

## BARNCASTLE LAW FIRM, LLC

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January 8, 2019

### Via Email

Judge Michael J. Melloy  
U.S. Court of Appeals for the Eighth Circuit  
United States Courthouse  
111 Seventh Avenue S.E., Box 22  
Cedar Rapids, Iowa 52401-2101  
[Judge\\_Michael\\_Melloy@ca8.uscourts.gov](mailto:Judge_Michael_Melloy@ca8.uscourts.gov)  
[TXvNM141@ca8.uscourts.gov](mailto:TXvNM141@ca8.uscourts.gov)

Re: State of Texas & United States of America v. State of New Mexico and State of Colorado,  
Original No. 141; Notice by EBID of Intent to Participate in Depositions.

Dear Special Master Melloy,

Pursuant to Paragraph 3.5 of the September 2018 Case Management Plan, notice is hereby given that the Elephant Butte Irrigation District intends to attend and participate in the following depositions, including the right to question said witnesses should the issue of the 2008 Operating Agreement arise during said depositions :

<u>Deponent</u>	<u>Date/Time Scheduled/Location</u>
Adrienne Widmer, City of Las Cruces	Feb. 5, 2019 at 1:30 pm., Las Cruces, NM
Jorge Garcia, City of Las Cruces	Feb. 6, 2019 at 8:30 a.m., Las Cruces, NM
Rhonda Diaz, City of Las Cruces	Feb. 6, 2019 at 1:30 p.m., Las Cruces, NM

Sincerely,

BARNCASTLE LAW FIRM

By   
Samantha R. Barncastle

xc: Attached Service List (electronically)  
SRB/jlc

**SERVICE LIST FOR ALL PARTIES**

In The Supreme Court of the United States, Original No. 141  
**STATE OF TEXAS v. STATE OF NEW MEXICO and STATE OF COLORADO**

**PARTIES<sup>1</sup>**

STATE	ATTORNEY & ADDRESS	PHONE & EMAIL
Texas	<p>STUART L. SOMACH*            ANDREW M. HITCHINGS            ROBERT B. HOFFMAN            FRANCIS M. "MAC" GOLDSBERRY II            THERESA C. BARFIELD            BRITTANY K. JOHNSON            SOMACH SIMMONS &amp; DUNN, PC            500 Capitol Mall, Suite 1000            Sacramento, CA 95814            Rhonda Stephenson - Secretary            Christina Garro - Paralegal            Yolanda De La Cruz - Secretary</p> <p>KEN PAXTON  <i>Attorney General</i>            JEFFREY C. MATEER  <i>First Assistant Attorney General</i>            BRANTLEY STARR  <i>Deputy First Asst. Attorney General</i>            JAMES E. DAVIS  <i>Deputy Attorney General</i>            PRISCILLA M. HUBENAK*  <i>Chief, Environmental Protection Div.</i>            OFFICE OF THE ATTORNEY GENERAL            OF TEXAS            P.O. Box 12548            Austin, TX 78711-2548</p>	<p>(916) 446-7979            (916) 803-4561 (cell)  <a href="mailto:ssomach@somachlaw.com">ssomach@somachlaw.com</a>  <a href="mailto:ahitchings@somachlaw.com">ahitchings@somachlaw.com</a>  <a href="mailto:rhoffman@somachlaw.com">rhoffman@somachlaw.com</a>  <a href="mailto:mgoldsberry@somachlaw.com">mgoldsberry@somachlaw.com</a>  <a href="mailto:tbarfield@somachlaw.com">tbarfield@somachlaw.com</a>  <a href="mailto:bjohnson@somachlaw.com">bjohnson@somachlaw.com</a></p> <p><a href="mailto:rstephenson@somachlaw.com">rstephenson@somachlaw.com</a>  <a href="mailto:cgarro@somachlaw.com">cgarro@somachlaw.com</a>  <a href="mailto:ydelacruz@somachlaw.com">ydelacruz@somachlaw.com</a>            (512) 463-2012</p> <p><a href="mailto:Priscilla.Hubenak@oag.texas.gov">Priscilla.Hubenak@oag.texas.gov</a></p>

