

# SUPREME COURT OF THE UNITED STATES

---

IN THE SUPREME COURT OF THE UNITED STATES

-----  
TEXAS, )  
 )  
 ) Plaintiff, )  
 )  
 ) v. ) No. 141, Orig.  
 )  
NEW MEXICO AND COLORADO, )  
 )  
 ) Defendants. )  
-----

Pages: 1 through 66

Place: Washington, D.C.

Date: January 8, 2018

---

## HERITAGE REPORTING CORPORATION

*Official Reporters*  
1220 L Street, N.W., Suite 206  
Washington, D.C. 20005  
(202) 628-4888  
[www.hrccourtreporters.com](http://www.hrccourtreporters.com)



|    |                                       |       |
|----|---------------------------------------|-------|
| 1  | C O N T E N T S                       |       |
| 2  | ORAL ARGUMENT OF:                     | PAGE: |
| 3  | ANN O'CONNELL                         |       |
| 4  | On behalf of the United States        | 3     |
| 5  | ORAL ARGUMENT OF:                     |       |
| 6  | SCOTT A. KELLER                       |       |
| 7  | On behalf of the Plaintiff            | 21    |
| 8  | ORAL ARGUMENT OF:                     |       |
| 9  | FREDERICK R. YARGER                   |       |
| 10 | On behalf of the Defendant Colorado   | 32    |
| 11 | ORAL ARGUMENT OF:                     |       |
| 12 | MARCUS J. RAEL, JR.                   |       |
| 13 | On behalf of the Defendant New Mexico | 51    |
| 14 | REBUTTAL ARGUMENT OF:                 |       |
| 15 | ANN O'CONNELL                         |       |
| 16 | On behalf of the United States        | 62    |
| 17 |                                       |       |
| 18 |                                       |       |
| 19 |                                       |       |
| 20 |                                       |       |
| 21 |                                       |       |
| 22 |                                       |       |
| 23 |                                       |       |
| 24 |                                       |       |
| 25 |                                       |       |

1 P R O C E E D I N G S

2 (10:06 a.m.)

3 CHIEF JUSTICE ROBERTS: We'll hear  
4 argument first this morning in case -- the  
5 original case Number 141, Texas versus New  
6 Mexico and Colorado.

7 Ms. O'Connell.

8 ORAL ARGUMENT OF ANN O'CONNELL  
9 ON BEHALF OF THE UNITED STATES

10 MS. O'CONNELL: Mr. Chief Justice, and  
11 may it please the Court:

12 The Rio Grande Compact is an unusual  
13 interstate compact in that it does not require  
14 New Mexico to deliver water to the Texas state  
15 line. Instead, when the compact was adopted in  
16 1939, it incorporated and relied upon an  
17 existing Bureau of Reclamation project as part  
18 of the equitable apportionment framework.

19 Because reclamation controls releases  
20 from the project for delivery to contract  
21 holders below the reservoir and in Mexico, the  
22 State of New Mexico asserted that this case  
23 could not go forward without the United States'  
24 participation as a party to be bound by this  
25 Court's decree.

1           To permit a full resolution of the  
2           dispute, the United States intervened as a  
3           plaintiff, filed a complaint that presented the  
4           federal government's interests that are at  
5           stake in this dispute, and explained how  
6           injunctive relief against New Mexico could be  
7           shaped to protect those interests.

8           In its complaint, the United States  
9           did not distinguish between claims brought  
10          pursuant to the compact and claims brought  
11          pursuant to other laws. That distinction is at  
12          issue because the Master, in his  
13          recommendation, distinguished between such  
14          claims.

15                 JUSTICE SOTOMAYOR: I'd -- I'd like to  
16                 know what they are. So could you identify them  
17                 first and then tell me how any interests have  
18                 not been addressed in the New Mexico state  
19                 action? I know that's not an issue in this  
20                 discrete question before us, but I still don't  
21                 quite understand why you need this claim.  
22                 What's different -- what's different from that  
23                 New Mexico claim?

24                 MS. O'CONNELL: You're asking about  
25                 the difference between a compact claim and a

1 claim brought under reclamation law, for  
2 example?

3 JUSTICE SOTOMAYOR: The treaty or  
4 reclamation?

5 MS. O'CONNELL: I think the -- the  
6 problem we're trying to avoid here is that when  
7 the United States sues somebody for a violation  
8 of reclamation law, taking water from a  
9 reclamation project without a contract or  
10 acting in a way that undermines the United  
11 States' ability to comply with a treaty, it's  
12 typically suing the individual water users that  
13 are violating those laws or interfering with  
14 that obligation of the United States to deliver  
15 water under a treaty.

16 What we're trying to avoid here is a  
17 future motion to dismiss filed by New Mexico,  
18 which -- which indicates or insinuates on page  
19 14 of its reply brief that actions brought  
20 under reclamation law or under the treaty  
21 should be filed against individual water users.  
22 We think we can file these claims against New  
23 Mexico because of the compact. We can file  
24 them against the State of New Mexico because  
25 New Mexico has agreed in the compact to protect

1 the project and to protect water that's  
2 released from the project to meet its --

3 JUSTICE GINSBURG: Well, did you or  
4 did you not file a claim under the -- under  
5 reclamation law? The Special Master said he  
6 recognized a claim under that law, but did you  
7 make any claim under that law or were you  
8 staking your claim on your compact -- compact  
9 claim?

10 MS. O'CONNELL: Our complaint doesn't  
11 distinguish between claims brought under the  
12 compact and claims brought under reclamation  
13 law.

14 What -- what our complaint does, as  
15 we've done in other cases where we've  
16 intervened as a plaintiff, is set forth what  
17 the United States' interests are and then tell  
18 the Court how we think it can shape injunctive  
19 relief against New Mexico to protect those  
20 interests. So --

21 JUSTICE GINSBURG: Well, could you --  
22 can you explain at the outset, you're not  
23 claiming that every -- every time there's a  
24 compact approved by Congress, you would have a  
25 right to come into court as a party, right?

1 MS. O'CONNELL: That's correct.

2 We're --

3 JUSTICE GINSBURG: And so what's the  
4 dividing line between when you can come in as a  
5 party under a compact and when, despite a com  
6 -- compact, you can't come in?

7 MS. O'CONNELL: Where -- where the  
8 compact protects specific federal interests  
9 that are at stake in the dispute that's been  
10 filed in this Court, then we believe the United  
11 States can -- can intervene as a plaintiff and  
12 bring claims against New Mexico that are based  
13 on that compact.

14 JUSTICE SOTOMAYOR: Well, what's the  
15 federal interest that was in the compact? The  
16 compact does not make any reference to your  
17 treaty obligations or to how you meet those.

18 It doesn't appear to make any  
19 reference to any of the federal interests that  
20 you've been identifying. So do that for me.

21 MS. O'CONNELL: Okay. I --

22 JUSTICE SOTOMAYOR: Make the  
23 connection.

24 MS. O'CONNELL: I think it -- it very  
25 clearly does refer to our treaty obligations in

1 a way that protects them. This is -- in the  
2 compact, it's page A-3 of the appendix to the  
3 Master's report.

4 We're looking here at the -- the  
5 definitions of project storage and of usable  
6 water. So that's Article I(k) and l) of the  
7 compact. Article IV defines New Mexico's  
8 obligation to deliver water into Elephant Butte  
9 Reservoir, into the project.

10 Article I(k) defines project storage  
11 as the combined capacity of Elephant Butte  
12 Reservoir and the reservoirs below it. Those  
13 are all projects operated by reclamation.

14 In Article I(l), the definition of  
15 usable water says that all -- the usable water  
16 is all water exclusive of credit water which is  
17 in project storage and which is available for  
18 release in accordance with irrigation demands,  
19 including deliveries to Mexico.

20 Those -- those deliveries that Article  
21 I(l) refers to, what -- what the usable water  
22 that's delivered into the project is to be used  
23 for, are releases that the Bureau of  
24 Reclamation makes because it operates the  
25 project, it has contracts with irrigation

1 districts below the -- the project, and it has  
2 a treaty with Mexico saying how much -- how  
3 much water they are entitled to get.

4 JUSTICE SOTOMAYOR: What error in the  
5 format --

6 CHIEF JUSTICE ROBERTS: What -- what  
7 -- what difference does it make -- I mean, if  
8 -- if you are not entitled to raise this claim  
9 as a party, certainly you can participate as an  
10 amicus and make whatever arguments you want  
11 about how the compact should be properly  
12 construed, right?

13 MS. O'CONNELL: That's correct.

14 CHIEF JUSTICE ROBERTS: So what  
15 difference does it make to you which way we  
16 rule on the question whether or not you're  
17 entitled to raise these claims yourself?

18 MS. O'CONNELL: I think a couple of  
19 reasons. First of all, we -- we've intervened  
20 in this case because New Mexico asserted that  
21 the United States is a required party.

22 And the United States operates this  
23 reservoir that the Court will -- will be  
24 deciding what is Texas's compact apportionment,  
25 what is New Mex -- New Mexico's compact

1 appportionment under the reservoir. And as New  
2 Mexico explained in -- in its -- its brief  
3 opposing Texas's motion for leave to even file  
4 this complaint in the first place, you need the  
5 United States to be bound by that decree  
6 because we are the entity that releases that  
7 water.

8           Additionally, we have interests that  
9 are at stake in delivering water to Mexico  
10 pursuant to a treaty that makes sense, where --  
11 where we would like to be a party presenting  
12 the federal interests, rather than being an  
13 amicus.

14           CHIEF JUSTICE ROBERTS: This is a  
15 pretty basic question I suppose I should know,  
16 but can you compromise state rights in the  
17 negotiation and determination of a treaty?  
18 Could you negotiate a treaty with Mexico that  
19 says we're going to give you this many  
20 acre-feet of water that is already appropriated  
21 somewhere else? And then that treaty  
22 obligation trumps whatever the prior  
23 allocations are?

24           MS. O'CONNELL: I'm not totally sure.  
25 I -- I think probably yes. In this case, it

1 doesn't matter because the treaty preexisted  
2 the compact. The treaty was enacted in 1906.  
3 The compact was enacted in -- in 1939. And so  
4 that treaty obligation predates the compact.

5 JUSTICE KENNEDY: Well, usually the  
6 latter in time prevails because Congress can  
7 pass a statute after a treaty. It's not --

8 MS. O'CONNELL: Well --

9 JUSTICE KENNEDY: -- this is not a  
10 completely clear area of the law, but there --  
11 there is a general working rule applied in some  
12 of the cases that the later-in-time controls,  
13 if there's a conflict between a treaty and a  
14 later federal statute.

15 MS. O'CONNELL: And -- and we don't  
16 think there's any kind of a conflict here. In  
17 fact, Article XVI of the treaty specifically  
18 disclaims any intent to affect the United  
19 States' treaty obligation to Mexico.

20 So we think that article should be  
21 read to mean that we're still going with 60,000  
22 acre feet, we're still going with the terms of  
23 the treaty obligation which Congress, as you  
24 say, Justice Kennedy, could change as a matter  
25 of domestic law.

1           But here the parties agreed in the  
2 compact that they would protect releases from  
3 the project, that that water delivered into the  
4 project becomes usable water that reclamation  
5 releases in accordance with irrigation demands  
6 and to satisfy its treaty obligation to Mexico.

7           JUSTICE KAGAN: Ms. O'Connell --

8           CHIEF JUSTICE ROBERTS: I don't  
9 understand what -- what you mean when you say  
10 that if you're not a party, you're not going to  
11 be bound by the decree.

12           I mean, if we determine that New  
13 Mexico is free to take additional water,  
14 whatever it is under the -- under -- between  
15 the end of the reservoir and -- and -- and the  
16 borderline, what does it mean to say you're not  
17 bound by that?

18           MS. O'CONNELL: Well, I think that's  
19 -- it's sort of the flip side of the argument  
20 that we're a required party. You -- you need  
21 the United States to implement that decree, and  
22 surely, I mean, if -- I don't know that if the  
23 Court said here is what Texas's compact  
24 apportionment is and here is what New Mexico's  
25 is, that the United States would sit back and

1 say: Well, our contracts still say a different  
2 amount, so we're going to go with a different  
3 amount, but I think that's what makes us a  
4 required party. That's why New Mexico is  
5 asserting that you need us here and that's why  
6 we're here trying to be helpful and -- and  
7 asserting in our complaint what the federal  
8 interests are that we are seeking to protect.

9 So since -- since the United States  
10 needs to be bound by that decree in order for  
11 -- in order for there to be complete relief  
12 against -- between the parties, we are here.  
13 We are -- we are willing to be bound by that  
14 decree. And all that we're asking is that we  
15 be permitted to proceed --

16 JUSTICE KAGAN: Would I be right,  
17 though, that -- that your argument would also  
18 allow you to have initiated the suit in the  
19 first place? In other words, even if there  
20 hadn't been a suit between the states, that you  
21 could have said: New Mexico is -- is taking  
22 too much water and is preventing us from  
23 meeting our obligations and -- and that you  
24 could have initiated a suit under the compact?

25 MS. O'CONNELL: Yes. We -- we do make

1 an argument at the end of our brief in  
2 opposition to New Mexico's motion to dismiss  
3 that, even if Texas's complaint were dismissed  
4 here, the United States' claims against New  
5 Mexico could go forward.

6 I don't think the Court needs to reach  
7 that, because Texas's complaint is going  
8 forward. This Court has denied New Mexico's  
9 motion to dismiss. But that --

10 JUSTICE KAGAN: Well, what's the  
11 difference? How could we say, yes, you have  
12 the rights to intervene, even though you don't  
13 have the rights to bring your own suit  
14 initially?

15 MS. O'CONNELL: The Court's standard  
16 for intervention is that intervention of the  
17 United States is appropriate where there is  
18 distinctive federal interests at stake that are  
19 best presented by the United States.

20 So, I mean, I guess the Court could  
21 say, you know, we don't have any claims, but we  
22 could be a defendant, something like that. We  
23 -- we need to be here in the case in order to  
24 -- to be able to present evidence and to be  
25 able to be bound by this decree.

1                   But our argument that we --

2                   JUSTICE GORSUCH: Ms. O'Connell, one  
3 of the federal interests you've asserted is the  
4 treaty with Mexico. And I'm curious how it  
5 interacts with this Court's decision in  
6 Medellin, where this Court distinguished  
7 between self-executing treaties and treaties  
8 that aren't self-executing.

9                   Is the treaty here self-executing?  
10 And if it's not, then how is it a federal  
11 interest to seek a binding enforceable judgment  
12 on the basis in domestic law of a treaty that  
13 isn't enforceable under domestic law?

14                   MS. O'CONNELL: I am not sure. I have  
15 not -- the State Department was not included in  
16 our, you know, our -- our corroboration in this  
17 case, so I don't -- I actually don't know the  
18 answer to whether it's a self-executing treaty.

19                   It was enacted in the public laws --

20                   JUSTICE GINSBURG: It has been  
21 executed for how many years?

22                   MS. O'CONNELL: It's been in existence  
23 since 1906. And the United States makes  
24 deliveries pursuant to -- in its -- in the  
25 Bureau of Reclamation's 2008 operating

1 agreement with the irrigation districts, it  
2 calculates what the portions are that are given  
3 to each of the states.

4 JUSTICE SOTOMAYOR: I'm sorry, you  
5 said it was a public law. Why don't you follow  
6 that up.

7 MS. O'CONNELL: I mean, it was enacted  
8 in -- in the -- the statutes at large. It's --  
9 you know, it is -- it is part of U.S. law.

10 JUSTICE BREYER: It is enacted, unlike  
11 some treaties, it's enacted as a statute?

12 MS. O'CONNELL: That's correct.

13 JUSTICE BREYER: Well, that's the end  
14 of that, isn't it?

15 MS. O'CONNELL: Okay. So it's -- it's  
16 been enacted.

17 JUSTICE GORSUCH: Is it -- do we know  
18 that that's the end of that? I mean, it sounds  
19 like you haven't studied the question of  
20 whether it's self-executing or not.

21 Does the government have a position on  
22 that?

23 MS. O'CONNELL: I don't.

24 JUSTICE GORSUCH: Okay.

25 MS. O'CONNELL: I don't.

1 JUSTICE GORSUCH: All right.

2 MS. O'CONNELL: Justice Kagan, to get  
3 back to your question, the reason why we think  
4 that we can bring a claim to enforce this  
5 compact against New Mexico is based on this  
6 Court's line of cases, that we've cited a few  
7 in our briefs, Sanitary District of Chicago  
8 versus United States, and a Fourth Circuit  
9 case, the County of Arlington versus United  
10 States, where this Court and the Fourth Circuit  
11 in that case have held that the United States  
12 can bring suits for injunctive relief to  
13 protect federal interests that are at stake in  
14 a dispute.

15 In Sanitary District of Chicago, the  
16 United States sued an Illinois corporation that  
17 was using too much water, water in excess of  
18 its permit allocation. And the United States  
19 brought a suit directly against the  
20 corporation.

21 This Court said there's no statutory  
22 cause of action that's required. The United  
23 States can just bring that claim for injunctive  
24 relief to protect.

25 JUSTICE KAGAN: And if I could return

1 -- I'm sorry -- to Justice Sotomayor's question  
2 to make sure I understood the answer to it.

3 I know you're afraid that if this goes  
4 forward under reclamation law, you might be  
5 subject to this motion to dismiss on the ground  
6 that you can't sue a state under that law.

7 But putting that aside, is the content  
8 of the two suits, if you had brought the -- the  
9 suit under reclamation law, and if you had  
10 brought the suit under the compact, is the  
11 content of the suits different or the same?

12 MS. O'CONNELL: I think it's -- it's  
13 the same, because -- and that's part of the  
14 reason why we are filing an exception here to  
15 the Master's recommendation that our complaint  
16 has to be dismissed to the extent it states a  
17 compact claim, is that the reason we think New  
18 Mexico is bound by these obligations to protect  
19 the project and to have its water users not  
20 violate reclamation law or undermine the treaty  
21 is because New Mexico has signed onto the  
22 compact agreeing to protect the project.

23 CHIEF JUSTICE ROBERTS: Your -- your  
24 -- your argument really is like an implied  
25 right of action argument, isn't it? I mean,

1 the compact doesn't give you any rights and yet  
2 you say because it affects your interests, you  
3 have a right to sue.

4 And you make the third-party  
5 beneficiary argument, which is an argument  
6 that's often made to support an implied right  
7 of action. But you have to approve a compact,  
8 you, the Federal Government, before it goes  
9 into effect.

10 Couldn't you have protected your  
11 interests at that time?

12 MS. O'CONNELL: Well, our --

13 CHIEF JUSTICE ROBERTS: By saying  
14 we're not going to approve -- we're not going  
15 to approve it unless we have the right to  
16 bring, you know, claims to enforce it? And you  
17 could imagine a group of states or two states  
18 saying: All right, I'm happy to agree with  
19 this, but we don't want the United States  
20 coming in and -- and, you know, mucking  
21 everything up.

22 And so long as you're okay with that,  
23 and -- and -- and, you know, you give your  
24 consent, I don't know why you should be allowed  
25 to litigate as a party.

1 MS. O'CONNELL: I'm -- I'm not aware  
2 of any compacts where the United States has  
3 preserved that right for itself to intervene  
4 and bring suits to bring people into compliance  
5 with a compact.

