

ARIZONA *v.* CALIFORNIA ET AL.

ON EXCEPTIONS TO THE REPORT OF THE SPECIAL MASTER.

No. 10, Original. Argued December 8, 1955.—Decided
December 12, 1955.

Ruling on motion of California to join other States as parties to this action. P. 115.

George I. Haight served as Special Master by appointment of the Court, 347 U. S. 986, and filed the report on which this ruling was made. After his death, *Simon H. Rifkind* was appointed Special Master, 350 U. S. 812.

John P. Frank and *Ernest W. McFarland* argued the cause for the State of Arizona, complainant. On the brief were *Robert Morrison*, Attorney General, *John H. Moeur*, *Mr. Frank*, *John Geoffrey Will*, *Burr Sutter*, *Perry Ling* and *Theodore Kiendl*.

Northcutt Ely, Assistant Attorney General of California, argued the cause for defendants. On the brief were *Edmund G. Brown*, Attorney General, *Mr. Ely*, *Robert L. McCarty*, *Prentiss Moore* and *Gilbert F. Nelson*, Assistant Attorneys General, and *Charles E. Corker*, *Howard I. Friedman*, *Burton J. Gindler*, *James B. McKenney*, *John R. Alexander* and *George Brody*, Deputy Attorneys General, for the State of California, *Francis E. Jenney* for the Palo Verde Irrigation District, *Harry W. Horton* and *R. L. Knox, Jr.* for the Imperial Irrigation District, *Earl Redwine* for the Coachella Valley County Water District, *James H. Howard*, *Charles C. Cooper, Jr.*, *Donald M. Keith*, *Alan Patten* and *Frank P. Doherty* for the Metropolitan Water District of Southern California, *Roger Arnebergh* for the City of Los Angeles, and *T. B. Cosgrove* for the City of San Diego, defendants.

W. T. Mathews, Special Assistant Attorney General, argued the cause for the State of Nevada, Intervener. With him on the brief were *Harvey Dickerson*, Attorney General, and *Wm. J. Kane*, Special Assistant Attorney General.

Hatfield Chilson, Special Assistant Attorney General of Colorado, argued the cause for the States of Colorado, New Mexico, Utah and Wyoming. On the brief were *Duke W. Dunbar*, Attorney General, and *Mr. Chilson* for the State of Colorado, *Richard Robinson*, Attorney General, and *Fred E. Wilson* for the State of New Mexico, *E. R. Callister*, Attorney General, and *Dennis McCarthy*, Special Assistant Attorney General, for the State of Utah, and *George F. Guy*, Attorney General, for the State of Wyoming.

PER CURIAM.

The motion of California to join the States of Colorado and Wyoming as parties to this cause is denied. The motion to join Utah and New Mexico as parties is granted only to the extent of their interest in Lower Basin waters.

MR. JUSTICE FRANKFURTER, MR. JUSTICE BURTON, and MR. JUSTICE HARLAN would grant the motion.

THE CHIEF JUSTICE did not participate in this proceeding.