

STATE OF NEW MEXICO  
COUNTY OF HIDALGO  
SIXTH JUDICIAL DISTRICT

STATE OF NEW MEXICO <i>ex rel.</i>	)	No. D-623-CV 2005-00054
NEW MEXICO STATE ENGINEER,	)	Honorable J.C. Robinson
	)	
Plaintiff,	)	ANIMAS UNDERGROUND WATER
vs.	)	BASIN ADJUDICATION
	)	
ROSETTE, INC., <i>et al.</i> ,	)	Subfile No. AUB-012-0013A
	)	
Respondents.	)	Claimant(s): Clarence Roark;
	)	Georgia Roark

**NOTICE OF FILING OF REQUESTS FOR CONSULTATION**

The State of New Mexico, *ex rel.* Office of the State Engineer, hereby files the Response and Request for Consultation received from a representative of each of the above Claimants, both of whom are deceased. Copies of the Responses are attached hereto.

Respectfully submitted,

UTTON & KERY, P. A.  
*Attorney for Plaintiff State of New Mexico ex rel.*  
*New Mexico State Engineer.*  
317 Commercial Street, N. E.  
Albuquerque, NM 87102  
(505) 379-4203

*Electronically Filed*  
By: /s/Susan C. Kery  
SUSAN C. KERY  
[susan@uttonkery.com](mailto:susan@uttonkery.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to the following Claimants and was served to parties of record via the Court's Odyssey File & Serve System this 16th day of December, 2017:

Gary Roark  
c/o Clydia Frazier  
Post Office Box 434  
Lordsburg, NM 88045

/s/Susan C. Kery  
SUSAN C. KERY

STATE OF NEW MEXICO  
COUNTY OF HIDALGO  
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* )  
NEW MEXICO STATE ENGINEER, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ROSETTE, INC., *et al.*, )  
 )  
Respondents. )  
\_\_\_\_\_ )

CV 2005-0054  
Hon. J. C. Robinson  
  
ANIMAS UNDERGROUND WATER  
BASIN ADJUDICATION  
  
Subfile No. AUB-012-0013A  
  
Claimant:  
CLARENCE ROARK

**RESPONSE AND REQUEST FOR CONSULTATION**  
**(LICENSED WATER RIGHTS)**

I, Georgia Roark, disagree with the proposed Subfile Final Judgment for this subfile (the "proposed Judgment") and request consultation with the State of New Mexico concerning the proposed Judgment. I disagree with the proposed Judgment for the reasons indicated below:

**I. CLAIMANT INFORMATION**

**(Please check all boxes that apply)**

- My name is incorrect.  
Should be: \_\_\_\_\_
- My address is incorrect.  
Should be: \_\_\_\_\_

I do not own <sup>ALL of the</sup> water rights in the Animas Underground Water Basin that are represented by the State Engineer's License attached to the proposed Judgment. I believe the current owner of the water rights is:

Name: D DeVaun Richins & Dillian J. Richins <sup>to 71.2 acres 4.0 acres retained by Clarence Roark</sup>

Address: unknown

Phone: unknown

**II. DESCRIPTION OF WATER RIGHTS**

**(Please check all boxes that apply)**

The attached map does not accurately depict the well location or place of use recognized in the State Engineer's License attached to the proposed Judgment.

I am not bound by the terms of the water rights described in the State Engineer's License because:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**III. VERIFICATION (must be completed)**

I certify that I am the claimant filing this Response or that I am the attorney for the responding claimant and that I have read this Response, know its contents and believe that the statements are true to the best of my knowledge.

(Deceased, see Attachment)  
by

Gary Roach  
Signature of Claimant

Gary Roach  
7/ Cynthia Frazier  
PO Box 434

Lordsburg NM 88045  
Mailing address

575-574-7672 Gary  
575-542-8162 (Cynthia)  
Phone number

C.Frazier@jig.net.com  
E-mail address

10-24-17  
Date

STATE OF NEW MEXICO  
COUNTY OF HIDALGO  
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* )  
NEW MEXICO STATE ENGINEER, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ROSETTE, INC., *et al.*, )  
 )  
Respondents. )  
\_\_\_\_\_ )

CV 2005-0054  
Hon. J. C. Robinson

ANIMAS UNDERGROUND WATER  
BASIN ADJUDICATION

Subfile No. AUB-012-0013A

Claimant:  
GEORGIA ROARK

**RESPONSE AND REQUEST FOR CONSULTATION**  
**(LICENSED WATER RIGHTS)**

I, Georgia Roark, disagree with the proposed Subfile Final Judgment for this subfile (the "proposed Judgment") and request consultation with the State of New Mexico concerning the proposed Judgment. I disagree with the proposed Judgment for the reasons indicated below:

**I. CLAIMANT INFORMATION**

**(Please check all boxes that apply)**

- My name is incorrect.  
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Should be: \_\_\_\_\_

I do not own water rights in the Animas Underground Water Basin that are represented by the State Engineer's License attached to the proposed Judgment. I believe the current owner of the water rights is:

Name: D. DeVaun Richins & William Richins

Address: unknown

Phone: \_\_\_\_\_

**II. DESCRIPTION OF WATER RIGHTS**

**(Please check all boxes that apply)**

The attached map does not accurately depict the well location or place of use recognized in the State Engineer's License attached to the proposed Judgment.

I am not bound by the terms of the water rights described in the State Engineer's License because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**III. VERIFICATION (must be completed)**

I certify that I am the claimant filing this Response or that I am the attorney for the responding claimant and that I have read this Response, know its contents and believe that the statements are true to the best of my knowledge.

Deceased Sec Attachment)

by

Gary Roark  
Signature of Claimant

Gary Roark  
98 Cydia Frazier  
PO Box 434

Lordsburg Nm. 88045

Mailing address  
575-574-7672 (Gary)

575-542-8162 (Cydia)  
Phone number

E-mail address

10-24-17  
Date