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File No. 38060.00001

April 27, 2015

**VIA E-MAIL**

A. Gregory Grimsal  
Special Master  
Gordon, Arata, McCollam, Duplantis & Eagan, LLC  
201 St. Charles Avenue, Suite 4000  
New Orleans, LA 71070-4000

Re: Texas v. New Mexico, et al.;  
Elephant Butte Irrigation District's Motion to Intervene

Dear Special Master Grimsal:

On April 27, 2015, the Supreme Court issued an order referring Elephant Butte Irrigation District's ("EBID") motion to intervene to the Special Master. EBID's motion is opposed by Texas, New Mexico and the United States. EBID and the parties opposing EBID's intervention have filed briefs relating to EBID's motion to intervene.

EBID is willing to submit its motion to the Special Master on the briefs relating to its motion rather than having oral argument on the motion, unless, of course, the Special Master prefers to have oral argument.

EBID requests, however, that the Special Master decide whether to grant EBID's motion to intervene well in advance of the date that the Special Master sets for oral argument on New Mexico's motion to dismiss, so that EBID can participate as a party in addressing New Mexico's motion to dismiss. In explaining the grounds for its right to intervene, EBID argues, among other arguments, that it takes a different position from the other parties concerning the merits of Texas' complaint and New Mexico's motion to dismiss, and in particular that New Mexico's motion to dismiss should be granted for reasons other than those expressed in New Mexico's motion but that Texas should be permitted to amend its complaint to state a valid claim. If EBID is permitted to intervene before the Special Master hears oral argument on New Mexico's motion to dismiss, EBID would be able to set forth these arguments to the Special Master during oral argument. In addition, EBID, as a party, would have the right to file an exception to the Supreme Court, or respond to any exception filed by any party. EBID does not seek to delay oral argument on New Mexico's motion to dismiss, but requests only that the Special Master decide EBID's motion to intervene well in advance of the oral argument date.



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In sum, EBID is willing to have its motion to intervene submitted on the briefs without oral argument, and requests that the Special Master decide EBID's motion to intervene well in advance of the oral argument date that the Special Master sets for New Mexico's motion to dismiss.

Respectfully submitted,

A handwritten signature in blue ink that reads "Roderick E. Walston".

Roderick E. Walston  
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cc: See attached service list

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