6 I think here, I wouldn't necessarily  
7 think of it so much as a compact claim but a  
8 suit for equitable relief where the relief  
9 we're asking for is that New Mexico be required  
10 to comply with its compact obligations.

11 That's where this -- the implied right  
12 of action is coming, just from this Court's  
13 cases like Sanitary District, In re Debs, the  
14 San Jacinto Tin Company, it's more of just an  
15 equitable action.

16 And because this Court is -- is acting  
17 in equity when it's interpreting interstate  
18 compacts, the relief that we're seeking is that  
19 New Mexico be brought into compliance with its  
20 compact obligations.

21 If I could, I'd like to reserve my  
22 time for rebuttal.

23 CHIEF JUSTICE ROBERTS: Thank you,  
24 counsel.

25 General Keller.

1                   ORAL ARGUMENT OF SCOTT A. KELLER,  
2                   SOLICITOR GENERAL OF TEXAS,  
3                   ON BEHALF OF THE PLAINTIFF

4                   GENERAL KELLER: Thank you, Mr. Chief  
5 Justice, and may it please the Court:

6                   The U.S. can raise its own compact  
7 claims because the compact creates a statutory  
8 duty for the U.S. to distribute water to Texas.  
9 This statutory duty arises from three key  
10 facts.

11                   First, the U.S. owns and operates the  
12 Rio Grande Project. Second, that project is a  
13 necessary predicate for the compact's equitable  
14 apportionment, to quote Nebraska versus  
15 Wyoming. And, third, that project is the sole  
16 means to actually distribute the equitable  
17 apportionment to Texas.

18                   And so, to put it succinctly and quote  
19 the Special Master, the signatory states  
20 intended to use the project as the vehicle to  
21 guarantee delivery of Texas's equitable  
22 apportionment. The U.S. can, therefore, sue  
23 New Mexico if New Mexico's actions are  
24 preventing the U.S. from fulfilling this  
25 statutory duty to distribute Texas's equitable

1 appportionment.

2 JUSTICE KENNEDY: Could the United  
3 States file, General Keller, an action in the  
4 district court in the absence of a dispute  
5 between Texas and New Mexico, and the suit  
6 would say there's a violation of -- of the  
7 compact even though there's no dispute between  
8 the states?

9 GENERAL KELLER: Yes, because of the  
10 nature of this unique compact. Because the  
11 water that New Mexico delivers to the federal  
12 government is in the middle of New Mexico  
13 instead of at the state line, the United States  
14 then as a carrier or a distributor has a duty  
15 to ensure that there's an equitable  
16 appportionment. And so this goes to the heart  
17 of the Special Master's correct conclusion that  
18 when New Mexico deposits water at Elephant  
19 Butte Reservoir, they must relinquish control.

20 Now, when New Mexico is relinquishing  
21 control, they're relinquishing control to the  
22 Federal Government. There'd be no other way  
23 for this compact to work. And that's precisely  
24 why the compact itself refers directly or  
25 indirectly over 50 times to the project. And

1 that is the federal project operated by the  
2 Bureau of Reclamation.

3 And so, Justice Kennedy, the United  
4 States could sue New Mexico to enforce its  
5 ability to ensure that Texas receives its  
6 equitable apportionment, just like the compact  
7 does provide for the usable water definition  
8 and the irrigation demands including what is  
9 also being delivered to Mexico. And it is the  
10 long-standing practice of the parties -- and  
11 this is in the Master's report at page 209 --  
12 that there's a -- generally 60,000 acre-feet of  
13 water being delivered to New Mexico. And  
14 that's coming off the top before we get into  
15 the parties' accepted 57 to 43 percent split  
16 between the water.

17 But all those issues about how exactly  
18 and what quantities of water will actually  
19 occur, of course, will be litigated in due  
20 course. But for now, the issue before the  
21 Court is fairly narrow. It's under this  
22 particular compact, when the water is being  
23 delivered in the middle of another state and  
24 yet a downstream state has an equitable  
25 apportionment, can the United States bring its

1 own claims as a carrier and distributor of the  
2 water? And it can.

3 JUSTICE SOTOMAYOR: Could you tell  
4 me --

5 JUSTICE KENNEDY: Excuse me. Is that  
6 different from saying they can -- that they're  
7 bringing an action under the terms of the  
8 compact?

9 GENERAL KELLER: No, that would be a  
10 --

11 JUSTICE KENNEDY: Or is that the same  
12 -- is that just another way of saying the same  
13 thing?

14 GENERAL KELLER: I believe it is  
15 another way of saying the same thing. Their  
16 claims arise under the compact itself because  
17 the compact is doing an interstate equitable  
18 apportionment between New Mexico, Colorado, and  
19 Texas.

20 Now, my friends on the other side have  
21 spoken often about treaty claims and  
22 reclamation law claims that would invoke state  
23 law. But the central focus of this lawsuit  
24 that Texas has raised here is about the compact  
25 and the interstate equitable apportionment as

1       opposed to any intra-state allotment.

2                   And so the Reclamation Act claims that  
3       the Special Master said could go forward that  
4       the United States has raised, those may not  
5       necessarily be claims against another state as  
6       a sovereign, and so there would be potential  
7       confusion if the United States' claims were not  
8       compact claims in an original action between  
9       sovereigns but, rather, instead were somehow  
10      reclamation law claims that were invoking state  
11      law against particular water users.

12                   And so I think for judicial economy,  
13      the proper way for this lawsuit to go forward  
14      is indeed to allow the United States and Texas  
15      to bring compact interstate equitable  
16      apportionment claims. And if those are  
17      resolved --

18                   JUSTICE SOTOMAYOR: Now I understand.  
19      You are actually taking the position that the  
20      federal government can't sue another state for  
21      reclamation claims. They would have to sue the  
22      farmers who are diverting the water.

23                   GENERAL KELLER: That -- that is --  
24      that is probably correct because there would  
25      not necessarily be a -- a state law basis under

1 the Reclamation Act to -- to invoke a lawsuit  
2 against a sovereign state.

3 JUSTICE SOTOMAYOR: So unless the  
4 government can claim that New Mexico has an  
5 obligation and it can, therefore, sue under the  
6 compact, that's why -- now I understand.

7 GENERAL KELLER: And -- and not only  
8 that but also under Hinderlider and that line  
9 of cases, when there are these disputes between  
10 states, it is going to be New Mexico's duty to  
11 prevent diversions of water. So even if there  
12 were particular water users, under this  
13 compact, New Mexico cannot allow diversions  
14 that would interfere with Texas's equitable  
15 apportionment, which is exactly what we're  
16 pleading.

17 JUSTICE SOTOMAYOR: Your brief says  
18 let the U.S. intervene but not beyond  
19 addressing any legal matter beyond the compact  
20 claims. I wasn't quite sure what you  
21 envisioned they might try to do and -- and why  
22 we would at this early stage opine on that  
23 issue.

24 GENERAL KELLER: No, and --

25 JUSTICE SOTOMAYOR: Seems like an

1 advisory opinion to the Special Master.

2 GENERAL KELLER: Well, you would not  
3 necessarily have to opine on precisely how the  
4 litigation will go forward; however, the -- the  
5 crux of this lawsuit is an interstate equitable  
6 apportionment compact claim. And I believe,  
7 Justice Sotomayor, that's precisely why the  
8 United States is here wanting to raise those  
9 compact claims.

10 But for purposes of how that would  
11 operate, knowing whether the suit would be  
12 against a sovereign state or knowing if it  
13 would be against individual water users, that  
14 would certainly affect the interests involved  
15 in how the case would proceed.

16 CHIEF JUSTICE ROBERTS: Why is that?  
17 I -- I mean, is this really just a question of  
18 timing? I mean, they're saying the United  
19 States can't raise these claims because of our  
20 view about how the compact applies. But, I  
21 mean, is there any reason not to go forward  
22 with the -- the litigation or at the end, if --  
23 if the Master thinks they don't have a claim  
24 under the Compact Clause, then they can say  
25 that at that time?

1           But -- but at this point, we now have  
2           to make determinations that I'm concerned about  
3           the impact on other compacts and -- and what's  
4           involved besides simply the timing.

5           GENERAL KELLER:   And, Mr. Chief  
6           Justice, from our perspective, the practical  
7           difference is going to be minimal.   The State  
8           of Texas will continue to bring its compact  
9           claims, and the equitable apportionment is at  
10          the center of that dispute.

11          At the same time, the Court can rule  
12          that the United States can bring its own  
13          compact claims here because of the unique  
14          nature of this compact, given that the delivery  
15          of water occurs in the middle of New Mexico,  
16          and then the United States is the distributor  
17          and carrier, to use the language of the 1945  
18          Nebraska versus Wyoming decision, to ensure  
19          that that -- that Texas's equitable apportioned  
20          water, while it is being relinquished control  
21          in the middle of New Mexico instead of the  
22          state line, does reach Texas and indeed to New  
23          Mexico.

24          JUSTICE KAGAN:   I think I should have  
25          asked Ms. O'Connell this, but do you view the

1 United States' interests as diverging from  
2 Texas's interests in any way?

3 GENERAL KELLER: We -- yes, we will  
4 have some disputes, and this will come up later  
5 in the litigation, over precisely how the  
6 equitable apportionment should be calculated,  
7 but for purposes of the question presented to  
8 this Court today, we do not diverge and we  
9 believe the United States should be able to  
10 raise its own compact claims.

11 JUSTICE KAGAN: No, but I meant as the  
12 litigation proceeds, would there be a  
13 difference if only you were in the lawsuit  
14 as -- you know, and with presumably the United  
15 States as an amicus versus having the United  
16 States in as a party?

17 GENERAL KELLER: Well, potentially,  
18 Justice Kagan, just based on the -- the  
19 arguments that would be raised as to whether  
20 the equitable apportionment was actually being  
21 fulfilled. But as far as the -- the main  
22 thrust of the argument, the United States  
23 agrees with Texas that New Mexico is allowing  
24 diversions of water and therefore interfering  
25 with the equitable apportioned water to Texas.

1 We're agreeing on that.

2 JUSTICE SOTOMAYOR: I'm not sure  
3 you're answering Justice Kagan. She's asked go  
4 to the end of the litigation. Where would the  
5 -- you and the U.S. differ?

6 GENERAL KELLER: Well, one issue --

7 JUSTICE SOTOMAYOR: What -- what  
8 issues? Are there issues in which there can be  
9 a difference?

10 GENERAL KELLER: Possibly. One issue,  
11 for instance, there was an -- a settlement  
12 agreement, an operating agreement, that the  
13 State of Texas never entered into and so it  
14 could not be bound by.

15 But the current practice is to use a  
16 regression analysis that was looking at dates  
17 from the 1950s to the 1970s to calculate return  
18 flows, which is going to affect the amount of  
19 water that is going to be part of the project  
20 lands, the usable water.

21 Now, our position is that it's the  
22 compact in -- in the time of 1938 when the  
23 compact was entered into that should control  
24 that analysis, rather than a regression  
25 analysis years later. That is one example of

1 an issue where the State of Texas and the  
2 United States are not exactly going to be  
3 raising the same arguments.

4 However, these are going to be  
5 arguments that will play out in the remainder  
6 of the litigation. But for purposes of the  
7 issue today, we agree that the United States  
8 can raise its own compact claims.

9 JUSTICE SOTOMAYOR: And I presume  
10 you'd be happier if those issues were settled  
11 in one litigation rather than to have to start  
12 an action against the United States?

13 GENERAL KELLER: Yes. And we believe  
14 that this lawsuit should continue forward and  
15 -- and the State of Texas be allowed to raise  
16 these compact claims and -- and settle this  
17 interstate equitable apportionment as soon as  
18 practicable.

19 If there are no further questions.

20 CHIEF JUSTICE ROBERTS: Thank you,  
21 General.

22 GENERAL KELLER: Thank you, Mr. Chief  
23 Justice.

24 CHIEF JUSTICE ROBERTS: General  
25 Yarger.

1                   ORAL ARGUMENT OF FREDERICK R. YARGER,  
2                   SOLICITOR GENERAL OF COLORADO,  
3                   ON BEHALF OF THE DEFENDANT COLORADO

4                   GENERAL YARGER: Thank you, Mr. Chief  
5 Justice, and may it please the Court:

6                   I'd like to begin, if I can, by  
7 discussing the United States' exception to the  
8 Special Master's report and turn later to  
9 Colorado's first exception. Regarding the  
10 United States' exception, what the United  
11 States is asking for here is both incorrect and  
12 unprecedented.

13                   Colorado is a party to nine interstate  
14 compacts. Many of them apportion water on  
15 rivers with significant federal projects.  
16 Several of those compacts express -- expressly  
17 mention those projects in the compacts' text.  
18 Yet in a century of Colorado negotiating,  
19 administering, and litigating compacts like  
20 those, including those, the United States has  
21 never asserted, and this Court has never  
22 recognized, the right of the United States to  
23 bring an independent action under a compact --

24                   JUSTICE GINSBURG: Well, if -- if the  
25 United States didn't assert it, then, of

1 course, there would be no reason for this Court  
2 to pass on it. But the fact that the United  
3 States didn't assert it in the past doesn't  
4 mean that it couldn't assert --

5 GENERAL YARGER: Well, it's -- it's  
6 true this Court has never foreclosed such a  
7 claim, but if you look back through cases,  
8 including Kansas versus Nebraska, which is  
9 perhaps the best, most recent example, that was  
10 a case between states that resulted in a  
11 settlement agreement among states. The United  
12 States wasn't a party to that settlement  
13 agreement.

14 In fact, if you read the settlement  
15 agreement, the United States is sort of  
16 relegated to amicus status in future disputes  
17 under that settlement agreement. If the United  
18 States has the authority to bring independent  
19 claims under a compact, how do the states have  
20 the ability to settle claims once and for all  
21 under a compact that the United States is not a  
22 party to?

23 JUSTICE GINSBURG: Did that -- did  
24 that case involve -- what seems to me special  
25 about this case is the prominence of the

1 federal facility.

2 GENERAL YARGER: And -- and I don't  
3 agree that the prominence of the federal  
4 facility in this compact is substantially less  
5 than the prominence of federal facilities on,  
6 for example, the Republican River. If you  
7 review the briefing of the United States in the  
8 Republican River case from 2015, they said,  
9 look, the groundwater pumping from New Mexico  
10 could impede this project to the point where  
11 people will start defaulting on contracts.

12 That's a pretty significant interest  
13 the United States asserted there. Very similar  
14 to the interests it's asserting here, and yet  
15 the United States was amicus in the Republican  
16 River case, not a party.

17 JUSTICE KENNEDY: But I'm not sure  
18 they're the same because, as the government  
19 pointed out in its argument, one, is it I(l)  
20 and I(k) make specific -- in the compact, make  
21 specific reference that this has to be  
22 available for release in accordance with  
23 irrigation demands, including deliveries to  
24 Mexico.

25 This is an international law

1 obligation on the United States that the United  
2 States would be remiss if -- if -- if it  
3 ignored.

4 GENERAL YARGER: Absolutely. And  
5 that's why we think it is perfectly appropriate  
6 for the United States to bring a treaty claim  
7 in this case.

8 But what the compact does not do is,  
9 within the context of the apportionment among  
10 the states, give the United States a right  
11 under this compact. In this compact, the  
12 preamble --

13 JUSTICE KENNEDY: Well, but we're used  
14 to reconciling laws that -- I'm sure the United  
15 States takes the position that the compact is  
16 consistent with, indeed furthers, its  
17 obligations under the compact.

18 GENERAL YARGER: The treaty does.

19 JUSTICE KENNEDY: Yes.

20 GENERAL YARGER: Well, I think it's a  
21 question of there are multiple layers of laws  
22 that are issued in interstate water cases,  
23 obviously.

24 You have state water rights. The  
25 United States must obtain those state water

1 rights to operate the project. That's as far  
2 back as the Reclamation Act of 1902 which  
3 preceded this compact. There's the treaty  
4 claim. There's reclamation issues.

5 The question that got Colorado's  
6 attention, what we're concerned about is -- is  
7 this very new argument in our mind of the  
8 United States being able to sue against  
9 signatory states for relief, and now they're  
10 even saying they can initiate litigation in  
11 district courts, perhaps this Court, when --  
12 when the states are perhaps negotiating a  
13 solution to a dispute.

14 JUSTICE SOTOMAYOR: I'm sorry. Isn't  
15 that Nebraska versus Wyoming? There the U.S.  
16 wasn't seeking an apportionment of rights. It  
17 was seeking a declaratory judgment. Basically  
18 like in this case, as an operator of the  
19 facility at issue.

20 Now, it was Wyoming who sued the  
21 United States, but it was -- they're pretty  
22 much mirrors of each other.

23 GENERAL YARGER: I -- I don't  
24 necessarily think they're mirrors of each  
25 other. I -- I do acknowledge there's some

1     ambiguity in the way those -- I think there are  
2     four or five separate opinions that the Special  
3     Master discusses and the briefing discusses.

4             A couple of points of difference.  
5     One, the United States was made a party to that  
6     equitable apportionment decree. I think that  
7     is significant. The United States is not a  
8     signatory to this compact.

9             So I don't think Nebraska on that  
10    issue is necessarily dispositive here. I also  
11    -- the Special Master found it very significant  
12    that the United States never sought affirmative  
13    relief. It never -- it sought defensive  
14    summary judgment relief in the '93 opinion, but  
15    I don't think it ever sought affirmative relief  
16    under that decree. And, in fact, it disclaimed  
17    that it had any obligations under that decree.

18            And in earlier decisions by this Court  
19    in that same ongoing dispute, the Court said:  
20    Look, federal reclamation water rights come  
21    from state law. The apportionment will  
22    encompass that state law.

23            And so it's sort of -- it's the tail  
24    wagging the dog to say that the United States  
25    by virtue of state water rights to operate a

1 project gets to sue a state outside the context  
2 of a ongoing equitable apportionment case at  
3 this point.

4 JUSTICE KAGAN: I take it --

5 JUSTICE BREYER: Now, it's not -- it's  
6 not surprising that in some cases the United  
7 States could be a party to such a suit. The  
8 Constitution says that no state shall, without  
9 the consent of Congress, enter into any  
10 compact. And, therefore, we need the consent  
11 of Congress.

12 Obviously, the founders who wrote this  
13 wouldn't want three or four or five or six  
14 states to enter into some compact that might  
15 wreck the Union.

16 So doesn't that suggest that they do  
17 have a right, the United States, to intervene,  
18 at least where there is a federal interest?  
19 And now here you have seen the federal interest  
20 listed, the third-party beneficiary interest,  
21 the interests that they have to deal with this  
22 water, the interests that they have in terms of  
23 the treaty of Mexico.

24 So it seemed to me quite simple. The  
25 Constitution foresees that they can intervene

1 where there's an interest. They have several  
2 interests. End of case, unless there is  
3 something that I don't see.

4 GENERAL YARGER: Well, I hope there's  
5 not because I disagree with -- with -- with  
6 that.

7 JUSTICE BREYER: There is something I  
8 don't see?

9 GENERAL YARGER: The United States  
10 absolutely has to approve a compact, but what  
11 it approves is the terms of that compact.

