

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

CERTIFICATE OF SERVICE

This is to certify that on this 3rd day of February 2023, I caused a true and correct copy of the following:

- 1. JOINT REPLY OF THE COMPACTING STATES IN SUPPORT OF JOINT MOTION TO ENTER CONSENT DECREE SUPPORTING THE RIO GRANDE COMPACT**
- 2. DECLARATION OF WILLIAM R. HUTCHISON, PH.D., P.E., P.G., IN SUPPORT OF THE JOINT STATES REPLY IN SUPPORT OF THE MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO, AND STATE OF COLORADO TO ENTER CONSENT DECREE SUPPORTING THE RIO GRANDE COMPACT**
- 3. DECLARATION OF ROBERT J. BRANDES, PH.D., IN SUPPORT OF REPLY OF THE STATE OF TEXAS, STATE OF NEW MEXICO, AND STATE OF COLORADO TO UNITED STATES AND AMICI BRIEFS REGARDING THE STATES' PROPOSED CONSENT DECREE**
- 4. DECLARATION OF TEXAS RIO GRANDE COMPACT COMMISSIONER ENGINEER ADVISER SUE ELLYN "SUZY" SUMMERS VALENTINE, P.E., C.F.M., IN SUPPORT OF JOINT REPLY OF THE STATE OF TEXAS, STATE**

**OF NEW MEXICO, AND STATE OF COLORADO TO ENTER CONSENT
DECREE SUPPORTING THE RIO GRANDE COMPACT**

- 5. DECLARATION OF ESTEVAN R. LOPEZ, P.E. IN SUPPORT OF JOINT
MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO, AND
STATE OF COLORADO FOR ENTRY OF CONSENT DECREE
SUPPORTING THE RIO GRANDE COMPACT**

- 6. SECOND DECLARATION OF MARGARET BARROLL, Ph.D. IN SUPPORT
OF JOINT MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO,
AND STATE OF COLORADO FOR ENTRY OF CONSENT DECREE
SUPPORTING THE RIO GRANDE COMPACT SECOND DECLARATION
OF MICHAEL A. HAMMAN, P.E. IN SUPPORT OF JOINT MOTION OF
THE STATE OF TEXAS, STATE OF NEW MEXICO, AND STATE OF
COLORADO FOR ENTRY OF CONSENT DECREE SUPPORTING THE RIO
GRANDE COMPACT**

- 7. SECOND DECLARATION OF MICHAEL A. HAMMAN, P.E.
IN SUPPORT OF JOINT MOTION OF THE STATE OF TEXAS,
STATE OF NEW MEXICO, AND STATE OF COLORADO FOR ENTRY
OF CONSENT DECREE SUPPORTING THE RIO GRANDE COMPACT**

- 8. SECOND DECLARATION OF GREGORY K. SULLIVAN, P.E. IN SUPPORT
OF JOINT MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO,
AND STATE OF COLORADO FOR ENTRY OF CONSENT DECREE
SUPPORTING THE RIO GRANDE COMPACT**

- 9. DECLARATION OF MICHAEL J. SULLIVAN, P.E. IN SUPPORT OF JOINT
MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO, AND
STATE OF COLORADO FOR ENTRY OF CONSENT DECREE
SUPPORTING THE RIO GRANDE COMPACT**

- 10. THE STATE OF TEXAS'S RESPONSE TO QUESTION NUMBER 4 IN THE
SPECIAL MASTER'S DECEMBER 30, 2022 ORDER, SUPPORTING THE
COMPACTING STATES' JOINT MOTION TO ENTER CONSENT DECREE**

- 11. DECLARATION OF JOHN LONGWORTH, P.E. IN SUPPORT OF JOINT
MOTION OF THE STATE OF TEXAS, STATE OF NEW MEXICO, AND
STATE OF COLORADO FOR ENTRY OF CONSENT DECREE
SUPPORTING THE RIO GRANDE COMPACT**

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

to be served upon all parties and *amici curiae*, by and through the attorneys of record and/or designated representatives for each party and *amicus curiae* in this original action. As permitted by order of the Special Master, and agreement among the parties, service was effected by electronic mail to those individuals listed on the attached service list, which reflects all updates and revisions through the current date.

