

# County Employees To Get 5.7 Percent Raise

by Doris Cherry

Beginning with the November 22 pay check, county employees will get 5.7 percent more in their paychecks thanks to the Lincoln County Commissioners.

At their meeting Tuesday, October 21, in their chambers in the Lincoln County Courthouse, county commissioners

unanimously approved a 5.7 percent increase in salaries for classified employees. The last pay increase was only 1.9 percent given in January 2002 with the last significant increase, five percent, given in January 1999.

Lincoln County manager Tom Stewart said after the final budget was approved in July, county commis-

sioners set aside \$751,294 in a commissioners' reserve titled "County Facility Fund." "This reserve was envisioned to take into account preliminary budget requests postponed until mid-year," Stewart said. Those requests include two new large SUVs and a new patrol car for the sheriff's office; new dump truck,

transport truck and snow plow for the road department; renovation of clerk's office; additional operator for road department and pay increase for sheriff's administrative secretary.

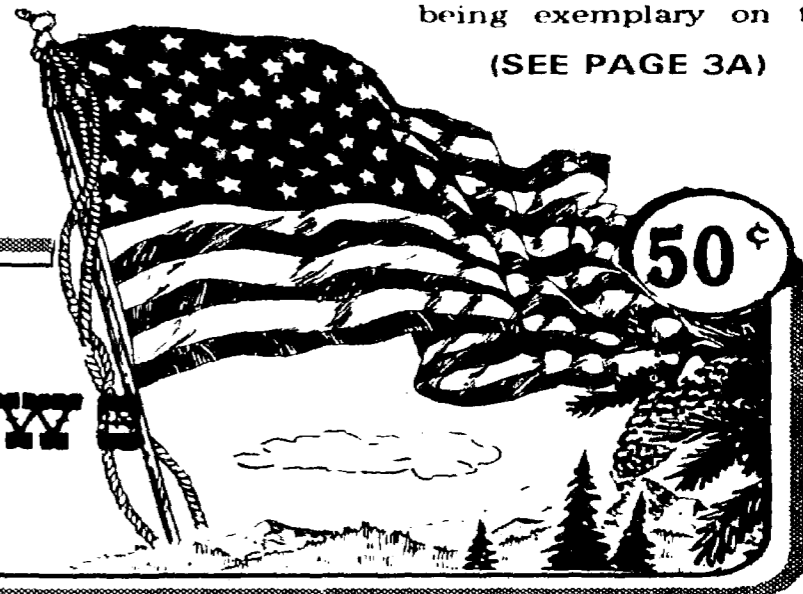
Based on the commissioners' reserve amount, Stewart suggested a 5.7 percent salary increase for classified employees. He said he suggested the sal-

ary increase as opposed to a one-time merit pay because several employees are reaching retirement age and PERA retirement

payments are based on the salary from the employees last years of service.

County commissioner Earl Hobbs praised Lincoln County employees as being exemplary on the

(SEE PAGE 3A)



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# LINCOLN County News

*"Since 1905"*

VOLUME # 98, NUMBER 43

THURSDAY, OCTOBER 23, 2003

CARRIZOZO, NM 88301



**CARRIZOZO HOMECOMING 2003 ROALTY.** Queen Ariel Vallejos and King Sam Ungaro pose for pictures with their escorts Samantha Vermilion and Christian Najar. The king and queen were crowned during half time ceremonies of the Carrizozo-Capitan football game on October 10.

(Photo courtesy of Sarah Ball)

## County Commission Meetings Will Continue In Carrizozo

by Doris Cherry

Lincoln County Commission will continue to meet in their chambers in the Lincoln County Courthouse in Carrizozo for all regular sessions.

During their regular meeting Tuesday, October 21 in their chambers in the Lincoln County Courthouse in Carrizozo, county commissioners took no action, in fact did not give a second to a motion made by county commissioner Leo Martinez, to hold quarterly meetings in the Ruidoso area.

Martinez said the issue is not new for him, as he has brought up the subject of meetings in Ruidoso before. "And I will continue to bring up the subject every so often," he added.

### NM Sen. Adair Speaks To Farm Bureau Saturday

New Mexico Senator Rod Adair (R-Chaves and Eddy counties) will be the guest speaker at the Lincoln County Farm and Livestock Bureau annual meeting on Saturday, October 25.

The meeting begins at 6 p.m. and will be held at Carrizozo Country Club.

Citing state statute 4-38-8 regarding county commission meetings, Martinez said counties are required to hold commission meetings in the county seat only on a quarterly basis. All other meetings may be held in a municipality with the largest population or at locations "as in the opinion of the board the public interests may require." As example Martinez said he attended a Lincoln County-Ruidoso Extra-territorial zoning commission meeting attended by many people opposing a church camp development for up to 500 people on a 72 acre tract in a residentially zoned and restrictive area. He said the county commission needs to hold meetings in such areas to know what is going on in the growing communities.

County manager Tom Stewart wrote in a memo to county commissioners he estimates it costs about \$500 per out of town meeting to cover costs for staff per diem and mileage.

Martinez said he took issue with the amount as he had never seen Stewart present it that way. Martinez said with laptop computers there is not much argument about staff being away from county offices where in-

formation is stored. "I hate to see excuses when we can meet where the largest population is," he added.

With that Martinez made a motion to hold quarterly county commission meetings in the Ruidoso area. Instead of a second to the motion, he got discussion.

County commissioner Maury St. John asked what advantage there is having regular meetings in Ruidoso.

Martinez said driving 40 miles from Ruidoso to a meeting in Carrizozo is difficult, especially for older residents. He also said that the reason why not many people have showed up for meetings held in Ruidoso in the past is because people are not accustomed to having meetings there.

County commissioner Earl Hobbs said the state statute does appear to be permissive in allowing meetings away from the county seat. "I have no objections to meetings in Ruidoso or Ruidoso Downs as these are the population centers," Hobbs added. "But I would not want to preclude anyone else, like Hondo, the valley, Lincoln, Capitan and our step child Corona."

"I am torn on this issue," Hobbs said. "Yet I have concluded the appropriate place for the business of the county is the county seat."

Hobbs said he could not offer a second to Martinez's motion. "And although his case is well founded I urge we not proceed," Hobbs added.

County commissioner Rick Simpson said the commission has had several meetings in Ruidoso and he has no problem of having a special meeting there when there is a

(SEE PAGE 2A)

## Capitan Discusses Gas Hazard Issues

by Ruth Hammond

Capitan Trustees at their regular meeting October 14 heard Capitan Fire Chief David Cox report that as fire chief he had a duty to notify them of hazards. Cox said there were 24 gas leaks last month. He said his concern as fire chief is how the gas company answers calls. He said when a person backed over a meter it took Capitan, Carrizozo Natural Gas one and a half hours to respond.

Cox said the village road department can't grade some roads because the gas line is only six inches deep.

Village trustee Bobbi Shearer said she would like for Cox to go to the gas board meeting. She asked if he could go to the gas board meeting the next night and Cox said he had a previous commitment.

Village trustee John Whitaker made the motion to request the Department of Safety (DOT) inspector to come to Capitan and check leaks and other problems on the list from Cox. All trustees voted aye.

Capitan landfill issues were presented by Shearer. She said the Lincoln County Solid Waste Authority (LCSWA) wants \$19,146.58 from the village as the village's portion of

the closing costs. Shearer said she didn't know if Capitan "dropped the ball" on the project.

Village trustee George Tippin said he had read an article about the situation. Shearer said she did not see the article.

When Tippin asked what the village attorney thought, Shearer said he was reviewing it.

Shearer said she wanted to confirm what the board (of village trustees) wanted to do.

Ronnie Montes said when he had been (Capitan) landfill operator that Joe Lewandowski, then in charge of LCSWA, had people burying refrigerators with Freon in them in the old Capitan landfill. Montes said he thought it would come back on him and he quit in 1995.

Trustees will get the village attorney's opinion.

Later in the meeting Shearer said she did not want to continue to serve on the LCSWA board.

The mayor broke the tie on two motions, one to adopt the resolution for PERA and one for the PERA. Trustees Whitaker and Leroy Montes voted no and trustees Shearer and Tippin voted yes on both motions.

And Capitan will not hire another police officer at this time.

Trustees discussed using the \$8,000 surplus in the general line item with that money to be split three ways between the police department, street department and office, for overtime. The \$5,000 surplus in water will be used for overtime in the water department.

If the village hired a certified police officer at \$37,000 plus a year, the vil-

(SEE PAGE 2A)



**ANOTHER NEW SIGN.** A new larger stop sign to warn motorists coming into Carrizozo from the north on Hwy. 54 was installed last week in an effort to curb accidents at the Hwys. 380-54 intersection. The town and county commissioners have sent requests to the state highway department to consider a four-way-stop at the intersection, or any other options what will make the intersection safer.

### Daylight Savings Time Ends Oct. 26, Fall Back Sunday

Daylight Savings Time ends at 2 a.m. Sunday, October 26.

To keep from oversleeping on Sunday, set clocks back one hour before going to bed on Saturday.

# Capitan Discusses

(Continued From Page 1A)

lage would only need about \$18,000 for the remainder of this year, but trustees did not know about the budget for next year.

Police chief Chuck George asked if he could hire another police officer and said they had been talking about it for a year and a half and he wanted an answer that night.

He was told no. Trustees discussed the Ken Stone property and whether it is in or out of city limits. Stone said he wants assurance water and sewer will be provided. He said he has had the property surveyed two times and he contended that a portion of the property was in the village limits. He said he wants it on paper that he will be assured to get water and sewer taps in the future.

Stone also said the county doesn't know where the county line is.

Trustee Tippin asked if the county taxes Stone for county or village.

Stone said the village water line goes across a portion of his property and Shearer asked if he has recorded easements.

No decision was made

and trustees tabled the matter.

Discussion was held about hours of operation at village hall and hours of operation at MVD. Trustee Montes said he wanted eight hours a day five days a week.

Montes said village hall had been open four days a week 10 hours a day for a year and a half and the matter never came back for review.

"Have we gained anything?" Montes asked.

It was also questioned if there was more production or if the village was saving money.

Tippin said one reason for going to the four day week was to save money on utility bills.

Montes asked that they look at the budget and see if money was saved.

The mayor asked that they discuss the situation after the executive session because it could change.

No action was taken and after executive session trustees accepted the resignation of Kathryn Griffin as village clerk and hired Anna Gail Grassie as village clerk.

Police chief Chuck George said some people

from out of town are in Capitan on Fridays when village hall is closed and can't do village business.

Trustee Whitaker said he had no problem with four 10 hour days but he would like to see village hall open Fridays.

One suggestion was to have two employees work Monday through Thursday and the other two employees to work Tuesday through Friday.

Trustees did have questions concerning accounts payable. There were two charges for shirts. Village clerk Kathryn Griffin said it could be for two orders for the museum. Trustees also questioned three payments of \$175 to the library. Trustees did approve accounts payable with the exception of these two items.

The minutes for the September 9 meeting were approved as presented.

Trustee Leroy Montes questioned the minutes of the last (Sept. 16) meeting. He said when he left the meeting Shearer had made a motion and it died for lack of a second. He said he thinks that if a motion dies for lack of second they can't bring it back.

The minutes of the September 16 special meeting are to be verbatim from the time Montes left that meeting. Shearer said, "but not all three and a half hours of the meeting."

Eddie Tudor reported on the plans being made for Smokey Bears 60th in 2004. The Capitan Cham-

ber of Commerce will work on the project. Tudor said he would like to promote Smokey's 60th just as Smokey's 50th was promoted in 1984.

Trustees plan to adopt a resolution at the next meeting to designate May 7, 8 and 9, 2004 for Smokey's 60th.

After a discussion about the Lincoln County Community Center and where it would be located trustees agreed to appoint trustee Tippin to the task force.

Trustees did agree to purchase needed equipment for street and water departments, a pull behind mower, a dump truck, and a truck for the street department.

The budget clean-up resolution was also approved.

The Infrastructure Capital Improvement Plan (ICIP) for 2004 was approved, which is necessary for the village to apply for funding from the state and federal governments. The ICIP lists priorities for the village are 1. street improvements in subdivisions; 2. sewer or wetlands improvements; 3. community center; 4. replacing, improving and upgrading water lines.

Code enforcement was also discussed. Municipal Judge Jack Johnson said he had received three calls that week concerning cleaning of properties.

Trustees agreed to appoint an existing employee as code enforcement officer, but there was no mention of increase in pay for the additional duties as code enforcement officer.



As the Lincoln County News nears the century mark of being in existence (1905-2005), we will be randomly publishing articles that have been published in the NEWS from old files. The following article appeared in the "Lincoln County News" -- on April 24, 1914.

## War With Mexico

The long looked for break between our government and Mexico -- at least that part of Mexico dominated by Huerta -- has come. Huerta was given until 6 o'clock Sunday evening to make proper reparation for insults offered the American flag and nation. This he ultimately declined to do, without exacting a salute from the United States, which, if given, would have been a virtual recognition of his government. Of course, the Washington authorities would accede to no such demand, and arrangements were made to blockade the Mexican ports.

Monday morning President Wilson went before congress and delivered a message, requesting an appropriation and authority to handle the situation in such a way as might be deemed best for American interests. The lower house immediately passed a resolution appropriating \$50,000,000 and unqualifiedly supporting the president in his demands upon Mexico. The resolution went to the senate and, after changing the phraseology of the resolution slightly, also passed the resolution.

It was the announced purpose of our government to make the blockade a peaceful one, with the hope that Huerta would make due reparation. But, notwithstanding this attitude of our government, an incident occurred Tuesday evening that provoked decisive action on our part and blood has flown as a result.

A German vessel loaded with 15,000,000 pounds of ammunition and 200 field guns, consigned to Huerta, was about to discharge its cargo at Vera Cruz. President Wilson was informed and immediately directed Admiral Fletcher to land marines, take possession of the custom house and prevent the war munitions falling into Huerta's hands. The landing was made, about 900 men constituting the American force, and not a shot was fired until the marines started on their march to the custom house. On their way to the custom house, however, they were fired upon, and during the firing lost four men killed and twenty wounded. Later on the Mexicans continued to fire upon the marines from housetops and points of vantage and Admiral Fletcher turned a few of his big ship's guns loose and, with the landing party, drove the Mexicans from the city. In the entire engagement the Americans lost 18 killed and 40 wounded, while over 200 Mexicans are reported to have been killed or wounded. The war supplies didn't land -- they go back to Germany.

Tampico was later occupied by our forces, with little effort, but it is reported that the two Mexican factions -- federals and rebels -- are uniting for a joint attack in an effort to drive out the Americans. This complication was not anticipated by our government, for we had no quarrel with the constitutionalists, and it was hoped they would not interfere with our dealings with Huerta and his de facto government.

This hope was shattered yesterday when the dispatches conveyed the information that Carranza, chief of the constitutionalists, had demanded the evacuation of Vera Cruz, that he and not Huerta should be consulted on matters relating to Mexico. President Wilson's significant reply to his bombastic demand was: "We are now dealing only with those whom Huerta commands and those who come to his support." Therefore, it seems that we shall not only have the Huertais-tas to fight but with him, in repelling the hated foreigner, will be the Carranzaistas.