12 And the terms of this compact give  
13 substantive rights to Texas, and the  
14 commissioners who have voting rights, the  
15 United States does not have a voting right on  
16 this Commission, to demand releases of water  
17 to -- to carry out the equitable apportionment  
18 of the compact.

19 What I will say is I think there is a  
20 difference that the United States doesn't draw  
21 in its briefing between legislation carried out  
22 under the commerce clause or under the treaty  
23 power and choosing to go a different route,  
24 which is to say telling New Mexico and Colorado  
25 and Texas back in the early -- early '20s:

1 Negotiate this compact and decide the  
2 apportionment among yourselves, and that will  
3 be the way that we determine how this water is  
4 apportioned.

5 That's very different from the United  
6 States saying we will exercise our commerce  
7 power or treaty power to determine the  
8 equitable apportionment of this river and  
9 impose it on the states.

10 JUSTICE KAGAN: Well, I take it,  
11 General, I mean, you don't disagree, do you, or  
12 tell me if you do, that the United States has  
13 important interests here?

14 And, you know, part of those interests  
15 are international, having to do with the  
16 relationship with Mexico, but part of them are  
17 domestic because the United States is and was  
18 even prior to this compact in a set of  
19 contractual agreements that -- that give it  
20 duties with respect to this water.

21 So do you agree that the interests are  
22 pretty strong here?

23 GENERAL YARGER: Yes.

24 JUSTICE KAGAN: Okay. So how in your  
25 view does the United States protect those

1 interests?

2 GENERAL YARGER: Well, I think it --  
3 it -- two ways: First of all, with respect to  
4 the treaty interests, absolutely, we think that  
5 it's appropriate to include treaty claims in  
6 this case.

7 Second of all, with respect to all of  
8 those interests, which are identical to those  
9 that are at issue in cases like Kansas versus  
10 Nebraska, it does what it's always done, which  
11 is --

12 JUSTICE KAGAN: I don't know what that  
13 means. Do those mean the domestic issues?

14 GENERAL YARGER: Yes, the domestic  
15 issues which Congress has said for 130 years,  
16 project rights are state law water rights that  
17 are subsumed within an equitable apportionment  
18 that the states either negotiate or this Court  
19 sets. So it's no different from the many cases  
20 that the United States has participated in,  
21 either as amicus, which I think is a pretty  
22 strong indication that in past cases at least,  
23 the United States hasn't saw fit to try to  
24 establish the precedent of being able to take  
25 states in litigation when they're not in

1 litigation, and -- and it can assert those  
2 interests and make all the arguments that it  
3 needs to make.

4 And I think it gets back to the --

5 JUSTICE GORSUCH: But -- - but, Mr.  
6 Yarger, I'm still stuck on this. I understand  
7 your -- your carving out of the treaty  
8 interests, but the United States has  
9 preexisting contract obligations to two water  
10 districts to provide a certain amount of water.

11 And the resolution of this compact  
12 dispute could affect the United States' ability  
13 to fulfill its contractual obligations. I  
14 think you'd agree with that.

15 GENERAL YARGER: I -- I would agree  
16 with that.

17 JUSTICE GORSUCH: Then why isn't --  
18 why isn't that significant federal interest  
19 right there?

20 GENERAL YARGER: It's -- it's not that  
21 it's not a significant federal interest. It's  
22 a question of what is the substantive right the  
23 United States is asserting here. And it's just  
24 like Hinderlider.

25 The United States' rights to this

1 water arise under New Mexico law, in fact New  
2 Mexico territorial law back in '06 and '08. To  
3 the extent the equitable apportionment of the  
4 compact affects those rights, that was  
5 consistent with the scheme that Congress put in  
6 place when it said, U.S., go to state court and  
7 get water rights.

8 That's how we will affect these  
9 projects.

10 JUSTICE SOTOMAYOR: I'm sorry, let's  
11 take a situation in which the contract is  
12 clear. All right? Forget about surface water.  
13 You have to deliver X cubic feet of water every  
14 year. And the compact is just like this one.  
15 It authorizes the United States to -- or  
16 there's a federal law that authorizes the  
17 United States to distribute that water in a  
18 certain way.

19 Now you breach. It's your position  
20 that the government couldn't come in and say to  
21 you: Deliver the water because I have a  
22 federal interest in ensuring that the contracts  
23 that I signed, dependent on your clear  
24 contractual obligation, doesn't give me a right  
25 either to sue you or to bring a claim under

1 that contract --

2 GENERAL YARGER: Well, we're --

3 JUSTICE SOTOMAYOR: -- and obligated  
4 you to do something to the -- for -- to the --  
5 for the United States?

6 GENERAL YARGER: Justice Sotomayor,  
7 we're not taking a position on any other type  
8 of claim the United States may or may not have  
9 under other substantive bodies of law,  
10 including state law, treaties, and reclamation  
11 law.

12 All we're saying is that this, as  
13 Texas said I think several times during  
14 argument, at the heart of this case is an  
15 apportionment between the states.

16 JUSTICE KAGAN: But think about this.  
17 This goes back -- Justice Breyer said, look,  
18 Congress approved this compact. Now, it did so  
19 against a backdrop in which the United States  
20 already had obligations, obligations to Mexico,  
21 but also contractual obligations to domestic  
22 parties.

23 Now, how could it have approved that  
24 compact unless it said we took a look at this  
25 compact and we think it will allow us to

1 fulfill all of our obligations, both domestic  
2 and international? You have to think in a case  
3 like this that the approval of the compact was  
4 premised on an understanding that it would  
5 protect the United States' own interests, which  
6 is exactly what the United States is trying to  
7 assert here.

8 GENERAL YARGER: And -- and I think  
9 the question is how does the United States  
10 protect that interest, because the premise of  
11 the compact was also the 1902 Reclamation Act,  
12 which was in effect for 36 years before this  
13 compact was signed and said very clearly,  
14 Federal Government, go to state court, go to  
15 state administrative mechanisms to get your  
16 water right. And then this Court in  
17 Hinderlider said: And by the way, whatever  
18 right you get under state law will always be  
19 subservient to and contained within either a  
20 compact or a decree set by this Court.

21 So I think it's a question of where --  
22 how does the Court -- does the United States  
23 protect those interests and what is the  
24 substantive body of law under which it can do  
25 so?

1           We don't object to the United States  
2 bringing arguments under this case or  
3 participating, but we want to be very careful  
4 about what precedent this sets for other  
5 compact disputes in the future. We're very  
6 concerned about that.

7           And --

8           CHIEF JUSTICE ROBERTS: Well, the --  
9 United States says one reason they need to  
10 participate as a party, rather than as an  
11 amicus, is otherwise they would not be bound by  
12 the decree. Aren't you worried about that?

13           GENERAL YARGER: I -- I --

14           CHIEF JUSTICE ROBERTS: In other  
15 words, you're going -- if -- if you prevail,  
16 it's not going to mean much, because the United  
17 States doesn't feel bound by it.

18           GENERAL YARGER: I think that again  
19 flips the -- the legal regime on its head. Of  
20 course, they'll be bound. They have a state  
21 law water right that rises no higher than this  
22 compact.

23           And so, they will certainly be bound  
24 to the extent that this compact informs the  
25 scope of water rights that New Mexico can grant

1 and administer under its law and same with  
2 Texas.

3 One of the things that I --

4 JUSTICE KENNEDY: Seems to me that's  
5 the best argument -- argument you can make for  
6 the fact that the United States has a vital  
7 interest here.

8 GENERAL YARGER: And we don't dispute  
9 it has an interest in this case and ought to  
10 participate in this case. Our concern is under  
11 what substantive law and what it -- what it  
12 will be able to do in the future.

13 JUSTICE GINSBURG: In this case --

14 GENERAL YARGER: Bring the states into  
15 --

16 JUSTICE GINSBURG: -- if -- if -- if a  
17 party is bound, but not permitted to be a  
18 party, that -- there's something wrong with  
19 that.

20 GENERAL YARGER: Well, I don't think  
21 so, Justice Ginsburg. It's not just the United  
22 States who has -- have rights at stake in this  
23 case. Every water user in Texas and New Mexico  
24 that receives project water is very keen on  
25 this case and will ultimately be bound by it

1 under parens patriae. And that's, of course,  
2 the whole point of this regime. The states  
3 apportion water among themselves. Water rights  
4 within those states must be administered  
5 consistent with that --

6 JUSTICE KAGAN: Well, it's one --

7 GENERAL YARGER: -- and what Congress  
8 --

9 JUSTICE KAGAN: -- it's one thing to  
10 say that state litigation can bind its own  
11 citizens; and it's another thing to say that  
12 state litigation can bind the Federal  
13 Government without the Federal Government being  
14 allowed to participate in that litigation.

15 GENERAL YARGER: Well, and -- and the  
16 United States, for many years, litigating these  
17 cases, has participated in these suits despite  
18 strong federal interests without being a party  
19 and asserting claims under the compact.

20 JUSTICE GINSBURG: But as was pointed  
21 out by Ms. O'Connell, the United States was  
22 told what -- wasn't there -- I don't know if it  
23 was a Colorado jointed or it was just New  
24 Mexico, that said the United States is a  
25 necessary party to this litigation. And you're

1 saying not only are they not necessary, they're  
2 not even permitted to be a party.

3 GENERAL YARGER: No, that -- that's  
4 certainly not what we're saying. We certainly  
5 think that they are a necessary party here, at  
6 least under the treaty claims. And that  
7 question has been decided. The United States  
8 is a party to this case. The intervention has  
9 been granted. We don't dispute that and never  
10 have. The question is: What substantive right  
11 is the United States asserting?

12 I -- I would like to go back to the  
13 Chief Justice's question, if I could, and the  
14 question is: What difference does it make here  
15 to recognize for the first time this right  
16 which Colorado is very concerned about in this  
17 litigation?

18 We don't necessarily think that's  
19 necessary. We think the Court can reserve the  
20 question. I think that some of the justices  
21 have observed here the issue of deliveries to  
22 Texas will be litigated through Texas's compact  
23 claim. The issue of deliveries to Mexico will  
24 be litigated through the treaty claim. So to  
25 recognize this right for the first time here,

1 in the context of a case where we don't think  
2 it's necessary, I think establishes precedent  
3 that -- that just simply isn't necessary to  
4 establish in -- in the context of this case.

5 I -- if I could turn very briefly to  
6 Colorado's first exception, our point here is  
7 -- is just really an echo of what the other  
8 states have raised concerns about, which is  
9 that this is an apportionment case.  
10 Reclamation law claims can introduce a lot of  
11 extraneous issues into this litigation that  
12 aren't necessarily needed for the apportionment  
13 decision to -- to be accomplished by this  
14 Court.

15 What I would point you to is to look  
16 at New Mexico's district court complaint that  
17 they brought against the U.S. and the water  
18 districts in 2011, raising reclamation law  
19 claims regarding the 2008 operating agreement.

20 There are all kind of claims in that  
21 case. I -- I think if the apportionment is  
22 decided by this Court, that will certainly  
23 inform state law water rights in the state  
24 adjudication. It will also inform reclamation  
25 law claims that can then be sorted out in the

1 lower courts as necessary.

2 If there are no further questions.

3 CHIEF JUSTICE ROBERTS: Thank you,  
4 General.

5 Mr. Rael.

6 ORAL ARGUMENT OF MARCUS J. RAEL, JR.,  
7 ON BEHALF OF THE DEFENDANT NEW MEXICO

8 MR. RAEL: Mr. Chief Justice, and may  
9 it please the Court:

10 I have three points -- main points  
11 that I'd like to make on behalf of the State of  
12 New Mexico today, the first of which is that  
13 New Mexico agrees with the Special Master and  
14 Colorado that the United States cannot raise  
15 compact claims in this matter.

16 Secondly, New Mexico has not taken  
17 exception to the Special Master's  
18 recommendation that the United States be  
19 allowed to raise a claim under reclamation law  
20 in order to protect its interests.

21 Finally, New Mexico does not dispute  
22 that the United States can bring a claim for  
23 alleged interference with its 1906 treaty with  
24 Mexico. It's just that that claim also arises  
25 -- does not arise under the -- under the

1 compact, but under the treaty itself.

2 JUSTICE SOTOMAYOR: Are you --

3 JUSTICE KAGAN: And how do you think  
4 those claims would differ from claims that are  
5 brought under the compact?

6 MR. RAEL: Well, Justice Kagan, the --  
7 the -- the treaty itself has a mechanism which  
8 allows the United States to enforce the  
9 treaty -- its treaty obligations at any time.

10 And the -- and the -- I think the main  
11 difference is that if you -- if you -- and as  
12 this Court has already deemed, if the United  
13 States is allowed to enforce its treaty  
14 obligation of the 60,000 acre-feet a year under  
15 the treaty, then you don't open that door under  
16 the compact claim that my colleague was just  
17 speaking about, which would allow the United  
18 States to -- to -- to, for the first time ever,  
19 raise a -- a compact claim in a -- in a compact  
20 under which it receives no allocation of water.

21 JUSTICE KAGAN: And -- and what about  
22 these other obligations that the United States  
23 has? You said that you can bring reclamation  
24 law claims for those. What's the difference  
25 there?

1           I mean, I'm trying to figure out why  
2           everybody cares so much that this is a claim  
3           under the compact, rather than under these  
4           other bodies of law.

5           MR. RAEL: I -- Justice Kagan, I -- I  
6           think everybody cares so much because the --  
7           the Reclamation Act of 1902 is a very  
8           comprehensive body of law, and it allows the  
9           United States to accomplish almost anything  
10          that it's looking to do here.

11          It's important to note that there's no  
12          claim -- there's no remedy that the United  
13          States is seeking in this litigation that it  
14          can't -- under the compact, that it can't  
15          receive under that comprehensive body of law  
16          that is the Reclamation Act. But the reason  
17          why, I think, New Mexico cares, and I think --  
18          and Colorado as well, is this Court has never  
19          allowed the United States to raise a claim  
20          under a compact to which it was not a party --  
21          I mean to which it was -- received no  
22          allocation of water and to which it was not a  
23          signatory.

24          JUSTICE GINSBURG: This --

25          JUSTICE KAGAN: Right, but --

1           JUSTICE GINSBURG: -- this Court has  
2 never had occasion to pass on that question.  
3 You said "never allowed." It didn't disallow.  
4 It just hasn't ruled on it.

5           MR. RAEL: Well, Your Honor, I think  
6 that's -- that's correct, but I think -- I  
7 think what the danger that we're facing here is  
8 that if you -- if you read an -- an implicit  
9 right here for the United States to raise a  
10 claim under a compact which -- which provides  
11 it no explicit protections, if you -- if you  
12 allow them to -- to -- if you allow the United  
13 States to read that implicit right, then I  
14 think you're -- you're opening up a dangerous  
15 door in which the United States can raise --  
16 can try to raise implicit rights not only in --  
17 in this compact but in every compact across the  
18 country.

19           JUSTICE KAGAN: How --

20           CHIEF JUSTICE ROBERTS: I suppose one  
21 reason the United States may be interested is  
22 if it has compact claims that -- that are  
23 litigated here. If they're under the  
24 Reclamation Act, they're litigated in a complex  
25 proceeding in state court, right?

1 MR. RAEL: No, Your Honor. I -- I  
2 think the -- the Special Master in this case  
3 found a very elegant solution, and that's why  
4 we don't oppose it. In -- in allowing them to  
5 participate in this case under the Reclamation  
6 Act, as I said, there's no remedy that they've  
7 sought in their complaint in this case that --  
8 that they can't get under the Reclamation Act  
9 of 1902 that they can get under the compact.

10 And so it would be litigated here, in  
11 this Court, for purposes of judicial economy  
12 and to avoid inconsistent rules.

13 JUSTICE KAGAN: And not under state  
14 law, but under federal law?

15 MR. RAEL: Under the -- under the  
16 McCarran Amendment, the -- the -- the United  
17 States' water rights are subject to state law,  
18 but New Mexico would -- would -- and -- and any  
19 -- any compacting state administers the water  
20 rights, but we can't do so in a manner which is  
21 inconsistent with the compact.

22 Therefore, this Court has already  
23 placed those protections in place, so -- so  
24 that the United States reclamation law claim  
25 and -- and, indeed, in this case, its

1 reclamation project, is protected in the sense  
2 that we cannot administer our state water  
3 rights, our sovereign water in such a manner  
4 that it interferes with the compact.

5 JUSTICE SOTOMAYOR: I'm sorry, let's  
6 go --

7 JUSTICE GINSBURG: Am I right that --  
8 that New Mexico had argued at an earlier stage  
9 that the United States was a necessary party to  
10 this litigation?

11 MR. RAEL: Yes, Your Honor, we did  
12 argue that.

13 JUSTICE GINSBURG: And I will ask you  
14 the same question I asked before. You argued  
15 that the United States was a necessary party in  
16 this very litigation. And now you're saying  
17 they are not even a permitted party.

18 MR. RAEL: Justice Ginsburg, I -- I  
19 apologize. I'm not saying that. What I'm  
20 saying is that New Mexico is arguing that the  
21 United States is a necessary party, but their  
22 claims arise under the Reclamation Act of 1902  
23 and not under the compact.

24 And so the Special Master was correct  
25 in his recommendation that the United States

1 should participate in order to enforce its  
2 treaty obligations, but it does so under the  
3 treaty, which it can bring in this litigation.

4 And as far as rights it's trying to  
5 enforce as far as its water rights and other  
6 interests, those would be brought under the  
7 Reclamation Act of 1902 in this litigation.

8 So they are a necessary party, just  
9 not -- not a -- not -- they're just not allowed  
10 to bring Compact claims in our opinion.

11 I'd like to point real quickly to the  
12 third --

13 JUSTICE GINSBURG: But the -- but when  
14 you made that claim it was only a compact, this  
15 case was about a compact between New Mexico and  
16 Texas, and it was in that setting that you said  
17 the United States was necessary.

18 MR. RAEL: You -- you are correct,  
19 Justice Ginsburg. New Mexico backed away from  
20 that position when we acceded to the fact that  
21 the project is incorporated into the -- into  
22 the compact.

23 It's just in the incorporation of that  
24 project. We're not acceding to the fact that  
25 -- that the United States, who's not a

1 signatory and whose apportion of water has any  
2 claims or rights, rights of enforcement, under  
3 the compact itself. That's between three  
4 sovereign entities: the State of Texas, the  
5 State of New Mexico, and the State of Colorado.

6 What we're saying is that we -- we --  
7 we -- the Special Master found a very elegant  
8 solution which we support and think that they  
9 still need to participate, but participating  
10 under the Reclamation Act and under the treaty  
11 itself is -- is the manner in which the United  
12 States can -- can find its remedies.

13 JUSTICE SOTOMAYOR: Are you differing  
14 from Texas and acknowledging that the U.S.  
15 could sue New Mexico for a reclamation claim so  
16 that it doesn't have to sue the individual  
17 water users?

18 MR. RAEL: I -- I -- I am, Your Honor,  
19 in -- in the sense that -- that the -- the  
20 Reclamation Act of 1902 is so comprehensive  
21 that the United States under -- under all of  
22 the different portions of the Reclamation Act  
23 can sue, in our opinion, the State of New  
24 Mexico.

