

RESUMES AVAILABLE UPON REQUEST

RICHARD A. SIMMS – Mr. Simms has 43 years experience with water rights and federal reserved rights issues. After clerking for the Tenth Circuit Court of Appeals, Mr. Simms became associate counsel with the New Mexico State Engineer and Interstate Stream Commission in 1972. In 1976, he was made general counsel and successfully argued *United States v. New Mexico*, *Texas v. New Mexico*, and *Colorado v. New Mexico* before the United States Supreme Court. After going into private practice in 1982, Mr. Simms opened his own office in 1988, limiting his practice to water law. He is active in interstate litigation and currently represents the plaintiff states in *Kansas v. Colorado* and *Nebraska v. Wyoming*. He is recently retired as the senior partner in the firm Simms and Stein. The firm limits its practice to water law. Richard Simms limited his practice to water law, initially representing the New Mexico State Engineer and the New Mexico Interstate Stream Commission, entering private practice in 1982. He was responsible for *United States v. New Mexico* and was counsel of record for either the plaintiff or defendant state in *Texas v. New Mexico*, *Colorado v. New Mexico*, *Kansas v. Colorado*, and *Nebraska v. Wyoming*. He was also of counsel in *Oklahoma & Texas v. New Mexico*.

Forest Service and Western Water Rights: http://lawlibrary.unm.edu/nrj/45/4/07_hall_forest.pdf
Determining Indian Water Rights: <https://www.kansascityfed.org/PUBLICAT/SYMPOS/1979/S79SIMMS.pdf>

JAY F. STEIN is a founding member of Stein & Brockmann, P.A. (formerly Simms & Stein, P.A.), and has 35 years experience in water rights law. Mr. Stein is a New Mexico Board Certified Specialist in Water Law and his practice is limited to water law. He works in administrative, district court, and appellate proceedings in state and federal court, primarily in New Mexico, and has worked with other clients in Kansas, Wyoming, Nebraska, Texas, California, and the Republic of Mexico. Mr. Stein served as counsel to the New Mexico State Engineer and Interstate Stream Commission for nine years. Past experience includes trial work in the litigation of *Kansas v. Colorado*, Original No. 105, (first phase) for the State of Kansas. *Kansas v. Colorado* was a suit for construction and enforcement of the Arkansas River Compact, 63 Stat. 145 (1949), brought by the State of Kansas for under deliveries to Kansas caused by diversions upstream in Colorado. In Wyoming, he represented the Midvale Irrigation District in the Big Horn Adjudication on Federal/ tribal/state water issues. He also served as water counsel to Baja California in *CDEM v. United States*, D. Nev. CV-S-05-0870-KJD-PAL, a suit to enforce the Republic of Mexico's water rights in the United States District Court for the District of Nevada.

McCarran and Administration of Indian Water Rights
<http://opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1284&context=jcwre>

JAMES C. BROCKMAN is a New Mexico Board Certified Specialist in Water Law and his practice is almost exclusively limited to water law. He has more than 25 years experience in with water rights issues. He works primarily in New Mexico, but has worked with clients in Kansas, Wyoming, Nebraska, and Texas. Mr. Brockmann practices in front of administrative bodies, state district and appellate courts, federal district and appellate courts and has argued before the United States Supreme Court. Mr. Brockmann undertook two successful trips the United States Supreme Court on behalf of the State of Nebraska. See *Nebraska v. Wyoming*, 507 U.S. 584 (1993) and *Nebraska v. Wyoming*, 515 U.S. 1 (1995). Also in front of the U.S. Supreme Court, he acted as trial counsel for *Kansas v. Colorado* Original No. 105. Mr. Brockmann is responsible for water rights planning, acquisition, transfer, leasing, new appropriations, administrative hearings and adjudications for the firm's clients.