In the meantime, the army is prepared, the various states are mobilizing the national guard and volunteers have offered their services from every point. The Navy is in ship-shape order, most of it in Mexican waters and everything ready for the curtain's rise. The American charge at Mexico City has been given his pass ports. American refugees are coming to the border by the thousands, all foreign governments have ordered their citizens out and, if indications are not entirely misleading, a war is on.

### Fort Stanton News Notes

Last Sunday evening the subject at the non-sectarian meeting in the hall was "the war between virtue and vice" as compared to the other various combats.

War, War, is the topic of conversation on all sides. Through the kind efforts of Mr. Chas.

(SEE PAGE 6A)

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## County Meetings

(Con't. from P. 1)  
need. "I agree with Mr. Hobbs that our regular meetings should be here in the courthouse," Simpson said.

Hobbs said he sees a lot of special interest issues coming up, such as the community center, that would be appropriate for a meeting in Ruidoso. "Those are specific issues," he added.

Capitan area resident Duane Williams said Carrizozo is the county seat and where the county business should be conducted.

Martinez said he has heard all the arguments before, yet even though allowed by statute, the county commission is overlooking the largest population area in the county by not meeting in the Ruidoso area. "It's easy to make decisions from here for Ruidoso area that donates about three quarters of our public money," Martinez said. "We're expending their money with decisions made over here."

"And it has been a long time since we've had a special meeting in Ruidoso," he said.

Once again Martinez tried a motion to consider meeting once a quarter in Ruidoso. Again with no second, the motion died and the subject was closed, with the county commission going on to other items in their agenda.



# County Wants Regional Water Meeting Scheduled

by Doris Cherry

Lincoln County may be looking at a regionalized approach to dealing with a shortage of water.

Lincoln County Commissioners at their meeting Tuesday, October 21 in their chambers in the Lincoln County Courthouse in Carrizozo, unanimously approved a resolution brought to them from the Lincoln County Water Research and Conservation Committee.

In the resolution entitled "To Investigate the Efficacy of a Regional Agreement to Pursue Water Offset Options" the county commission authorizes its representative, county commissioner Earl Hobbs, on the South Central Mountain RC&D Council to request the RC&D organize and facilitate a meeting of all concerned regional counties and communities "to evaluate the efficacy and desirability of a regional approach to the implementation of specific water projects."

The resolution also states that such an "exploratory" meeting "shall not commit Lincoln County to any financial or legal obligation."

County commissioner Hobbs presented the resolution and an attached letter from former county commissioner Bill Schwetmann who serves on the county water committee. Hobbs said the intent of the water committee is to invite the surrounding counties to the meeting to discuss water policy. "They are trying to establish a small regional water authority to get our water problems under

control," Hobbs said of the water committee.

County commissioner Rick Simpson, while supporting the idea of a regional meeting, did not like the idea of a water authority. "An advisory committee to the county commission is good as they do a lot of leg work," Simpson said. "But I do not want to consider a water or any other type of authority that makes any decisions other than the county commission."

"The county commission is the only body that should be making decisions," Simpson added.

County commissioner Maury St. John agreed and said she did not care for a water authority.

Hobbs said he understands the concerns, but there are a lot of things a regional water initiative can do.

"As long as it is an advisory capacity only," Simpson added.

Hobbs said any idea of a water authority, a term he said he used, or initiative is "so far down the line." He said the resolution was just to suggest a regional meeting.

Osuro resident Jerry Carroll said he attended the two water advisory committee meetings where the committee members had said they would like to be an authority. By law, an authority has police powers, he added.

Carroll said there is conflict in Otero County over the proposed desalinization project and he was concerned Lincoln County would get involved.

Also Carroll said he was unsure how water can be conserved by putting meters on wells and having well owners read these meters as suggested by the water committee. He said metering wells could result in well owners being charged for the water they use over a set amount. He questioned who would pay for the well meters. Carroll cautioned commissioners about letting the committee redefine "health and welfare" in describing water use. He also said the county has no full study of the water we have, which he thought the intent of the water committee was to be.

County commissioner Leo Martinez agreed the county needs to find out what water we have, because he had seen water used as a way to stop growth in other areas. "I agree we need a comprehensive plan for the whole county," Martinez said.

Hobbs agreed the responsibility for Lincoln County falls with the county commission, which in the future may grant a water authority.

San Patricio area resident Ken Nosker said the county commission already has the authority to make rules about water. Nosker claimed the water committee is wanting authority because of "personal agendas without enough knowledge of state water law."

After some discussion from the public about how any water planning should be done more on a community level instead of regional, county commission chair Rex Wilson said

he would take the resolution at face value while being cognizant of the committee undertones for an authority. Wilson said he sees value in sitting at the table with the other counties to talk about water.

St. John said she had attended the Water Network group meetings and an "authority is where they are heading."

With Simpson calling the question for the vote on the motion to accept the resolution, all com-

missioners voted in favor of a meeting set up by RC&D.

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**TUESDAYS**  
 --Fibromyalgia Syndrome Support Group, every other Tuesday, 6 p.m. K-Bob's in Ruidoso;  
 --Alcoholics Anonymous, 6:30 p.m. Carrizozo First Baptist Church Fellowship Hall.  
 --Crossfire Youth Group, 6:30-8 p.m. Trinity Baptist Church in Capitan. For junior and senior high age youth.

**WEDNESDAYS**  
 --Alcoholics Anonymous, 7 p.m. Capitan Senior Citizens Center.  
 --AWANA club for kids age 3 to 6th grade meets 6-8 p.m. First Baptist Church of Carrizozo.

**THURSDAYS**  
 --Capitan Public Library preschool reading hour, 1 p.m.

**TODAY, THURSDAY, OCTOBER 23**  
 --Capitan varsity volleyball v. Cloudcroft 4 p.m. Cummins gym on Capitan School.  
 --Parent Teacher conferences at Carrizozo Schools, no classes.  
 --Capitan Elementary Artist Reception, 5-7 p.m. in the south hallway of the Capitan Elementary Building.  
 --Parent teacher conferences begin at Capitan Schools at 5 p.m.  
 --Village of Capitan Ordinance Review Committee 7 p.m. village hall. Anyone interested invited to attend.

**FRIDAY, OCTOBER 24**  
 --No school for students at Capitan Schools to allow for parent teacher conferences.  
 --Capitan Tiger District Football v. Hagerman 7 p.m. Tiger Stadium.  
 --Adult Art Class workshop at Capitan Public Library.  
 --Carrizozo JV and varsity volleyball with Bosque Prep 4 p.m. Grizzly Gym at Carrizozo School.

**SATURDAY, OCTOBER 25**  
 --NM Senator Rod Adair will be guest speaker at the Lincoln County Farm and Livestock Bureau annual meeting at 6 p.m. at Carrizozo Country Club.  
 --Capitan high school volleyball v. Lordsburg, 2 p.m. Cummins Gym Capitan School.

**SUNDAY, OCTOBER 26**  
 --Daylight Savings Time ends at 2 a.m., set clocks back one hour before going to bed on Saturday.

**TUESDAY, OCTOBER 28**  
 --Carrizozo varsity volleyball district play-offs through Oct. 29.  
 --Federated Republican Women of Lincoln County 12 noon K-Bob's Restaurant in Ruidoso.  
 --Lincoln County Solid Waste Authority (LCSWA) board meets at 2 p.m. at LCSWA offices in Ruidoso Downs.  
 --Ruidoso Village Council 6 p.m. village hall.

**WEDNESDAY, OCTOBER 29**  
 --Early dismissal at Carrizozo Schools.  
 --Ruidoso Lodgers Tax Committee 2:30 p.m. village hall, rescheduled from Oct. 16.

**THURSDAY, OCTOBER 30**  
 --Carrizozo School PFK Halloween Carnival, 6-8 p.m. old gym.

**FRIDAY, OCTOBER 31 HALLOWEEN**  
 --Chili Cook-off at Carrizozo School. Enter at 9-10 a.m.  
 --Halloween Party at Smokey Bear Historical Park in Capitan, 5:30-7 p.m. refreshments.  
 --Carrizozo varsity football v. Faith Christian, 5:30 p.m. kick off at Laabs Field in Carrizozo.  
 --Capitan varsity football v. Mesalero, 7 p.m. kick off in Tiger Stadium in Capitan.  
 --Ruidoso varsity football v. NMMI 7 p.m. kick off Horton Stadium in Ruidoso.

**SATURDAY, NOVEMBER 1**  
 --Carrizozo Fire Department Costume Dance 8 p.m. fire hall.  
 --Capitan Chamber of Commerce Holiday Bazaar through Sunday at Capitan Senior Center. Call 354-2273 for information.

**Thank You Card**

The family of Joe Otero wants to thank each and everyone who supported us in prayers, phone calls, cards, flowers, food and money during the loss of our son and brother.

Special thanks to Fr. Bergs and David LaFave.

The Otero family

## County Employees

(Con't from P. 1)

most part. "I want to make sure they are properly cared for," he added. Then Hobbs asked if Lincoln County salaries are in the "ball park" with other counties our size. "We're in the ball park," Stewart said he learned from surveying other county managers. "I am hesitant to compare us with other counties as all are unique. We need to take care of our own the best we can."

Lincoln County has 116 employees, 99 of them full time employees and the rest part time, Stewart said in response to a question from Hobbs.

County commissioner Leo Martinez was concerned about the employee's share of health insurance costs. Stewart said the county pays 80 percent of the employees' health insurance premiums and employees pay 20 percent. When Martinez asked Stewart to keep an eye on rising insurance costs, Stewart said the county is part of the state cafeteria which gives the county a larger voice in challenging insurance rate changes.

County commissioner Maury St. John said 80 percent being paid by the county is very reasonable for the employees.

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**THOUGHTS**

FROM THE EDITOR'S DESK

**Rearranging Thinking**

By Ruth Hammond

The end of Daylight Savings Time is welcome by those people who have been battling their inner clocks the past few weeks. Not everyone enjoys Daylight Savings Time, and it is easy to understand why. First of all what time is saved and how is it saved? Taking an hour off the morning and adding it in the evening is not really saving time, it is just rearranging time. The process started during WWI and for reasons known only to the people who lose sleep thinking up nonsensical laws, it became a way of living each summer. Actually it starts in April and does not end until the last Sunday in October, but it is supposed to give us more hours of daylight and less time in the dark. Makes a person wonder if the people who promoted going to this weird daylight savings time method are afraid of the dark.

Really sounds as if someone is convinced that fear of the dark can be altered if it gets dark later in the evening than in the morning, or is, it the other way around? We aren't sure which time is being saved and which time is being rearranged, but it does get confusing. Trying to remember which way to change clocks was a problem until they came up with "Spring Forward, Fall Back" and now it is much easier to remember which way to make changes.

It seems computers are almost automatic and Monday morning the first thing many people will see on computer screens is a prompt that the time has been changed. That prompt will be seen anytime after the official time change. Does that tempt you to turn on your computer Sunday at 2 a.m. or just before to watch the message appear? Might be fun but there are better things to do. One thing you could do is explain the rationale behind some people's thinking. We heard some people believe that profanity is any swear word, not irreverence to God as defined in the dictionary and in the Holy Bible. If you know why, please let us know.

Apparently some people prefer to believe spouters than to actually learn the truth for themselves, and that is sad. It seems that everyone should have the urge to learn new things and want to verify if information provided is true or if it is fiction dreamed up by the person speaking. It seems that wanting to learn should not cease at a certain age, as some high school graduates believe it will when they get that diploma in their hands, but should continue for the rest of their lives. Each day is new with new information in it.

Look back at yesterday. It was a new day with all new adventures, even if the adventure was only getting out of bed. There was a new sunrise, similar to other sunrises, but the sunrise yesterday was unique because it happened yesterday. That same sunrise will never be seen again. It will be the same sun, but shadows will fall a tad bit farther or shorter than the day before. And that makes it unique.

Some things, such as changing our clocks in the spring and in the fall, makes us appreciate being able to do some of the things we can do. We may not agree with Daylight Savings Time, and we may gripe that our body clocks don't like this twice a year change, but it is a fact and we should accept it. And we should accept the fact that some people are misinformed about certain things and may mislead us.

Check the facts for yourself

**Letters to the Editor**

**EDITOR:** On Friday, October 3 there was an accident on Hwy. 54, about 10 miles south of Carrizozo, in which Joey Otero died. There were four cars involved. To this day, none of the family of Joey Otero has been officially notified. No State Police, Lincoln County Sheriff or local police went to the parent's home to notify them.

Joey Otero died at the scene about 7:00 or 7:30 p.m. Fr. Dave Bergs was called to give the last rites about 9:00 p.m. This was told to the family by Fr. Bergs himself. By the time it took Fr. Bergs to get home he heard it on the 10:00 o'clock news, and the Otero family still had not been notified. One would think that Fr. Bergs could have been notified by some law enforcement representative and then both could have gone to notify the family. It is amazing that when Joey was in trouble every agency was able to find his parents.

How would anyone feel if you were watching the evening news and heard one of your immediate family had been killed in a traffic accident. It is a shame that Carrizozo is considered the county seat and many representatives of law enforcement pass through Carrizozo and not one law enforcement person was able to stop and let the family know of the accident and/or give their condolences.

I guess if there is any consolation, is that our son died instantly. The very system that we pay to protect and serve us did not protect our hearts and feelings or serve the purpose they are being paid to do so. Is it too much to ask that our law enforcement people show a little compassion in dealing with the remaining members of a bereaved family after the loss of one of their loved ones? Carrizozo Municipal Judge Rominger should be recognized for showing such understanding and compassion in dealing with such a matter recently. Where were the rest of our public officials?

The family of Joey Otero  
Carrizozo, New Mexico



Have A Good Day!!

**Residents Say No To Church Camp**

by Doris Cherry

Eagle Creek area residents are up in arms about the New Mexico Assemblies of God proposal to construct a church camp that will accommodate up to 400 people within stone's throwing distance of quiet secluded upscale residential neighborhoods.

More than 70 people crowded the Ruidoso Village Hall conference room for the Lincoln County-Ruidoso Extraterritorial Zoning Commission meeting on Monday, October 20 to oppose the proposed church camp on a 72 acre property. The property was, in years prior to the 1980s zoning laws, a children's camp with one small dormitory type building. Petitions opposing the project, containing 120 signatures of people living in the Eagle Creek and Alto area, were also submitted to the ETZ Commission.

Most of the concerns from residents were about the water use and subsequent waste water disposal; noise and light pollution from the proposed dormitories, "motel" and ball field and the 20-30 RV spots planned, all within an area where the residentially zoned properties are five or more acres.

ETZ planning officer Chay Rennick said the proposal was brought to the planning department by the Assemblies of God. "Our assessment was the project will require a zoning change and site plan in order to be approved," Rennick said.

Currently the 72 acre tract is within a residentially zoned area. While a community church is allowed in a residential zone, a fully developed church camp with hotel type units does not qualify and would require a zoning change. "I would not give the church an advisory opinion about the request," Rennick said. "So the applicant decided to appear tonight and give an overview of the project and answer questions."

Answer questions was what the architect of the project Darrell Mann of Mann Architects in Lubbock did. He said he had presented a site plan for the church camp to the ETZ board a month before and made sure the project went through the proper channels. "I am here to ask your opinion of what you want us to do," Mann added.