25 And I think it's important to note

1 that in -- in -- in Nebraska v. Wyoming, the  
2 United States was saying -- actually said we --  
3 we can't be sued because we weren't apportioned  
4 any water. And yet here the United States is  
5 saying we can sue New Mexico even though we  
6 haven't been apportioned any water.

7 And so that -- that -- that's  
8 inconsistent in my opinion. When they -- when  
9 they sought their defensive motion for summary  
10 judgment, that -- that was their -- their  
11 argument.

12 JUSTICE KAGAN: Do you think a state  
13 could sue the United States under this compact,  
14 if the United States started acting in a way  
15 that was inconsistent with its terms?

16 MR. RAEL: Justice Kagan, yes, I do --  
17 I do believe so. I believe that -- that a  
18 state has the -- the opportunity to try and sue  
19 the United States, for example, if we were to  
20 say, if New Mexico was to say your -- your  
21 operation of the project is interfering with  
22 our ability to meet our compact obligations to  
23 the State of Texas, I believe that we could do  
24 that.

25 JUSTICE KAGAN: So, if the United

1 States is so integrally a part of this system  
2 that a state could sue the federal government,  
3 why can't the same be true back again the other  
4 way?

5 MR. RAEL: Because the United States  
6 doesn't own any -- any right -- any water, any  
7 rights under -- under the compact, or even  
8 under the project. Those water rights are  
9 owned by the landowners themselves who are  
10 represented by their individual states as  
11 *parens patriae*.

12 And so the United States has an  
13 interest in the -- in the project, and they can  
14 certainly sue to enforce to make sure that  
15 we're meeting our -- our -- that we're not  
16 interfering with its project obligations, but  
17 it -- it -- it can't sue us -- under the  
18 compact, that's being done by Texas right now.

19 And -- and the -- the -- it's  
20 important to note that both Texas' claims and  
21 the United States' claims arise under the same  
22 operative facts. And -- and so Texas will be  
23 able to -- and I believe both Texas and the  
24 United States agree that, later in the  
25 litigation, they're not sure, as you -- as you

1 heard the -- the General say, they're not sure  
2 whether or not their interests are going to be  
3 the same at the -- at the end of this. But to  
4 the --

5 JUSTICE SOTOMAYOR: I'm sorry, did you  
6 say the United States could sue under the  
7 project?

8 MR. RAEL: They can -- they can sue to  
9 enforce, in -- in my opinion, if -- if -- if  
10 New Mexico is interfering with their project  
11 obligations, they can certainly sue to -- to --

12 JUSTICE SOTOMAYOR: But not under the  
13 contact -- I mean, not under the compact?

14 MR. RAEL: Correct. They're not a  
15 party --

16 JUSTICE SOTOMAYOR: I just don't  
17 understand that. If the compact requires New  
18 Mexico to deliver a certain amount of water to  
19 the United States and not to touch that water,  
20 that's the government's action, you -- you're  
21 -- you're not acceding that that's what the  
22 compact says, and it's breaching -- and that  
23 lack of delivery is breaching other federal  
24 contracts, why can't they sue under the  
25 project?

1 MR. RAEL: Mr. Chief Justice, may I?

2 JUSTICE SOTOMAYOR: I mean, under the  
3 compact?

4 CHIEF JUSTICE ROBERTS: Sure. Please.

5 MR. RAEL: The -- the -- the United --  
6 the compact doesn't require the United -- I  
7 mean, New Mexico to deliver any portion of  
8 water to -- to the United States. The -- the  
9 -- the -- the project is simply a delivery  
10 vehicle.

11 The water is already allocated amongst  
12 the three states itself. And while the United  
13 States uses the -- the vehicle as a means to  
14 meet its -- its treaty obligations with the  
15 Republic of Mexico, it's important to note that  
16 they have first entitlement to that water and  
17 they deliver that water first every year.

18 CHIEF JUSTICE ROBERTS: Thank you,  
19 counsel.

20 MR. RAEL: Thank you for this honor.

21 CHIEF JUSTICE ROBERTS: Ms. O'Connell,  
22 you have four minutes remaining.

23 REBUTTAL ARGUMENT OF ANN O'CONNELL

24 ON BEHALF OF UNITED STATES AS INTERVENOR

25 MS. O'CONNELL: Thank you, Mr. Chief

1 Justice. Three points in rebuttal.

2 The first is in response to Colorado's  
3 argument that the complaint filed by the United  
4 States in this case is unprecedented. It's  
5 not.

6 The case that Colorado is -- is  
7 relying upon, Kansas versus Nebraska, was a  
8 case where there was an admitted violation of a  
9 compact by Nebraska. The states were just  
10 talking about what the damages were. The  
11 United States' operations of any projects in  
12 that region were not going to be affected by  
13 what the damages were. That's why we  
14 participated in this case as an amicus.

15 In other cases, we've cited some in  
16 our briefs, Texas versus New Mexico, the Pecos  
17 River case, and also Texas and New Mexico  
18 versus Colorado, a prior case brought in order  
19 to enforce this same compact, the Rio Grande  
20 Compact, in both of those cases the defendant  
21 state, so in the Pecos River case, New Mexico,  
22 and in -- in Texas versus Colorado, Colorado,  
23 asserted that the United States was a required  
24 party to the action.

25 And so, to be helpful, we intervened

1 as a plaintiff in each of those cases,  
2 presented what the United States' interests  
3 were, and then asked for general equitable  
4 relief, whatever relief would protect our  
5 interests.

6 In the Texas versus Colorado, the  
7 United States specifically explained that even  
8 though it has no apportionment of water under  
9 the Rio Grande Compact, it acknowledged that  
10 the compact could be interpreted in such a way  
11 as to affect the United States' interests and  
12 it believed its interests would be protected by  
13 Colorado's compliance with the compact.

14 JUSTICE SOTOMAYOR: You weren't  
15 signatures in either of those two cases, right?

16 MS. O'CONNELL: No.

17 JUSTICE SOTOMAYOR: To the compacts I  
18 mean?

19 MS. O'CONNELL: That's correct. And  
20 in both cases, we were permitted to intervene.  
21 We filed complaints against the defendant  
22 state.

23 The second point, just reiterating  
24 that -- or answering the question whether there  
25 is a difference between the claims asserted by

1 Texas and the United States, their interests  
2 are not necessarily completely aligned in this  
3 case. This is an interstate project that has  
4 delivery obligations both in New Mexico and  
5 Texas. So the United States couldn't be  
6 expected to rely on Texas to assert its  
7 interests here.

8 The project also has international  
9 obligations to Mexico, as we have discussed  
10 quite a bit, and I'll point out that under  
11 Article II of that treaty with Mexico, if  
12 there's not enough water for the irrigation  
13 districts in the United States, the -- the  
14 amount that we send to Mexico becomes less.

15 And so the United States has quite an  
16 interest that we couldn't be expected to rely  
17 on Texas to protect, in making sure that --  
18 that Mexico is not being shorted because of the  
19 way that the compact is interpreted.

20 Finally, just on this point of, as  
21 Justice Kagan put it, why everybody cares so  
22 much about whether these are compact claims or  
23 reclamation law claims, the Master said that we  
24 could bring reclamation law claims. We're not  
25 totally sure that that's enough to bring claims

1 against the State of New Mexico.

2 The reason why New Mexico is a proper  
3 defendant against such claims is because of the  
4 compact, because the compact has bound New  
5 Mexico to protect the project and to allow the  
6 United States to release water in order to --  
7 to meet its contract obligations and its treaty  
8 obligations to Mexico.

9 And so we don't want there to be any  
10 confusion going forward when the United -- when  
11 the Master says the United States' complaint  
12 has to be dismissed to the extent it brings  
13 claims under the compact, what that means. We  
14 think we sort of need the compact to make those  
15 other claims work. Thank you.

16 CHIEF JUSTICE ROBERTS: Thank you,  
17 counsel. The case is submitted.

18 (Whereupon, at 11:04 a.m., the case  
19 was submitted.)

