

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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*J*  
CLERK OF DISTRICT COURT

UNITED STATES, for itself and as  
Trustee for the Zuni Indian Tribe,  
Navajo Nation, and Ramah Bank of  
Navajos, et al.

Plaintiffs,

v.

CIV 01CV00072 BB/WWD-ACE

STATE OF NEW MEXICO COMMISSIONER  
OF PUBLIC LANDS, et al.,

Defendants

ANSWER OF DEFENDANT'S  
TIM AND WENDY TWOMBLY

COME NOW Defendants TIM and WENDY TWOMBLY, by and through their attorneys Garber & Hallmark, P.C., and for their answer to the Amended Complaint state as follows:

1. Defendants admit the allegations set forth in Paragraphs 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 22, 23, 24, and 25 of the Complaint.

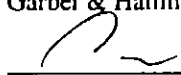
2. Referring to Paragraph 6 of the Complaint, Defendants admit that they, as grantors, trustees, and beneficiaries of the Twombly Family Trust, claim an interest in waters of the Zuni River stream system in New Mexico, including the right to use those waters. Defendants are without sufficient knowledge to admit or deny the remaining allegations in the paragraph, and therefore deny the same.

3. Defendants are without sufficient knowledge to admit or deny the allegations in Paragraphs 15, 18, 19, 20, and 21 of the Complaint, and therefore deny the same.

WHEREFORE, Defendants Twombly pray that this Court adjudicate the rights of each of the parties hereto and grant such other and further relief as may be appropriate.

Respectfully submitted

Garber & Hallmark, P.C.

  
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Cullen Hallmark  
P.O. Box 850  
Santa Fe, NM 87504  
(505) 983-3233  
Attorneys for Defendants  
Tim and Wendy Twombly

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was mailed to the following persons on September 24, 2003:

Edward C. Bagley  
New Mexico State Engineer  
P.O.Box 25102  
Santa Fe, NM 87504

Charles E. O'Connell Jr.  
U.S. Dept of Justice  
601 D Street NW  
Washington, D.C. 20004



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