

# Magistrate Closure is Nixed

by Doris Cherry

A Senate Committee Substitute Bill that keeps the two magistrate judges in Lincoln County and replaced a bill by Sen. Manny Aragon that would have closed the Division I court in Carrizozo got a 6-4 passage out of the Senate Judiciary Committee on March 1. The new substitute bill now goes to the senate finance committee.

According to Magistrate Judge Martha Proctor who attended the Senate Judiciary Committee hearing held Saturday, March 1, in the state capitol in Santa Fe, Aragon withdrew his original Senate Bill 143. She said Aragon attended the committee hearing only long enough to withdraw his old bill and present the "Senate Judiciary Committee Substitute" for SB143. The substitute bill

was drafted by the Administrative Office of the Courts based on recommendations on SB143 issued by the Supreme Court of New Mexico. The substitute bill leaves two full time magistrate judges for Lincoln County. Proctor said Chief Supreme Court Judge Petra Maes attended the hearing also and offered the supreme court judges' recommendations on the

original SB143. While the recommendation endorsed some of the court changes proposed in SB143, it had many concerns with the remainder of changes in the bill.

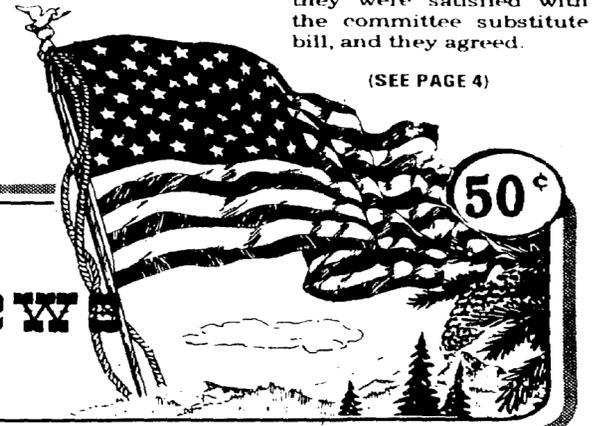
In the committee substitute for SB143, for Lincoln Magistrate District, the supreme court recommendations were that no change should be made. "While there is not quite enough caseload in this

county for two full time judges, there is too much for one judge alone," the recommendation stated. "Especially since the judge would be travelling from Ruidoso to Carrizozo

as a circuit."

Judge Proctor said she did not comment during the hearing, rather she and the other judges who attended the committee meeting were asked if they were satisfied with the committee substitute bill, and they agreed.

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## "Serving All of Lincoln County"

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VOLUME # 98, NUMBER 10

THURSDAY, MARCH 6, 2003

CARRIZOZO, NM 88301



Leadership Lincoln group visits/tours state capitol



STATE REP. DUB WILLIAMS speaks to the Leadership Lincoln group at a luncheon hosted by Williams, Reps. Avon Wilson and Dan Foley, Sen. Rod Adair and lobbyists at the Bull Ring Restaurant in Santa Fe on February 20. As part of the February curriculum Leadership Lincoln visited the state capitol to attend committee hearings and floor sessions and to meet legislators. They also toured the state supreme court building and state land office. With Williams are Scott Shafer and Dr. Jim Miller (below), and (above) Lincoln County Assessor Rick Silva, Greg Carey, Jon Crunk, Jules Videau, and Ruidoso planning director Mike Runnels.

## Spencer Get Support for Coal Mine Project

by Doris Cherry

Bar W Ranch owner Stirling Spencer has gotten support for his plans to put in a coal mine on his ranch north of Carrizozo, from both the Lincoln County Commission and the town of Carrizozo.

During the county commission meeting of February 18, held in the courthouse in Carrizozo, county commissioners voted unanimously to support a resolution that

"supports and endorses the development of the Spencer Coal Mine Project in the Carrizozo area."

The resolution also asks that all federal, state and local agencies and governments provide support and approval of the project.

Spencer, who is Lincoln County Probate Judge and a former county commissioner, also went to Carrizozo Town trustees with the same information. While the trustees were

not presented with, and did not vote on, a resolution of support, they gave verbal support to Spencer's proposed project.

The proposed "Banderas/Spencer Coal Mine" project will consist of open trenches and underground mining. The open trenches, which will be visible from Highway 54, will be located on the west side of the highway

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## Fort Stanton Bill In Committee Saturday

by Doris Cherry

A crowd of people dressed in dark blue shirts are planning to crowd the House Government and Urban Affairs Committee room in the state capitol building on Saturday morning, to ask them to approve House Bill 926 which creates the Fort Stanton Development Commission.

At 9 a.m. Saturday, March 8, in Room 324 of the state capitol building in Santa Fe, Rep. Dub Williams will present his HB926 Williams (R-Glencoe) and nine other repre-

sentatives signed onto the bill which was introduced March 20.