20

21

22

23

24

25

## Official - Subject to Final Review

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>0</b> | <b>accordance</b> [3] 8:18 12:5 34:22<br><b>acknowledge</b> [1] 36:25<br><b>acknowledged</b> [1] 64:9<br><b>acknowledging</b> [1] 58:14<br><b>acre</b> [1] 11:22<br><b>acre-feet</b> [3] 10:20 23:12 52:14<br><b>across</b> [1] 54:17<br><b>Act</b> [14] 25:2 26:1 36:2 45:11 53:7, 16 54:24 55:6,8 56:22 57:7 58:10, 20,22<br><b>acting</b> [3] 5:10 20:16 59:14<br><b>action</b> [13] 4:19 17:22 18:25 19:7 20:12,15 22:3 24:7 25:8 31:12 32: 23 61:20 63:24<br><b>actions</b> [2] 5:19 21:23<br><b>actually</b> [6] 15:17 21:16 23:18 25: 19 29:20 59:2<br><b>additional</b> [1] 12:13<br><b>Additionally</b> [1] 10:8<br><b>addressed</b> [1] 4:18<br><b>addressing</b> [1] 26:19<br><b>adjudication</b> [1] 50:24<br><b>administer</b> [2] 47:1 56:2<br><b>administered</b> [1] 48:4<br><b>administering</b> [1] 32:19<br><b>administrators</b> [1] 55:19<br><b>administrative</b> [1] 45:15<br><b>admitted</b> [1] 63:8<br><b>adopted</b> [1] 3:15<br><b>advisory</b> [1] 27:1<br><b>affect</b> [6] 11:18 27:14 30:18 42:12 43:8 64:11<br><b>affected</b> [1] 63:12<br><b>affects</b> [2] 19:2 43:4<br><b>affirmative</b> [2] 37:12,15<br><b>afraid</b> [1] 18:3<br><b>agree</b> [7] 19:18 31:7 34:3 40:21 42: 14,15 60:24<br><b>agreed</b> [2] 5:25 12:1<br><b>agreeing</b> [2] 18:22 30:1<br><b>agreement</b> [8] 16:1 30:12,12 33: 11,13,15,17 50:19<br><b>agreements</b> [1] 40:19<br><b>agrees</b> [2] 29:23 51:13<br><b>Albuquerque</b> [1] 1:24<br><b>aligned</b> [1] 65:2<br><b>alleged</b> [1] 51:23<br><b>allocated</b> [1] 62:11<br><b>allocation</b> [3] 17:18 52:20 53:22<br><b>allocations</b> [1] 10:23<br><b>allotment</b> [1] 25:1<br><b>allow</b> [8] 13:18 25:14 26:13 44:25 52:17 54:12,12 66:5<br><b>allowed</b> [8] 19:24 31:15 48:14 51: 19 52:13 53:19 54:3 57:9<br><b>allowing</b> [2] 29:23 55:4<br><b>allows</b> [2] 52:8 53:8<br><b>almost</b> [1] 53:9<br><b>already</b> [5] 10:20 44:20 52:12 55: 22 62:11<br><b>ambiguity</b> [1] 37:1<br><b>Amendment</b> [1] 55:16<br><b>amicus</b> [8] 9:10 10:13 29:15 33:16 34:15 41:21 46:11 63:14 | <b>among</b> [4] 33:11 35:9 40:2 48:3<br><b>amongst</b> [1] 62:11<br><b>amount</b> [6] 13:2,3 30:18 42:10 61: 18 65:14<br><b>analysis</b> [3] 30:16,24,25<br><b>ANN</b> [5] 1:17 2:3,15 3:8 62:23<br><b>another</b> [6] 23:23 24:12,15 25:5, 20 48:11<br><b>answer</b> [2] 15:18 18:2<br><b>answering</b> [2] 30:3 64:24<br><b>apologize</b> [1] 56:19<br><b>appear</b> [1] 7:18<br><b>APPEARANCES</b> [1] 1:16<br><b>appendix</b> [1] 8:2<br><b>applied</b> [1] 11:11<br><b>applies</b> [1] 27:20<br><b>apportion</b> [3] 32:14 48:3 58:1<br><b>apportioned</b> [5] 28:19 29:25 40:4 59:3,6<br><b>apportionment</b> [35] 3:18 9:24 10: 1 12:24 21:14,17,22 22:1,16 23:6, 25 24:18,25 25:16 26:15 27:6 28: 9 29:6,20 31:17 35:9 36:16 37:6, 21 38:2 39:17 40:2,8 41:17 43:3 44:15 50:9,12,21 64:8<br><b>appropriate</b> [3] 14:17 35:5 41:5<br><b>appropriated</b> [1] 10:20<br><b>approval</b> [1] 45:3<br><b>approve</b> [4] 19:7,14,15 39:10<br><b>approved</b> [3] 6:24 44:18,23<br><b>approves</b> [1] 39:11<br><b>area</b> [1] 11:10<br><b>aren't</b> [3] 15:8 46:12 50:12<br><b>argue</b> [1] 56:12<br><b>argued</b> [2] 56:8,14<br><b>arguing</b> [1] 56:20<br><b>argument</b> [28] 1:13 2:2,5,8,11,14 3:4,8 12:19 13:17 14:1 15:1 18:24, 25 19:5,5 21:1 29:22 32:1 34:19 36:7 44:14 47:5,5 51:6 59:11 62: 23 63:3<br><b>arguments</b> [9] 9:10 29:19 31:3,5 42:2 46:2<br><b>arise</b> [5] 24:16 43:1 51:25 56:22 60:21<br><b>arises</b> [2] 21:9 51:24<br><b>Arlington</b> [1] 17:9<br><b>Article</b> [8] 8:6,7,10,14,20 11:17,20 65:11<br><b>aside</b> [1] 18:7<br><b>assert</b> [6] 32:25 33:3,4 42:1 45:7 65:6<br><b>asserted</b> [7] 3:22 9:20 15:3 32:21 34:13 63:23 64:25<br><b>asserting</b> [6] 13:5,7 34:14 42:23 48:19 49:11<br><b>Assistant</b> [1] 1:17<br><b>attention</b> [1] 36:6<br><b>Austin</b> [1] 1:21<br><b>authority</b> [1] 33:18<br><b>authorizes</b> [2] 43:15,16<br><b>available</b> [2] 8:17 34:22<br><b>avoid</b> [3] 5:6,16 55:12<br><b>aware</b> [1] 20:1 | <b>away</b> [1] 57:19<br><hr/> <b>B</b> <hr/> <b>back</b> [10] 12:25 17:3 33:7 36:2 39: 25 42:4 43:2 44:17 49:12 60:3<br><b>backed</b> [1] 44:19<br><b>backdrop</b> [1] 57:19<br><b>based</b> [3] 7:12 17:5 29:18<br><b>basic</b> [1] 10:15<br><b>Basically</b> [1] 36:17<br><b>basis</b> [2] 15:12 25:25<br><b>becomes</b> [2] 12:4 65:14<br><b>begin</b> [1] 32:6<br><b>behalf</b> [15] 1:19,21,23,25 2:4,7,10, 13,16 3:9 21:3 32:3 51:7,11 62:24<br><b>believe</b> [9] 7:10 24:14 27:6 29:9 31:13 59:17,17,23 60:23<br><b>believed</b> [1] 64:12<br><b>below</b> [3] 3:21 8:12 9:1<br><b>beneficiary</b> [2] 19:5 38:20<br><b>besides</b> [1] 28:4<br><b>best</b> [3] 14:19 33:9 47:5<br><b>between</b> [22] 4:9,13,25 6:11 7:4 11:13 12:14 13:12,20 15:7 22:5,7 23:16 24:18 25:8 26:9 33:10 39: 21 44:15 57:15 58:3 64:25<br><b>beyond</b> [2] 26:18,19<br><b>bind</b> [2] 48:10,12<br><b>binding</b> [1] 15:11<br><b>bit</b> [1] 65:10<br><b>bodies</b> [2] 44:9 53:4<br><b>body</b> [3] 45:24 53:8,15<br><b>borderline</b> [1] 12:16<br><b>both</b> [7] 32:11 45:1 60:20,23 63:20 64:20 65:4<br><b>bound</b> [16] 3:24 10:5 12:11,17 13: 10,13 14:25 18:18 30:14 46:11,17, 20,23 47:17,25 66:4<br><b>breach</b> [1] 43:19<br><b>breaching</b> [2] 61:22,23<br><b>BREYER</b> [5] 16:10,13 38:5 39:7 44:17<br><b>brief</b> [4] 5:19 10:2 14:1 26:17<br><b>briefing</b> [3] 34:7 37:3 39:21<br><b>briefly</b> [1] 50:5<br><b>briefs</b> [2] 17:7 63:16<br><b>bring</b> [23] 7:12 14:13 17:4,12,23 19:16 20:4,4 23:25 25:15 28:8,12 32:23 33:18 35:6 43:25 47:14 51: 22 52:23 57:3,10 65:24,25<br><b>bringing</b> [2] 24:7 46:2<br><b>brings</b> [1] 66:12<br><b>brought</b> [14] 4:9,10 5:1,19 6:11,12 17:19 18:8,10 20:19 50:17 52:5 57:6 63:18<br><b>Bureau</b> [4] 3:17 8:23 15:25 23:2<br><b>Butte</b> [3] 8:8,11 22:19<br><hr/> <b>C</b> <hr/> <b>calculate</b> [1] 30:17<br><b>calculated</b> [1] 29:6<br><b>calculates</b> [1] 16:2<br><b>came</b> [1] 1:12<br><b>cannot</b> [3] 26:13 51:14 56:2 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>capacity</b> <sup>[1]</sup> 8:11<br/> <b>careful</b> <sup>[1]</sup> 46:3<br/> <b>cares</b> <sup>[4]</sup> 53:2,6,17 65:21<br/> <b>carried</b> <sup>[1]</sup> 39:21<br/> <b>carrier</b> <sup>[3]</sup> 22:14 24:1 28:17<br/> <b>carry</b> <sup>[1]</sup> 39:17<br/> <b>carving</b> <sup>[1]</sup> 42:7<br/> <b>case</b> <sup>[48]</sup> 3:4,5,22 9:20 10:25 14:23 15:17 17:9,11 27:15 33:10,24,25 34:8,16 35:7 36:18 38:2 39:2 41:6 44:14 45:2 46:2 47:9,10,13,23,25 49:8 50:1,4,9,21 55:2,5,7,25 57:15 63:4,6,8,14,17,18,21 65:3 66:17,18<br/> <b>cases</b> <sup>[17]</sup> 6:15 11:12 17:6 20:13 26:9 33:7 35:22 38:6 41:9,19,22 48:17 63:15,20 64:1,15,20<br/> <b>cause</b> <sup>[1]</sup> 17:22<br/> <b>center</b> <sup>[1]</sup> 28:10<br/> <b>central</b> <sup>[1]</sup> 24:23<br/> <b>century</b> <sup>[1]</sup> 32:18<br/> <b>certain</b> <sup>[3]</sup> 42:10 43:18 61:18<br/> <b>certainly</b> <sup>[8]</sup> 9:9 27:14 46:23 49:4,4 50:22 60:14 61:11<br/> <b>change</b> <sup>[1]</sup> 11:24<br/> <b>Chicago</b> <sup>[2]</sup> 17:7,15<br/> <b>CHIEF</b> <sup>[28]</sup> 3:3,10 9:6,14 10:14 12:8 18:23 19:13 20:23 21:4 27:16 28:5 31:20,22,24 32:4 46:8,14 49:13 51:3,8 54:20 62:1,4,18,21,25 66:16<br/> <b>choosing</b> <sup>[1]</sup> 39:23<br/> <b>Circuit</b> <sup>[2]</sup> 17:8,10<br/> <b>cited</b> <sup>[2]</sup> 17:6 63:15<br/> <b>citizens</b> <sup>[1]</sup> 48:11<br/> <b>claim</b> <sup>[36]</sup> 4:21,23,25 5:1 6:4,6,7,8,9 9:8 17:4,23 18:17 20:7 26:4 27:6,23 33:7 35:6 36:4 43:25 44:8 49:23,24 51:19,22,24 52:16,19 53:2,12,19 54:10 55:24 57:14 58:15<br/> <b>claiming</b> <sup>[1]</sup> 6:23<br/> <b>claims</b> <sup>[58]</sup> 4:9,10,14 5:22 6:11,12 7:12 9:17 14:4,21 19:16 21:7 24:1,16,21,22 25:2,5,7,8,10,16,21 26:20 27:9,19 28:9,13 29:10 31:8,16 33:19,20 41:5 48:19 49:6 50:10,19,20,25 51:15 52:4,4,24 54:22 56:22 57:10 58:2 60:20,21 64:25 65:22,23,24,25 66:3,13,15<br/> <b>Clause</b> <sup>[2]</sup> 27:24 39:22<br/> <b>clear</b> <sup>[3]</sup> 11:10 43:12,23<br/> <b>clearly</b> <sup>[2]</sup> 7:25 45:13<br/> <b>colleague</b> <sup>[1]</sup> 52:16<br/> <b>COLORADO</b> <sup>[22]</sup> 1:6,22,23,23 2:10 3:6 24:18 32:2,3,13,18 39:24 48:23 49:16 51:14 53:18 58:5 63:6,18,22,22 64:6<br/> <b>Colorado's</b> <sup>[5]</sup> 32:9 36:5 50:6 63:2 64:13<br/> <b>com</b> <sup>[1]</sup> 7:5<br/> <b>combined</b> <sup>[1]</sup> 8:11<br/> <b>come</b> <sup>[6]</sup> 6:25 7:4,6 29:4 37:20 43:20<br/> <b>coming</b> <sup>[3]</sup> 19:20 20:12 23:14</p> | <p><b>commerce</b> <sup>[2]</sup> 39:22 40:6<br/> <b>Commission</b> <sup>[1]</sup> 39:16<br/> <b>commissioners</b> <sup>[1]</sup> 39:14<br/> <b>Compact</b> <sup>[144]</sup> 3:12,13,15 4:10,25 5:23,25 6:8,12,24 7:5,6,8,13,15,16 8:2,7 9:11,24,25 11:2,3,4 12:2,23 13:24 17:5 18:10,17,22 19:1,7 20:5,7,10,20 21:6,7 22:7,10,23,24 23:6,22 24:8,16,17,24 25:8,15 26:6,13,19 27:6,9,20,24 28:8,13,14 29:10 30:22,23 31:8,16 32:23 33:19,21 34:4,20 35:8,11,11,15,17 36:3 37:8 38:10,14 39:10,11,12,18 40:1,18 42:11 43:4,14 44:18,24,25 45:3,11,13,20 46:5,22,24 48:19 49:22 51:15 52:1,5,16,19,19 53:3,14,20 54:10,17,17,22 55:9,21 56:4,23 57:10,14,15,22 58:3 59:13,22 60:7,18 61:13,17,22 62:3,6 63:9,19,20 64:9,10,13 65:19,22 66:4,4,13,14<br/> <b>compact's</b> <sup>[1]</sup> 21:13<br/> <b>compacting</b> <sup>[1]</sup> 55:19<br/> <b>compacts</b> <sup>[7]</sup> 20:2,18 28:3 32:14,16,19 64:17<br/> <b>compacts'</b> <sup>[1]</sup> 32:17<br/> <b>Company</b> <sup>[1]</sup> 20:14<br/> <b>complaint</b> <sup>[13]</sup> 4:3,8 6:10,14 10:4 13:7 14:3,7 18:15 50:16 55:7 63:3 66:11<br/> <b>complaints</b> <sup>[1]</sup> 64:21<br/> <b>complete</b> <sup>[1]</sup> 13:11<br/> <b>completely</b> <sup>[2]</sup> 11:10 65:2<br/> <b>complex</b> <sup>[1]</sup> 54:24<br/> <b>compliance</b> <sup>[3]</sup> 20:4,19 64:13<br/> <b>comply</b> <sup>[2]</sup> 5:11 20:10<br/> <b>comprehensive</b> <sup>[3]</sup> 53:8,15 58:20<br/> <b>compromise</b> <sup>[1]</sup> 10:16<br/> <b>concern</b> <sup>[1]</sup> 47:10<br/> <b>concerned</b> <sup>[4]</sup> 28:2 36:6 46:6 49:16<br/> <b>concerns</b> <sup>[1]</sup> 50:8<br/> <b>conclusion</b> <sup>[1]</sup> 22:17<br/> <b>conflict</b> <sup>[2]</sup> 11:13,16<br/> <b>confusion</b> <sup>[2]</sup> 25:7 66:10<br/> <b>Congress</b> <sup>[9]</sup> 6:24 11:6,23 38:9,11 41:15 43:5 44:18 48:7<br/> <b>connection</b> <sup>[1]</sup> 7:23<br/> <b>consent</b> <sup>[3]</sup> 19:24 38:9,10<br/> <b>consistent</b> <sup>[3]</sup> 35:16 43:5 48:5<br/> <b>Constitution</b> <sup>[2]</sup> 38:8,25<br/> <b>construed</b> <sup>[1]</sup> 9:12<br/> <b>contact</b> <sup>[2]</sup> 6:8 61:13<br/> <b>contained</b> <sup>[1]</sup> 45:19<br/> <b>content</b> <sup>[2]</sup> 18:7,11<br/> <b>context</b> <sup>[4]</sup> 35:9 38:1 50:1,4<br/> <b>continue</b> <sup>[2]</sup> 28:8 31:14<br/> <b>contract</b> <sup>[6]</sup> 3:20 5:9 42:9 43:11 44:1 66:7<br/> <b>contracts</b> <sup>[5]</sup> 8:25 13:1 34:11 43:22 61:24<br/> <b>contractual</b> <sup>[4]</sup> 40:19 42:13 43:24 44:21<br/> <b>control</b> <sup>[5]</sup> 22:19,21,21 28:20 30:</p> | <p>23<br/> <b>controls</b> <sup>[2]</sup> 3:19 11:12<br/> <b>corporation</b> <sup>[2]</sup> 17:16,20<br/> <b>correct</b> <sup>[10]</sup> 7:1 9:13 16:12 22:17 25:24 54:6 56:24 57:18 61:14 64:19<br/> <b>corroboration</b> <sup>[1]</sup> 15:16<br/> <b>Couldn't</b> <sup>[5]</sup> 19:10 33:4 43:20 65:5,16<br/> <b>counsel</b> <sup>[3]</sup> 20:24 62:19 66:17<br/> <b>country</b> <sup>[1]</sup> 54:18<br/> <b>County</b> <sup>[1]</sup> 17:9<br/> <b>couple</b> <sup>[2]</sup> 9:18 37:4<br/> <b>course</b> <sup>[5]</sup> 23:19,20 33:1 46:20 48:1<br/> <b>COURT</b> <sup>[44]</sup> 1:1,13 3:11 6:18,25 7:10 9:23 12:23 14:6,8,20 15:6 17:10,21 20:16 21:5 22:4 23:21 28:11 29:8 32:5,21 33:1,6 36:11 37:18,19 41:18 43:6 45:14,16,20,22 49:19 50:14,16,22 51:9 52:12 53:18 54:1,25 55:11,22<br/> <b>Court's</b> <sup>[5]</sup> 3:25 14:15 15:5 17:6 20:12<br/> <b>courts</b> <sup>[2]</sup> 36:11 51:1<br/> <b>creates</b> <sup>[1]</sup> 21:7<br/> <b>credit</b> <sup>[1]</sup> 8:16<br/> <b>crux</b> <sup>[1]</sup> 27:5<br/> <b>cubic</b> <sup>[1]</sup> 43:13<br/> <b>curious</b> <sup>[1]</sup> 15:4<br/> <b>current</b> <sup>[1]</sup> 30:15</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> <sup>[2]</sup> 1:9,18<br/> <b>damages</b> <sup>[2]</sup> 63:10,13<br/> <b>danger</b> <sup>[1]</sup> 54:7<br/> <b>dangerous</b> <sup>[1]</sup> 54:14<br/> <b>dates</b> <sup>[1]</sup> 30:16<br/> <b>deal</b> <sup>[1]</sup> 38:21<br/> <b>Debs</b> <sup>[1]</sup> 20:13<br/> <b>decide</b> <sup>[1]</sup> 40:1<br/> <b>decided</b> <sup>[2]</sup> 49:7 50:22<br/> <b>deciding</b> <sup>[1]</sup> 9:24<br/> <b>decision</b> <sup>[3]</sup> 15:5 28:18 50:13<br/> <b>decisions</b> <sup>[1]</sup> 37:18<br/> <b>declaratory</b> <sup>[1]</sup> 36:17<br/> <b>decree</b> <sup>[12]</sup> 3:25 10:5 12:11,21 13:10,14 14:25 37:6,16,17 45:20 46:12<br/> <b>deemed</b> <sup>[1]</sup> 52:12<br/> <b>defaulting</b> <sup>[1]</sup> 34:11<br/> <b>Defendant</b> <sup>[10]</sup> 1:23,25 2:10,13 14:22 32:3 51:7 63:20 64:21 66:3<br/> <b>Defendants</b> <sup>[1]</sup> 1:7<br/> <b>defensive</b> <sup>[2]</sup> 37:13 59:9<br/> <b>defines</b> <sup>[2]</sup> 8:7,10<br/> <b>definition</b> <sup>[2]</sup> 8:14 23:7<br/> <b>definitions</b> <sup>[1]</sup> 8:5<br/> <b>deliver</b> <sup>[8]</sup> 3:14 5:14 8:8 43:13,21 61:18 62:7,17<br/> <b>delivered</b> <sup>[5]</sup> 8:22 12:3 23:9,13,23<br/> <b>deliveries</b> <sup>[6]</sup> 8:19,20 15:24 34:23 49:21,23<br/> <b>delivering</b> <sup>[1]</sup> 10:9</p> | <p><b>delivers</b> <sup>[1]</sup> 22:11<br/> <b>delivery</b> <sup>[6]</sup> 3:20 21:21 28:14 61:23 62:9 65:4<br/> <b>demand</b> <sup>[1]</sup> 39:16<br/> <b>demands</b> <sup>[4]</sup> 8:18 12:5 23:8 34:23<br/> <b>denied</b> <sup>[1]</sup> 14:8<br/> <b>Denver</b> <sup>[1]</sup> 1:23<br/> <b>Department</b> <sup>[2]</sup> 1:18 15:15<br/> <b>dependent</b> <sup>[1]</sup> 43:23<br/> <b>deposits</b> <sup>[1]</sup> 22:18<br/> <b>despite</b> <sup>[2]</sup> 7:5 48:17<br/> <b>determination</b> <sup>[1]</sup> 10:17<br/> <b>determinations</b> <sup>[1]</sup> 28:2<br/> <b>determine</b> <sup>[3]</sup> 12:12 40:3,7<br/> <b>differ</b> <sup>[2]</sup> 30:5 52:4<br/> <b>difference</b> <sup>[13]</sup> 4:25 9:7,15 14:11 28:7 29:13 30:9 37:4 39:20 49:14 52:11,24 64:25<br/> <b>different</b> <sup>[10]</sup> 4:22,22 13:1,2 18:11 24:6 39:23 40:5 41:19 58:22<br/> <b>differing</b> <sup>[1]</sup> 58:13<br/> <b>directly</b> <sup>[2]</sup> 17:19 22:24<br/> <b>disagree</b> <sup>[2]</sup> 39:5 40:11<br/> <b>disallow</b> <sup>[1]</sup> 54:3<br/> <b>disclaimed</b> <sup>[1]</sup> 37:16<br/> <b>disclaims</b> <sup>[1]</sup> 11:18<br/> <b>discrete</b> <sup>[1]</sup> 4:20<br/> <b>discussed</b> <sup>[1]</sup> 65:9<br/> <b>discusses</b> <sup>[2]</sup> 37:3,3<br/> <b>discussing</b> <sup>[1]</sup> 32:7<br/> <b>dismiss</b> <sup>[4]</sup> 5:17 14:2,9 18:5<br/> <b>dismissed</b> <sup>[3]</sup> 14:3 18:16 66:12<br/> <b>dispositive</b> <sup>[1]</sup> 37:10<br/> <b>dispute</b> <sup>[13]</sup> 4:2,5 7:9 17:14 22:4,7 28:10 36:13 37:19 42:12 47:8 49:9 51:21<br/> <b>disputes</b> <sup>[4]</sup> 26:9 29:4 33:16 46:5<br/> <b>distinction</b> <sup>[1]</sup> 4:11<br/> <b>distinctive</b> <sup>[1]</sup> 14:18<br/> <b>distinguish</b> <sup>[2]</sup> 4:9 6:11<br/> <b>distinguished</b> <sup>[2]</sup> 4:13 15:6<br/> <b>distribute</b> <sup>[4]</sup> 21:8,16,25 43:17<br/> <b>distributor</b> <sup>[3]</sup> 22:14 24:1 28:16<br/> <b>District</b> <sup>[6]</sup> 17:7,15 20:13 22:4 36:11 50:16<br/> <b>districts</b> <sup>[5]</sup> 9:1 16:1 42:10 50:18 65:13<br/> <b>diverge</b> <sup>[1]</sup> 29:8<br/> <b>diverging</b> <sup>[1]</sup> 29:1<br/> <b>diversions</b> <sup>[3]</sup> 26:11,13 29:24<br/> <b>diverting</b> <sup>[1]</sup> 25:22<br/> <b>dividing</b> <sup>[1]</sup> 7:4<br/> <b>dog</b> <sup>[1]</sup> 37:24<br/> <b>doing</b> <sup>[1]</sup> 24:17<br/> <b>domestic</b> <sup>[8]</sup> 11:25 15:12,13 40:17 41:13,14 44:21 45:1<br/> <b>done</b> <sup>[3]</sup> 6:15 41:10 60:18<br/> <b>door</b> <sup>[2]</sup> 52:15 54:15<br/> <b>downstream</b> <sup>[1]</sup> 23:24<br/> <b>draw</b> <sup>[1]</sup> 39:20<br/> <b>due</b> <sup>[1]</sup> 23:19<br/> <b>during</b> <sup>[1]</sup> 44:13<br/> <b>duties</b> <sup>[1]</sup> 40:20<br/> <b>duty</b> <sup>[5]</sup> 21:8,9,25 22:14 26:10</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>E</b></p> <p><b>each</b> <sup>[4]</sup> 16:3 36:22,24 64:1</p> <p><b>earlier</b> <sup>[2]</sup> 37:18 56:8</p> <p><b>early</b> <sup>[3]</sup> 26:22 39:25,25</p> <p><b>echo</b> <sup>[1]</sup> 50:7</p> <p><b>economy</b> <sup>[2]</sup> 25:12 55:11</p> <p><b>effect</b> <sup>[2]</sup> 19:9 45:12</p> <p><b>either</b> <sup>[5]</sup> 41:18,21 43:25 45:19 64:15</p> <p><b>elegant</b> <sup>[2]</sup> 55:3 58:7</p> <p><b>Elephant</b> <sup>[3]</sup> 8:8,11 22:18</p> <p><b>enacted</b> <sup>[7]</sup> 11:2,3 15:19 16:7,10,11,16</p> <p><b>encompass</b> <sup>[1]</sup> 37:22</p> <p><b>end</b> <sup>[8]</sup> 12:15 14:1 16:13,18 27:22 30:4 39:2 61:3</p> <p><b>enforce</b> <sup>[10]</sup> 17:4 19:16 23:4 52:8,13 57:1,5 60:14 61:9 63:19</p> <p><b>enforceable</b> <sup>[2]</sup> 15:11,13</p> <p><b>enforcement</b> <sup>[1]</sup> 58:2</p> <p><b>enough</b> <sup>[2]</sup> 65:12,25</p> <p><b>ensure</b> <sup>[3]</sup> 22:15 23:5 28:18</p> <p><b>ensuring</b> <sup>[1]</sup> 43:22</p> <p><b>enter</b> <sup>[2]</sup> 38:9,14</p> <p><b>entered</b> <sup>[2]</sup> 