

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: _____

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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By: /s/ Chad M. Wallace

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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 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 Master	1.00 hrs. - Meeting w/ lawyers for compacting states, communication w/ Special
08/08 amici	5.00 hrs. - Meeting w/ lawyers and representatives of compacting states, U.S. &
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