Mann said the 72 acre site off Eagle Creek Canyon Road (within half mile of the turn from Gavilan Canyon Road) used to be a

children's camp which the church hopes to turn into a camp with eight 2,400 square foot cabins sleeping 30 each in the first phase with a possible eight more cabins in a second phase; new roads; a 25,000 square foot multi-purpose building in the first phase; 30,000 square foot chapel/meeting hall, ball field and 20,000 square foot "dorm"/hotel for visiting pastors in a second phase. Each structure will have its own anaerobic septic system, Mann said.

When asked about the water, Mann said the property has two domestic wells and the church has been informed by the state engineer's office it cannot drill any more wells on the property. He said the camp would be used only five months a year and they have been advised the two domestic wells will provide enough water to accommodate all campers.

ETZ member Reynaldo Valcarcel said he understood the property existed as a camp for a certain time then it was vacated. After it was vacated the property and surrounding areas were zoned residential, and when the Assemblies of God purchased the property three years ago it was sold based on that residential zoning.

ETZ member Bob Johnson asked if the church has water rights with the property. Mann said they have no more water rights than the three acre feet per domestic well. He also said they plan to do a water run off retention and several small water storage tanks.

When asked by Johnson if those six acre feet of water a year will be enough for the camp, Mann said the amount of water from six acre feet a year is almost double of what the Assemblies of God camps now use. "We hope to combine all our church camp facilities into one spot, this one," Mann said.

Mann assured the camp would not have a swimming pool or horse stables, instead the camp would utilize such facilities and resources in the village.

ETZ chair Glen Barrow asked when the church plans to begin construction. Mann said the congregations were waiting until their facility in Mountainair sold. "It is tentatively sold now," Mann added. "So we are looking at 18 months construction time."

Mann also said the second phase projects may never be done, or it may take 20 years. "Phase one

will take care of what we had in Mountainair and another of the congregation camps," Mann said.

Valcarcel said while the church sees the project as having a minimal impact to the area, a fear of many who are opposing the project is "if you build it they will come." As for using the camp only half the year, Valcarcel said it makes no economic sense to leave the property fallow and he predicted it would become a magnet.

Mann said the plans are to construct the buildings on top of the hill, as far away from the residential areas as possible. But recently there have been many new residences constructed closer to the property, which basically makes the camp a stone's throw away.

ETZ member David McIntosh said there was nothing Mann told him to indicate "this is a good location." "This is a R-1 tract of land surrounding by R-1. Why not consider a different location that would not impact so many people?" McIntosh asked.

Mann said the property had been available for some time when the Assemblies purchased it. He said when it was first purchased the Ruidoso planning department advised in written form that the property could be used for a church camp. "I only saw three or four people at the last meeting," Mann said. "I was a little surprised tonight to see so many here. I was just here to listen to the board and I wanted to take the project to the next step to make the zoning change."

ETZ member Frank Higgins told Mann that the church knew the property is in a residential zone. "I see a zone change as an uphill battle," he told Mann.

McIntosh said the water issue is huge and he questioned whether the two wells could take care of 400 people.

Three representatives spoke for the opposing residents. Bud Hettinga, whose property adjoins the 72 acres, read the petition signed by 120 residents and "gaining more signers by the day."

He said he represented more than 100 property owners who have more than \$40 million worth of taxable property in Lincoln County. "But I won't speak to the tax status of the church."

(Editor's note: According to the Lincoln County Assessor's Office, churches and church camps do not pay property taxes.)

(SEE PAGE 5A)



**PSYCHIC PREDICTIONS FOR THE NEW MILLENNIUM**

Psychic Judith Christopher Ruidoso NM  
http://www.ruidoso.net/psychic  
e-mail...  
judithchristopher@hotmail.com  
(505) 257-2996

**Scorpio (Oct 23 - Nov 21)**  
Your healing can be slow. If you don't let your heart know that you're really hurt! Don't be a hero, and pretend nothing is wrong. Better days ahead.

**Sagittarius (Nov 22 - Dec 21)**  
Better get with the program, or the program is going to start without you! Go...Go...Go. Your new life, and dream awaits. Fear Nothing, have faith.

**Capricorn (Dec 22 - Jan 19)**  
What is up? Don't make waves, you don't have time to get into anyone else's business, when you need to take care of your own. More money.

**Aquarius (Jan 20 - Feb 18)**  
You know what you have to do to get what has to be done right in the first place. Don't whine, just tell everyone to get out of the way. Have faith in you.

**Pisces (Feb 19 - March 20)**  
Someone is not telling you everything you need to know, so you can do what you came here to do. They might not know what is going on. Ask.

**Aries (March 21 - April 19)**  
Your money is going to get better, once you let go of all the things you don't need, including people. Take care of yourself first then you'll go far.

**Taurus (April 20 - May 20)**  
Don't lose good energy over a spat. Think positive thoughts so you can get what you need, when you need it; now! You'll make more money.

**Gemini (May 21 - June 20)**  
You know when to say something, and you should know when not to say what should be said, but at the wrong time. Think before talking.

**Cancer (June 21 - July 22)**  
Home? Home is where the heart is, not where you sleep, or where others are. Send total love to the ones you miss. Think good thoughts to them.

**Leo (July 23 - Aug 22)**  
You'll be busier than normal, but that doesn't mean you can afford to ignore the ones you love. A phone call, or a hug and a kiss, will keep the fires warm.

**Virgo (Aug 23 - Sept 22)**  
You'll start a new season, with less worry. A good time to let go of all things that cost you too much money or too much stress. Let go, and be free.

**Libra (Sept 22 - Oct 22)**  
What you're not telling others could backfire on you. Keeping the truth away may hurt you more than you know. Pray about this. Do the right thing.

**Lincoln County News**

USPS 313460

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Ruth Hammond and Peter Aguilar  
Co-publishers

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IN STATE (NM): 1 Year \$28.00 / 2 Years \$51.00  
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# Residents Say No

(Continued From 4A)

Hettinga said people bought property and built expensive homes in the Eagle Creek area because of its restrictive covenants and residential zoning. "No one anticipated having a convention center, motel and ball field," he said. "And what will happen with the viewscapes with 30 foot tall buildings on top of the hill?"

As for being a stone's throw away from the residential area, Hettinga said recently a group of camp trailers, a few adults and about 40 kids were waiting in Eagle Creek Road to get into the gate at the church property. Hettinga said the kids were throwing rocks and when he asked the adults why, they said kids will be kids. "I can't imagine what it will be like with 400 people," he added.

"We don't want it," Hettinga said. "We will hire lawyers and take all the legal action to maintain the sanctity of our residential neighborhood."

Mike Runnels, attorney for Eagle Creek residents who asked him to look into the water issues, said six acre feet of water a year will not be enough for such a large development. He said with 400 people the six acre feet is about 13 gallons a day. Average daily use in a resort setting is about 225 gallons a day in Ruidoso. Based on that figure times 360 people times 180 days Runnels estimated the camp will need about 39.75 acre feet of water. If the estimate is dropped to normal

household use per person, the camp would still need a minimum of 12 acre feet of water, Runnels added. And that does not include the cafeteria which can use up to three acre feet of water a month.

Scott Brodie, representing the Eagle Creek II homeowners said they are the most impacted by the church camp project. He said the homeowners agree this is not the place for the camp and it is not a hardship situation. "Anything commercial on this tract is most inappropriate," he said.

Brodie said the Eagle Creek II Homeowners will be at the next ETZ meeting concerning the church camp. "We will be stronger at the vote," he added.

Barrow encouraged more people to come to the ETZ meetings where a lot of issues are considered. "Everyone has the right to due process," Barrow said. "It is clear the first step for the camp is a zoning change."

However since the church had not submitted an application for zoning change the ETZ could not take any action.

After the ETZ closed discussion about the camp, most in the large group left the meeting.

Barrow suggested a letter from the ETZ be sent to the Ruidoso Village Council requesting the council ask for financial help from the Lincoln County Commission.

# Sheriff's Report

The following information was taken from dispatch records in the Lincoln County Sheriff's Office in the Lincoln County Courthouse in Carrizozo.

October 14  
4:52 a.m. burglar alarm at the Smokey Bear Gift Shop in Capitan. Deputy assigned.

8:08 a.m. unattended vehicle at Valley of Fires.

12:47 p.m. Lincoln County Detention Center (LCDC) requested a deputy to do warrant service.

4:33 p.m. 911 report of possible drunken driver at 5th and Lincoln in Capitan. Deputy responded.

4:35 p.m. 911 request for ambulance for 83 year old female with possible stroke at location in San Patricio. Hondo ambulance responded to the location at 5:05 p.m. and transported to Lincoln County Medical Center (LCMC) in Ruidoso at 5:28 p.m.

5:08 p.m. 911 report of missing stuff at location off mile marker 11 on State Road 48.

5:14 p.m. 911 request for deputy because of threats/neighbor dispute at location off mile marker 18 on State Road 48. Two deputies arrived at the location at 5:53 p.m. and advised all was okay; the parties were separated.

6:26 p.m. threats with gun at location on Little Creek Hills Road in Rancho Ruidoso for ongoing dispute with neighbor. The first encounter was over a dog dispute the second was that day the caller was jogging with her dog when her neighbor pulled his gun and threatened her.

October 15  
7:26 a.m. request for ambulance at location on 3rd St. Carrizozo ambulance responded at 7:36 a.m. and requested they needed the office of the medical investigator, who arrived at 7:37 a.m. The funeral home was called at 8:03 a.m.

8:08 a.m. request for ambulance for 66 year old female with extreme pain at location on E. Grand View. Capitan EMS arrived as first responder until Med 1 advanced life support ambulance arrived at 8:32 a.m. and transported to LCMC arriving at 9:09 a.m.

11 a.m. fire at Gavilan Canyon and State Road 48. Deputy advised of hearing reports of a vehicle fire. Bonito Fire Department was notified and responded to the location at 11:16 a.m. At 11:34 a.m. the responding deputy advised all units were okay.

12:40 p.m. Lincoln County Detention Center (LCDC) requested a deputy for an assault.

5:19 p.m. K-9 in yard on Goodnight, request for deputy for two large Rottweillers acting in threatening manner in the caller's yard and the caller

has small dogs and small children.

8:28 p.m. criminal trespass/neighbor dispute at location off State Road 48. Two deputies responded at 7:15 p.m.

6:51 p.m. 911 request for ambulance at LCDC, a 21 year old inmate was unconscious and had a nose-bleed. The caller advised the subject was not in an altercation and the cause was unknown. Carrizozo ambulance arrived at 7 p.m. and transported to LCMC arriving at 8:10 p.m.

7:44 p.m. motorist assist on Indian Divide for an out of service truck and

trailer wrecker requested. 10:23 p.m. alarm at location on ski run road.

October 16  
8:08 a.m. request for ambulance at business in Ruidoso Downs. Med 1 responded to the location at 8:17 a.m. and left at 8:42 a.m. to transport to LCMC arriving at 8:51 a.m.

8:50 a.m. vandalism of a county blade on county road AO17 at Ancho windmill.

9:59 a.m. missing person, a husband, from a location on old Fort Stanton Road. 10:32 a.m. vehicle, a trailer, partially blocking Lake Shore Drive in Alto. 1:36 p.m. request for am-

bulance for 60 year old female who was throwing up and dizzy. Med 1 responded to the location at 2:07 p.m. and transported to LCMC arriving at 2:32 p.m.

1:50 p.m. assault with deadly weapon at location at mile marker 98 on Highway 380, subject staying in an adjacent house assaulted the caller with a .22 rifle. Two deputies responded.

October 17  
12:51 p.m. request for deputy for peace keeping at location off mile marker

(SEE PAGE 2B)

# Weather Report

A cold front on Saturday and Sunday will send low temperatures down into the 20s in the high country and into the 30s in the lowlands, bringing the first hard freeze of fall.

The following information was taken from the National Weather Service website.

Forecast for Carrizozo, Lincoln, Hondo and high plains of Lincoln County:

Today, Thursday, Oct. 23  
Partly cloudy with high of 82 in Carrizozo. Tonight partly cloudy with low of 47 in Carrizozo. No chance for precipitation.

Friday, October 24  
Partly cloudy with high of 80, low of 46.

Saturday, October 25  
Partly cloudy with slight chance for showers. Much colder with highs to the 50s to upper 60s, lows in the 30s to low 40s.

Sunday, October 26  
Partly cloudy with highs in mid 50s to upper 60s, lows in the 30s.

Monday, October 27  
Partly cloudy with highs in the 50s to upper 60s, lows in the mid 30s to low 40s.

Tuesday, October 28  
Partly cloudy with highs in the low 60s to mid 70s, lows in the upper 30s.

Forecast for Ruidoso, Capitan and higher elevations of the northern Sacramento mountains.

Today, Thursday, Oct. 23  
Mostly sunny with high of 73 in Ruidoso and 77 in Capitan. No chance of precipitation. Tonight partly cloudy with lows of 41 in Ruidoso and 43 in Capitan.

Friday, October 24  
Partly cloudy with highs

of 66 in Ruidoso to 69 in Capitan. Lows of 40 in Ruidoso and 44 in Capitan.

Saturday, October 25  
Partly cloudy with slight chance of showers. Highs in the low 50s to mid 60s. Lows in the 20s to upper 30s.

Sunday, October 26  
Partly cloudy with highs in the 50s to low 60s. Lows in the upper 20s to mid 30s.

Monday, October 27  
Partly cloudy with highs in the 50s to mid 60s, lows in the 30s.

Tuesday, October 28  
Partly cloudy with highs in the 60s to lower 70s, lows in the 30s.

# Sleep Well Tonight



**OTERO FEDERAL CREDIT UNION**

1-800-376-9000

823 10th Street, Alamogordo  
3300 North White Sands, Alamogordo  
Bldg. 786, Holloman AFB  
2211 North Main, Roswell  
1900 South Main, Roswell

## Church Directory

**Clonch Community Church**  
TONY SCACCIA, Minister  
849-1402  
Second Sunday of Each Month . . . 9:00 a.m.

**United Methodist Churches**

**JOHANNA ANDERSON, Pastor**  
1000 D. Ave, 648-2893 / 648-2848  
Carrizozo, NM 88301  
Sunday School (All Ages) . . . 10:00 a.m.  
Worship Service . . . 11:00 a.m.  
Choir Practice (Tuesday) . . . 6:30 p.m.  
United Methodist Women  
Every 3rd Wednesday . . . 2:00 p.m.  
Fellowship Dinner on  
4th Sunday of Month . . . 12:30 p.m.

**CAPITAN:**  
Adult Sunday School . . . 8:30 a.m.  
Worship Service . . . 9:15 a.m.  
Children's Sunday School . . . 9:30 a.m.  
Fellowship Time . . . 10:15 a.m.  
Adult Sunday School . . . 11:00 a.m.  
Choir Practice (Tuesday) . . . 7:00 p.m.  
Fellowship Dinner . . . Every Third Sunday  
Handmaidens (Ecumenical Women's Group)  
1st and 3rd Tuesday . . . 9:30 a.m.

**Christ Community Fellowship**

**ED VINSON, Pastor (Inter-denominational)**  
614 Smokey Bear Blvd., Capitan, NM  
Sunday School . . . 9:30 a.m.  
Sunday Morning Worship . . . 10:30 a.m.