30:13,23</p> <p><b>entities</b> <sup>[1]</sup> 58:4</p> <p><b>entitled</b> <sup>[3]</sup> 9:3,8,17</p> <p><b>entitlement</b> <sup>[1]</sup> 62:16</p> <p><b>entity</b> <sup>[1]</sup> 10:6</p> <p><b>envisioned</b> <sup>[1]</sup> 26:21</p> <p><b>equitable</b> <sup>[28]</sup> 3:18 20:8,15 21:13,16,21,25 22:15 23:6,24 24:17,25 25:15 26:14 27:5 28:9,19 29:6,20,25 31:17 37:6 38:2 39:17 40:8 41:17 43:3 64:3</p> <p><b>equity</b> <sup>[1]</sup> 20:17</p> <p><b>error</b> <sup>[1]</sup> 9:4</p> <p><b>establish</b> <sup>[2]</sup> 41:24 50:4</p> <p><b>establishes</b> <sup>[1]</sup> 50:2</p> <p><b>even</b> <sup>[13]</sup> 10:3 13:19 14:3,12 22:7 26:11 36:10 40:18 49:2 56:17 59:5 60:7 64:7</p> <p><b>everybody</b> <sup>[3]</sup> 53:2,6 65:21</p> <p><b>everything</b> <sup>[1]</sup> 19:21</p> <p><b>evidence</b> <sup>[1]</sup> 14:24</p> <p><b>exactly</b> <sup>[4]</sup> 23:17 26:15 31:2 45:6</p> <p><b>example</b> <sup>[5]</sup> 5:2 30:25 33:9 34:6 59:19</p> <p><b>exception</b> <sup>[6]</sup> 18:14 32:7,9,10 50:6 51:17</p> <p><b>excess</b> <sup>[1]</sup> 17:17</p> <p><b>exclusive</b> <sup>[1]</sup> 8:16</p> <p><b>Excuse</b> <sup>[1]</sup> 24:5</p> <p><b>executed</b> <sup>[1]</sup> 15:21</p> <p><b>exercise</b> <sup>[1]</sup> 40:6</p> <p><b>existence</b> <sup>[1]</sup> 15:22</p> <p><b>existing</b> <sup>[1]</sup> 3:17</p> <p><b>expected</b> <sup>[2]</sup> 65:6,16</p> <p><b>explain</b> <sup>[1]</sup> 6:22</p> <p><b>explained</b> <sup>[3]</sup> 4:5 10:2 64:7</p> <p><b>explicit</b> <sup>[1]</sup> 54:11</p> <p><b>express</b> <sup>[1]</sup> 32:16</p> <p><b>expressly</b> <sup>[1]</sup> 32:16</p> | <p><b>extent</b> <sup>[4]</sup> 18:16 43:3 46:24 66:12</p> <p><b>extraneous</b> <sup>[1]</sup> 50:11</p> <p><b>F</b></p> <p><b>facilities</b> <sup>[1]</sup> 34:5</p> <p><b>facility</b> <sup>[3]</sup> 34:1,4 36:19</p> <p><b>facing</b> <sup>[1]</sup> 54:7</p> <p><b>fact</b> <sup>[8]</sup> 11:17 33:2,14 37:16 43:1 47:6 57:20,24</p> <p><b>facts</b> <sup>[2]</sup> 21:10 60:22</p> <p><b>fairly</b> <sup>[1]</sup> 23:21</p> <p><b>far</b> <sup>[4]</sup> 29:21 36:1 57:4,5</p> <p><b>farmers</b> <sup>[1]</sup> 25:22</p> <p><b>federal</b> <sup>[34]</sup> 4:4 7:8,15,19 10:12 11:14 13:7 14:18 15:3,10 17:13 19:8 22:11,22 23:1 25:20 32:15 34:1,3,5 37:20 38:18,19 42:18,21 43:16,22 45:14 48:12,13,18 55:14 60:2 61:23</p> <p><b>feel</b> <sup>[1]</sup> 46:17</p> <p><b>feet</b> <sup>[2]</sup> 11:22 43:13</p> <p><b>few</b> <sup>[1]</sup> 17:6</p> <p><b>figure</b> <sup>[1]</sup> 53:1</p> <p><b>file</b> <sup>[5]</sup> 5:22,23 6:4 10:3 22:3</p> <p><b>filed</b> <sup>[6]</sup> 4:3 5:17,21 7:10 63:3 64:21</p> <p><b>filing</b> <sup>[1]</sup> 18:14</p> <p><b>Finally</b> <sup>[2]</sup> 51:21 65:20</p> <p><b>find</b> <sup>[1]</sup> 58:12</p> <p><b>first</b> <sup>[16]</sup> 3:4 4:17 9:19 10:4 13:19 21:11 32:9 41:3 49:15,25 50:6 51:12 52:18 62:16,17 63:2</p> <p><b>fit</b> <sup>[1]</sup> 41:23</p> <p><b>five</b> <sup>[2]</sup> 37:2 38:13</p> <p><b>flip</b> <sup>[1]</sup> 12:19</p> <p><b>flips</b> <sup>[1]</sup> 46:19</p> <p><b>flows</b> <sup>[1]</sup> 30:18</p> <p><b>focus</b> <sup>[1]</sup> 24:23</p> <p><b>follow</b> <sup>[1]</sup> 16:5</p> <p><b>foreclosed</b> <sup>[1]</sup> 33:6</p> <p><b>foresees</b> <sup>[1]</sup> 38:25</p> <p><b>Forget</b> <sup>[1]</sup> 43:12</p> <p><b>format</b> <sup>[1]</sup> 9:5</p> <p><b>forth</b> <sup>[1]</sup> 6:16</p> <p><b>forward</b> <sup>[10]</sup> 3:23 14:5,8 18:4 25:3,13 27:4,21 31:14 66:10</p> <p><b>found</b> <sup>[3]</sup> 37:11 55:3 58:7</p> <p><b>founders</b> <sup>[1]</sup> 38:12</p> <p><b>four</b> <sup>[3]</sup> 37:2 38:13 62:22</p> <p><b>Fourth</b> <sup>[2]</sup> 17:8,10</p> <p><b>framework</b> <sup>[1]</sup> 3:18</p> <p><b>FREDERICK</b> <sup>[3]</sup> 1:22 2:9 32:1</p> <p><b>free</b> <sup>[1]</sup> 12:13</p> <p><b>friends</b> <sup>[1]</sup> 24:20</p> <p><b>fulfill</b> <sup>[2]</sup> 42:13 45:1</p> <p><b>fulfilled</b> <sup>[1]</sup> 29:21</p> <p><b>fulfilling</b> <sup>[1]</sup> 21:24</p> <p><b>full</b> <sup>[1]</sup> 4:1</p> <p><b>further</b> <sup>[2]</sup> 31:19 51:2</p> <p><b>further</b> <sup>[1]</sup> 35:16</p> <p><b>future</b> <sup>[4]</sup> 5:17 33:16 46:5 47:12</p> <p><b>G</b></p> <p><b>General</b> <sup>[54]</sup> 1:17,20,22 11:11 20:</p> | <p>25 21:2,4 22:3,9 24:9,14 25:23 26:7,24 27:2 28:5 29:3,17 30:6,10 31:13,21,22,24 32:2,4 33:5 34:2 35:4,18,20 36:23 39:4,9 40:11,23 41:2,14 42:15,20 44:2,6 45:8 46:13,18 47:8,14,20 48:7,15 49:3 51:4 61:1 64:3</p> <p><b>generally</b> <sup>[1]</sup> 23:12</p> <p><b>gets</b> <sup>[2]</sup> 38:1 42:4</p> <p><b>GINSBURG</b> <sup>[17]</sup> 6:3,21 7:3 15:20 32:24 33:23 47:13,16,21 48:20 53:24 54:1 56:7,13,18 57:13,19</p> <p><b>give</b> <sup>[7]</sup> 10:19 19:1,23 35:10 39:12 40:19 43:24</p> <p><b>given</b> <sup>[2]</sup> 16:2 28:14</p> <p><b>GORSUCH</b> <sup>[6]</sup> 15:2 16:17,24 17:1 42:5,17</p> <p><b>got</b> <sup>[1]</sup> 36:5</p> <p><b>government</b> <sup>[12]</sup> 16:21 19:8 22:12,22 25:20 26:4 34:18 43:20 45:14 48:13,13 60:2</p> <p><b>government's</b> <sup>[2]</sup> 4:4 61:20</p> <p><b>Grande</b> <sup>[4]</sup> 3:12 21:12 63:19 64:9</p> <p><b>grant</b> <sup>[1]</sup> 46:25</p> <p><b>granted</b> <sup>[1]</sup> 49:9</p> <p><b>ground</b> <sup>[1]</sup> 18:5</p> <p><b>groundwater</b> <sup>[1]</sup> 34:9</p> <p><b>group</b> <sup>[1]</sup> 19:17</p> <p><b>guarantee</b> <sup>[1]</sup> 21:21</p> <p><b>guess</b> <sup>[1]</sup> 14:20</p> <p><b>H</b></p> <p><b>happier</b> <sup>[1]</sup> 31:10</p> <p><b>happy</b> <sup>[1]</sup> 19:18</p> <p><b>head</b> <sup>[1]</sup> 46:19</p> <p><b>hear</b> <sup>[1]</sup> 3:3</p> <p><b>heard</b> <sup>[1]</sup> 61:1</p> <p><b>heart</b> <sup>[2]</sup> 22:16 44:14</p> <p><b>held</b> <sup>[1]</sup> 17:11</p> <p><b>helpful</b> <sup>[2]</sup> 13:6 63:25</p> <p><b>higher</b> <sup>[1]</sup> 46:21</p> <p><b>Hinderlinder</b> <sup>[3]</sup> 26:8 42:24 45:17</p> <p><b>holders</b> <sup>[1]</sup> 3:21</p> <p><b>Honor</b> <sup>[5]</sup> 54:5 55:1 56:11 58:18 62:20</p> <p><b>hope</b> <sup>[1]</sup> 39:4</p> <p><b>however</b> <sup>[2]</sup> 27:4 31:4</p> <p><b>I</b></p> <p><b>I(k)</b> <sup>[3]</sup> 8:6,10 34:20</p> <p><b>I(l)</b> <sup>[3]</sup> 8:14,21 34:19</p> <p><b>identical</b> <sup>[1]</sup> 41:8</p> <p><b>identify</b> <sup>[1]</sup> 4:16</p> <p><b>identifying</b> <sup>[1]</sup> 7:20</p> <p><b>ignored</b> <sup>[1]</sup> 35:3</p> <p><b>Il</b> <sup>[1]</sup> 65:11</p> <p><b>Illinois</b> <sup>[1]</sup> 17:16</p> <p><b>imagine</b> <sup>[1]</sup> 19:17</p> <p><b>impact</b> <sup>[1]</sup> 28:3</p> <p><b>impede</b> <sup>[1]</sup> 34:10</p> <p><b>implement</b> <sup>[1]</sup> 12:21</p> <p><b>implicit</b> <sup>[3]</sup> 54:8,13,16</p> <p><b>implied</b> <sup>[3]</sup> 18:24 19:6 20:11</p> <p><b>important</b> <sup>[5]</sup> 40:13 53:11 58:25</p> | <p>60:20 62:15</p> <p><b>impose</b> <sup>[1]</sup> 40:9</p> <p><b>include</b> <sup>[1]</sup> 41:5</p> <p><b>included</b> <sup>[1]</sup> 15:15</p> <p><b>including</b> <sup>[6]</sup> 8:19 23:8 32:20 33:8 34:23 44:10</p> <p><b>inconsistent</b> <sup>[4]</sup> 55:12,21 59:8,15</p> <p><b>incorporated</b> <sup>[2]</sup> 3:16 57:21</p> <p><b>incorporation</b> <sup>[1]</sup> 57:23</p> <p><b>incorrect</b> <sup>[1]</sup> 32:11</p> <p><b>indeed</b> <sup>[4]</sup> 25:14 28:22 35:16 55:25</p> <p><b>independent</b> <sup>[2]</sup> 32:23 33:18</p> <p><b>indicates</b> <sup>[1]</sup> 5:18</p> <p><b>indication</b> <sup>[1]</sup> 41:22</p> <p><b>indirectly</b> <sup>[1]</sup> 22:25</p> <p><b>individual</b> <sup>[5]</sup> 5:12,21 27:13 58:16 60:10</p> <p><b>inform</b> <sup>[2]</sup> 50:23,24</p> <p><b>informs</b> <sup>[1]</sup> 46:24</p> <p><b>initially</b> <sup>[1]</sup> 14:14</p> <p><b>initiate</b> <sup>[1]</sup> 36:10</p> <p><b>initiated</b> <sup>[2]</sup> 13:18,24</p> <p><b>injunctive</b> <sup>[4]</sup> 4:6 6:18 17:12,23</p> <p><b>insinuates</b> <sup>[1]</sup> 5:18</p> <p><b>instance</b> <sup>[1]</sup> 30:11</p> <p><b>Instead</b> <sup>[4]</sup> 3:15 22:13 25:9 28:21</p> <p><b>integrally</b> <sup>[1]</sup> 60:1</p> <p><b>intended</b> <sup>[1]</sup> 21:20</p> <p><b>intent</b> <sup>[1]</sup> 11:18</p> <p><b>interacts</b> <sup>[1]</sup> 15:5</p> <p><b>interest</b> <sup>[15]</sup> 7:15 15:11 34:12 38:18,19,20 39:1 42:18,21 43:22 45:10 47:7,9 60:13 65:16</p> <p><b>interested</b> <sup>[1]</sup> 54:21</p> <p><b>interests</b> <sup>[42]</sup> 4:4,7,17 6:17,20 7:8,19 10:8,12 13:8 14:18 15:3 17:13 19:2,11 27:14 29:1,2 34:14 38:21,22 39:2 40:13,14,21 41:1,4,8 42:2,8 45:5,23 48:18 51:20 57:6 61:2 64:2,5,11,12 65:1,7</p> <p><b>interfere</b> <sup>[1]</sup> 26:14</p> <p><b>interference</b> <sup>[1]</sup> 51:23</p> <p><b>interferes</b> <sup>[1]</sup> 56:4</p> <p><b>interfering</b> <sup>[5]</sup> 5:13 29:24 59:21 60:16 61:10</p> <p><b>international</b> <sup>[4]</sup> 34:25 40:15 45:2 65:8</p> <p><b>interpreted</b> <sup>[2]</sup> 64:10 65:19</p> <p><b>interpreting</b> <sup>[1]</sup> 20:17</p> <p><b>interstate</b> <sup>[10]</sup> 3:13 20:17 24:17,25 25:15 27:5 31:17 32:13 35:22 65:3</p> <p><b>intervene</b> <sup>[7]</sup> 7:11 14:12 20:3 26:18 38:17,25 64:20</p> <p><b>intervened</b> <sup>[4]</sup> 4:2 6:16 9:19 63:25</p> <p><b>Intervenor</b> <sup>[2]</sup> 1:19 62:24</p> <p><b>intervention</b> <sup>[3]</sup> 14:16,16 49:8</p> <p><b>intra-state</b> <sup>[1]</sup> 25:1</p> <p><b>introduce</b> <sup>[1]</sup> 50:10</p> <p><b>invoke</b> <sup>[2]</sup> 24:22 26:1</p> <p><b>invoking</b> <sup>[1]</sup> 25:10</p> <p><b>involve</b> <sup>[1]</sup> 33:24</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>involved</b> [2] 27:14 28:4<br/> <b>irrigation</b> [7] 8:18,25 12:5 16:1 23:8 34:23 65:12<br/> <b>isn't</b> [7] 15:13 16:14 18:25 36:14 42:17,18 50:3<br/> <b>issue</b> [13] 4:12,19 23:20 26:23 30:6,10 31:1,7 36:19 37:10 41:9 49:21,23<br/> <b>issued</b> [1] 35:22<br/> <b>issues</b> [8] 23:17 30:8,8 31:10 36:4 41:13,15 50:11<br/> <b>itself</b> [8] 20:3 22:24 24:16 52:1,7 58:3,11 62:12<br/> <b>IV</b> [1] 8:7</p>                                                                                                                                                                                                                                                                                                                                                                                                                             | <p><b>later</b> [5] 11:14 29:4 30:25 32:8 60:24<br/> <b>later-in-time</b> [1] 11:12<br/> <b>latter</b> [1] 11:6<br/> <b>law</b> [52] 5:1,8,20 6:5,6,7,13 11:10,25 15:12,13 16:5,9 18:4,6,9,20 24:22,23 25:10,11,25 34:25 37:21,22 41:16 43:1,2,16 44:9,10,11 45:18,24 46:21 47:1,11 50:10,18,23,25 51:19 52:24 53:4,8,15 55:14,14,17,24 65:23,24<br/> <b>laws</b> [5] 4:11 5:13 15:19 35:14,21<br/> <b>lawsuit</b> [6] 24:23 25:13 26:1 27:5 29:13 31:14<br/> <b>layers</b> [1] 35:21<br/> <b>least</b> [3] 38:18 41:22 49:6<br/> <b>leave</b> [1] 10:3<br/> <b>legal</b> [2] 26:19 46:19<br/> <b>legislation</b> [1] 39:21<br/> <b>less</b> [2] 34:4 65:14<br/> <b>line</b> [6] 3:15 7:4 17:6 22:13 26:8 28:22<br/> <b>listed</b> [1] 38:20<br/> <b>litigate</b> [1] 19:25<br/> <b>litigated</b> [6] 23:19 49:22,24 54:23,24 55:10<br/> <b>litigating</b> [2] 32:19 48:16<br/> <b>litigation</b> [22] 27:4,22 29:5,12 30:4 31:6,11 36:10 41:25 42:1 48:10,12,14,25 49:17 50:11 53:13 56:10,16 57:3,7 60:25<br/> <b>long</b> [1] 19:22<br/> <b>long-standing</b> [1] 23:10<br/> <b>look</b> [6] 33:7 34:9 37:20 44:17,24 50:15<br/> <b>looking</b> [3] 8:4 30:16 53:10<br/> <b>lot</b> [1] 50:10<br/> <b>lower</b> [1] 51:1</p> | <p><b>meet</b> [5] 6:2 7:17 59:22 62:14 66:7<br/> <b>meeting</b> [2] 13:23 60:15<br/> <b>mention</b> [1] 32:17<br/> <b>Mex</b> [1] 9:25<br/> <b>MEXICO</b> [96] 1:6,24,25 2:13 3:6,14,21,22 4:6,18,23 5:17,23,24,25 6:19 7:12 8:19 9:2,20 10:2,9,18 11:19 12:6,13 13:4,21 14:5 15:4 17:5 18:18,21 20:9,19 21:23 22:5,11,12,18,20 23:4,9,13 24:18 26:4,13 28:15,21,23 29:23 34:9,24 38:23 39:24 40:16 43:1,2 44:20 46:25 47:23 48:24 49:23 51:7,12,13,16,21,24 53:17 55:18 56:8,20 57:15,19 58:5,15,24 59:5,20 61:10,18 62:7,15 63:16,17,21 65:4,9,11,14,18 66:1,2,5,8<br/> <b>Mexico's</b> [8] 8:7 9:25 12:24 14:2,8 21:23 26:10 50:16<br/> <b>middle</b> [4] 22:12 23:23 28:15,21<br/> <b>might</b> [3] 18:4 26:21 38:14<br/> <b>mind</b> [1] 36:7<br/> <b>minimal</b> [1] 28:7<br/> <b>minutes</b> [1] 62:22<br/> <b>mirrors</b> [2] 36:22,24<br/> <b>Monday</b> [1] 1:10<br/> <b>morning</b> [1] 3:4<br/> <b>most</b> [1] 33:9<br/> <b>motion</b> [6] 5:17 10:3 14:2,9 18:5 59:9<br/> <b>Ms</b> [36] 3:7,10 4:24 5:5 6:10 7:1,7,21,24 9:13,18 10:24 11:8,15 12:7,18 13:25 14:15 15:2,14,22 16:7,12,15,23,25 17:2 18:12 19:12 20:1 28:25 48:21 62:21,25 64:16,19<br/> <b>much</b> [10] 9:2,3 13:22 17:17 20:7 36:22 46:16 53:2,6 65:22<br/> <b>mucking</b> [1] 19:20<br/> <b>multiple</b> [1] 35:21<br/> <b>must</b> [3] 22:19 35:25 48:4</p> | <p>24:18 26:4,10,13 28:15,21,22 29:23 34:9 36:7 39:24 43:1,1 46:25 47:23 48:23 50:16 51:7,12,13,16,21 53:17 55:18 56:8,20 57:15,19 58:5,15,23 59:5,20 61:10,17 62:7 63:16,17,21 65:4 66:1,2,4<br/> <b>nine</b> [1] 32:13<br/> <b>note</b> [4] 53:11 58:25 60:20 62:15<br/> <b>Number</b> [1] 3:5</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O'CONNELL</b> [41] 1:17 2:3,15 3:7,8,10 4:24 5:5 6:10 7:1,7,21,24 9:13,18 10:24 11:8,15 12:7,18 13:25 14:15 15:2,14,22 16:7,12,15,23,25 17:2 18:12 19:12 20:1 28:25 48:21 62:21,23,25 64:16,19<br/> <b>object</b> [1] 46:1<br/> <b>obligated</b> [1] 44:3<br/> <b>obligation</b> [11] 5:14 8:8 10:22 11:4,19,23 12:6 26:5 35:1 43:24 52:14<br/> <b>obligations</b> [25] 7:17,25 13:23 18:18 20:10,20 35:17 37:17 42:9,13 44:20,20,21 45:1 52:9,22 57:2 59:22 60:16 61:11 62:14 65:4,9 66:7,8<br/> <b>observed</b> [1] 49:21<br/> <b>obtain</b> [1] 35:25<br/> <b>obviously</b> [2] 35:23 38:12<br/> <b>occasion</b> [1] 54:2<br/> <b>occur</b> [1] 23:19<br/> <b>occurs</b> [1] 28:15<br/> <b>often</b> [2] 19:6 24:21<br/> <b>Okay</b> [5] 7:21 16:15,24 19:22 40:24<br/> <b>once</b> [1] 33:20<br/> <b>one</b> [13] 15:2 30:6,10,25 31:11 34:19 37:5 43:14 46:9 47:3 48:6,9 54:20<br/> <b>ongoing</b> [2] 37:19 38:2<br/> <b>only</b> [5] 26:7 29:13 49:1 54:16 57:14<br/> <b>open</b> [1] 52:15<br/> <b>opening</b> [1] 54:14<br/> <b>operate</b> [3] 27:11 36:1 37:25<br/> <b>operated</b> [2] 8:13 23:1<br/> <b>operates</b> [3] 8:24 9:22 21:11<br/> <b>operating</b> [3] 15:25 30:12 50:19<br/> <b>operation</b> [1] 59:21<br/> <b>operations</b> [1] 63:11<br/> <b>operative</b> [1] 60:22<br/> <b>operator</b> [1] 36:18<br/> <b>opine</b> [2] 26:22 27:3<br/> <b>opinion</b> [6] 27:1 37:14 57:10 58:23 59:8 61:9<br/> <b>opinions</b> [1] 37:2<br/> <b>opportunity</b> [1] 59:18<br/> <b>oppose</b> [1] 55:4<br/> <b>opposed</b> [1] 25:1<br/> <b>opposing</b> [1] 10:3<br/> <b>opposition</b> [1] 14:2<br/> <b>oral</b> [9] 1:12 2:2,5,8,11 3:8 21:1 32:1 51:6</p> |
