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April 23, 2019

Clerk's Office
Supreme Court of the United States
1 First Street N.E.
Washington, D.C. 20543

Re: *Texas v. New Mexico and Colorado*, NO. 141 original
Motion to Extend Time to File a Reply to Responses to Motion to Intervene

Dear Sir or Madam Clerk:

Responses to our Motion for Leave to Intervene in the above case were filed by Texas on April 18, 2019 and by the States of New Mexico and Colorado on April 19, 2019. The United States filed its Motion to extend the time for it to respond on April 19, 2019 and its Motion was granted on April 19, 2019 and the time for the U.S. to file its Response was extended to include May 20, 2019.

Pursuant to the Rules of the Supreme Court of the United States, specifically Rule 17.5, the Pre-federal Claimants seek leave to file a Reply to each Response filed in opposition to their Motion for Leave to Intervene. Pursuant to Rule 21.4 of the Rules of the Supreme Court of the United States, Responses to Motions are due within ten (10) days. Pursuant to Rule 30.4 of the Rules of the Supreme Court of the United States the Pre-federal Claimants request an extension of time to file their Replies to the Responses filed by the States of New Mexico, Colorado and Texas and to the yet to be filed Response by the United States on or before June 10, 2019, being Monday following the 20th day after the deadline granted to the U.S.

As grounds therefore, the Pre-federal Claimants state two reasons.

Counsel for the Pre-federal Claimants has a previously planned trip out of State from April 25 through April 30, 2019 and will absent from his office until May 1, 2019.

The other reason is that the cost of printing and mailing pleadings in this case is financially burdensome to the Pre-federal Claimants and there would be a significant savings of printing cost and mailing costs by filing a Reply to each Response at one time rather than in four filings.

A twenty day extension from the filing date of the United States' Response will provide adequate time to compare each of the Responses and assess each of their arguments and formulate an adequate Reply to each Response.

There may need to be a slight revision of the Case Management schedule to provide sufficient time for the Court to consider Pre-federal Claimants' Motion for Leave to Intervene and if granted for the other parties to amend their Statement of Issues, if necessary. Such amendment is reasonable as the Pre-federal Claimants claim a project claim prior to that claimed by the United States and have rights that the State of New Mexico refuses to protect or include in the New Mexico Adjudication, thus identifying the Pre-federal Claimants as a unique class of claimants.

Undersigned counsel for the Pre-federal Claimants sent a copy of this request for extension to all the other parties in this Case on April 22, 2019 but no responses to this letter have been received.

Respectfully submitted this 23rd day of April, 2019.

/s/ Robert S. Simon
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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.

◆

THE PRE-FEDERAL CLAIMANTS' CERTIFICATE OF SERVICE
◆

This is to certify that I am a member of the Bar of the Supreme Court of the United States and on the 23rd of April, 2019, I caused to be served by e mail one copy of the Pre-federal Claimants **Motion to Extend Time to File Replies to Responses to its Motion to Intervene** upon each counsel of record and interested parties on the Service List, attached hereto. On the 23rd day of April, 2019, I also caused an electronic copy of the Pre-federal Claimants **Motion to Extend Time to File Replies to Responses to its Motion to Intervene** to be submitted to the electronic filing system at the Supreme Court of the United States in compliance with Rule 29.7 of the Rules of the Supreme Court of the United States and to the Eight U.S. Circuit Court of Appeals.

Respectfully submitted this 23rd day of April, 2019.

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