

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,

UNITED STATES OF AMERICA,

Intervenor.

O R D E R

At the telephonic status conference I conducted on May 12, 2025, the parties advised the Special Master that they had reached a settlement in principle of the lengthy dispute underlying the above-captioned matter. In light of that development, the parties have filed a “Joint Motion” asking me to vacate the June 9, 2025 trial

date, *see* ECF No. 29 ¶ 1, set a hearing on motions related to settlement, and direct that several other matters be addressed. ECF No. 45. Upon consideration of said motion, I HEREBY ORDER the following:

1. Paragraph 1 of the Special Master's Order at ECF No. 29, which scheduled the resumption of trial for June 9, 2025, is VACATED. The Special Master's Order at ECF No. 37 specifying that trial will occur in Philadelphia is likewise VACATED.
2. The United States and New Mexico shall file their motion to dismiss the United States' claims against New Mexico not later than 5:00 PM EST on August 29, 2025.
3. Texas, New Mexico, and Colorado shall file their joint motion for entry of a proposed consent decree not later than 5:00 PM EST on August 29, 2025.
4. A hearing on the parties' forthcoming motions related to settlement shall be held as soon as possible after September 18 and 19, 2025, consistent with the Special Master's previously scheduled Court schedule. The date and location of said hearing will be directed by the Special Master in a subsequent order.
5. The Special Master shall conduct a Rio Grande Basin tour with the parties on June 17 and 18, 2025. The tour shall begin at Elephant Butte Reservoir and end in El Paso, Texas, providing the Special Master an opportunity to

familiarize himself with features of the basin that are important to the parties' forthcoming settlement.

6. Counsel for the parties shall make all logistical and travel arrangements necessary for conducting the tour of the basin. The Mediator, Judge Arthur Boylan, is directed to accompany the Special Master and the parties on the tour.
7. The parties shall provide the Special Master with an itinerary for the basin tour not later than 5:00 PM EST on June 13, 2025.

By order dated this 16th day of May, 2025:

s/D. Brooks Smith
Honorable D. Brooks Smith
Special Master
United States Circuit Judge
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