| <p style="text-align: center;"><b>J</b></p> <p><b>Jacinto</b> [1] 20:14<br/> <b>January</b> [1] 1:10<br/> <b>jointed</b> [1] 48:23<br/> <b>JR</b> [3] 1:24 2:12 51:6<br/> <b>judgment</b> [4] 15:11 36:17 37:14 59:10<br/> <b>judicial</b> [2] 25:12 55:11<br/> <b>Justice</b> [123] 1:18 3:3,10 4:15 5:3 6:3,21 7:3,14,22 9:4,6,14 10:14 11:5,9,24 12:7,8 13:16 14:10 15:2,20 16:4,10,13,17,24 17:1,2,25 18:1,23 19:13 20:23 21:5 22:2 23:3 24:3,5,11 25:18 26:3,17,25 27:7,16 28:6,24 29:11,18 30:2,3,7 31:9,20,23,24 32:5,24 33:23 34:17 35:13,19 36:14 38:4,5 39:7 40:10,24 41:12 42:5,17 43:10 44:3,6,16,17 46:8,14 47:4,13,16,21 48:6,9,20 51:3,8 52:2,3,6,21 53:5,24,25 54:1,19,20 55:13 56:5,7,13,18 57:13,19 58:13 59:12,16,25 61:5,12,16 62:1,2,4,18,21 63:1 64:14,17 65:21 66:16<br/> <b>Justice's</b> [1] 49:13<br/> <b>justices</b> [1] 49:20</p> | <p style="text-align: center;"><b>M</b></p> <p><b>made</b> [3] 19:6 37:5 57:14<br/> <b>main</b> [3] 29:21 51:10 52:10<br/> <b>manner</b> [3] 55:20 56:3 58:11<br/> <b>many</b> [5] 10:19 15:21 32:14 41:19 48:16<br/> <b>MARCUS</b> [3] 1:24 2:12 51:6<br/> <b>Master</b> [14] 4:12 6:5 21:19 25:3 27:1,23 37:3,11 51:13 55:2 56:24 58:7 65:23 66:11<br/> <b>Master's</b> [6] 8:3 18:15 22:17 23:11 32:8 51:17<br/> <b>matter</b> [5] 1:12 11:1,24 26:19 51:15<br/> <b>McCarran</b> [1] 55:16<br/> <b>mean</b> [23] 9:7 11:21 12:9,12,16,22 14:20 16:7,18 18:25 27:17,18,21 33:4 40:11 41:13 46:16 53:1,21 61:13 62:2,7 64:18<br/> <b>means</b> [4] 21:16 41:13 62:13 66:13<br/> <b>meant</b> [1] 29:11<br/> <b>mechanism</b> [1] 52:7<br/> <b>mechanisms</b> [1] 45:15<br/> <b>Medellin</b> [1] 15:6</p>                                                                                                                                                                                                                                                                                                                                                                                                                       | <p style="text-align: center;"><b>N</b></p> <p><b>narrow</b> [1] 23:21<br/> <b>nature</b> [2] 22:10 28:14<br/> <b>Nebraska</b> [9] 21:14 28:18 33:8 36:15 37:9 41:10 59:1 63:7,9<br/> <b>necessarily</b> [9] 20:6 25:5,25 27:3 36:24 37:10 49:18 50:12 65:2<br/> <b>necessary</b> [13] 21:13 48:25 49:1,5,19 50:2,3 51:1 56:9,15,21 57:8,17<br/> <b>need</b> [9] 4:21 10:4 12:20 13:5 14:23 38:10 46:9 58:9 66:14<br/> <b>needed</b> [1] 50:12<br/> <b>needs</b> [3] 13:10 14:6 42:3<br/> <b>negotiate</b> [3] 10:18 40:1 41:18<br/> <b>negotiating</b> [2] 32:18 36:12<br/> <b>negotiation</b> [1] 10:17<br/> <b>never</b> [10] 30:13 32:21,21 33:6 37:12,13 49:9 53:18 54:2,3<br/> <b>NEW</b> [85] 1:6,24,25 2:13 3:5,14,22 4:6,18,23 5:17,22,24,25 6:19 7:12 8:7 9:20,25,25 10:1 12:12,24 13:4,21 14:2,4,8 17:5 18:17,21 20:9,19 21:23,23 22:5,11,12,18,20 23:4,13</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p style="text-align: center;"><b>K</b></p> <p><b>KAGAN</b> [27] 12:7 13:16 14:10 17:2,25 28:24 29:11,18 30:3 38:4 40:10,24 41:12 44:16 48:6,9 52:3,6,21 53:5,25 54:19 55:13 59:12,16,25 65:21<br/> <b>Kansas</b> [3] 33:8 41:9 63:7<br/> <b>keen</b> [1] 47:24<br/> <b>KELLER</b> [20] 1:20 2:6 20:25 21:1,4 22:3,9 24:9,14 25:23 26:7,24 27:2 28:5 29:3,17 30:6,10 31:13,22<br/> <b>KENNEDY</b> [11] 11:5,9,24 22:2 23:3 24:5,11 34:17 35:13,19 47:4<br/> <b>key</b> [1] 21:9<br/> <b>kind</b> [2] 11:16 50:20<br/> <b>knowing</b> [2] 27:11,12</p> <p style="text-align: center;"><b>L</b></p> <p><b>lack</b> [1] 61:23<br/> <b>landowners</b> [1] 60:9<br/> <b>lands</b> [1] 30:20<br/> <b>language</b> [1] 28:17<br/> <b>large</b> [1] 16:8</p>                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>order</b> <sup>[7]</sup> 13:10,11 14:23 51:20 57:1 63:18 66:6</p> <p><b>original</b> <sup>[2]</sup> 3:5 25:8</p> <p><b>other</b> <sup>[20]</sup> 4:11 6:15 13:19 22:22 24:20 28:3 36:22,25 44:7,9 46:4,14 50:7 52:22 53:4 57:5 60:3 61:23 63:15 66:15</p> <p><b>otherwise</b> <sup>[1]</sup> 46:11</p> <p><b>ought</b> <sup>[1]</sup> 47:9</p> <p><b>out</b> <sup>[9]</sup> 31:5 34:19 39:17,21 42:7 48:21 50:25 53:1 65:10</p> <p><b>outset</b> <sup>[1]</sup> 6:22</p> <p><b>outside</b> <sup>[1]</sup> 38:1</p> <p><b>over</b> <sup>[2]</sup> 22:25 29:5</p> <p><b>own</b> <sup>[9]</sup> 14:13 21:6 24:1 28:12 29:10 31:8 45:5 48:10 60:6</p> <p><b>owned</b> <sup>[1]</sup> 60:9</p> <p><b>owns</b> <sup>[1]</sup> 21:11</p> | <p><b>portions</b> <sup>[2]</sup> 16:2 58:22</p> <p><b>position</b> <sup>[7]</sup> 16:21 25:19 30:21 35:15 43:19 44:7 57:20</p> <p><b>Possibly</b> <sup>[1]</sup> 30:10</p> <p><b>potential</b> <sup>[1]</sup> 25:6</p> <p><b>potentially</b> <sup>[1]</sup> 29:17</p> <p><b>power</b> <sup>[3]</sup> 39:23 40:7,7</p> <p><b>practicable</b> <sup>[1]</sup> 31:18</p> <p><b>practical</b> <sup>[1]</sup> 28:6</p> <p><b>practice</b> <sup>[2]</sup> 23:10 30:15</p> <p><b>preamble</b> <sup>[1]</sup> 35:12</p> <p><b>preceded</b> <sup>[1]</sup> 36:3</p> <p><b>precedent</b> <sup>[3]</sup> 41:24 46:4 50:2</p> <p><b>precisely</b> <sup>[4]</sup> 22:23 27:3,7 29:5</p> <p><b>predates</b> <sup>[1]</sup> 11:4</p> <p><b>predicate</b> <sup>[1]</sup> 21:13</p> <p><b>preexisted</b> <sup>[1]</sup> 11:1</p> <p><b>preexisting</b> <sup>[1]</sup> 42:9</p> <p><b>premise</b> <sup>[1]</sup> 45:10</p> <p><b>premised</b> <sup>[1]</sup> 45:4</p> <p><b>present</b> <sup>[1]</sup> 14:24</p> <p><b>presented</b> <sup>[4]</sup> 4:3 14:19 29:7 64:2</p> <p><b>presenting</b> <sup>[1]</sup> 10:11</p> <p><b>preserved</b> <sup>[1]</sup> 20:3</p> <p><b>presumably</b> <sup>[1]</sup> 29:14</p> <p><b>presume</b> <sup>[1]</sup> 31:9</p> <p><b>pretty</b> <sup>[5]</sup> 10:15 34:12 36:21 40:22 41:21</p> <p><b>prevail</b> <sup>[1]</sup> 46:15</p> <p><b>prevails</b> <sup>[1]</sup> 11:6</p> <p><b>prevent</b> <sup>[1]</sup> 26:11</p> <p><b>preventing</b> <sup>[2]</sup> 13:22 21:24</p> <p><b>prior</b> <sup>[3]</sup> 10:22 40:18 63:18</p> <p><b>probably</b> <sup>[2]</sup> 10:25 25:24</p> <p><b>problem</b> <sup>[1]</sup> 5:6</p> <p><b>proceed</b> <sup>[2]</sup> 13:15 27:15</p> <p><b>proceeding</b> <sup>[1]</sup> 54:25</p> <p><b>proceeds</b> <sup>[1]</sup> 29:12</p> <p><b>project</b> <sup>[42]</sup> 3:17,20 5:9 6:1,2 8:5,9,10,17,22,25 9:1 12:3,4 18:19,22 21:12,12,15,20 22:25 23:1 30:19 34:10 36:1 38:1 41:16 47:24 56:1 57:21,24 59:21 60:8,13,16 61:7,10,25 62:9 65:3,8 66:5</p> <p><b>projects</b> <sup>[5]</sup> 8:13 32:15,17 43:9 63:11</p> <p><b>prominence</b> <sup>[3]</sup> 33:25 34:3,5</p> <p><b>proper</b> <sup>[2]</sup> 25:13 66:2</p> <p><b>properly</b> <sup>[1]</sup> 9:11</p> <p><b>protect</b> <sup>[18]</sup> 4:7 5:25 6:1,19 12:2 13:8 17:13,24 18:18,22 40:25 45:5,10,23 51:20 64:4 65:17 66:5</p> <p><b>protected</b> <sup>[3]</sup> 19:10 56:1 64:12</p> <p><b>protections</b> <sup>[2]</sup> 54:11 55:23</p> <p><b>protects</b> <sup>[2]</sup> 7:8 8:1</p> <p><b>provide</b> <sup>[2]</sup> 23:7 42:10</p> <p><b>provides</b> <sup>[1]</sup> 54:10</p> <p><b>public</b> <sup>[2]</sup> 15:19 16:5</p> <p><b>pumping</b> <sup>[1]</sup> 34:9</p> <p><b>purposes</b> <sup>[4]</sup> 27:10 29:7 31:6 55:11</p> <p><b>pursuant</b> <sup>[4]</sup> 4:10,11 10:10 15:24</p> <p><b>put</b> <sup>[3]</sup> 21:18 43:5 65:21</p> <p><b>putting</b> <sup>[1]</sup> 18:7</p> | <p style="text-align: center;"><b>Q</b></p> <p><b>quantities</b> <sup>[1]</sup> 23:18</p> <p><b>question</b> <sup>[21]</sup> 4:20 9:16 10:15 16:19 17:3 18:1 27:17 29:7 35:21 36:5 42:22 45:9,21 49:7,10,13,14,20 54:2 56:14 64:24</p> <p><b>questions</b> <sup>[2]</sup> 31:19 51:2</p> <p><b>quickly</b> <sup>[1]</sup> 57:11</p> <p><b>quite</b> <sup>[5]</sup> 4:21 26:20 38:24 65:10,15</p> <p><b>quote</b> <sup>[2]</sup> 21:14,18</p> | <p style="text-align: center;"><b>R</b></p> <p><b>RAEL</b> <sup>[21]</sup> 1:24 2:12 51:5,6,8 52:6 53:5 54:5 55:1,15 56:11,18 57:18 58:18 59:16 60:5 61:8,14 62:1,5,20</p> <p><b>raise</b> <sup>[15]</sup> 9:8,17 21:6 27:8,19 29:10 31:8,15 51:14,19 52:19 53:19 54:9,15,16</p> <p><b>raised</b> <sup>[4]</sup> 24:24 25:4 29:19 50:8</p> <p><b>raising</b> <sup>[2]</sup> 31:3 50:18</p> <p><b>rather</b> <sup>[6]</sup> 10:12 25:9 30:24 31:11 46:10 53:3</p> <p><b>re</b> <sup>[1]</sup> 20:13</p> <p><b>reach</b> <sup>[2]</sup> 14:6 28:22</p> <p><b>read</b> <sup>[4]</sup> 11:21 33:14 54:8,13</p> <p><b>real</b> <sup>[1]</sup> 57:11</p> <p><b>really</b> <sup>[3]</sup> 18:24 27:17 50:7</p> <p><b>reason</b> <sup>[9]</sup> 17:3 18:14,17 27:21 33:1 46:9 53:16 54:21 66:2</p> <p><b>reasons</b> <sup>[1]</sup> 9:19</p> <p><b>REBUTTAL</b> <sup>[4]</sup> 2:14 20:22 62:23 63:1</p> <p><b>receive</b> <sup>[1]</sup> 53:15</p> <p><b>received</b> <sup>[1]</sup> 53:21</p> <p><b>receives</b> <sup>[3]</sup> 23:5 47:24 52:20</p> <p><b>recent</b> <sup>[1]</sup> 33:9</p> <p><b>Reclamation</b> <sup>[46]</sup> 3:17,19 5:1,4,8,9,20 6:5,12 8:13,24 12:4 18:4,9,20 23:2 24:22 25:2,10,21 26:1 36:2,4 37:20 44:10 45:11 50:10,18,24 51:19 52:23 53:7,16 54:24 55:5,8,24 56:1,22 57:7 58:10,15,20,22 65:23,24</p> <p><b>Reclamation's</b> <sup>[1]</sup> 15:25</p> <p><b>recognize</b> <sup>[2]</sup> 49:15,25</p> <p><b>recognized</b> <sup>[2]</sup> 6:6 32:22</p> <p><b>recommendation</b> <sup>[4]</sup> 4:13 18:15 51:18 56:25</p> <p><b>reconciling</b> <sup>[1]</sup> 35:14</p> <p><b>refer</b> <sup>[1]</sup> 7:25</p> <p><b>reference</b> <sup>[3]</sup> 7:16,19 34:21</p> <p><b>refers</b> <sup>[2]</sup> 8:21 22:24</p> <p><b>Regarding</b> <sup>[2]</sup> 32:9 50:19</p> <p><b>regime</b> <sup>[2]</sup> 46:19 48:2</p> <p><b>region</b> <sup>[1]</sup> 63:12</p> <p><b>regression</b> <sup>[2]</sup> 30:16,24</p> <p><b>reiterating</b> <sup>[1]</sup> 64:23</p> <p><b>relationship</b> <sup>[1]</sup> 40:16</p> <p><b>release</b> <sup>[3]</sup> 8:18 34:22 66:6</p> <p><b>released</b> <sup>[1]</sup> 6:2</p> <p><b>releases</b> <sup>[6]</sup> 3:19 8:23 10:6 12:2,5</p> <p><b>39:16</b></p> <p><b>relegated</b> <sup>[1]</sup> 33:16</p> <p><b>relied</b> <sup>[1]</sup> 3:16</p> <p><b>relief</b> <sup>[14]</sup> 4:6 6:19 13:11 17:12,24 20:8,8,18 36:9 37:13,14,15 64:4,4</p> <p><b>relinquish</b> <sup>[1]</sup> 22:19</p> <p><b>relinquished</b> <sup>[1]</sup> 28:20</p> <p><b>relinquishing</b> <sup>[2]</sup> 22:20,21</p> <p><b>rely</b> <sup>[2]</sup> 65:6,16</p> <p><b>relying</b> <sup>[1]</sup> 63:7</p> <p><b>remainder</b> <sup>[1]</sup> 31:5</p> <p><b>remaining</b> <sup>[1]</sup> 62:22</p> <p><b>remedies</b> <sup>[1]</sup> 58:12</p> <p><b>remedy</b> <sup>[2]</sup> 53:12 55:6</p> <p><b>remiss</b> <sup>[1]</sup> 35:2</p> <p><b>reply</b> <sup>[1]</sup> 5:19</p> <p><b>report</b> <sup>[3]</sup> 8:3 23:11 32:8</p> <p><b>represented</b> <sup>[1]</sup> 60:10</p> <p><b>Republic</b> <sup>[1]</sup> 62:15</p> <p><b>Republican</b> <sup>[3]</sup> 34:6,8,15</p> <p><b>require</b> <sup>[2]</sup> 3:13 62:6</p> <p><b>required</b> <sup>[6]</sup> 9:21 12:20 13:4 17:22 20:9 63:23</p> <p><b>requires</b> <sup>[1]</sup> 61:17</p> <p><b>reserve</b> <sup>[2]</sup> 20:21 49:19</p> <p><b>reservoir</b> <sup>[7]</sup> 3:21 8:9,12 9:23 10:1 12:15 22:19</p> <p><b>reservoirs</b> <sup>[1]</sup> 8:12</p> <p><b>resolution</b> <sup>[2]</sup> 4:1 42:11</p> <p><b>resolved</b> <sup>[1]</sup> 25:17</p> <p><b>respect</b> <sup>[3]</sup> 40:20 41:3,7</p> <p><b>response</b> <sup>[1]</sup> 63:2</p> <p><b>resulted</b> <sup>[1]</sup> 33:10</p> <p><b>return</b> <sup>[2]</sup> 17:25 30:17</p> <p><b>review</b> <sup>[1]</sup> 34:7</p> <p><b>rights</b> <sup>[30]</sup> 10:16 14:12,13 19:1 35:24 36:1,16 37:20,25 39:13,14 41:16,16 42:25 43:4,7 46:25 47:22 48:3 50:23 54:16 55:17,20 56:3 57:4,5 58:2,2 60:7,8</p> <p><b>Rio</b> <sup>[4]</sup> 3:12 21:12 63:19 64:9</p> <p><b>rises</b> <sup>[1]</sup> 46:21</p> <p><b>River</b> <sup>[6]</sup> 34:6,8,16 40:8 63:17,21</p> <p><b>rivers</b> <sup>[1]</sup> 32:15</p> <p><b>ROBERTS</b> <sup>[19]</sup> 3:3 9:6,14 10:14 12:8 18:23 19:13 20:23 27:16 31:20,24 46:8,14 51:3 54:20 62:4,18,21 66:16</p> <p><b>route</b> <sup>[1]</sup> 39:23</p> <p><b>rule</b> <sup>[3]</sup> 9:16 11:11 28:11</p> <p><b>ruled</b> <sup>[1]</sup> 54:4</p> <p><b>rules</b> <sup>[1]</sup> 55:12</p> | <p style="text-align: center;"><b>S</b></p> <p><b>same</b> <sup>[15]</sup> 18:11,13 24:11,12,15 28:11 31:3 34:18 37:19 47:1 56:14 60:3,21 61:3 63:19</p> <p><b>San</b> <sup>[1]</sup> 20:14</p> <p><b>Sanitary</b> <sup>[3]</sup> 17:7,15 20:13</p> <p><b>satisfy</b> <sup>[1]</sup> 12:6</p> <p><b>saw</b> <sup>[1]</sup> 41:23</p> <p><b>saying</b> <sup>[18]</sup> 9:2 19:13,18 24:6,12,15 27:18 36:10 40:6 44:12 49:1,4 56:16,19,20 58:6 59:2,5</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>says</b> [7] 8:15 10:19 26:17 38:8 46:9 61:22 66:11</p> <p><b>scheme</b> [1] 43:5</p> <p><b>scope</b> [1] 46:25</p> <p><b>SCOTT</b> [3] 1:20 2:6 21:1</p> <p><b>Second</b> [3] 21:12 41:7 64:23</p> <p><b>Secondly</b> [1] 51:16</p> <p><b>see</b> [2] 39:3,8</p> <p><b>seek</b> [1] 15:11</p> <p><b>seeking</b> [5] 13:8 20:18 36:16,17 53:13</p> <p><b>seemed</b> [1] 38:24</p> <p><b>Seems</b> [3] 26:25 33:24 47:4</p> <p><b>seen</b> [1] 38:19</p> <p><b>self-executing</b> [5] 15:7,8,9,18 16:20</p> <p><b>send</b> [1] 65:14</p> <p><b>sense</b> [3] 10:10 56:1 58:19</p> <p><b>separate</b> [1] 37:2</p> <p><b>set</b> [3] 6:16 40:18 45:20</p> <p><b>sets</b> [2] 41:19 46:4</p> <p><b>setting</b> [1] 57:16</p> <p><b>settle</b> [2] 31:16 33:20</p> <p><b>settled</b> [1] 31:10</p> <p><b>settlement</b> [5] 30:11 33:11,12,14,17</p> <p><b>Several</b> [3] 32:16 39:1 44:13</p> <p><b>shall</b> [1] 38:8</p> <p><b>shape</b> [1] 6:18</p> <p><b>shaped</b> [1] 4:7</p> <p><b>She's</b> [1] 30:3</p> <p><b>shorted</b> [1] 65:18</p> <p><b>side</b> [2] 12:19 24:20</p> <p><b>signatory</b> [5] 21:19 36:9 37:8 53:23 58:1</p> <p><b>signatures</b> [1] 64:15</p> <p><b>signed</b> [3] 18:21 43:23 45:13</p> <p><b>significant</b> [6] 32:15 34:12 37:7,11 42:18,21</p> <p><b>similar</b> [1] 34:13</p> <p><b>simple</b> [1] 38:24</p> <p><b>simply</b> [3] 28:4 50:3 62:9</p> <p><b>since</b> [3] 13:9,9 15:23</p> <p><b>sit</b> [1] 12:25</p> <p><b>situation</b> [1] 43:11</p> <p><b>six</b> [1] 38:13</p> <p><b>sole</b> [1] 21:15</p> <p><b>Solicitor</b> [5] 1:17,20,22 21:2 32:2</p> <p><b>solution</b> [3] 36:13 55:3 58:8</p> <p><b>somebody</b> [1] 5:7</p> <p><b>somehow</b> [1] 25:9</p> <p><b>somewhere</b> [1] 10:21</p> <p><b>soon</b> [1] 31:17</p> <p><b>sorry</b> [6] 16:4 18:1 36:14 43:10 56:5 61:5</p> <p><b>sort</b> [4] 12:19 33:15 37:23 66:14</p> <p><b>sorted</b> [1] 50:25</p> <p><b>SOTOMAYOR</b> [28] 4:15 5:3 7:14,22 9:4 16:4 24:3 25:18 26:3,17,25 27:7 30:2,7 31:9 36:14 43:10 44:3,6 52:2 56:5 58:13 61:5,12,16 62:2 64:14,17</p> <p><b>Sotomayor's</b> [1] 18:1</p> <p><b>sought</b> [5] 37:12,13,15 55:7 59:9</p> | <p><b>sounds</b> [1] 16:18</p> <p><b>sovereign</b> [5] 25:6 26:2 27:12 56:3 58:4</p> <p><b>sovereigns</b> [1] 25:9</p> <p><b>speaking</b> [1] 52:17</p> <p><b>Special</b> [14] 6:5 21:19 22:17 25:3 27:1 32:8 33:24 37:2,11 51:13,17 55:2 56:24 58:7</p> <p><b>specific</b> [3] 7:8 34:20,21</p> <p><b>specifically</b> [2] 11:17 64:7</p> <p><b>split</b> [1] 23:15</p> <p><b>spoken</b> [1] 24:21</p> <p><b>stage</b> [2] 26:22 56:8</p> <p><b>stake</b> [6] 4:5 7:9 10:9 14:18 17:13 47:22</p> <p><b>staking</b> [1] 6:8</p> <p><b>standard</b> [1] 14:15</p> <p><b>start</b> [2] 31:11 34:11</p> <p><b>started</b> [1] 59:14</p> <p><b>state</b> [57] 3:14,22 4:18 5:24 10:16 15:15 18:6 22:13 23:23,24 24:22 25:5,10,20,25 26:2 27:12 28:7,22 30:13 31:1,15 35:24,25 37:21,22,25 38:1,8 41:16 43:6 44:10 45:14,15,18 46:20 48:10,12 50:23,23 51:11 54:25 55:13,17,19 56:2 58:4,5,5,23 59:12,18,23 60:2 63:21 64:22 66:1</p> <p><b>STATES</b> [171] 1:1,13,19 2:4,16 3:9 4:2,8 5:7,14 7:11 9:21,22 10:5 12:21,25 13:9,20 14:17,19 15:23 16:3 17:8,10,11,16,18,23 18:16 19:17,17,19 20:2 21:19 22:3,8,13 23:4,25 25:4,14 26:10 27:8,19 28:12,16 29:9,15,16,22 31:2,7,12 32:11,20,22,25 33:3,10,11,12,15,18,19,21 34:7,13,15 35:1,2,6,10,10,15,25 36:8,9,12,21 37:5,7,12,24 38:7,14,17 39:9,15,20 40:6,9,12,17,25 41:18,20,23,25 42:8,23 43:15,17 44:5,8,15,19 45:6,9,22 46:1,9,17 47:6,14,22 48:2,4,16,21,24 49:7,11 50:8 51:14,18,22 52:8,13,18,22 53:9,13,19 54:9,13,15,21 55:24 56:9,15,21,25 57:17,25 58:12,21 59:2,4,13,14,19 60:1,5,10,12,24 61:6,19 62:8,12,13,24 63:4,9,23 64:7 65:1,5,13,15 66:6</p> <p><b>States'</b> [18] 3:23 5:11 6:17 11:19 14:4 25:7 29:1 32:7,10 42:12,25 45:5 55:17 60:21 63:11 64:2,11 66:11</p> <p><b>status</b> [1] 33:16</p> <p><b>statute</b> [3] 11:7,14 16:11</p> <p><b>statutes</b> [1] 16:8</p> <p><b>statutory</b> [4] 17:21 21:7,9,25</p> <p><b>still</b> [6] 4:20 11:21,22 13:1 42:6 58:9</p> <p><b>storage</b> [3] 8:5,10,17</p> <p><b>strong</b> [3] 40:22 41:22 48:18</p> <p><b>stuck</b> [1] 42:6</p> <p><b>studied</b> [1] 16:19</p> <p><b>subject</b> [2] 18:5 55:17</p> <p><b>submitted</b> [2] 66:17,19</p> | <p><b>subservient</b> [1] 45:19</p> <p><b>substantially</b> [1] 34:4</p> <p><b>substantive</b> [6] 39:13 42:22 44:9 45:24 47:11 49:10</p> <p><b>subsumed</b> [1] 41:17</p> <p><b>succinctly</b> [1] 21:18</p> <p><b>sue</b> [23] 18:6 19:3 21:22 23:4 25:20,21 26:5 36:8 38:1 43:25 58:15,16,23 59:5,13,18 60:2,14,17 61:6,8,11,24</p> <p><b>sued</b> [3] 17:16 36:20 59:3</p> <p><b>sues</b> [1] 5:7</p> <p><b>suggest</b> [1] 38:16</p> <p><b>suing</b> [1] 5:12</p> <p><b>suit</b> [11] 13:18,20,24 14:13 17:19 18:9,10 20:8 22:5 27:11 38:7</p> <p><b>suits</b> [5] 17:12 18:8,11 20:4 48:17</p> <p><b>summary</b> [2] 37:14 59:9</p> <p><b>support</b> [2] 19:6 58:8</p> <p><b>suppose</b> [2] 10:15 54:20</p> <p><b>SUPREME</b> [2] 1:1,13</p> <p><b>surely</b> [1] 12:22</p> <p><b>surface</b> [1] 43:12</p> <p><b>surprising</b> [1] 38:6</p> <p><b>system</b> [1] 60:1</p> | <p><b>totally</b> [2] 10:24 65:25</p> <p><b>touch</b> [1] 61:19</p> <p><b>treaties</b> [4] 15:7,7 16:11 44:10</p> <p><b>treaty</b> [50] 5:3,11,15,20 7:17,25 9:2 10:10,17,18,21 11:1,2,4,7,13,17,19,23 12:6 15:4,9,12,18 18:20 24:21 35:6,18 36:3 38:23 39:22 40:7 41:4,5 42:7 49:6,24 51:23 52:1,7,9,9,13,15 57:2,3 58:10 62:14 65:11 66:7</p> <p><b>true</b> [2] 33:6 60:3</p> <p><b>trumps</b> [1] 10:22</p> <p><b>try</b> [4] 26:21 41:23 54:16 59:18</p> <p><b>trying</b> [6] 5:6,16 13:6 45:6 53:1 57:4</p> <p><b>turn</b> [2] 32:8 50:5</p> <p><b>two</b> [5] 18:8 19:17 41:3 42:9 64:15</p> <p><b>type</b> [1] 44:7</p> <p><b>typically</b> [1] 5:12</p> |
| <b>U</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>U.S</b> [12] 16:9 21:6,8,11,22,24 26:18 30:5 36:15 43:6 50:17 58:14</p> <p><b>ultimately</b> [1] 47:25</p> <p><b>under</b> [94] 5:1,15,20,20 6:4,4,6,7,11,12 7:5 10:1 12:14,14 13:24 15:13 18:4,6,9,10 23:21 24:7,16 25:25 26:5,8,12 27:24 32:23 33:17,19,21 35:11,17 37:16,17 39:22,22 43:1,25 44:9 45:18,24 46:2 47:1,10 48:1,19 49:6 51:19,25,25 52:1,5,14,15,20 53:3,3,14,15,20 54:10,23 55:5,8,9,13,14,15,15 56:22,23 57:2,6 58:2,10,10,21,21 59:13 60:7,7,8,17,21 61:6,12,13,24 62:2 64:8 65:10 66:13</p> <p><b>undermine</b> [1] 18:20</p> <p><b>undermines</b> [1] 5:10</p> <p><b>understand</b> [6] 4:21 12:9 25:18 26:6 42:6 61:17</p> <p><b>understanding</b> [1] 45:4</p> <p><b>understood</b> [1] 18:2</p> <p><b>Union</b> [1] 38:15</p> <p><b>unique</b> [2] 22:10 28:13</p> <p><b>UNITED</b> [166] 1:1,13,19 2:4,16 3:9,23 4:2,8 5:7,10,14 6:17 7:10 9:21,22 10:5 11:18 12:21,25 13:9 14:4,17,19 15:23 17:8,9,11,16,18,22 19:19 20:2 22:2,13 23:3,25 25:4,7,14 27:8,18 28:12,16 29:1,9,14,15,22 31:2,7,12 32:7,10,10,20,22,25 33:2,11,15,17,21 34:7,13,15 35:1,1,6,10,14,25 36:8,21 37:5,7,12,24 38:6,17 39:9,15,20 40:5,12,17,25 41:20,23 42:8,12,23,25 43:15,17 44:5,8,19 45:5,6,9,22 46:1,9,16 47:6,21 48:16,21,24 49:7,11 51:14,18,22 52:8,12,17,22 53:9,12,19 54:9,12,15,21 55:16,24 56:9,15,21,25 57:17,25 58:11,21 59:2,4,13,14,19,25 60:5,12,21,24 61:6,19 62:5,6,8,12,24 63:3,11,23 64:2,7,11 65:1,5,13,15 66:6,10,11</p> <p><b>unless</b> [4] 19:15 26:3 39:2 44:24</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## Official - Subject to Final Review