**Capitan Church of Christ**

**LESLIE EARWOOD, Minister**  
5th & Lincoln / 336-4627  
Sunday Bible Study . . . 10:00 a.m.  
Worship Service . . . 11:00 a.m.  
Evening Worship . . . 6:00 p.m.  
Wednesday Bible Study . . . 7:00 p.m.

**Trinity Southern Baptist Church**

**MEL GNATKOWSKI, Pastor / 648-2530**  
Phone 354-2044  
Capitan (South on Hwy. 48)  
Sunday School . . . 9:30 a.m.  
Worship Service . . . 11:00 a.m.

**First Baptist Church of Corona**

**CAL WEST, Pastor / 648-7975**  
Sunday School . . . 10:00 a.m.  
Worship Service . . . 11:00 a.m.  
Wednesday Bible Study . . . 7:00 p.m.  
Fellowship Dinner . . . 1st Sunday of Month

**Angus Church of the Nazarene**  
'Serving All of Lincoln County

**RICK HUTCHISON, Pastor / 336-8032**  
Southwest Corner of Hwy. 48 & 37 Junction  
Between Ruidoso and Capitan, NM  
Sunday:  
Sunday School for all ages . . . 9:45 a.m.  
Morning Worship . . . 10:45 a.m.  
Children's Church . . . 10:45 a.m.  
Evening Worship . . . 6:00 p.m.  
Wednesday:  
Teen dinner and games . . . 6:00 p.m.  
Teen Bible Study . . . 7:00 p.m.  
Prayer Meeting . . . 7:00 p.m.

**LaGrone Funeral Chapel**

**Jerry & Lanita Rasak**

*In Memory of*  
**BILL WINKLER**

**Stearns Insurance Agency**

**Tell a Friend!**  
Everyone appreciates good advice!  
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Lincoln, Otero, Chaves or Eddy County  
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# LEGALS

## LEGAL NOTICE

TWELFTH JUDICIAL DISTRICT  
COUNTY OF LINCOLN  
STATE OF NEW MEXICO  
No. PQ-2001-02 III

IN THE MATTER OF THE  
GUARDIANSHIP AND CONSERVATORSHIP  
OF JOE BEN ASHBY, JR.

NOTICE OF PETITION FOR ORDER FOR  
FORMAL PROBATE OF WILL  
FOR DETERMINATION OF HEIRSHIP  
AND COMPLETE SETTLEMENT OF ESTATE  
To: MARTHA PROCTOR ASHBY; ANNE  
ASHBY; AND ANY UNKNOWN HEIRS  
OR CLAIMANTS OF JOE BEN ASHBY,  
JR., DECEASED.

Anne Ashby, Personal Representative of the  
Estate of Joe Ben Ashby, Jr., deceased, has filed a  
Petition requesting the Court to enter an Order  
which (1) formally probates the Decedent's Last Will  
and Testament dated July 22, 1999; (2) confirms the  
previous informal appointment of Petitioner as Personal  
Representative; (3) determines the heirs of the  
Decedent; (4) approves the accounting of Petitioner  
as filed herein; (5) determines the persons entitled to  
distribution of the estate of the Decedent; (6)  
declares that after Petitioner makes the distributions  
of the estate, this estate is fully settled and discharges  
Petitioner from further claim or demand of any  
interested person; and (7) grants such other and further  
relief as may be proper. Notice is hereby given that  
hearing on such Petition will be held at the Lincoln  
County Courthouse in Carrizozo, New Mexico on  
Wednesday, December 3, 2003 at 8:30 a.m.

JAN PERRY,  
Court Clerk  
By: Jolene Biggs,  
Deputy

Published in the Lincoln County News on October  
23 and 30, 2003.

## LEGAL NOTICE NO. CV03-216

IN THE DISTRICT COURT OF  
LINCOLN COUNTY, NEW MEXICO  
TWELFTH JUDICIAL DISTRICT

WHISPERING BLUFF INTERVAL  
OWNER'S ASSOCIATION, INC.,  
a nonprofit Corporation,

Plaintiff,

vs.

GROUP I:

THE FOLLOWING NAMED  
DEFENDANTS, IF LIVING; IF DECEASED,  
THE UNKNOWN HEIRS OF THE  
FOLLOWING NAMED DEFENDANTS:  
DAVIE L. FRANKLIN, AND  
YOLANDA Y. FRANKLIN,

GROUP II

FIRST WESTERN FEDERAL SAVINGS  
BANK, RESORT EXCHANGE, INC.  
BANKWEST BOULDER INDUSTRIAL  
BANK, FINANCIAL MANAGEMENT  
TASK FORCE, INC., LIQUIDATOR  
OF BANKWEST BOULDER  
INDUSTRIAL BANK,

GROUP III

ALL UNKNOWN CLAIMANTS OF  
INTEREST IN THE PREMISES  
ADVERSE TO PLAINTIFF.

Defendants.

## NOTICE OF PENDENCY OF CIVIL ACTION

THE STATE OF NEW MEXICO TO: THE FOLLOWING  
NAMED DEFENDANTS, IF LIVING; IF DECEASED,  
THE UNKNOWN HEIRS OF THE FOLLOWING NAMED  
DEFENDANTS: DAVIE L. FRANKLIN, AND YOLANDA Y.  
FRANKLIN, FIRST WESTERN FEDERAL SAVINGS  
BANK, RESORT EXCHANGE, INC., BANKWEST  
BOULDER INDUSTRIAL BANK, FINANCIAL  
MANAGEMENT TASK FORCE INC., LIQUIDATOR OF  
BANKWEST BOULDER INDUSTRIAL BANK, ALL  
UNKNOWN CLAIMANTS OF INTEREST IN THE  
PREMISES ADVERSE TO PLAINTIFF.

NOTICE IS HEREBY GIVEN, that in the above  
styled cause, Plaintiff has filed an action to  
foreclose their Claim of Lien and to quiet their  
title against you in and to the following lands  
in Lincoln County, New Mexico:

An undivided one-fifty-second (1/52nd) interest  
in and to Apartment Number 703 in Building 7  
of WHISPERING BLUFF CONDOMINIUMS,  
together with an undivided one fifty-second  
(1/52nd) in and to an undivided 1.8867% of  
the general common element of Whispering  
Bluff Condominiums, a condominium described  
in that certain Declaration of Condominium  
recorded in Book 78, Pages 1063-1098 of the  
Miscellaneous Records of Lincoln County  
Clerk's Office, Lincoln County, New Mexico.

Together with: The exclusive right to occupy  
the said Residence Unit and as between owners  
of interest in said condominium to use and  
enjoy the said Common Areas and rights and  
easement appurtenant to the said condominium,  
during Unit Week #8 and as said Unit Week is  
defined in the instruments entitled  
"Declaration" and "Master Deed" of  
Whispering Bluff Condominiums.

Unless you enter your appearance in this cause  
on or before the 24th day of November, 2003, judgment  
will be rendered against you by default.  
O'Reilly & Doherty, LLP (Mel B. O'Reilly) 7125  
Prospect Place NE, Albuquerque, NM 87110, are  
attorneys for Plaintiff.

WITNESS my hand and seal of the District  
Court this 30th day of September, 2003.

DISTRICT COURT CLERK  
ELIZABETH YSASI,  
DEPUTY

Published in the Lincoln County News on October  
9, 16, 23 and 30, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL  
DISTRICT COURT

No. CV-03-237  
Division III

IN THE MATTER OF THE PETITION OF  
ELLEN SUSANNE EGERT FOR THE  
CHANGE OF HER SURNAME

## NOTICE OF CHANGE OF SURNAME

Notice is hereby given that Ellen Susanne Egert has  
filed a Petition in the above Court for a change of  
her surname to Rippel. Said Petition will be heard by  
the Honorable Karen L. Parsons, District Judge,  
Division III, on the 20th day of November, 2003, at  
8:15 A.M.

ALAN P. MOREL, P.A.

By: ALAN P. MOREL  
Post Office Box 1030  
Ruidoso, New Mexico 88359-1030  
(505) 258-2202  
Attorney for Petitioner

By: JAN PERRY  
District Court Clerk

Published in the Lincoln County News on October  
23 and 30, 2003.

## LEGAL NOTICE

NOTICE OF AMENDMENT  
OF ORDINANCE

ORDINANCE #03-12

AN ORDINANCE RELATING TO THE  
VILLAGE OF CORONA GAS SYSTEM;  
AMENDING SECTION #9  
OR ORDINANCE #27.

CLARIFYING DUE DATES AND TERMS,  
AND REPEALING ALL ORDINANCES AND  
PARTS OF ORDINANCES IN CONFLICT  
THEREOF.

BE IT ORDAINED BY THE VILLAGE  
OF CORONA:

SECTION 1: Section 9 of Ordinance #27 is  
hereby repealed and a new Section 9 is hereby created  
as follows:

SECTION 9: That all gas bills shall be due and  
payable by the 20th day of the month for service rendered  
during the prior month, and service shall be  
discontinued on the first working day of the month  
following the 20th, without further notice being  
given by the Village of Corona to the consumer, if  
not paid by that time. If a gas service is disconnected  
for non-payment of bill for services, then in that  
event reconnect fees and terms established in Ordinance  
#99-06; Section 13 shall be collected before the  
recommencement of gas service.

SECTION 2: All Ordinances and parts of Ordinances  
in conflict with the provisions of the Ordinance  
are hereby repealed.

PASSED, ADOPTED, SIGNED, AND  
APPROVED THIS 9th day of October 2003.

VILLAGE OF CORONA  
Gilbert R. Stewart Sr.,  
Mayor

ATTEST:  
Cathy Perez,  
Village Clerk

Published in the Lincoln County News on  
Thursday, October 23, 2003.

## LEGAL NOTICE

STATE OF  
NEW MEXICO  
NO. M32-CV2002-00024  
DIVISION II

RONNIE COONS  
Plaintiff

vs.

WESLEY OWENS dba CIRCLE W.  
EQUIPMENT  
Defendant

## NOTICE OF SHERIFF'S SALE

On November 10, 2003 at 10:00 a.m. at the front  
steps of the Lincoln County Sheriff's office, 300  
Central Avenue, Lincoln County, New Mexico, I  
will offer for sale and sell the below described  
property to the highest bidder for cash or  
immediately available funds. Amounts due on the  
date of sale \$6,663.65.

Said sale is pursuant to a judgment in the  
captioned cause M32-CV2002-00024 filed in the 2nd  
division Magistrate Court Lincoln County, New  
Mexico wherein the following property was seized  
under a Writ of Execution by the Lincoln County  
Sheriff's department.

- 1.) 1978 CHEVROLET C65 TRUCK;  
VIN#TCE678V600574;
- 2.) 1953 INTERNATIONAL SEMI TRUCK  
VIN#6781
- 3.) MILLER BOB CAT WELDER  
MODEL #225GPLUS  
VIN#0993440850
- 4.) INGERSOL RAND AIR COMPRESSOR  
MODEL #2475F11G  
SERIAL #30TC830745
- 5.) 2' BACKHOE BUCKET
- 6.) 2 HYDRAULIC CYLINDERS
- 7.) HYDRAULIC FLOOR JACK
- 8.) 6 HOSE REELS
- 9.) 1 FOUR HUNDRED GALLON  
FUEL TANK
- 10.) 1 METAL GUN SAFE
- 11.) 1 CUMMINS DIESEL ENGINE  
VIN#CKW133G434
- 12.) 1 GRACO AIR POWERED PUMP
- 13.) 1 LOT OF MISCELLANEOUS TOOLS

Pursuant to New Mexico Statutes SS39-4-  
9NMSA 1978, Defendant may redeem Ownership of  
above listed properties, by full payment of judgment  
and costs up to time of sale.

TOM SULLIVAN,  
Lincoln County Sheriff

Published in the Lincoln County News on October  
23, 30 and November 6 and 13, 2003.



(Continued From Page 2A)

Babbs we have been enjoying privilege of hearing  
often during each day the latest war-news  
from the front over the long distance.

Owing to the war reports, the question at the  
club now is which of the various papers coming  
in are the most reliable. "The Dallas Blade" and  
"the Waco Scream" seem to be leading at last  
vote taken with the McCorkle "Rookdom" third.

## Four Prisoners Escape

Four of the prisoners who were confined in  
the county bastille made their exit from the carcel  
Sunday evening, without notice to jailer Barnett  
as to their intentions. They left no note to  
indicate the direction they would take; in fact,  
only a few tracks, and Mr. Barnett is of the  
opinion that they took a course a little to the right  
of straight up.

Two of the prisoners had a penitentiary  
sentence hanging over them and will probably not  
be anxious to return to the county's board and  
bed. They are still at large.

# Not War, Mediation

Carrizozo News  
May 1, 1914

Scenes rapidly change in the Mexican  
situation -- last week it looked like nothing under  
the sun could prevent war; Vera Cruz had been  
occupied, the Americans lost a number killed and  
wounded and the Mexicans a still greater  
number. And yet, following bloodshed and the  
landing of troops on foreign soil, the past week  
has been one of comparative quiet, and the  
prospects for peace are good, if -- and that, at  
this time, is the biggest word in the English  
language -- if Huerta steps down and out.

Three South American governments --  
Argentina, Brazil and Chile -- which, like the  
United States, have never recognized the Huerta  
government, have rendered their services as  
mediators. This government immediately  
accepted the offer, and later the Huerta  
government did likewise. The representatives of  
the three governments named are now engaged in  
the task of gathering data presented by the  
Washington and the Mexico governments --  
endeavoring to adjust differences, subject to each  
respective demand, before going into the main  
features of differences existing between the  
contending parties. It is feared the main  
stumbling block will be the insistence on the part  
of the United States for the elimination of  
Huerta. Should the Mexican dictator decline to  
be eliminated -- and quite likely he will -- the  
opportunity for a peaceful settlement of the  
difficulties, apparently ceases to exist.

In the meantime, congress had appropriated a  
half a million dollars to get Americans out of  
Mexico, and they have been coming out the past  
week in droves. Some indignities were committed  
by enraged Mexicans upon Americans --  
especially during the firing at Vera Cruz and the  
landing of American marines, but there has been  
no loss of life and inasmuch as the United States  
made no attempt to invade the country, but an  
interior movement, feeling has somewhat sub-  
sided and fears for the safety of Americans are  
about over. General Funston, with 5,000  
soldiers, landed at Vera Cruz this week, and the  
blue-jackets have been relieved and have gone  
back to their warships. Everything is again quiet  
at that seaport.

Again, the anticipated trouble with the  
constitutionalists, at least for the time, has  
vanished. Carranza, who got on his "high horse"  
last week, has, evidently, seen a great light, and  
says that President Wilson had not understood.  
As a matter of fact, General Villa, who is the  
real head and front of the constitutionalists, and  
but for whom Carranza would not last a holy  
minute, has told the "aged chief, where to head  
to, and the supreme chief of the constitutionalists  
is putting on all steam for the port indicated.

Now the foregoing resume of the past week  
covers the situation, and if Huerta effaces  
himself, or is by some means swept aside, no  
more blood is likely to flow. But that if -- it  
looms as big as a mountain.

## Jicarilla

Loco is getting in its work among the stock in  
this section, we noticed one fine young animal  
badly afflicted, and hear of others. Horses are,  
perhaps, more susceptible to the weed, though  
cattle eat it and succumb to its work upon their  
system.



