

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


~~[PROPOSED]~~ ORDER REGARDING INVOICES


~~[PROPOSED]~~ ORDER


On January 15, 2025, I issued an order directing the procedure I would require to secure approval of all invoices submitted by the Mediator (1/15/25 Order). Pursuant to section II of the 1/15/25 Order, the parties jointly seek approval herein, and I hereby approve the following Mediator invoices:

- A. Arthur J. Boylan ADR LLC, Invoice #062025, May 5, 2025, for services from March 1, 2025 through April 28, 2025 (Exhibit A).
1. Time: 94.75 hrs.
 2. Fees: \$48,650.00
 3. Expenses: \$5,293.28
 4. Total Due: \$53,943.28
 - a. Split between the parties under section I.D of the 1/15/25 Order as follows:
 - i. Texas: \$16,182.98
 - ii. New Mexico: \$16,182.98
 - iii. Colorado: \$5,394.33
 - iv. United States: \$16,182.98

B. Arthur J. Boylan ADR LLC, Invoice #072025, September 2, 2025, for services from May 1, 2025 through September 1, 2025 (Exhibit B).

1. Time: 56.75 hrs.
2. Fees: \$30,625.00
3. Expenses: \$3,211.59
4. Total Due: \$33,836.59
 - a. Split between the parties under section I.D of the 1/15/25 Order as follows:
 - i. Texas: \$10,150.98
 - ii. New Mexico: \$10,150.98
 - iii. Colorado: \$3,383.66
 - iv. United States: \$10,150.98

Date: September 17, 2025



Honorable D. Brooks Smith
Special Master
United States Circuit Judge
1798 Plank Road, Suite 203
Duncansville, PA 16635
Tel: (814) 693-0570

SUBMITTED AND APPROVED AS TO FORM:

By: /s/ Stuart L. Somach

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By: /s/ Jeffrey J. Wechsler

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No. 141, Original

IN THE
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STATE OF TEXAS,
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STATE OF COLORADO,
Defendants.

OFFICE OF THE SPECIAL MASTER

CERTIFICATE OF SERVICE

This is to certify that on the 12th day of September 2025, I caused a true and correct copy of the foregoing **[PROPOSED] ORDER REGARDING MEDIATION INVOICES** to be served on the parties and filed with the Special Master through Third Circuit Case Management and Electronic Case Filing (CM/ECF) System.

Respectfully submitted,

/s/ Stuart L. Somach

EXHIBIT A

Arthur J. Boylan ADR LLC.

Mediation & Arbitration

5705 Johnson Dr.

Edina, MN. 55436

INVOICE # 062025

May 5, 2025

March 1 - April 30, 2025

In re: Texas v. New Mexico and Colorado, No. 141, Original Action in the Supreme Court of the United States

Services:

03/01	0.25 hrs.	Review of Special Master's Order, Telephone conference w/Special Master
03/03	0.25 hrs.	Telephone conference w/ New Mexico counsel in re: logistics for Albuquerque mediation
03/04 -	1.0 hrs.-	Preparation for March mediation, emails to lawyers, arranging travel and accommodations
03/06 -	0.25 hrs. -	Albuquerque mediation, emails to counsel for parties and amici
03/07	0.25 hrs. -	Emails with counsel for amici in re: Albuquerque meeting
0308	0.25 hrs. -	Email to amici in re: logistics for Albuquerque meeting and amici participation
03/12	0.25 hrs. -	Review of Proposed agenda, email
03/12	10.50 hrs. -	Travel to Albuquerque (billed at 50% of hourly rate)
03/13	10.00 hrs. -	Attendance at in-person mediation sessions
03/14	8.00 hrs. -	Travel from Albuquerque to FL. (billed at 50% of hourly rate)

03/16 0.50 hrs. – Emails to counsel, emails to Special Master

03/19 - 0.50 hrs. - Review of Special Master Order, Review of emails from counsel

03/20 - 0.25 hrs. - Review of emails, receipt and review of DOJ notice

03/26 - 0.75 hrs.- Prep for upcoming mediation, tel. calls, emails in re: April 1 meeting w/trial counsel

03/27 - 0.25 hrs. - Amici Emails in re: attendance at mediation, tel. conf. review of counsel's messages

03/29 - 0.25 hrs. – Review of proposed Order, email

03/30 - 0.75 hrs. – Receipt and review of red-lined consent decree, receipt and review of amici email in re: upcoming mediation session

03/31- 1.00 hrs. – Prep for upcoming mediation, review of revised New Mexico Water Budget proposal, emails tel. conf.

04/01 - 10.00 hrs. –Travel to Santa Fe, NM (billed at 50% of hourly rate)

04/01 2.00 hrs. - Meeting w/ trial counsel, emails in re: April 2 mediation, tel. conf w/ Special Master, emails

04/02 - 10.00 hrs. – Attendance at in-person mediation sessions

04/03 - 9.00 hrs. – Travel from Santa Fe, NM to FL. (billed at 50% of hourly rate)

04/05 - 0.50 hrs. – Emailing update to Special Master w/Basin tour discussion

04/15 0.25 hrs. – Email in re: travel receipts, scheduling of Zoom call

04/18 1.00 hrs. - Review of Special Master Order, Review of file, tel conf. call w/lawyers

04/20 0.50 hrs. - Emails w/ Special Master, tel.conf w/ Special Master

04/21 7.00 hrs. - Travel to Denver mediation (travel billed at 50% of hourly rate)

04/22 10.00 hrs. - Attendance at in-person mediation
04/22 6.00 hrs. - Return travel from Denver in-person mediation

04/23 0.75 hrs. - Tel. conference calls, emails, review of remaining issues in re: EBID & EP1

04/24 1.00 hrs. - Review of counterproposal for cost of water, emails, prep for call w/EBID, conference w/EBID lawyers

04/25 1.00 hrs. - Conference w/ lawyers representing EBID, US & NM, emails

04/28 0.50 hrs. - Review of Colorado settlement message, review of US Supreme Ct orders

Total time: 94.75 hrs.

