

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.



**On Motion Of The Nathan Boyd Estate Et Al.
For Leave To Intervene As Plaintiffs**



STATE OF COLORADO'S BRIEF IN RESPONSE



PHILIP J. WEISER
Attorney General of Colorado
ERIC R. OLSON
Solicitor General
KAREN M. KWON
First Assistant Attorney General
CHAD M. WALLACE*
Senior Assistant Attorney General

COLORADO DEPARTMENT OF LAW
1300 Broadway
Denver, CO 80203
Telephone: 720-508-6281
Email: chad.wallace@coag.gov
**Counsel of Record*

The State of Colorado opposes the motion for leave to intervene as plaintiff filed by the Nathan Boyd Estate and James Boyd, Oscar V. Butler, Rose Marie Arispe Butler, Margie Garcia, Sammie Singh, and Sammie Holguin Singh, Jr.

This matter is an original action brought by Texas against New Mexico alleging interference with the Río Grande Compact, ch. 155, 53 Stat. 785 (1939); Colo. Rev. Stat. §37-66-101 (“Compact”). The Compact apportions the waters of the Río Grande above Fort Quitman, Texas among Colorado, New Mexico, and Texas. *Id.* The Court permitted the United States to bring a claim under the Compact to protect its distinctively federal interests. *Texas v. New Mexico*, 138 S. Ct. 954 (2018). The Nathan Boyd Estate and other movants have shown no separate interest in the apportionment made by the Compact among the States or other compelling interest to justify their intervention in this action. *New Jersey v. New York*, 345 U.S. 369, 373 (1953). Therefore, the Court should deny the motion to intervene.

Respectfully submitted,

PHILIP J. WEISER
Attorney General of Colorado
ERIC R. OLSON
Solicitor General
KAREN M. KWON
First Assistant Attorney General
CHAD M. WALLACE*
Senior Assistant Attorney General
**Counsel of Record*

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