

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

On July 17, 2024, the United States Supreme Court appointed the undersigned as Special Master in this long-pending dispute regarding the water of the Rio Grande River. On October 21, 2024, in the Compacting States’ Joint Supplemental Status Report on Outstanding Claims and Issues, cm/ecf no. 19, the Compacting States represented that Texas and New Mexico were “no longer seeking damages against

each other.” *Id.* at 2. During a Status Hearing conducted two days later, Attorney Somach, who represents the State of Texas, stated that we “commit on the record that Texas and New Mexico are dismissing their damage claims, and we will also file a document with you to . . . confirm that.” Cm/ecf no. 22, at 27; *see also id.* at 82.

Almost a year later, on September 30, 2025 and October 1, 2025, the undersigned conducted a hearing on the Joint Motion of United States and State of New Mexico to Dismiss, cm/ecf no. 50, and the Joint Motion of the State of Texas, State of New Mexico, and State of Colorado to Enter Compact Decree, cm/ecf no. 52, both of which relate to the settlement of this water dispute. During that hearing, Attorney Somach acknowledged that the stipulation, memorializing that “both Texas and New Mexico have . . . waived damages,” had yet to be filed. CM/ecf no. 58, at 52.

Upon consideration of the above, it is hereby DIRECTED that the State of Texas and the State of New Mexico shall file the Stipulation waiving their claims for money damages against one another on or before Monday November 17, 2025.

By order dated this 27th day of October, 2025:

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

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