Fee: \$48,650.00

Expenses: \$5,293.28

TOTAL DUE: \$53,943.28 - (To be divided between the parties pursuant to the Special Master's Order)

www.arthurjboylanadr.com

Tax ID: 46-4819475

Please make checks payable to: Arthur J. Boylan ADR, LLC

EXHIBIT B

Arthur J. Boylan ADR LLC.

Mediation & Arbitration

5705 Johnson Dr.

Edina, MN. 55436

INVOICE # 072025

September 2, 2025

May 1 – September 1, 2025

In re: Texas v. New Mexico and Colorado, No. 141, Original Action in the Supreme Court of the United States

Services:

05/02	1.00 hrs. Conference call w/ attorneys for compacting states and U.S., Conference call w/ attorneys for New Mexico, EBID and U.S
05/04	0.25 hrs. Conference w/ Special Master in re: status
05/05 -	0.50 hrs.- Communications w/ Special Master in re: viewing project, news media request for remote access to proceedings, emails to parties
05/06 -	0.50 hrs. - E-mails in re: language in proposed term sheet
05/09	1.75 hrs. - Telephone conference w/ New Mexico, Telephone conference w/compacting states and U.S., Telephone conference w/ Special Master
05/10	0.25 hrs. –Communication w/ Special Master in re: proposal to cancel trial date, scheduling basin tour
05/12	1.75 hrs. – E-mails, communication w/ Special Master, Conference call in re: settlement, trial dates, basin visit, scheduling of future proceedings
05/16	0.50 hrs. – E-mails in re: signed term sheet, review of term sheet

05/23	0.25 hrs. - Telephone conference call in re: basin tour protocol
05/28	0.75 hrs. - Conference call, emails in re: basin tour
06/09	0.25 hrs. - Review of final basin tour itinerary. Email
06/16	7.00 hrs. - Travel to El Paso to tour basin (travel time billed at 50% of hourly rate)
06/17	8.00 hrs. - Basin Tour
06/18	8.00 hrs. - Basin Tour
06/19	7.00 hrs. -Travel from El Paso (travel time billed at 50% of hourly rate)
07/20	0.25 hrs. - Communication w/Special Master in re scheduling of mediations
07/21	0.50 hrs. -Tele. Conf. w/ Special Master in re: schedule for October hearing, Tele. Conf. w/attorney for NM.
07/25	0.00 hrs. - N/C. Receipt and review of court Order in re: October hearing
08/01	0.00 hrs. - N/C. Receipt and review of email in re: schedule for Denver meeting
08/06	0.25 hrs. - E-mails in re: Denver meeting
08/07	6.00 hrs. - Travel to Denver for mediation (billed at 50% of hourly rate)
08/07	1.00 hrs. - Meeting w/ lawyers for compacting states, communication w/ Special Master
08/08	5.00 hrs. - Meeting w/ lawyers and representatives of compacting states, U.S. & amici
08/08	6.00 hrs. - Travel from Denver meetings to home (billed at 50% of hourly rate)
08/08-27	0.00 hrs. - N/C - Follow ups on status of signings

Total time: 56.75 hrs.

Fee: \$30,625.00

Out of Pocket Expenses for Basin Tour:

Airfare - \$916.35

Hotel - \$807.60

Ground Trans. – To airport via private vehicle, 12 miles @ 70 cents per mile = \$8.40

Meals – 06/16 = \$99.91

06/17 = \$ 10.00 luncheon fee paid as part of basin tour (cash)

06/19 = \$12.66

Ground Trans. – From ELP airport to hotel via hotel shuttle (cash) = \$10.00

Ground Trans. – From hotel to ELP airport via hotel shuttle (cash) = \$10.00

Airport parking 06/16 to 06/19 = \$94.42

Ground Trans. – MSP airport to home, 12 miles @ 70 cents per mile = \$8.40

Total: \$ 1,977.74

Out of Pocket Expenses for Denver Meeting:

Airfare - \$656.96

Hotel - \$338.82

Ground Trans. – To airport via private vehicle, 12 miles @ 70 cents per mile = \$8.40

Meals – 08/07 = \$24.66

08/08 = \$47.21

Ground Trans. – From DEN airport to downtown = \$40.12

Ground Trans. – From downtown to DEN airport = \$44.16

Airport parking - \$65.12

Ground Trans. – Airport to home via private vehicle, 12 miles @ 70 cents per mile = \$8.40

Total: \$1,233.85

Total Out of Pocket Expense: \$3,211.59

DUE: \$33,836.59 - (To be divided between the parties pursuant to the Special Master's Order).

www.arthurjboylanadr.com

Tax ID: 46-4819475

Please make checks payable to: Arthur J. Boylan ADR, LLC