**Carrizozo 3rd, 4th and 5th grade  
"BRAVO" for September**

**FRONT ROW:** (left to right) James Burd, Amanda Gallegos, Sierra Anaya, Tamara Burd, Jade Roper, Andrea Vigil, Arden Burd  
**2nd ROW:** Brittany Simmons, Shayna Zamora, Sergio Ramirez, Tavi Nash, Sean Medina, Victoria Ventura  
**3rd ROW:** Lane Carter, James Offutt, Justin Greer, Marshall Ventura, Sara McNatt, Marriah Ventura, Catalena Vega  
**BACK ROW:** Troy Niederstadt, Cori Gote, Jordan Hill, Stephanie Zamora, Destiny Dutchover, Katina Maldonado, Joel Ferguson, Roper Webb

# Lincoln County News

SECTION - B

Thursday, October 23, 2003

Page 1 B

## C'Zozo Fire Dept. To Host Halloween Dance Nov. 1

Carrizozo Town Council gave the "ghoul" light to the Carrizozo Volunteer Fire Department to host a Halloween Costume Dance from 9 to 12 p.m. on Saturday, November 1 at the fire station on 8th Street.

Trustees gave approval at the October 14 town council meeting held in the town offices located in Carrizozo Recreation Center.

Fire chief LeeRoy Zamora, also a trustee, said the fire department is planning on the dance as a

fund raiser. He said the public is invited to attend the dance where no booze will be allowed in the building. There will be first and second place prizes for the best costume, which are optional.

Music will be by D.J. with the cost at \$5 a person.

Zamora asked if the town police department could provide extra patrol to keep check on drinking or any other potential problem. He said the fire trucks will be moved out of the building and the

bay doors kept closed, with all attenders coming through the office door.

Also at the town council meeting, trustees accepted the resignation of Cathie Eisen as waste water technician. Eisen was hired by the New Mexico Rural Water Association and will provide technical information and assistance to the town.

After a closed session for personnel matters, trustees authorized advertising for a full time em-

(SEE PAGE 6B)

### DISTRICT COURT CALENDAR

The Calendar for  
District Judge Karen Parsons

Monday, October 20  
9 a.m.

First Appearances

Susan Spall; CR-2002-47  
Troy Warren; CR-2003-182  
Erick Benally; CR-2003-184  
Armando Salazar; CR-2003-186

Change of Plea:

Ritchie Sanchez; CR-2002-201  
Daniel Villa; CR-2003-01  
Ismael Rivera; CR-2002-199  
Lewis Germany; CR-2003-83 & 89  
Joe Bookhammer; CR-2003-157  
Michelle Thompson; CR-2003-146 (sentencing)  
Natona Martinez; CR-2003-125  
Salvador Perales; CR-2003-153  
Frank Gallerito; CR-2003-40

Sentencing:

Daniel Rodriguez; CR-2003-33  
Juan Montoya; CR-2003-126  
Sean Sehorn; CR-2003-122

Other:

Anthony Cordray; CR-2002-84 & 146 motions  
Brandon Belin; CR-2001-86 merits  
Lucy Haun; CR-2002-25 motions  
Elizabeth Padilla; CR-2002-127 motions  
Tracy Farus; CR-2003-171 motions  
Rupert Romero; CR-2002-130 & 185

Tuesday, October 21

8:15 a.m. teleconference, Oakwood Acceptance v. Johnson; CV-2002-29 (Dranttel/Stevens) motions to compel.

8:30 a.m. Jury Trial, Beau Allen; CR-2003-175 (Stevens/Mitchell)

3:30 p.m. Drug Court meeting in Ruidoso.

Wednesday, October 22

8:15 a.m. teleconference, SNM v. Laird; CR-2002-40 judicial inquiry regarding probation.

8:30 a.m. Jury Trial continued, Beau Allen; CR-2003-175

1:15 p.m. Goodall v. MVD; CV-2003-207 (C.Hawthorne) writ

Thursday, October 23

8:15 a.m. teleconference, Stufflebeam; JQ-2002-01 (Stevens motion to withdraw as attorney for Timothy Simmons.)

8:30 a.m. Jury Trials

Wesley Owen; CR-2001-149 (Thompson/Raffin)  
Ronald Stephens; CR-2003-131 (Stevens/Mitchell)

Friday, October 24

8:15 a.m. teleconference, SNM v. Worley; Chaves County Case.

8:30 a.m.

First Appearances

Michael Keaton; CR-2003-180  
Diana Wells; CR-2003-181

Change of Plea

Carlos Anchando; CR-2003-97  
Bobby Berry; CR-2003-154  
Andrew Sandoval; CR-2002-149  
Cindy Harris; CR-2003-81

Pre-trials

Allen Ryan; CR-2003-105 & 107

Sentencing:

Ira Shanta; CR-2003-84  
Daniel Dunn; CR-2003-79  
Nikki Price; CR-2002-134  
Steven Webb; CR-2001-180 & CR-2002-81  
Rodney Studdard; CR-2003-100  
Charles Gist; CR-2003-35  
Shannon Meade; CR-2003-93

Other:

Ricky Dutchover; CR-2003-139  
Frankie Norvell; CR-1999-161 judicial inquiry  
Charles Tracey; CR-2003-185 first appearance and MRCR

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# LEGALS

## LEGAL NOTICE

### NOTICE OF PUBLIC MEETING

The New Mexico Municipal Border Commission will hold a public meeting on Thursday, October 23, 2003 at 10:00 A.M. at the Ruidoso Downs City Hall, to hear testimony concerning the proposed annexation of property. Three or more Lincoln County Commissioners will attend this public meeting. No official county business will be conducted.

MARTHA GUEVARA  
Assistant County Manager

Published in the Lincoln County News on Thursday, October 23, 2003.

## LEGAL NOTICE

### 12TH JUDICIAL DISTRICT COURT COUNTY OF LINCOLN STATE OF NEW MEXICO No. CV03-225

IN RE: The Petition for Name Change of Cheyenne B. Underwood

## NOTICE

TAKE NOTICE that in accordance with the provisions of Sections 40-8-1 through 40-8-3, N.M.S.A. 1978, Cheyenne Belle Underwood will apply to the Honorable KAREN L. PARSONS, District Judge of the 12th Judicial District, at the 12th Judicial District Courthouse at Carrizozo, New Mexico, at 8:15 o'clock a.m., on the 6th day of November, 2003, during a regular term of the Court, or as soon thereafter as the matter may be heard for an Order for a change of name from Cheyenne Belle Underwood to Cheyenne Belle Goodloe Evans.

JAN PERRY,  
District Court Clerk  
By: Elizabeth Ysasi,  
Deputy Court Clerk

Published in the Lincoln County News on October 23 and 30, 2003.

## LEGAL NOTICE

### Invitation to Submit Bids No. 03-04-006

#### "Water Tanks for White Oaks Volunteer Fire Department"

Due: Wednesday, November 12, 2003 at 2:00 MST

The County of Lincoln is requesting bids to furnish and install two (2) 500 hbl (21,500 gallon each) carbon steel, nonpotable water tanks for fire protection at the White Oaks Volunteer Fire Department in White Oaks, NM. Complete specifications are contained in the bid packet and can be obtained from the County Manager's Office or by calling Jane Williams, 800-687-2705 ext. 105.

The Lincoln County Board of Commissioners will review the bids and make their final determination during a regular Commission meeting on Tuesday, November 18, 2003 at the Lincoln County Courthouse in Carrizozo.

Lincoln County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of Lincoln County.

JANE WILLIAMS  
Purchasing Agent

Published in the Lincoln County News on Thursday, October 23, 2003.

## LEGAL NOTICE

### NOTICE OF AMENDMENT OF ORDINANCE

#### ORDINANCE #03-11

#### AN ORDINANCE RELATING TO THE VILLAGE OF CORONA WATER SYSTEM; AMENDING SECTION #9 OR ORDINANCE #22,

#### CLARIFYING DUE DATES AND TERMS, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREOF.

#### BE IT ORDAINED BY THE VILLAGE OF CORONA:

SECTION 1: Section 9 of Ordinance #22 is hereby repealed and a new Section 9 is hereby created as follows:

SECTION 9: That all water bills shall be due and payable by the 20th day of the month for service rendered during the prior month, and service shall be discontinued on the first working day of the month following the 20th, without further notice being given by the Village of Corona to the consumer, if not paid by that time. If a water service is disconnected for non-payment of bill for services, then in that event reconnect fees and terms established in Ordinance #99-05; Section 5 shall be collected before the recommencement of water service.

SECTION 2: All Ordinances and parts of Ordinances in conflict with the provisions of the Ordinance are hereby repealed.

PASSED, ADOPTED, SIGNED AND APPROVED THIS 9th day of October 2003.

VILLAGE OF CORONA  
Gilbert R. Stewart Sr.,  
Mayor

ATTEST:  
Cathy Perez,  
Village Clerk

Published in the Lincoln County News on Thursday, October 23, 2003.

# Sheriff's Report

(Continued From Page 5A)

98 on Highway 380 in Lincoln area.

5:24 p.m. post placed in easement at mile marker 286.3 on Highway 70. Deputies responded to the location at 5:54 p.m. talked with both parties and at 7:06 p.m. advised that everyone was happy.

8:57 p.m. 911 request for ambulance for 78 year old male with possible heart attack at location on High Mesa Road. Med 1 arrived at the location at 8:16 p.m. and transported to LCMC arriving at 8:59 p.m.

8:41 p.m. accident with injuries, a female walked into the sheriff's office with injuries. Carrizozo ambulance responded at 8:44 p.m. and transported the injured to the hospital in Alamogordo arriving at 7:55 p.m.

8:53 p.m. pit bull attack on Sun Mountain Loop. Deputy advised he was stopped and told about a pit bull that had attacked another dog. The deputy went to the location and at 9:19 p.m. advised the dog owner admitted and was cited for having his dog at large.

9:24 p.m. 911 request for ambulance for 80 year old female with possible low leg injury at location on Redwood. Med 1 arrived at 9:42 p.m. and transported to LCMC arriving at 10:24 p.m.

October 18

10:54 a.m. request for deputy at business on west Smokey Bear Blvd. in Capitan.

4:19 p.m. state police reported battery at location in Picacho, a female was assaulted at an animal sanctuary. Two deputies responded and at 6:02 p.m. advised all was okay, with all parties in agreement.

4:20 p.m. battery at animal sanctuary in Picacho area. A male caller advised his wife had been attacked by another female after they refused to take two K-9s into the sanctuary. Deputy responded.

5:22 p.m. 911 report of a motorcycle accident with injuries at the intersection of State Road 37 and Bonito Lake Road. Med 1 and Bonito fire department responded but canceled at 5:27 p.m. when the motorcyclist left the scene. At 5:29 p.m. state police advised the motorcycle driver was at a location on ski run road and needed an ambulance. Med 1 arrived at the scene at 5:43 p.m. and transported to LCMC arriving at 6:10 p.m.

9:25 p.m. natural gas smell from pump station at mile marker 14 on State Road 48. Bonito Fire Dept. and gas company responded, but the fire department call was cancelled.

9:52 p.m. tampering with train at Forest Road 161 off Highway 54 at the Gallinas gate. Railroad company advised that the train had been across the gate area and a vehicle was parked waiting to get through and the people in the vehicle kept going to the train and attempting to detach the cars. Deputy responded.

11:25 p.m. shots fired/screaming in West Lake Campground. Two deputies responded.

October 19

12:15 p.m. deputy at the library advised of a narcotics violation in Capitan.

2:17 p.m. request for deputy for peacekeeping for child exchange at loca-

tion in Ruidoso Downs.

2:58 p.m. temporary restraining order violation, at location at mile marker 286.5 on Highway 70, request for deputy for subject who was on a four wheeler damaging the road and another subject threatened him and violated the restraining order. Deputy responded.

3:21 p.m. request for welfare check, caller from San Angelo, TX requested a deputy check a house on Soaring Eagle because the neighbor had advised that children were playing around the house and on the deck.

3:53 p.m. missing gun from location on Santiago in Ranches of Sonterra. The caller was out of town and upon return found the house had been entered and the gun was missing.

5:52 p.m. request to meet with deputy because his neighbor had witnessed a blue truck parked on Deer Park, then left, the caller would like a deputy to check the house for possible breaking and entering. Deputy responded and advised there were no signs of forced entry.

7 p.m. battery at location on Highway 70 and Parker Lane in Ruidoso Downs.

10:22 p.m. request for ambulance for patient choking at location on La Riva Rd in Alamo Canyon. The caller was to intercept the ambulance doing so at 10:45 p.m. and the ambulance transported to LCMC arriving at 11:20 p.m.

11:07 p.m. possible overdose at location on LaMay Road, the father was to transport his daughter who took unknown meds to LCMC. Deputy responded.

# Veteran's Day Celebration

The Carrizozo Junior Rotary Club is putting on a Veteran's Day Memorial Assembly on November 11 and would like to invite all area veterans to attend. There will be a school-wide assembly at 8:30 a.m. in the old gym at Carrizozo High School. Immediately following, a free appreciation breakfast at the First Methodist Church across the street will be served to all veterans and their spouses from 9:00 a.m. to 11:00 a.m.

With this recognition, a memorial wall will be put together. If you know someone who should be recognized on our wall, please write his or her name down and give us as much information as possible. For example, if the person is deceased, retired, or still serving, what branch of service he/she served in, and wars he/she served in. Please drop off all information at the Carrizozo High School office by November 1.

The Carrizozo Junior Rotary Club appreciates all the support and assistance.



# Grizzly

# WEEKLY

by Carrizozo High School  
Journalism Class  
Sarah Ball, Instructor

# A War Rekindled

The anticipation during Carrizozo's Homecoming week was so thick you could cut it with a knife. It was our first 11-man Homecoming game in years, and the students, staff, and community were riled up. The Grizzlies were facing the Capitan Tigers in an antique rivalry that promised to be an encounter neither team would forget.

The stands were filled with both Tiger and Grizzly fans, and the animosity and tension grew as both teams marched onto the gridiron. The opposing captains met at center field and exchanged unholy glares as the coin was flipped. It was the Grizzlies' ball, and as the captains went to their sidelines, eye contact remained.

It was not just a game - for some, it was personal.

The crowd was hushed as Capitan approached to kick off. Deafening silence consumed the bleachers and BOOM!! The game was underway. Zozo's offense took the field first but just could not get going. Capitan then got their opportunity to punch one in. Capitan's explosive offense lacked their most threatening player, quarterback Stephan Silva, due to injury. However, the Tigers came into the game with Twin Towers, Sheldon Moore and Weston Richardson, each standing 6 feet 4 inches. Backup quarterback, freshman Tillman Freeman, proved that he could hang with the big boys by throwing a deep bomb to Moore for the first score of the opening quarter. After the PAT, Capitan led 7-0, as the opening quarter expired.

Zozo's pass threat was not as terrifying as it usually was. The Grizzlies! Johnny Beltran, the X-factor of the offense, suffered a neck injury during Zozo's game with Cloudcroft. Nevertheless, the Grizzly offense, led by versatile quarterback Joe Samora, running back Josh Calvert, and receivers Jesse Samora, Matt Silva, and Steven Rowin, had their eyes on the end zone. Capitan, now leading 13-0, waited to see what the Grizzlies had up their sleeve. Samora's completions to Silva and Jesse Samora, along with a few scrambling yards, helped the Grizzlies approach the end zone. Zozo stood on the goal line, anticipating a touchdown but a mishandled snap gave the ball back to the Tigers. Refusing to loosen their grip, the Tigers again found themselves in the end zone, complements of Andrew Silva, Stephan's younger brother. It seemed that Capitan had another explosive Silva on its hands.

