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February 2, 2015

**VIA E-MAIL**

Cynthia Rapp  
Deputy Clerk, Supreme Court of the United States  
1 First Street, N.E.  
Washington, D.C. 20543

Re: *Texas v. New Mexico, et al.*, No. 141, Original (Unopposed Application to Extend Time to File Reply to Briefs Opposing Motion to Intervene)

Dear Ms. Rapp:

On December 3, 2014, Elephant Butte Irrigation District (“EBID”) moved to intervene in the above original Supreme Court action. The four parties in the action—the States of Texas, New Mexico and Colorado, and intervenor United States—requested and were granted an extension of time, until January 29, 2015, in which to file their responses to EBID’s motion. On January 29, 2015, three of the four parties—Texas, New Mexico and the United States—filed responses opposing EBID’s motion to intervene. We are not aware that the Supreme Court Rules establish any time limits for filing a reply to responses opposing a motion to intervene in an original jurisdiction action. In any event, EBID requests an extension of time, until March 20, 2015, in which to file its reply to the four parties’ responses.

EBID submits this request for an extension of time because the three parties’ opposing responses raise a host of significant legal issues, and EBID will need a substantial amount of time in which to research the issues and prepare and file its reply. In addition, the undersigned attorneys representing EBID have several other legal commitments and obligations in other matters in the near future, including oral arguments on the merits in cases raising significant and complicated legal issues, that will limit the amount of time they have to prepare a reply to the parties’ opposing briefs. The requested extension of time will not prejudice any parties in this litigation, and will not unnecessarily delay this matter. This matter was recently referred to a Special Master, and the Special Master has not conducted or scheduled any proceedings on Texas’ complaint against New Mexico, other than conducting an initial conference to address some preliminary case management procedures, during which EBID’s motion to intervene was briefly addressed among other topics.



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The undersigned counsel have contacted the four parties' counsel to determine whether they oppose or do not oppose the requested extension of time. Counsel for New Mexico, Texas and Colorado have indicated that they do not oppose the requested extension, and counsel for the United States has indicated that it takes no position.

For the foregoing reasons, EBID requests that it be granted an extension of time, until March 20, 2015, in which to file its reply to the responses opposing EBID's motion to intervene.

Very truly yours,

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

Roderick E. Walston  
Steven L. Hernandez  
Attorneys for Elephant Butte Irrigation District

cc: Stuart L. Somach, Counsel for Texas  
Sarah A. Bond, Counsel for New Mexico  
Chad M. Wallace, Counsel for Colorado  
Ann O'Connell, Counsel for United States