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IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1966

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No. 29, Original

STATE OF TEXAS AND  
STATE OF NEW MEXICO,

*Plaintiffs*

v.

THE STATE OF COLORADO,

*Defendant*

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MOTION FOR CONTINUANCE  
AND  
MEMORANDUM  
In Joint Action

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DUKE W. DUNBAR  
Attorney General of Colorado

BOSTON E. WITT  
Attorney General of New Mexico

CRAWFORD C. MARTIN  
Attorney General of Texas

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MOTION FOR CONTINUANCE

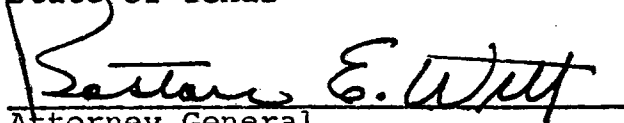
COME NOW the States of Colorado, Texas and New Mexico and respectfully move the Court to issue its order continuing this cause until such time as the plaintiff states may advise this Court of their desire that the cause should proceed toward judgment and as their grounds therefor submit the attached memorandum.



Attorney General  
State of Colorado



Attorney General  
State of Texas



Attorney General  
State of New Mexico

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**MEMORANDUM OF THE PARTIES RELATIVE  
TO MOTION FOR CONTINUANCE**

The States of Colorado, Texas and New Mexico advise the Court that the following agreement has been reached among the parties in this cause.

1. The State of Colorado undertakes to deliver water at the Colorado-New Mexico state line to meet every year the delivery obligation established by the schedules of Article III of the Rio Grande Compact. To this end the State of Colorado shall exercise its

best efforts and use all available administrative and legal powers including, if necessary, the curtailment of diversions enforced by agents of the State. The State of Colorado shall make frequent and regular reports to the plaintiffs of all measures taken to effect compliance.

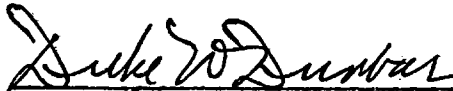
2. The State of Colorado desires to request that the Court continue this matter until such time as the plaintiff states may advise the Court that the continuance should terminate and the cause proceed toward judgment.


3. The States of Texas and New Mexico advise the Court of their concurrence in the request for the continuance in order to provide to the State of Colorado an opportunity to demonstrate its willingness and ability to deliver water at the Colorado-New Mexico state line annually in accordance with Article III, subject to the condition that such continuance terminate whenever the plaintiff states shall communicate in writing to the State of Colorado and to the Court their belief that the defendant has failed to deliver water at the Colorado-New Mexico state line in accordance with the undertaking set out in Paragraph 1 above, or that the State of Colorado has failed to take effective actions reasonably calculated to implement that undertaking. After the giving of such notice, the plaintiff states shall have sixty (60) days within which to reply to the Colorado counterclaim or to otherwise plead as may be appropriate.

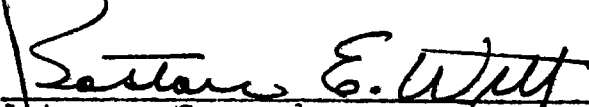
Nothing contained herein shall be construed to waive any right, claim or defense already pleaded by any

party, or which may be pleaded hereafter by any party in the event the continuance is terminated.

The States of Colorado, Texas and New Mexico, therefore, join in requesting that the Court continue this matter pursuant to the terms of the agreement set out above.

  
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Attorney General  
State of Colorado

  
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Attorney General  
State of Texas

  
\_\_\_\_\_  
Attorney General  
State of New Mexico

Signed original instruments mailed to the Supreme Court on April 17, 1968.