However, Zozo had a Silva as well, and they soon realized how explosive he could be on the offensive. Junior Matt Silva caught unbelievable passes and made a remarkable fingertip grab on a tip by Jesse Samora. Although these plays lit up the crowd, the fire within the Grizzlies remained dormant.

Capitan's offensive onslaught would continue throughout the remainder of the game. Zozo's defense could not contain the explosive Tigers, and the game would end with the Tigers shutting out the Grizzlies, 41-0.

The next confrontation may be a different story. Capitan is senior heavy and will lose a lot of their stars. Zozo, a younger team, will lose only three seniors and promising youngsters such as eighth grader Greg Vigil, who had an amazing interception and a few good hits on the Twin Towers, Moore and Richardson, will help enhance future Grizzly football.

Capitan walked off the field with smirks and grins, and will probably forget about this game in a couple of days. This loss, however, is indelibly stained in the minds of the Grizzlies. They walked to their locker room, not smiling or joking around, but with their mind set on revenge. Capitan may have won the battle, but they have not won the war.

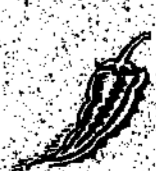
-Brandon Morales

# Chili Cook-off

As part of Carrizozo School's Incentive for Excellence program, the school, under the leadership of teachers Mrs. Hemphill and Mrs. Sambrano, will host the first Chili Cook-Off on Friday, October 31. The competition, which will include best tasting green chili, red chili, and/or salsa, is open to the entire community, students and adults alike. The entry fee is \$1.00, and entry forms may be picked up the day of the cook-off at the high school office.

Two cups of each entry are needed and should be brought to the high school the day of the cook-off between 9 and 10 a.m. Community members, students and staff are welcome to judge. Judging will be held between 10:15 a.m. and 1:00 p.m. and at 1:00 votes will be tallied. The winner of each category will be announced by 2:30 that day. Winners will receive all entry money collected for that category, so the amount of prize money will depend on the number of entrants.

If there are any questions, please call Mrs. Hemphill or Mrs. Sambrano at the school at 648-2346.





# LEGALS

# Obituaries

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
No. CV02-266

BANK OF NEW YORK AS TRUSTEE FOR  
FREMONT HOME LOANS OWNER TRUST  
1999-3,  
Plaintiff,

vs.  
SCOTT E. FRENCH, FREMONT INVESTMENT  
& LOAN ASSOCIATES FINANCIAL SERVICES  
COMPANY, INC., JOHN DOE, TENANT  
WHOSE TRUE NAME IS UNKNOWN, JANE  
DOE, TENANT WHOSE TRUE NAME IS  
UNKNOWN, THE UNKNOWN SPOUSE OF  
SCOTT E. FRENCH, IF ANY.  
Defendants.

## NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the undersigned Special Master, or his/her designee, will, on December 2, 2003, at 10:00 A.M., at the Village Ruidoso Administrative Offices Bldg., Cree Meadows Dr., Ruidoso, NM, sell and convey to the highest bidder for cash all the right, title, and interest of the above-named defendants in and to the following described real estate located in said County and State:

LOT 16, BLOCK 2, ENCHANTED FOREST,  
UNIT TWO, LINCOLN COUNTY, NEW  
MEXICO, AS SHOWN BY THE AMENDED  
PLAT THEREOF FILED IN THE OFFICE  
OF THE COUNTY CLERK AND EX-  
OFFICIO RECORDER OF LINCOLN  
COUNTY, NEW MEXICO, OCTOBER 6,  
1972, IN TUBE NO. 466;

The address of the real property is 16 MESA DRIVE, ALTO, NM 88312. Said sale will be made pursuant to the Decree of Foreclosure entered on September 9, 2003, in the above entitled and numbered cause, which was a suit to foreclose a note and mortgage held by the above plaintiff and wherein plaintiff was adjudged to have a lien against the above-described real estate in the sum of \$109,709.18, plus interest from July 2, 2003 to the date of sale at the rate of 11.35000% per annum, the costs of sale, including the Special Master's fee, publication costs, and plaintiff's costs expended for taxes, insurance, and keeping the property in good repair. Plaintiff has the right to bid at such sale and submit its bid orally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash.

At the date and time stated above, the Special Master may postpone the sale to such later date and time as the Special Master may specify.

NOTICE IS FURTHER GIVEN that this sale may be subject to a bankruptcy filing, a payoff, a reinstatement or any other condition that would cause the cancellation of this sale. Further, if any of these conditions exist, this sale will be null and void, the successful bidder's funds shall be returned, and the Special Master and the mortgagee giving this notice shall not be liable to the successful bidder for any damages.

NOTICE IS FURTHER GIVEN that the real property and improvements concerned with herein will be sold subject to any and all patent reservations, easements, all recorded and unrecorded liens, not foreclosed herein, and all recorded and unrecorded special assessments and taxes that may be due.

NOTICE IS FURTHER GIVEN that the purchaser at such sale shall take title to the above-described real property subject to rights of redemption.

Dated: Oct. 21, 2003.

JEANIE CLANCY-COFFEY,  
Special Master  
c/o Shapiro & Meinhold, L.L.P.  
13725 Struthers Road, Suite 201  
Colorado Springs, CO 80921  
(800) 286-0013 (719) 634-4868

Published in the Lincoln County News on October 16, 23 and 30 and November 6, 2003.

## LEGAL NOTICE

TWELFTH JUDICIAL  
DISTRICT COURT  
STATE OF NEW MEXICO  
COUNTY OF LINCOLN

No. CV-03-206  
Division III

LOUIS E. ARAGON,  
Plaintiff,

vs.

GROUP I  
LONGHORN DEVELOPMENT  
CORPORATION, a New Mexico  
Corporation not in good standing,  
FIRST INTERNATIONAL BANK,  
successor in interest to  
UNITED STATES NATIONAL BANK,  
their heirs, devisees, successors and assigns;

GROUP II  
JOHN DOES, I through 100, and all  
of their lawful heirs, devisees  
or assigns; and

GROUP III  
ANY AND ALL UNKNOWN CLAIMANTS OF  
INTEREST IN THE PREMISES ADVERSE TO  
THE PLAINTIFF;

Defendants.

## SUMMONS AND NOTICE OF PENDENCY OF ACTION

THE STATE OF NEW MEXICO TO THE  
FOLLOWING NAMED DEFENDANTS:

LONGHORN DEVELOPMENT CORPORA-  
TION and FIRST INTERNATIONAL BANK,  
successor interest to UNITED STATES  
NATIONAL BANK

GREETINGS: You are hereby notified that LOUIS E. ARAGON, Plaintiff, has filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-03-206, wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.

The general subject of said action is to quiet title to certain real estate which is the subject matter of the above-captioned and numbered cause of action and is described as follows:

Lot 29, Block 6, of ALPINE VILLAGE (some

times referred to as Alpine Village Subdivision, Unit 2), Lincoln County, New Mexico, as shown by the plat thereof filed in the Office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, on March 10, 1964, in Tube No. 18.

You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before November 28, 2003, judgment will be rendered against you by default and the relief prayed for in the Complaint will be granted to Plaintiff in conformity with the allegations of the Plaintiff's Complaint.

The name and address of the attorney for the Plaintiff are as follows: Alan P. Morel, Alan P. Morel P.A., Post Office Box 1030, Ruidoso, New Mexico, 88355-1030.

WITNESS my hand and seal of the Twelfth Judicial District Court of Lincoln County, New Mexico, on this the 7th day of October, 2003.

(SEAL)

JAN PERRY  
Court Administrator/  
District Court Clerk  
By: Elizabeth Ysasi  
Deputy

Published in the Lincoln County News on October 16, 23 and 30 and November 6, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
LINCOLN COUNTY

No. 1967

IN THE MATTER OF THE ESTATE OF  
ROMANITA CHAVEZ, DECEASED:

## NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of this estate. All persons having claims against this estate are required to present their claims within two (2) months after the date of the first publication of this notice, or the claims will be forever barred. Claims must be presented either to the undersigned personal representative at the address listed below, or filed with the Probate Court of Lincoln County, New Mexico, located at the following address: P.O. Box 338, Carrizozo, NM 88301.  
Dated: August 12, 2003.

RALPH CHAVEZ,  
Personal Representative  
1319 El Porvenir  
Albuquerque, NM 87105  
505-877-6938

JOSIE ALIREZ,  
Personal Representative  
P.O. Box 254  
Corona, NM 88318  
505-849-8241

TAMMIE J. MADDOX, Clerk  
By: Opal Hill, Deputy

Published in the Lincoln County News on October 16 and 23, 2003.

## LEGAL NOTICE

NOTICE OF INTENT TO  
AMEND ORDINANCE #55

It is the intention of the governing body of the Village of Corona to amend Ordinance #55, as follows, at the next regular meeting on November 13, 2003 at 6:30 p.m. at the Village Hall.

## ORDINANCE #03-13

AN ORDINANCE RELATING TO THE  
VILLAGE OF CORONA GAS SYSTEM;  
AMENDING SECTION #91 OF ORDINANCE  
#55, CHANGING OF RATES AND REPEALING  
ALL ORDINANCES AND PARTS OF  
ORDINANCES IN CONFLICT  
THEREOF.

BE IT ORDAINED BY THE  
VILLAGE OF CORONA:

SECTION 1: Section 1 of Ordinance #55 is hereby repealed and a new Section 1 is hereby created as follows.

SECTION 1: That the schedule of rates to be charged for gas service shall be as follows:

Quantity of Gas Used Per Month	Rate Charge Per Month
First 1,000 cubic feet	\$ 7.70 minimum
For 4,000 cubic feet	\$30.80
For 10,000 cubic feet	\$77.00
Anything in excess of 100,000 cubic feet per month	\$7.70 per mcf

SECTION 2: All Ordinances and parts of Ordinances in conflict with the provisions of the Ordinance are hereby repealed.

PASSED, ADOPTED, SIGNED AND APPROVED  
THIS 13th day of November 2003.

VILLAGE OF CORONA

Gilbert R. Stewart, Sr.  
Mayor

ATTEST:  
Cathy Perez,  
Village Clerk

Published in the Lincoln County News on Thursday, October 23, 2003.

## LEGAL NOTICE

### NOTICE OF MEETING

NOTICE IS hereby given that the Lincoln County Water Research and Conservation Committee will hold a regular meeting on Friday, November 7, 2003, at 2:00 P.M., at the Lincoln County Courthouse (Commission Chambers) in Carrizozo, New Mexico.

Auxiliary aides are available upon request; please contact Martha Guevara at 648-2385 at least 48 hours in advance of the meeting to make any necessary arrangements.

MARTHA GUEVARA  
Assistant County Manager

Published in the Lincoln County News on Thursday, October 23, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
No. CV-03-108

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (SOLELY AS NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS),  
Plaintiff,

vs.

CAROL O. JONES AKA CARROL ODELIA JONES, WELL FARGO BANK NEW MEXICO, N.A., THE UNKNOWN SPOUSE OF CARROL O. JONES AKA CARROL ODELIA JONES, IF ANY, JOHN DOE, TENANT WHOSE TRUE NAME IS UNKNOWN, JANE DOE, TENANT WHOSE TRUE NAME IS UNKNOWN.  
Defendants.

## NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the undersigned Special Master, or his/her designee, will, on December 16, 2003, at 9:00 A.M., at the Lincoln County Courthouse, 300 Central, Carrizozo, NM 88301, sell and convey to the highest bidder for cash all the right, title, and interest of the above-named defendants in and to the following described real estate located in said County and State:

LOT 1, BLOCK 5, OF PONDEROSA HEIGHTS SUBDIVISION, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDER OF LINCOLN COUNTY, NEW MEXICO, ON JULY 26, 1956.

The address of the real property is 102 DOGWOOD, RUIDOSO, NM 88345. Said sale will be made pursuant to the Decree of Foreclosure entered on September 29, 2003, in the above entitled and numbered cause, which was a suit to foreclose a note and mortgage held by the above plaintiff and wherein plaintiff was adjudged to have a lien against the above-described real estate in the sum of \$77,260.90, plus interest from September 16, 2003 to the date of sale at the rate of 8.37500% per annum, the costs of sale, including the Special Master's fee, publication costs, and plaintiff's costs expended for taxes, insurance, and keeping the property in good repair. Plaintiff has the right to bid at such sale and submit its bid orally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash.

At the date and time stated above, the Special Master may postpone the sale to such later date and time as the Special Master may specify.

NOTICE IS FURTHER GIVEN that this sale may be subject to a bankruptcy filing, a payoff, a reinstatement or any other condition that would cause the cancellation of this sale. Further, if any of these conditions exist, this sale will be null and void, the successful bidder's funds shall be returned, and the Special Master and the mortgagee giving this notice shall not be liable to the successful bidder for any damages.

NOTICE IS FURTHER GIVEN that the real property and improvements concerned with herein will be sold subject to any and all patent reservations, easements, all recorded and unrecorded liens not foreclosed herein, and all recorded and unrecorded special assessments and taxes that may be due.

NOTICE IS FURTHER GIVEN that the purchaser at such sale shall take title to the above-described real property subject to rights of redemption.

Dated: October 17, 2003.

PETER BACA  
Special Master  
c/o Shapiro & Meinhold, L.L.P.  
13725 Struthers Road, Suite 201  
Colorado Springs, CO 80921  
(800) 286-0013 (719) 634-4868

Published in the Lincoln County News on October 23 and 30, and November 6 and 13, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
LINCOLN COUNTY

No. 1983

IN THE MATTER OF THE ESTATE OF  
MIGUEL ALIREZ, DECEASED:

## NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of this estate. All persons having claims against this estate are required to present their claims within two (2) months after the date of the first publication of this notice, or the claims will be forever barred. Claims must be presented either to the undersigned personal representative at the address listed below, or filed with the Probate Court of Lincoln County, New Mexico, located at the following address: P.O. Box 338, Carrizozo, NM 88301.  
Dated: September 25, 2003.

JOSIE ALIREZ,  
Personal Representative  
P.O. Box 254  
Corona, NM 88318  
505-849-8241

TAMMIE J. MADDOX, Clerk  
By: Opal Hill, Deputy

Published in the Lincoln County News on October 16 and 23, 2003.

## FERNANDO CHAVEZ

Funeral Mass for Fernando Chavez, 49, of Carrizozo was October 20 at Santa Rita Catholic Church with Fr. Dave Bergs officiating.

Fernando died October 15 at his home. He was born April 29, 1954 in Carrizozo and had lived here all of his life. He worked in residential construction and was a member of Santa Rita Catholic Church.

He is survived by a daughter, Tasha Chavez of Albuquerque; his parents, Natalio and Pauline Chavez of Carrizozo, grandson, Paul McDaniel Chavez of Albuquerque, a brother, Refugio Chavez of Carrizozo; and two sisters, Vigil Serna of Albuquerque and Margaret Pena of Farmington.

Arrangements were under the direction of LaGrone Funeral Chapel of Ruidoso.

