

No. 141, Original

**In the
SUPREME COURT OF THE UNITED
STATES**

STATE OF TEXAS,
Plaintiff,
v.
STATE OF NEW MEXICO
and STATE OF COLRADO,
Defendants,

UNITED STATES OF AMERICA,
Intervenor.

SPECIAL MASTER THIRD CIRCUIT DKT. No. 24-141

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL
FOR ELEPHANT BUTTE IRRIGATION DISTRICT**

Samantha R. Barncastle hereby submits this motion to withdraw as counsel for *Amici* Elephant Butte Irrigation District (EBID) in the above-captioned matter, and as grounds states as follows:

On July 28, 2017, undersigned counsels entered the above-captioned matter. The undersigned counsel has represented EBID continuously in this matter since that time. The undersigned counsel now believes that she is required to disqualify herself from representing EBID pursuant to New Mexico Rule of Professional Conduct 16-116(A)(1) (“a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if ... the representation will result in a violation of the Rules of Professional Conduct or other law.”)

There is currently a hearing scheduled in this matter for October 23, 2024 and EBID has apprised counsel that it is planning to appear. There is no good cause for requiring continued representation by the undersigned, notwithstanding the present hearing setting, because, upon information and belief, EBID will have new counsel available for said hearing.

EBID’s current contact information is:

c/o Treasurer – Manager Joshua Smith
Address: 530 S. Melendres, Las Cruces, NM 88005
Phone Number: 575-526-6671
Email: jsmith@ebid.org

Counsel for the parties were contacted regarding their position on this Motion, and all were unopposed.

WHEREFORE, undersigned counsel requests that she be permitted to withdraw as attorney of record for EBID in the above-captioned matter and that EBID's appearance Pro Se be reentered in this matter unless and until the entity's new counsel enters an appearance.

Respectfully submitted this 10th day of October 2024.

Respectfully submitted,

/s/ Samantha R. Barncastle

Samantha R. Barncastle
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P.O. Box 1556
Las Cruces, NM 88004
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*Counsel for Elephant Butte
Irrigation District*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed and served on this 10th day of October, 2024, through the CM/ECF system, which caused the parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic filing.

I FURTHER CERTIFY that two true and correct copies of the foregoing were sent by Federal Express to the following address:

Honorable D. Brooks Smith
Special Master
Senior United States Circuit Judge
1798 Plank Road, Suite 203
Duncansville, PA 16635

BARNCASTLE LAW FIRM

/s/ Samantha R. Barncastle

Samantha R. Barncastle