Respectfully submitted,



Yolanda De La Cruz

Dated: February 3, 2023

SERVICE LIST FOR ALL PARTIES AND AMICI CURIAE

—◆—
SPECIAL MASTER

Special Master	Honorable Michael J. Melloy <i>Special Master</i> United States Circuit Judge 111 Seventh Avenue, S.E. Box 22 Cedar Rapids, IA 52401 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	TXvNM141@ca8.uscourts.gov (319) 432-6080 TXvNM141@ca8.uscourts.gov (314) 244-2400
-----------------------	--	--

PARTIES
 (Service via Electronic Mail)

PARTIES¹

STATE	ATTORNEY & ADDRESS	PHONE & EMAIL
Texas	<p>STUART L. SOMACH* FRANCIS M. GOLDSBERRY II THERESA C. BARFIELD SARAH A. KLAHN RICHARD S. DEITCHMAN SOMACH SIMMONS & DUNN, PC 500 Capitol Mall, Suite 1000 Sacramento, CA 95814-2403</p> <p>KEN PAXTON <i>Attorney General of Texas</i> BRENT WEBSTER <i>First Assistant Attorney General</i> GRANT DORFMAN <i>Deputy First Assistant Attorney General</i> SHAWN COWLES <i>Deputy Attorney General for Civil Litigation</i> WILLIAM F. COLE <i>Assistant Solicitor General</i> BEAU CARTER <i>Assistant Solicitor 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 ssomach@somachlaw.com mgoldsberry@somachlaw.com tbarfield@somachlaw.com sklahn@somachlaw.com rdeitchman@somachlaw.com</p> <p>Secretary: Corene Rodder crodder@somachlaw.com Secretary: Crystal Rivera crivera@somachlaw.com Paralegal: Yolanda De La Cruz ydelacruz@somachlaw.com</p> <p>(512) 463-2012 (512) 457-4644 Fax</p> <p>priscilla.hubenak@oag.texas.gov</p>

¹ (*) = *Counsel of Record*

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

<p>New Mexico</p>	<p>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, NM 87501 Jennifer Van Wiel - Paralegal</p> <p>NATHANIEL CHAKERES Deputy General Counsel RICHARD A. ALLEN Special Assistant Attorney General NEW MEXICO OFFICE OF THE STATE ENGINEER P.O. Box 25102 Santa Fe, NM 87504</p> <p>JONAS ARMSTRONG NEW MEXICO INTERSTATE STREAM COMMISSION P.O. Box 25102 Santa Fe, NM 87504</p> <p>MARCUS J. RAEL, JR. * LUIS ROBLES Special Assistant Attorneys General ROBLES, RAEL & ANAYA, P.C. 500 Marquette Ave. NW, Suite 700 Albuquerque, NM 87102 Chelsea Sandoval-Firm Administrator Pauline Wayland – Paralegal Bonnie DeWitt – Paralegal</p> <p>BENNET W. RALEY LISA M. THOMPSON MICHAEL A. KOPP Special Assistant Attorneys General TROUT RALEY 1120 Lincoln St., Suite 1600 Denver, CO 80203</p>	<p>hbalderas@nmag.gov tmaestas@nmag.gov ckhoury@nmag.gov zogaz@nmag.gov (505) 239-4672 jvanwiel@nmag.gov (505) 239-4672</p> <p>nathaniel.chakeres@state.nm.us (505)231-4459 rick.allen@state.nm.us (505)570-7754</p> <p>jonas.armstrong@state.nm.us (505)470-6843</p> <p>marcus@roblesrael.com luis@roblesrael.com chelsea@roblesrael.com pauline@roblesrael.com bonnie@roblesrael.com (505) 242-2228</p> <p>braley@troutlaw.com lthompson@troutlaw.com mkopp@troutlaw.com (303) 861-1963</p>
--------------------------	--	--

