
**IN THE
SUPREME COURT OF THE UNITED STATES**

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and STATE OF
COLORADO,

Defendants.

**REQUEST TO PARTICIPATE IN ORAL ARGUMENT BY *AMICUS CURIAE* EL PASO
COUNTY WATER IMPROVEMENT DISTRICT NO. 1**

COMES NOW El Paso County Water Improvement District No. 1 (“EPCWID”) and respectfully requests to participate in oral argument on the State of New Mexico’s Motion to Dismiss Texas’ Complaint and the United States’ Complaint-in-Intervention (“Motion to Dismiss”), on the basis of its BRIEF OF *AMICUS CURIAE* EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 IN SUPPORT OF STATE OF TEXAS AND UNITED STATES IN OPPOSITION TO NEW MEXICO’S MOTION TO DISMISS TEXAS’ COMPLAINT AND THE UNITED STATES’ COMPLAINT IN INTERVENTION and EPCWID’s Motion for Leave to Intervene, and as grounds therefor states as follows:

1. The State of New Mexico filed a Motion to Dismiss on April 30, 2014.
2. EPCWID, as *Amicus Curiae*, filed a brief in opposition of that motion on June 16, 2014, pursuant to Sup.Ct.R.37, a copy of which is attached.

3. EPCWID is one of the two direct beneficiaries of the Rio Grande Project, which Project depends on water delivered under the Rio Grande Compact into the Elephant Butte Reservoir in New Mexico. This suit was brought by the State of Texas pursuant to the Rio Grande Compact. *See, e.g.* Texas' Complaint at ¶¶18 and 20.
4. On April 22, 2015, EPCWID's Motion for Leave to Intervene was filed in the Supreme Court, and a copy thereof was provided to the Special Master on April 23, 2015.
5. On April 27, 2015 Elephant Butte Irrigation District's previously filed motion to intervene was referred by the Supreme Court to the Special Master. It would seem probable that the Supreme Court will also refer EPCWID's Motion for Leave to Intervene to the Special Master.
6. Accordingly, EPCWID is both an *Amicus Curiae* and an incipient party whose interest herein is not represented or protected by any of the parties or *amici curiae*.
7. In order for the Special Master to acquire a complete understanding of the legal and factual issues in this extraordinarily complex case, it will be essential that all of the *amici curiae*, as well as the States of Texas, New Mexico and Colorado, participate fully and equally in oral argument whether on the pending New Mexico Motion to Dismiss or any other issue which comes before the Special Master.

WHEREFORE, El Paso County Water Improvement District No. 1 respectfully requests to be allowed to participate in oral argument in support of the State of Texas and the United States in opposition to New Mexico's Motion to Dismiss Texas' Complaint and the United States' Complaint in Intervention, for a time equal to that allowed for the parties.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Request to Participate in Oral Argument by *Amicus Curiae* El Paso County Water Improvement District No. 1, was served upon counsel by electronic mail and/or first class mail, on the 28th day of April, 2015.

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