

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

FILED 6th JUDICIAL DISTRICT COURT
Hidalgo County
8/20/2026 8:20 AM
KERRI L. CLARK
CLERK OF THE COURT
Angela Rodriguez

STATE OF NEW MEXICO <i>ex rel.</i>	)	
NEW MEXICO STATE ENGINEER,	)	No. 623-CV-2005-00054
	)	Hon. Jarod K. Hofacket
Plaintiff,	)	
	)	ANIMAS UNDERGROUND
v.	)	WATER BASIN ADJUDICATION
	)	
ROSETTE, INC., <i>et al.</i> ,	)	Subfile No. AUB-019-0002F
	)	
Respondents.	)	Claimant: Estate of Carol Ann Burke
	)	

ORDER GRANTING SUBFILE DEFAULT JUDGMENT

THIS MATTER COMING to be heard upon motion by Plaintiff State of New Mexico for entry of a Subfile Default Judgment against the following claimant(s):

ESTATE OF CAROL ANN BURKE

the Court, having considered the record and being otherwise fully advised in the premises, finds:

1. The Court has jurisdiction of the parties and the subject matter herein.
2. The claimant(s) have been legally served with process.
3. The claimant(s) have failed to timely respond to an adjudication packet or a Notice Terminating Water Rights Consultation.
4. The water rights of the claimant(s) to divert and use public waters of the Animas Underground Water Basin are as follows:

A. UNDERGROUND WATER

Office of the State Engineer File No(s): NONE

- (1) Priority: NONE
- (2) Source of Water: Animas Underground Water Basin
- (3) Purpose of Use: No Right
- (4) Point(s) of Diversion:

Well No.:A-00717-POD1

Location: X=2,397,105 Y= 347,664 Map: AUB-19

Well No.:A-00718-POD1

Location: X=2,397,426 Y= 347,586 Map: AUB-19

- (5) Location and Amount of Irrigated Acreage:

Township 27S, Range 20W, Section 22, N.M.P.M.

Pt. NW¼ 0.60

Total: 0.60 no right acres

Water right is appurtenant to 0.60 acres as shown on the attached Hydrographic Survey Map for Subfile No. AUB-019-0002F.

- (6) Amount of Water:

NONE

- 5. All terms and conditions set forth or incorporated in the State of New Mexico's proposed Subfile Final Judgment served on the claimant(s) shall be incorporated into this Judgment.
- 6. There is no just reason for delay of the entry of a final judgment as to the elements of the claims of the claimant(s) adjudicated by this Judgment.

IT IS THEREFORE ORDERED that the rights of the claimants(s) are set forth above.

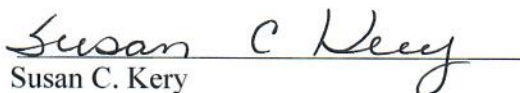
IT IS FURTHER ORDERED that the claimant(s) and all those in privity with the claimant(s) are enjoined from any diversion or use of the public underground waters of the Animas Underground Water Basin except in strict accordance with the water right(s) set forth in this Order and in other orders of this Court.



JAROD K. HOFACKET
DISTRICT COURT JUDGE

AGREED:

Plaintiff State of New Mexico



Susan C. Kery
Utton & Kery, P. A.
500 Tijeras Ave. NW
Albuquerque, New Mexico 87102
(505) 379-4203
Attorney for the State of New Mexico

06/09/2026
Date



Legend

● Point of Diversion

□ No Right

New Mexico State Plane West NAD 83
2016 Aerial Imagery

1:3,000

1 inch equals 250 feet

0 250 500
Feet



State of New Mexico
Office of the State Engineer
Elizabeth K. Anderson, P.E., State Engineer

Animas Underground Water Basin
Hydrographic Survey
Animas Village Section



Subfile Number
AUB-019-0002F
May 20, 2026