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

	<p>JEFFREY WECHSLER SHELLY L. DALRYMPLE KALEB W. BROOKS Special Assistant Attorney General MONTGOMERY & ANDREWS 325 Paseo De Peralta Santa Fe, NM 87501 Diana Luna - Paralegal</p> <p>JOHN DRAPER CORINNE ATTON Special Assistant Attorney General DRAPER & DRAPER LLC 325 Paseo De Peralta Santa Fe, NM 87501 Donna Ormerod – Paralegal</p>	<p>jwechsler@montand.com sdalrymple@montand.com kwbrooks@montand.com dluna@montand.com (505) 986-2637</p> <p>john.draper@draperllc.com corinne.atton@draperllc.com donna.ormerod@draperllc.com (505) 570-4591</p>
--	--	---

<p>Colorado</p>	<p>PHILIP J. WEISER Colorado Attorney General ERIC R. OLSON Colorado Solicitor General LAIN LEONIAK Acting First Asst. Attorney General CHAD M. WALLACE* Senior Assistant Attorney General PRESTON V. HARTMAN Assistant Attorney General</p> <p>COLORADO DEPARTMENT OF LAW Ralph Carr Judicial Center 7th Floor 1300 Broadway Denver, CO 80203 Nan Edwards – Paralegal II</p>	<p>eric.olson@coag.gov</p> <p>chad.wallace@coag.gov (720) 508-6281 (direct)</p> <p>preston.hartman@coag.gov (720) 508-6257 (direct)</p> <p>nan.edwards@coag.gov</p>
------------------------	---	---

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

United States	<p>ELIZABETH B. PRELOGAR* Solicitor General</p> <p>TODD KIM Assistant Attorney General</p> <p>EDWIN S. KNEEDLER Deputy Solicitor General</p> <p>FREDERICK LIU Assistant to the Solicitor General U.S. DEPT. OF JUSTICE 950 Pennsylvania Ave, NW Washington, DC 20530-0001</p> <p>R. LEE LEININGER</p> <p>JEFFREY N. CANDRIAN U.S. DEPT. OF JUSTICE Environment & Natural Resources Div. 999 18th Street South Terrace – Suite 370 Denver, CO 80202</p> <p>Seth C. Allison, Paralegal</p> <p>JUDITH E. COLEMAN</p> <p>JENNIFER A. NAJJAR U.S. DEPT. OF JUSTICE Environment & Natural Resources Div. P.O. Box 7611 Washington, DC 20044-7611</p>	<p>supremectbriefs@usdoj.gov (202) 514-2217</p> <p>lee.leininger@usdoj.gov (303) 844-1364</p> <p>jeffrey.candrian@usdoj.gov (303) 844-1382</p> <p>seth.allison@usdoj.gov (303) 844-7917</p> <p>judith.coleman@usdoj.gov (202) 514-3553</p> <p>jennifer.najjar@usdoj.gov (202)305-0476</p>