## LAURA LEE SPEER

Graveside services for Laura Lee Speer, 72, of Capitan were October 21 at the Capitan Cemetery with Rev. Randy Widener officiating. Laura died October 16 in Albuquerque. She was born July 29, 1931 in Fort Worth, TX and moved to Capitan seven years ago. She was a member of the Baptist Church.

She is survived by a daughter, Connie Berry of Chino Valley, AZ; three sons, Barry Brooks of Capitan, Lonnie Brooks of Chino Valley, and Larry Brooks of Tomball, TX and his wife Kathy; a brother, Dudley Speer of Magnolia, TX; seven grandchildren, eight great grandchildren, four step grandchildren, and a special cousin, Peggy Brantley.

## BERT HARGRAVE

No services are planned at this time for Bert Hargrave, 88, of Ruidoso, who died October 18 in Ruidoso. He was born January 22, 1915 in Childress, TX. He was a member of the First United Methodist Church in Childress. He married Kathleen Alexander in October 24, 1937 in Childress.

He is survived by his wife, Kathleen of Ruidoso; a son, Gregg Hargrave of Ruidoso; two daughters, Alix Hargrave of Madsisonville, TX, and Cindy Short of Plano, TX; five grandchildren, and two great grandchildren.



Two Palestinians are sitting on the Gaza Strip chatting over a pint of goat's milk. One pulls his wallet out and starts flipping through pictures and they start reminiscing.

"This is my oldest son. He's a martyr."  
He comes to another photo. "Here's my second son. He a martyr too."

After a pause, and a deep sigh, the second Arab wistfully replies. "They blow up so fast, don't they?"



Drive  
Safely!!

NOTICE TO BE PUBLISHED IN DESIGNATED NEWSPAPERS

By November 6, 2003, Counsel for the Office of the State Engineer will direct the mailing of a copy of the following published notice to defendants in the Pecos River stream system water rights adjudication and to water rights claimants in the Pecos River stream system as known to the Office of the State Engineer, other than members of the Carlsbad Irrigation District ("CID"). CID members will be mailed a separate notice. The published notice will appear in this newspaper once each week for four consecutive weeks pursuant to NMSA 1978, § 14-11-10.

FIFTH JUDICIAL DISTRICT COURT  
COUNTY OF CHAVES  
STATE OF NEW MEXICO

STATE OF NEW MEXICO, ex rel.  
State Engineer and PECOS VALLEY  
ARTESIAN CONSERVANCY DISTRICT,  
Plaintiffs,

ET AL,  
UNITED STATES OF AMERICA,  
Defendants,

and  
STATE OF NEW MEXICO, ex rel.  
State Engineer and PECOS VALLEY  
ARTESIAN CONSERVANCY DISTRICT,  
Plaintiffs,

TAHRIMAN CANAL CO., et al.,  
Defendants.

Nos. 20294 and 22640  
Consolidated

Honorable David W.  
Bohem,  
District Judge Pro Tempore

Carlsbad Basin Section  
Carlsbad Irrigation  
District  
Sub-Section  
Project (Offer) Phase

TO ALL DEFENDANTS IN THE PECOS RIVER STREAM SYSTEM WATER RIGHTS ADJUDICATION AND ALL PERSONS CLAIMING WATER RIGHTS IN THE PECOS RIVER STREAM SYSTEM, INCLUDING ITS TRIBUTARIES AND UNDERGROUND BASINS, WITHIN THE STATE OF NEW MEXICO. This notice is provided pursuant to the order of the Court entered October 2, 2003 in the above titled action. You are hereby notified of the presentation to the Court of a proposed Partial Final Decree adjudicating the diversion, storage, and delivery rights claimed by the Carlsbad Irrigation District ("CID") and of the United States of America ("United States"), the terms of which are summarized below. The purpose of this notice is to inform all defendants in the Pecos River stream system water rights adjudication and all persons claiming water rights in the Pecos River stream system whose water rights interests may be affected by the proposed Partial Final Decree of (1) their right to object to all or any part of proposed Partial Final Decree and (2) the manner in which they may file a Statement of Intent to File Objection.

Copies of the Joint Motion for Entry of Partial Final Decree, the proposed Partial Final Decree, the Settlement Agreement among the CID, Pecos Valley Artesian Conservancy District ("PVACD"), the United States, and the State of New Mexico (the "Settlement Agreement"), and the Agreement among the New Mexico State Engineer, the New Mexico Interstate Stream Commission, and the Fort Sumner Irrigation District (the "FSID/ISC Agreement") may be reviewed at the Office of the State Engineer's web site at "www.seo.state.nm.us/hot-topics/index" (copies of the documents can be printed from the website); the Office of the State Engineer's Roswell District Office, 1900 W. Second St., Roswell, NM 88201, 505-622-6467; the Office of the State Engineer's Litigation and Adjudication Program, 130 S. Capitol Pl., Santa Fe, NM 87504-5102; the PVACD Office, 2303 E. Second St., Roswell, NM 88201, or the CID Office, 201 S. Canal, Carlsbad, NM 88220. The documents also may be reviewed at the following District Clerk's Offices: Chaves County - Fifth Judicial District Clerk's Office, 1597 South Main, Roswell, NM 88203; DeBaca County - Tenth Judicial District Clerk's Office, 514 Avenue C, Fort Sumner, NM 88119; Eddy County - Fifth Judicial District Clerk's Office, 102 N. Canal, #240, Carlsbad, NM 88220; Guadalupe County - Fourth Judicial District Clerk's Office, 420 Parker Ave., #5, Santa Rosa, NM 88435; Lincoln County - Twelfth Judicial District Clerk's Office, 300 Central, Carriazo, NM 88301; San Miguel County - Fourth Judicial District Clerk's Office, 500 W. National Ave., Las Vegas, NM 87701.

If you do not wish to object to all or any part of the water rights that would be adjudicated by the proposed Partial Final Decree, you do not have to take any action. If you wish to object to all or any part of the water rights that would be adjudicated by the proposed Partial Final Decree, you must file a Statement of Intent to File Objection with the District Court Clerk's Office for the Fifth Judicial District at the address shown below. A form of the Statement of Intent to File Objection may be obtained from the Office of the State Engineer's web site at "www.seo.state.nm.us/hot-topics/index"; the Office of the State Engineer's Roswell District Office, 1900 W. Second St., Roswell, NM 88201, 505-622-6467; the Office of the State Engineer's Litigation and Adjudication Program, 130 S. Capitol Pl., Santa Fe, NM 87504-5102; the PVACD Office, 2303 E. Second St., Roswell, NM 88201, or the CID Office, 201 S. Canal, Carlsbad, NM 88220. Alternatively, you may file a Statement of Intent to File Objection in a letter. The letter must clearly state that it is a Statement of Intent to File Objection and must include an address or other location for service of process. Statements of Intent to File Objection must be sent or delivered no later than December 8, 2003 to:

Bee J. Clem, District Court Clerk  
Fifth Judicial District Court  
P.O. Box 1776, Roswell, NM 88202-1776  
1597 South Main, Roswell, NM 88203  
ATTN: Pecos River Stream System Water Rights Adjudication  
Statement of Intent to File Objection

Any person who files a Statement of Intent to File Objection, whether by form or by letter, shall be subject to the procedures established by the Court for hearing all objections filed, including without limitation filing of a Statement Setting Forth Objection with Specificity, pretrial conferences, and other hearings to adopt appropriate scheduling orders. Persons who file Statements of Intent to File Objection, and subsequently file a Statement Setting Forth Objection with Specificity, who do not fully comply with the procedural requirements governing the hearing of all objections filed are subject to having their objections dismissed.

Failure of a defendant in the Pecos River stream system water rights adjudication or a person claiming water rights in the Pecos River stream system whose water rights interests may be affected by the proposed Partial Final Decree, to file a Statement of Intent to File Objection, and to subsequently file a Statement Setting Forth Objections with Specificity, shall forever bar his or her subsequent objection to the diversion, storage, and delivery rights claimed by the CID and the United States and set forth in the proposed Partial Final Decree.

Commencing fifteen days after entry of the Court's Order directing publication of this Notice, the Notice and the accompanying summary of the proposed Partial Final Decree shall be published once a week for four consecutive weeks in the following newspapers of general circulation in the Pecos River stream system: Carlsbad Current Argus, Roswell Daily Record, Ruidoso News, Lincoln County News, DeBaca County News, Santa Rosa News, Las Vegas Optic. In addition, the notice and the summary shall be published once a week for four consecutive weeks in the Albuquerque Journal and the Santa Fe New Mexican.

By: \_\_\_\_\_ (Seal)

Bee J. Clem  
District Clerk, Fifth Judicial District  
P.O. Box 1776, Roswell, NM 88202-1776  
505-622-2212

SUMMARY OF PROPOSED PARTIAL FINAL DECREE  
A COMPLETE COPY OF THE PARTIAL FINAL DECREE MAY BE REVIEWED AT THE LOCATIONS LISTED ABOVE

The following summarizes the proposed Partial Final Decree submitted to the Court by the United States, CID, the State, and PVACD, addressing the claims of the United States and CID in connection with the Carlsbad Project. The proposed Decree judicially establishes the maximum allowable annual diversion and storage rights of the United States and CID, and CID's right to deliver water for the members of the CID. Each individual CID member's surface water rights, to be further determined in the Membership Phase of the Carlsbad Irrigation District Sub-Section of these proceedings, shall be limited by the diversion, storage, and delivery rights held by the United States and CID and shall be subject to applicable state and federal law.

Under the proposed decree, the United States and CID shall have the right to divert and to store public surface waters from the Pecos River stream system to irrigate an area within the CID (a/k/a the "Carlsbad Project") not exceeding 25,055.00 acres.

- 1. Priority dates for diversions of water:
  - A. Pecos River, State Engineer File Number 6: July 31, 1888, for an amount not to exceed 101,283 acre-feet annually; April 10, 1915, for an amount not to exceed 22,625 acre-feet annually; and June 24, 1919, for an amount not to exceed 1,292 acre-feet annually. The above priorities shall be subject to such superior rights of the FSID and the Storrer Project Water Users Association established by the Final Decree in *United States of America v. Hope Community Ditch*, U.S. District Court Cause No. 712 Equity (1933), in addition to being subject to all other water rights having senior priority dates.
  - B. Black River, State Engineer File Number 1927: December 31, 1889.
- 2. Place of Use: The CID consists of 25,055.00 acres, located in T. 21S., R. 26E.; T. 21S., R. 27E.; T. 22S., R. 26E.; T. 22S., R. 27E.; T. 23S., R. 28E.; T. 23S., R. 28E.; T. 23S., R. 29E.; T. 24S., R. 27E.; T. 24S., R. 28E.; T. 24S., R. 29E.; N.M.P.M. as shown on "Plan of the Carlsbad Irrigation District, Eddy County, New Mexico," filed for record April 16, 1993, in Eddy County, NM. The CID boundaries may be changed pursuant to and as authorized by state law.
- 3. Purposes: For irrigation and for domestic and livestock watering uses incidental to irrigation use.
- 4. Points of diversion: Pecos River - Avalon Dam gate into the CID Main Canal in Sec. 12, T. 21 S., R. 26 E., N.M.P.M., Eddy County, NM; Black River - junction at which the CID Black River Canal intersects the Black River in Sec. 12, T. 24 S., R. 27 E., N.M.P.M., Eddy County, NM.
- 5. Allowable annual diversion: The combined annual diversion of water shall not exceed the lesser of (i) 125,200 acre-feet or (ii) the quantity of water necessary to supply an annual depletion of 55,572 acre-feet. The right, allotment or entitlement of use within the CID for each acre irrigated from the Pecos River shall be based on an amount of water at the point of diversion that shall not exceed a diversion of 4,997 acre-feet per year, a farm delivery of 3,697 acre-feet per year, and a consumptive irrigation requirement of 2,218 acre-feet per year. The right, allotment or entitlement of use within the CID for that acreage irrigated from the Black River shall not exceed a total maximum diversion of 2,800 acre-feet per year, a farm delivery of 3,697 acre-feet per year, and a consumptive irrigation requirement of 2,218 acre-feet per year; such diversion to be governed by the State Engineer Findings and Order dated June 10, 1964, as the same exists or may be amended in the future.
- 6. Diversion, impoundment, and storage of public surface waters of the Pecos River for the United States and CID, under State Engineer File Number 6:
  - A. Lake Avalon, the headwall at the Avalon Dam outlet gate being in Sec. 12, T. 21S., R. 26E., N.M.P.M., Eddy County, NM; Amount of water - the amount of total reservoir capacity available, but not more than 7,000 acre-feet, with the right to fill and refill as often as waters are available; Priority - October 31, 1889.
  - B. Brantley Lake, the control tower at Brantley Dam outlet gate being in Sec. 28, T. 20S., R. 26E., N.M.P.M., Eddy County, NM; Amount of water - an amount not to exceed 40,000 acre-feet, with the right to fill and refill as waters are available, said 40,000 acre-feet to include the quantity of water in bank storage which returns to and is available for release from Brantley Lake; Priority - October 31, 1893.
  - C. Lake Summer, the center of Summer Dam being in Sec. 34, T. 5N., R. 24E., N.M.P.M., DeBaca and Guadalupe Counties, NM; Amount of water - the total reservoir capacity in acre-feet available at elevation 4,261 above sea level, provided that the elevation of 4,261 feet above sea level may be exceeded during the period from October 1 of each year to April 30 of the following year so long as the water level is reduced to an elevation not exceeding 4,261 feet above sea level by April 30 of each year and, provided further, that such impoundment and storage rights shall never be less than 20,000 acre-feet so long as the storage capacity at any elevation is 20,000 acre-feet or more; Priority - February 2, 1906.
  - D. Santa Rosa Lake, the outlet gates at Santa Rosa Dam being near lat. 35° 01' 47", long. 104° 41' 30", Jose

Perea Grant, Guadalupe County, NM; Amount of water - Not to exceed 176,500 acre-feet less the total reservoir capacity in acre-feet available for the storage of water for release for use by CID in Lake Avalon, Brantley Lake, and Lake Summer (of any replacement or additional lake or reservoir that may be constructed to impound and store water for use by CID) as determined from current sediment surveys of those lakes, or by determining reservoir capacity by estimating sediment deposition by the use of generally accepted techniques for those years when the actual sediment surveys are not available; and the contract between the United States Department of the Interior, Bureau of Reclamation, and CID dated September 8, 1971; Priority - February 2, 1906.

SUMMARY OF PROPOSED SETTLEMENT AGREEMENT  
A COMPLETE COPY OF THE PROPOSED SETTLEMENT AGREEMENT MAY BE REVIEWED AT THE LOCATIONS LISTED ABOVE

The following summarizes the Settlement Agreement among the State of New Mexico (the "State"), the New Mexico Interstate Stream Commission ("ISC"), the United States Department of the Interior, Bureau of Reclamation, CID, and PVACD. The Settlement Agreement, which is an integral part of the Partial Final Decree adjudicating the diversion and storage rights of the United States and CID for the Carlsbad Project, is a water conservation plan among the State, ISC, the United States Department of the Interior, Bureau of Reclamation, CID, and PVACD designed to augment the surface flows of the lower Pecos River to: (a) secure the delivery of Project water; (b) meet the State's obligations to the State of Texas under the Pecos River Compact; and, (c) limit the circumstances under which the United States and CID are entitled to make a call for the administration of water right priorities. Among other points summarized below, fundamental to the Settlement Agreement is the construction or development of a wellfield (the "Augmentation Wells") to facilitate the physical delivery of groundwater directly into the Pecos River under certain, specified conditions, the purchase and transfer to the wellfield of existing groundwater rights in the Roswell Artesian Basin ("RAB") by the ISC, and the purchase and retirement of irrigated land within PVACD and CID. The Settlement Agreement also defines the conditions under which the land purchased by the ISC in the CID will be allotted and receive water.

