 87103-2168
SHANNON GIFFORD – Legal Assistant

shannong@modrall.com

RENEA HICKS
LAW OFFICE OF MAX RENEA HICKS
P.O.Box 303187
Austin, TX 78703-0504

rhicks@renea-hicks.com
(512)480-8231

HUDSPETH COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 1

ANDREW S. “DREW” MILLER*
KEMP SMITH LLP
919 Congress Avenue, Suite 1305
Austin, TX 78701

(512) 320-5466
dmiller@kempsmith.com

STATE OF KANSAS

DEREK SCHMIDT
Attorney General of Kansas
JEFFREY A. CHANAY
Chief Deputy Attorney General
TOBY CROUSE*
Solicitor General of Kansas
BRYAN C. CLARK
Assistant Solicitor General
DWIGHT R. CARSWELL
Assistant Attorney General
120 S. W. 10th Ave., 2nd Floor
Topeka, KS 66612

(785) 296-2215
toby.crouse@ag.ks.gov
bryan.clark@ag.ks.gov

NEW MEXICO PECAN GROWERS

TESSA T. DAVIDSON*
DAVIDSON LAW FIRM, LLC
4206 Corrales Road
P.O. Box 2240
Corrales, NM 87048
JO HARDEN – Paralegal

ttd@tessadavidson.com
(505) 792-3636

jo@tessadavidson.com

June 18, 2021
Page 10

NEW MEXICO STATE UNIVERSITY

JOHN W. UTTON*
UTTON & KERY, P.A.
P.O. Box 2386
Santa Fe, New Mexico 87504

(505) 699-1445
john@uttonkery.com

General Counsel
New Mexico State University
Hadley Hall Room 132
2850 Weddell Road
Las Cruces, NM 88003

gencounsel@nmsu.edu
(575) 646-2446

SOUTHERN RIO GRANDE DIVERSIFIED CROP FARMERS ASSOCIATION

ARNOLD J. OLSEN*
HENNIGHAUSEN OLSEN & MCCREA, L.L.P.
P.O. Box 1415
Roswell, NM 88202-1415
Malina Kauai, Paralegal
Rochelle Bartlett, Legal Assistant

(575) 624-2463
ajolsen@h2olawyers.com
mkauai@h2olawyers.com
rbartlett@h2olawyers.com