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<p><b>United States</b></p>	<p><b>JAMES J. DUBOIS*</b>  <b>R. LEE LEININGER</b>  <b>THOMAS K. SNODGRASS</b>  U.S. DEPT. OF JUSTICE  Environment &amp; Natural Resources Div  999 18th Street  South Terrace – Suite 370  Denver, CO 80202  <b>Seth C. Allison, Paralegal</b></p> <p><b>NOEL J. FRANCISCO *</b>  Acting Solicitor General  <b>JEFFREY H. WOOD</b>  Acting Assistant Attorney General  <b>ANN O’CONNELL</b>  Assistant to Solicitor General  U.S. DEPARTMENT OF JUSTICE  950 Pennsylvania Ave, NW  Washington , DC 20530-0001</p> <p><b>STEPHEN M. MACFARLANE</b>  U.S. DEPARTMENT OF JUSTICE  Environment &amp; Natural Resources Div  501 I Street, Suite 9-700  Sacramento, CA 95814</p> <p><b>JUDITH E. COLEMAN</b>  U.S. DEPARTMENT OF JUSTICE  Environment &amp; Natural Resources Div  P. O. Box 7611  Washington, DC 20044-7611</p>	<p>(303) 844-1375  <a href="mailto:james.dubois@usdoj.gov">james.dubois@usdoj.gov</a>  (303) 844-1364  <a href="mailto:lee.leininger@usdoj.gov">lee.leininger@usdoj.gov</a>  (303) 844-7233  <a href="mailto:Thomas.snodgrass@usdoj.gov">Thomas.snodgrass@usdoj.gov</a></p> <p>(303) 844-7917  <a href="mailto:Seth.allison@usdoj.gov">Seth.allison@usdoj.gov</a></p> <p>(202) 514-2217  <a href="mailto:supremectbriefs@usdoj.gov">supremectbriefs@usdoj.gov</a></p> <p>(916) 930-2204  <a href="mailto:stephen.macfarlane@usdoj.gov">stephen.macfarlane@usdoj.gov</a></p> <p>(202) 514-3553  <a href="mailto:judith.coleman@usdoj.gov">judith.coleman@usdoj.gov</a></p>

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<p><b>State of Kansas</b></p>	<p><b>DEREK SCHMIDT</b>  Attorney General of Kansas  <b>JEFFREY A. CHANAY</b>  Chief Deputy Attorney General  <b>TOBY CROUSE*</b>  Solicitor General of Kansas  <b>BRYAN C. CLARK</b>  Assistant Solicitor General  <b>DWIGHT R. CARSWELL</b>  Assistant Solicitor General  120 S.W. 10th Ave., 2nd Floor  Topeka, KS 66612</p>	<p>(785) 296-2215</p> <p><a href="mailto:toby.crouse@ag.ks.gov">toby.crouse@ag.ks.gov</a>  <a href="mailto:bryan.clark@ag.ks.gov">bryan.clark@ag.ks.gov</a></p>

## SPECIAL MASTER

<b>Special Master</b>	<p>Honorable Michael J. Melloy <i>Special Master</i> United States Circuit Judge 111 Seventh Avenue, S.E., Box 22 Cedar Rapids, IA 52401</p> <p>Michael E. Gans, Clerk of 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</p>	<p>(319) 432-6080 <a href="mailto:TXvNM141@ca8.uscourts.gov">TXvNM141@ca8.uscourts.gov</a></p> <p>(314)244-2400 <a href="mailto:TxvNM141@ca8.uscourts.gov">TxvNM141@ca8.uscourts.gov</a></p>
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**\*\*Updated 4/16/2018**

Corrected the spelling of Pricilla M. Hubenak to Priscilla M. Hubenak and added her e-mail address [Priscilla.Hubenak@oag.texas.gov](mailto:Priscilla.Hubenak@oag.texas.gov) to the Service list.

**\*\*Updated 4/18/2018**

Added Toby Crouse ([toby.crouse@ag.ks.gov](mailto:toby.crouse@ag.ks.gov)) as the Solicitor General for the State of Kansas and removed Stephen R. McAllister.

**\*\*Updated 4/24/2018**

Added Clerk of Court information and updated Special Master e-mail address.

**\*\*Updated 11/16/18**

Added Bryan Clark's e-mail address ([bryan.clark@ag.ks.gov](mailto:bryan.clark@ag.ks.gov)) for the State of Kansas