Satisfaction of Conditions Precedent. The obligations of the Partial Final Decree are contingent upon either the satisfaction or waiver by express agreement of the Parties of the Conditions Precedent set forth in the Settlement Agreement on or before December 31, 2004, or such later date as the Parties may agree to. The Conditions Precedent include:

A. Entry of a Partial Final Decree. The Court shall enter a Partial Final Decree containing the same terms contained in the form of decree submitted to the Court. PVACD and CID shall seek to have as many of the objections in the Project (Offer) Phase of the Adjudication as possible withdraw their objections to the Stipulated Offer of Judgment and consent to the entry of the Partial Final Decree.

B. Initial Purchase of Land, Augmentation Wells. ISC shall acquire at least 4,500 acres of land on the CID, assessment rolls that are entitled to the delivery of Project water, and 7,500 acres of irrigation water rights in the RAB. In addition, ISC shall construct, lease or purchase Augmentation Wells sufficient to undertake the augmentation pumping plan outlined in the Settlement Agreement, to a minimum capacity of 15,750 acre-feet of water per year.

C. Federal Contracts and Environmental Compliance. Bureau of Reclamation, CID, and ISC shall enter or extend contracts to effectuate the purposes of the Settlement Agreement. Bureau of Reclamation shall complete all necessary environmental compliance related to those contracts, including compliance under the National Environmental Policy Act and the Endangered Species Act.

2. Supplemental Well Pumping. The State Engineer shall limit groundwater diversions from each supplemental well within CID to a quantity of water equal to a combined maximum Farm Delivery Requirement ("FDR") of 3,697 acre-feet per acre per year, minus surface water allotments by CID. In the Membership Phase, the State shall include in offers of judgment made to CID members owning supplemental wells serving acreage within the CID entitled to receive water delivered by CID, a provision whereby each such Supplemental Well Owner will execute an assignment in favor of ISC for the purpose of preventing excess depletions to the annual surface water supply of the Pecos River. The assignments shall be exercised in accordance with regulations to be adopted by the State Engineer.

3. ISC Water Right Acquisition, Sale Back and Lease Back. To effectuate the Settlement Agreement, ISC will use its best efforts to purchase land as follows: (a) up to 6000 acres of land on the CID assessment rolls that are entitled to delivery of Project water; (b) up to 1,000 acres of irrigation water rights between the Acreage to which the FSID; (c) up to 11,000 acres of irrigation water rights in the RAB, of which approximately 3,000 acres shall be water rights in the shallow aquifers and approximately 8,000 acres shall be water rights in the artesian aquifers. By owning land on the CID assessment roll, ISC shall become a CID member, entitled to the rights and benefits, and subject to the obligations, assessments, rules and regulations, of such membership, on the same basis as other CID members. ISC may sell or lease water rights pursuant to the terms of the Settlement Agreement and in accordance with the terms of NMSA 1978, § 72-1-2.4.

4. CID allotment of water, Transfers of Allotments Within CID. CID shall allot water on a pro rata basis to 25,055 acres of land on the assessment rolls of CID. CID shall deliver through the Carlsbad Project to Avalon Reservoir all water allotted by CID to lands owned by ISC and shall make such water available to ISC and account for it as provided in the Settlement Agreement. Notwithstanding the FDR limitation of 3,697 acre-feet per acre per year of land within CID set forth in the Partial Final Decree, nothing in the Settlement Agreement shall limit CID's authority pursuant to NMSA 1978 § 73-10-16 to approve transfers of allotments from the acreage to which the allotment was originally made to other acreage within CID, which may result in total water deliveries to the land to which the transfer is made in excess of an FDR of 3,697 acre-feet per acre per year, provided that for purposes of determining the diversion limitation for any supplemental well on the land from which the allotment has been moved for stacking purposes, the allotment shall be charged to the acreage to which the allotment was originally made.

5. CID Membership Phase. The State shall use its best efforts to expedite the Membership Phase. CID may provide technical assistance to any member served with an offer of judgment and may facilitate settlement of any dispute concerning the surface water rights elements of named owner, delivery ditch, and amount of irrigated land set forth in the offer of judgment. Upon entry of the Partial Final Decree containing the same terms as contained in the Partial Final Decree filed by the Parties, no Party shall present any claim or objection in the Membership Phase or any other phase of the Adjudication that is inconsistent with the Partial Final Decree and the Settlement Agreement; provided, however, nothing shall prevent any Party from protesting any change in purpose and/or place of use based on grounds provided by applicable law in proceedings before the State Engineer.

6. Augmentation Well Pumping. ISC will develop the Augmentation Wells, or will lease or purchase existing wells in the RAB drilled into the Roswell Basin aquifer, to pump water to augment the flow of the Pecos River. ISC will acquire water rights in the RAB and FSID and transfer the rights to the Augmentation Wells pursuant to the statutes governing the acquisition and transfer of water rights, and the rules and regulations and the administrative basin guidelines of the State Engineer. ISC will consult with PVACD in the purchase, lease or development of the Augmentation Wells and shall make a reasonable effort to locate the Wells so their operation will not cause impairment to any valid existing water rights. ISC shall not divert from the Augmentation Wells more than 100,000 acre-feet during each five-year accounting period used for RAB administration, and in no event more than 35,000 acre-feet in any one year of such accounting period. ISC may use the Augmentation Wells to deliver water to the Pecos River in a Pecos River Decree Shortfall Condition as described in the Settlement Agreement. ISC shall not operate the Augmentation Wells to augment Pecos River flows for the purpose of conserving species listed as threatened or endangered under the Endangered Species Act, except as may be wholly incidental to the primary purposes established in the Settlement Agreement.

7. Limitation on CID and United States Call Pursuant to the Partial Final Decree. Neither CID nor the United States shall place a call for administration of priorities or otherwise seek to curtail water uses in the RAB, and shall not store or divert water resulting from a call or curtailment exercised by others (including without limitation for the delivery of water to the New Mexico-Texas state line for purposes of compliance with the Pecos River Compact or any United States Supreme Court Decree or court order relating thereto), except to the extent necessary to supply not more than 50,000 acre-feet in any one year at the Avalon Dam gate for delivery into the CID main canal, as provided for in the Settlement Agreement.

8. Pecos River Decree Shortfall Condition. In the event that the U.S. Supreme Court Pecos River Master determines that a net shortfall exists in New Mexico's delivery obligations to Texas under the Pecos River Compact ("Shortfall"), the Parties agree that the interests of the Pecos River Basin and the state of New Mexico will best be served by implementing voluntary measures to increase flows at the New Mexico-Texas state line. In the event of a Shortfall, ISC will use its best efforts to prepare a proposed plan pursuant to Article II (A) (2) of the Pecos River Decree that shall be based upon the following actions that will increase the amount of water at the New Mexico-Texas state line by March 31 of the calendar year following the accounting year in the amount of the Shortfall, in the following order of priority: (a) ISC may operate the Augmentation Wells to deliver water to the Pecos River to meet the Shortfall, subject to the limitations in any state permit under which the Wells operate. The State Engineer shall administer the river to insure that the water delivered to the Pecos River from the Augmentation Wells is passed through Carlsbad Project facilities, subject to normal stream conveyance losses, for delivery to the New Mexico-Texas state line; CID and the United States agree to comply with such administration. Any water delivered to the Pecos River from the Augmentation Wells to meet a Shortfall shall be subject to the 100,000 acre-feet over five years and 35,000 acre-feet in any one-year limitations specified in the Settlement Agreement. To the extent necessary to meet the Shortfall, PVACD shall make available by loan without charge to ISC for a reasonable period of time, water rights held by PVACD in its retirement program for temporary transfer to the Augmentation Wells in an amount necessary for such purpose; (b) The State Engineer and/or ISC may develop a proposed plan pursuant to Article II (A) (2) of the Pecos River Decree.

9. Water Master. The State shall petition the District Court to expand the Pecos River Water Master's duties to include authority to: (a) order meters and records for the diversion of water from the Augmentation Wells, and administer the delivery of such water; (b) administer deliveries of water from the Augmentation Wells to Avalon Reservoir, and deliveries of water from Avalon Reservoir to the New Mexico-Texas state line in compliance with the Settlement Agreement by preventing by injunction any diversion of such water from the Pecos River by any person; provided, however, that the Water Master shall have no authority over Carlsbad Project internal operations and deliveries of water to CID members; (c) order records from CID for the deliveries of water from Project facilities to Avalon Reservoir and from Avalon Reservoir to and within the CID, to assure compliance with the Settlement Agreement; and (d) order meters and records for the diversion of water from supplemental Wells within CID, and enforce by injunction the limitations on supplemental well pumping within CID set forth in the Settlement Agreement.

THE SUMMARIES PRESENTED ABOVE ARE DESIGNED TO IDENTIFY THE MOST IMPORTANT PROVISIONS IN THE PARTIAL FINAL DECREE AND THE SETTLEMENT AGREEMENT. A REVIEW OF THE ENTIRE TEXT OF BOTH DOCUMENTS IS REQUIRED FOR A FULL UNDERSTANDING OF THEIR TERMS. COMPLETE COPIES OF THE DOCUMENTS MAY BE REVIEWED AT THE REPOSITORIES LISTED ABOVE.

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# Carrizozo Fire Dept.

(Continued From Section B1)

ployee for the maintenance department. Currently the town has a part time employee, but needs someone full time. The part time employee can apply for the full time position, the mayor said. Trustees also tabled the estimated cost of the new

town hall project which architects estimated will not be completed until January 2005. The whole project is estimated to cost \$490,980, of which \$50,527 are architect fees. Trustees questioned many of the itemized estimates for the project, including the

\$7,500 for demolition of the existing building. Trustee Eileen Lovelace suggested the town take bids to remove the building and take it away instead of paying to have it removed. Trustees also questioned the high amount listed for

travel for the architect. Town attorney David Stevens said in his opinion the project should be completed by August 2004.

In order to save money, the architect had listed the meeting room as an alternative.

Questioning the costs, trustees tabled the preliminary project budget as presented by Dekker, Perich and Sabatini architectural firm until they could hold a special meeting. Town clerk Leann Weibrecht told THE NEWS the meeting will probably be held Monday, October 27.

Trustees also after a long discussion, reluctantly gave Rose Kratochvil an extension to replat her property in order to bring her trailers to code and to get the property out of their minor daughter's name. Kratochvil explained they needed both the 10 by 50 foot trailer and the larger trailer recently moved onto the lot. The town had allowed Kratochvil to move a newer trailer onto her lot, with promises they would remove the smaller trailer. But Kratochvil said they have two teenage children, a boy and girl who need their own separate rooms which they cannot accommodate without the two trailers.

Kratochvil showed pictures of similar double trailer set ups in the surrounding neighborhood and she told, of how the town planning and zoning committee had allowed such set ups with special use permits.

After considerable discussion, the mayor asked for a motion to give Kratochvil an additional six months to replat the property. After several minutes of silence, Lovelace made the motion to give six months additional time extension to Kratochvil so she can replat the prop-

erty to bring it to code. Zamora seconded the motion and in a roll call vote all four trustees, Lovelace, Zamora, Wes Lindsay and Tommy Guevara, approved the motion.

A plaque presentation to the family of Dale LaMay was postponed until family members could attend the meeting.



Carrizozo Kindergarten, 1st and 2nd grade "BRAVO" for September

**FRONT ROW:** (left to right) Cheyanne Apodaca, Cirsten Barela, Tyrrell Barela, Lindsay Chavez, Emily Comstock, Miccah Hamilton, Christian Najar, Jerry Davis, Caleb Ventura, Samantha Vermillion, Alexis Zamora, Patience Anaya.

**2nd ROW:** Zhane Vega, Lisa Ventura, Erick Culley, Jared Sarinopoulos, Anthony Evans, Alex Randolph, Jose Romero, Veronica Ochoa, Kadee Sedillo, Dillon Walema, Dominique Zamora.

**3rd ROW:** Tiffany Vega, Shania Boyd, Fantasia Dennis, Gene Gore, Clay Hogwood, Zeb Maldonado, Jaclynn Ortiz, Jacob Porter, Branson Vega, Jace Hill, Devon Arteche.

**BACK ROW:** Joshua Ventura, Zachary Zamora, Rylah Zamora, Shaye Ventura, Erica Vega, Isaac Vega, Jonathon Smith, Jeremiah Sedillo, Mason Huston, Shayna Gallacher, Sarah Ferguson.

## Capitan Elementary Artist Reception Will Be Tonight Oct. 23

Capitan Elementary invites everyone to the Capitan PTA/Hubbard Foundation Artist's Reception at 5-7 p.m. tonight, Thursday, October 23 in the south hallway "Art Gallery" at Capitan Elementary building.

Hubbard Foundation last August awarded Capitan PTA \$2,500 for art supplies. The PTA plans to develop an after school art program taught by Debbie Wenzel who was hired to teach the lessons.

Wenzel is a certified art teacher and watercolor artist. She has taught art lessons in a variety of mediums and has worked with children's art programs.

For Capitan elementary Wenzel has created an art curriculum that includes art history with each lesson.

Student art from their first week of art lessons is currently on display in the south hallway of the ele-

mentary building. Wenzel will be on hand during the reception where refreshments will be served.

The reception will coincide with parent-teacher conferences, which continue through Friday, October 24. There will be no school for students on Friday to allow for parent-teacher conferences.



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<b>SHURFINE OLD FASH. OR QUICK OATMEAL</b> 18 OZ. PKG. . . . .	<b>79¢</b>	9.5-22 OZ. ASSORTED M&M, BRACH'S, HERSHEY'S OR TOOTSIE ROLL; OR 101 CT. TOOTSIE ROLL MINIS	<b>2.55</b>
<b>CAMPBELL'S ASSORTED CHUNKY SOUPS</b> 18.6-18.8 OZ. CAN . . . . .	<b>\$1.99</b>	<b>CANDIES</b> MIX OR MATCH . . . . .	<b>2.55</b>
<b>GARDEN FRESH SWEET POTATOES LB.</b>	<b>99¢</b>	1 LB. CELLO WRAPPED CARROTS . . . . .	<b>2.11</b>
<b>CRISP CELERY</b> . . . . . EA.	<b>69¢</b>	<b>ROCKY MOUNTAIN SWEET YELLOW ONIONS</b> . . . . . LB.	<b>69¢</b>
<b>DOLE 10 OZ. HEARTS OF ROMAINE OR 5 OZ. SPRING BLEND SALAD</b> . . . . .	<b>2.44</b>	<b>YELLOW ZUCCHINI OR MEXICAN SQUASH</b> . . . . . LB.	<b>99¢</b>
<b>SHURFINE OR SHURSAVING PREMIUM QUALITY HOMOGENIZED OR LOWFAT SELECT VARIETIES MILK</b> . . . . . GALLON	<b>\$2.29</b>		
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