AMICI

AMICI	ATTORNEY AND ADDRESS	PHONE & EMAIL
<p>Albuquerque Bernalillo County Water Utility Authority</p>	<p>JAMES C. BROCKMANN* JAY F. STEIN STEIN & BROCKMANN, P.A. P.O. Box 2067 Santa Fe, NM 87504 Administrative Copy</p> <p>CHARLES W. KOLBERG Albuquerque Bernalillo County Water Utility Authority P.O. Box 568 Albuquerque, NM 87103-0568</p>	<p>jcbrockmann@newmexicowaterlaw.com jfstein@newmexicowaterlaw.com (505) 983-3880</p> <p>administrator@newmexicowaterlaw.com</p> <p>ckolberg@abcwua.org (505) 289-3092</p>
<p>City of El Paso</p>	<p>DOUGLAS G. CAROOM* SUSAN M. MAXWELL BICKERSTAFF HEATH DELGADO ACOSTA LLP 3711 S. MoPac Expressway Building One, Suite 300 Austin, TX 78746</p>	<p>dcaroom@bickerstaff.com smaxwell@bickerstaff.com (512) 472-8021</p>
<p>City of Las Cruces</p>	<p>JAY F. STEIN* JAMES C. BROCKMANN STEIN & BROCKMANN, P.A. P.O. Box 2067 Santa Fe, NM 87504 Administrative Copy</p> <p>JOCELYN GARRISON BRAD DOUGLAS LAS CRUCES CITY ATTORNEY'S OFFICE P.O. Box 20000 Las Cruces, NM 88004</p>	<p>jfstein@newmexicowaterlaw.com jcbrockmann@newmexicowaterlaw.com (505) 983-3880</p> <p>administrator@newmexicowaterlaw.com</p> <p>jgarrison@las-cruces.org bdouglas@las-cruces.org (575) 541-2128</p>

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

<p>El Paso County Water Improvement District No. 1</p>	<p>MARIA O'BRIEN* SARAH STEVENSON MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A. 500 Fourth Street N.W., Suite 1000 Albuquerque, NM 87103-2168 Charlie Padilla – Legal Assistant</p> <p>RENEA HICKS LAW OFFICE OF MAX RENEA HICKS P.O. Box 303187 Austin, TX 78703-0504</p>	<p>mobrien@modrall.com sarah.stevenson@modrall.com (505) 848-1803 (direct)</p> <p>CharlieP@modrall.com</p> <p>rhicks@renea-hicks.com (512) 480-8231</p>
<p>Elephant Butte Irrigation District</p>	<p>SAMANTHA R. BARNCASTLE* BARNCASTLE LAW FIRM, LLC 1100 South Main, Suite 20 (88005) P.O. Box 1556 Las Cruces, NM 88004 Janet Correll – Paralegal</p>	<p>samantha@h2o-legal.com (575) 636-2377 Fax: (575) 636-2688</p> <p>janet@h2o-legal.com</p>
<p>Hudspeth County Conservation and Reclamation District No. 1</p>	<p>ANDREW S. “DREW” MILLER* KEMP SMITH LLP 919 Congress Ave., Suite 1305 Austin, TX 78701</p>	<p>dmiller@kempsmith.com (512) 320-5466</p>
<p>New Mexico Pecan Growers</p>	<p>TESSA T. DAVIDSON* DAVIDSON LAW FIRM, LLC 4206 Corrales Rd. P.O. Box 2240 Corrales, NM 87048 Jo Harden – Paralegal</p>	<p>ttd@tessadavidson.com (505) 792-3636</p> <p>jo@tessadavidson.com</p>

In the Supreme Court of the United States, Original No. 141
State of Texas v. State of New Mexico and State of Colorado

<p>New Mexico State University</p>	<p>JOHN W. UTTON* UTTON & KERY, P.A. 675 Alto Street Santa Fe, NM 87501</p> <p>General Counsel New Mexico State University Hadley Hall Room 132 2850 Weddell Road Las Cruces, NM 88003</p>	<p>john@uttonkery.com (505) 699-1445</p> <p>gencounsel@nmsu.edu (575) 646-2446</p>
<p>State of Kansas</p>	<p>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 Solicitor General 120 S.W. 10th Ave., 2nd Floor Topeka, KS 66612</p>	<p>toby.crouse@ag.ks.gov (785) 296-2215 bryan.clark@ag.ks.gov</p>
<p>Southern Rio Grande Diversified Crop Farmers Association</p>	<p>ARNOLD J. OLSEN* HENNIGHAUSEN OLSEN & McCREA, L.L.P. P. O. Box 1415 Roswell, NM 88202-1415</p> <p>Malina Kauai – Paralegal Rochelle Bartlett – Legal Assistant</p>	<p>ajolsen@h2olawyers.com (575) 624-2463</p> <p>mkauai@h2olawyers.com rbartlett@h2olawyers.com</p>