

**LION'S GATE WATER V. D'ANTONIO**

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**LION'S GATE WATER,**  
Petitioner-Appellant,  
v.  
**JOHN R. D'ANTONIO, JR.,**  
**STATE ENGINEER FOR THE**  
**STATE OF NEW MEXICO,**  
Respondent-Appellee.

NO. 33,595

COURT OF APPEALS OF NEW MEXICO

July 22, 2014

APPEAL FROM THE DISTRICT COURT OF GRANT COUNTY, J. C. Robinson, District  
Judge

**COUNSEL**

Robert S. Simon, Albuquerque, NM, for Appellant

Office of the State Engineer, Jonathan E. Sperber, Special Assistant Attorney General,  
Santa Fe, NM, for Appellee

**JUDGES**

CYNTHIA A. FRY, Judge. WE CONCUR: JONATHAN B. SUTIN, Judge, M. MONICA  
ZAMORA, Judge

**AUTHOR:** CYNTHIA A. FRY

**MEMORANDUM OPINION**

**FRY, Judge.**

**{1}** Summary dismissal was proposed for the reasons stated in the notice of proposed summary disposition. No memorandum opposing summary dismissal has been filed, and Appellant filed a memorandum in support of this Court's proposed summary disposition.

**{2}** DISMISSED.

**{3}** IT IS SO ORDERED.

**CYNTHIA A. FRY, Judge**

**WE CONCUR:**

**JONATHAN B. SUTIN, Judge**

**M. MONICA ZAMORA, Judge**