

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

FILED 6th JUDICIAL DISTRICT COURT
Hidalgo County
5/28/2026 4:50 PM
KERRI L. CLARK
CLERK OF THE COURT
Angela Rodriguez

STATE OF NEW MEXICO <i>ex rel.</i>)	No. D-623-CV-2005-00054
NEW MEXICO STATE ENGINEER,)	Honorable Jarod K. Hofacket
)	
Plaintiff,)	ANIMAS UNDERGROUND WATER
vs.)	BASIN ADJUDICATION
)	
ROSETTE, INC., <i>et al.</i> ,)	Subfile No. AUB-021-0004
)	
Respondents.)	Claimant(s):
_____)	Johnny Ruebush
)	Levi Ruebush
)	Tommie Ruebush

NOTICE OF FILING RESPONSE AND REQUEST FOR CONSULTATION

The State of New Mexico, *ex rel.* Office of the State Engineer, hereby files the Response and Request for Consultation received from each of the above-named Claimants on May 26, 2026. A copy 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
500 Tijeras Ave. NW
Albuquerque, NM 87102
(505) 379-4203

Electronically Filed
By: /s/Susan C. Kery
SUSAN C. KERY
susan@uttonkery.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served to the parties of record via the Court's Odyssey File & Serve System this 28th day of May, 2026.

/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.)
_____)

No. D-623-CV-2005-00054
Hon. Jarod K. Hofacket

ANIMAS UNDERGROUND
WATER BASIN

Subfile No. AUB-021-0004

Claimant:
JOHNNY RUEBUSH

RESPONSE AND REQUEST FOR CONSULTATION
(UNLICENSED WATER RIGHTS)

I, Johnny Ruebush, 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: _____

Other (please explain):

II. DESCRIPTION OF WATER RIGHTS

(Please check all boxes that apply)

- I do not own the water rights described in the proposed Judgment.
- I have a right that was omitted from the proposed Judgment and the attached map.
- I disagree with the following elements of my water rights as described in the proposed Judgment:

A. UNDERGROUND WATER

1. **Priority Date**

Should be: 1931

2. **Source of Water**

Should be: _____

3. **Point(s) of Diversion**

Should be: _____

4. **Purpose of Use**

Should be: Irrigation

5. [] **Location and Amount of Irrigated Acreage, if applicable**

Should be (describe): _____

6. [] **Amount of Water**

Should be: _____

Reasons for Disagreement

You must explain your disagreement for each specific element with which you disagree:

AC(1) 1931 - Well was in use

AC(3) Used for Irrigation Purposes

AC(3) Disagree with no rights

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.


Signature of Claimant

Johnny Ruebush

PO Box 302

Animas, NM 88020

Mailing address

575-640-4231

Phone number

johnnyruebush23@gmail.com

E-mail address

5/9/26

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.)
_____)

No. D-623-CV-2005-00054

Hon. Jarod K. Hofacket

ANIMAS UNDERGROUND
WATER BASIN

Subfile No. AUB-021-0004

Claimant:

LEVI RUEBUSH

RESPONSE AND REQUEST FOR CONSULTATION
(UNLICENSED WATER RIGHTS)

I, Levi Ruebush, 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: Po box 313

Other (please explain):

II. DESCRIPTION OF WATER RIGHTS

(Please check all boxes that apply)

- I do not own the water rights described in the proposed Judgment.
- I have a right that was omitted from the proposed Judgment and the attached map.
- I disagree with the following elements of my water rights as described in the proposed Judgment:

A. UNDERGROUND WATER

1. **Priority Date**
Should be: 1931
2. **Source of Water**
Should be: _____
3. **Point(s) of Diversion**
Should be: _____
4. **Purpose of Use**
Should be: Irrigation

5. [] **Location and Amount of Irrigated Acreage, if applicable**

Should be (describe): _____

6. [] **Amount of Water**

Should be: _____

Reasons for Disagreement

You must explain your disagreement for each specific element with which you disagree:

A-1 1931

A-3 Irrigation use

A-3 Disagree with loss of right for irrigation
purposes

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.



Signature of Claimant

Levi Ruebush

P.O. box 313

Alameda NM, 88020

Mailing address

575-640-3525

Phone number

Leviruebush@yahoo.com

E-mail address

May 21, 2026

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.

No. D-623-CV-2005-00054
Hon. Jarod K. Hofacket

ANIMAS UNDERGROUND
WATER BASIN

Subfile No. AUB-021-0004

Claimant:

TOMMIE RUEBUSH

RESPONSE AND REQUEST FOR CONSULTATION
(UNLICENSED WATER RIGHTS)

I, Tommie Ruebush, 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: P.O. BOX 302

Other (please explain):

II. DESCRIPTION OF WATER RIGHTS

(Please check all boxes that apply)

- I do not own the water rights described in the proposed Judgment.
- I have a right that was omitted from the proposed Judgment and the attached map.
- I disagree with the following elements of my water rights as described in the proposed Judgment:

A. UNDERGROUND WATER

1. **Priority Date**
Should be: 1931 - Drilled NOV. 1930
2. **Source of Water**
Should be: _____
3. **Point(s) of Diversion**
Should be: _____
4. **Purpose of Use**
Should be: irrigation

5. [] **Location and Amount of Irrigated Acreage, if applicable**

Should be (describe): _____

6. [] **Amount of Water**

Should be: _____

Reasons for Disagreement

You must explain your disagreement for each specific element with which you disagree:

A(1) Well was drilled in 1930. Beneficial use
was 1931.

A(3) Purpose - Irrigation

A(3) Disagree - with no right

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.

Samuel Ruebus

Signature of Claimant

Tommie Ruebush

P.O. BOX 302

Alumas, Nm 88020

Mailing address

575-640-0354

Phone number

tommieparke@yahoo.com

E-mail address

May. 20, 2026

Date