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>unlike</b> <sup>[1]</sup> 16:10<br/> <b>unprecedented</b> <sup>[2]</sup> 32:12 63:4<br/> <b>unusual</b> <sup>[1]</sup> 3:12<br/> <b>up</b> <sup>[4]</sup> 16:6 19:21 29:4 54:14<br/> <b>usable</b> <sup>[7]</sup> 8:5,15,15,21 12:4 23:7 30:20<br/> <b>user</b> <sup>[1]</sup> 47:23<br/> <b>users</b> <sup>[7]</sup> 5:12,21 18:19 25:11 26:12 27:13 58:17<br/> <b>uses</b> <sup>[1]</sup> 62:13<br/> <b>using</b> <sup>[1]</sup> 17:17</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>vehicle</b> <sup>[3]</sup> 21:20 62:10,13<br/> <b>versus</b> <sup>[14]</sup> 3:5 17:8,9 21:14 28:18 29:15 33:8 36:15 41:9 63:7,16,18,22 64:6<br/> <b>view</b> <sup>[3]</sup> 27:20 28:25 40:25<br/> <b>violate</b> <sup>[1]</sup> 18:20<br/> <b>violating</b> <sup>[1]</sup> 5:13<br/> <b>violation</b> <sup>[3]</sup> 5:7 22:6 63:8<br/> <b>virtue</b> <sup>[1]</sup> 37:25<br/> <b>vital</b> <sup>[1]</sup> 47:6<br/> <b>voting</b> <sup>[2]</sup> 39:14,15</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>wagging</b> <sup>[1]</sup> 37:24<br/> <b>wanting</b> <sup>[1]</sup> 27:8<br/> <b>Washington</b> <sup>[2]</sup> 1:9,18<br/> <b>water</b> <sup>[94]</sup> 3:14 5:8,12,15,21 6:1 8:6,8,15,15,16,16,21 9:3 10:7,9,20 12:3,4,13 13:22 17:17,17 18:19 21:8 22:11,18 23:7,13,16,18,22 24:2 25:11,22 26:11,12 27:13 28:15,20 29:24,25 30:19,20 32:14 35:22,24,25 37:20,25 38:22 39:16 40:3,20 41:16 42:9,10 43:1,7,12,13,17,21 45:16 46:21,25 47:23,24 48:3,3 50:17,23 52:20 53:22 55:17,19 56:2,3 57:5 58:1,17 59:4,6 60:6,8 61:18,19 62:8,11,16,17 64:8 65:12 66:6<br/> <b>way</b> <sup>[16]</sup> 5:10 8:1 9:15 22:22 24:12,15 25:13 29:2 37:1 40:3 43:18 45:17 59:14 60:4 64:10 65:19<br/> <b>ways</b> <sup>[1]</sup> 41:3<br/> <b>whatever</b> <sup>[5]</sup> 9:10 10:22 12:14 45:17 64:4<br/> <b>Whereupon</b> <sup>[1]</sup> 66:18<br/> <b>whether</b> <sup>[8]</sup> 9:16 15:18 16:20 27:11 29:19 61:2 64:24 65:22<br/> <b>who's</b> <sup>[1]</sup> 57:25<br/> <b>whole</b> <sup>[1]</sup> 48:2<br/> <b>will</b> <sup>[26]</sup> 9:23,23 23:18,19 27:4 28:8 29:3,4 31:5 34:11 37:21 39:19 40:2,6 43:8 44:25 45:18 46:23 47:12,25 49:22,23 50:22,24 56:13 60:22<br/> <b>willing</b> <sup>[1]</sup> 13:13<br/> <b>within</b> <sup>[4]</sup> 35:9 41:17 45:19 48:4<br/> <b>without</b> <sup>[5]</sup> 3:23 5:9 38:8 48:13,18<br/> <b>words</b> <sup>[2]</sup> 13:19 46:15<br/> <b>work</b> <sup>[2]</sup> 22:23 66:15<br/> <b>working</b> <sup>[1]</sup> 11:11<br/> <b>worried</b> <sup>[1]</sup> 46:12</p> | <p><b>wreck</b> <sup>[1]</sup> 38:15<br/> <b>wrote</b> <sup>[1]</sup> 38:12<br/> <b>Wyoming</b> <sup>[5]</sup> 21:15 28:18 36:15,20 59:1</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p><b>XVI</b> <sup>[1]</sup> 11:17</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>YARGER</b> <sup>[30]</sup> 1:22 2:9 31:25 32:1,4 33:5 34:2 35:4,18,20 36:23 39:4,9 40:23 41:2,14 42:6,15,20 44:2,6 45:8 46:13,18 47:8,14,20 48:7,15 49:3<br/> <b>year</b> <sup>[3]</sup> 43:14 52:14 62:17<br/> <b>years</b> <sup>[5]</sup> 15:21 30:25 41:15 45:12 48:16<br/> <b>yourself</b> <sup>[1]</sup> 9:17<br/> <b>yourselves</b> <sup>[1]</sup> 40:2</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|