Members of Fort Stanton Inc, and the Fort Stanton Partnership plan to attend the committee hearing, wearing their famous dark blue "Fort Stanton Forever" t-shirts.

Tony Hoffman, president of Fort Stanton Inc, and his wife Nisha a historian and fellow volunteer at the Fort Stanton Museum, plan to attend the hearing also. "Put on your Fort Stanton shirt and let's make our presence known," Nisha wrote in an email to Fort Stanton sup-

porters. "And the more messages the governor gets regarding our Fort Stanton the better off we are."

The Hoffmans recommend that anyone in support of HB 926 email the governor at brichardson@gov.state.nm.us. and to the members of the Government and Urban Affairs Committee through house@state.nm.us. (Put the member's name on the Subject line.)

Members of the House Government and Urban

(SEE PAGE 2)

## Capitan Mayor Refuses to Talk to The NEWS About Memo, Letter from AG

by Doris Cherry

Capitan Mayor Steve Sederwall refuses to comment to THE NEWS.

Sederwall in his latest issue of the MAYOR'S REPORT wrote that he received a letter from the New Mexico Attorney General's (AG) office. The letter, according to the mayor's report, was to inform him the AG will take the case of Sederwall's reports of violations of the Open Meetings Act taken by the Lincoln County Solid Waste Authority (LCSWA) board and illegal hire of the LCSWA operational supervisor.

Sederwall also stated in his report how he had resigned from the LCSWA board because he would not "be a party to a board that routinely conducts business in what we see as an illegal manner."

"My last act, on this board (LCSWA), on your behalf was to contact the New Mexico Attorney General about the violation of open meetings act and the illegal hire of the operational supervisor," Sederwall wrote in his report.

When THE NEWS contacted Capitan village hall on Tuesday, March 4, to request a copy of the AG's

letter and to speak with Sederwall about the situation, village clerk Kathryn Griffin advised THE NEWS that the mayor would not speak to THE NEWS.

When THE NEWS went to Village Hall on Wednesday to obtain a copy of the letter from the AG to the mayor, Griffin informed THE NEWS that the mayor had taken the original letter home without leaving a copy. Griffin told THE NEWS that the letter from the AG's office was about one paragraph long advising the mayor that the AG's office would be investigating the allegations made by the mayor.

THE NEWS made a written formal request for copies of public information, specifically the letter from the AG to the mayor regarding his allegations that the Lincoln County Solid Waste Authority board had violated the open meetings act.

The village did not provide a copy of the letter to THE NEWS before press deadline on Wednesday.

THE NEWS did receive from village hall a copy of the memo Sederwall issued on February 20 advising village trustees that he was resigning from the

LCSWA board.

"Their actions are illegal in the matter in which they hired the Operational Supervisor," Sederwall wrote in the memo. "In that matter it was an ille-

(SEE PAGE 9)

## County to Poll Residents for 911 System

As part of its ongoing upgrade of the Emergency-911 system, Lincoln County is attempting to find all improved parcels in the county in order to correctly address them.

Over the next few weeks, volunteers from all of the county senior centers will be calling residents in their area to find out their 13-digit property number. The numbers will be used to correctly address each parcel for the E-911 system, said Connie Stone, 911 coordinator for the county.

The 13-digit property number can be found on the property tax bill for the parcel, directly above the property description on the bill.

"Residents' help with this will be greatly appreciated," said Stone.

# Fort Stanton Bill

(Continued from Page 1)

Affairs are chairman Mimi Stewart whose office is in Room 333A with phone number 986-4341. See chair Dona Irwin in Room 205B with phone number 986-4242; members Fred Luna in Room 308 with phone 986-4329; Rory Ogle in Room 203HN, phone 986-4450; Jim Trujillo in Room 203CN, phone 986-4254; Luciano (Lucky) Varela in Room 413D, phone 986-4435; Jeannette Wallace in Room 412B phone 986-4452 and W.C. Dub Williams in Room 203JCN phone 986-4454. Anyone wishing to write the committee members

about House Bill 926 should refer to the number of the bill and provide name, address, telephone number and email number in the letter. Address letters as Rep. (fill in name), followed by the representative's room number; State Capitol Building; Attention Mail Room Dept.; Santa Fe, NM 87503.

HB 926 proposes to create the Fort Stanton Commission which would be administratively attached to the Energy, Minerals and Natural Resources Department (includes state parks and

state forestry division). The commission will have five members--the Lincoln County manager or his designee, the Secretary of Energy, Minerals and Natural Resources Department, three members who are residents of Lincoln County appointed by the governor. The chairman will be elected annually from the commission membership.

Appointed members will serve terms of six years, receive no compensation other than mileage and per diem.

The duties of the commission will be to:

--"Plan, assemble, dispose of and acquire furnishing, art, landscaping materials and plants and other decorations for the public areas of Fort Stanton;

--"Monitor and report on the status of maintenance of Fort Stanton and recommend to the legislature actions necessary to repair, maintain and renovate the grounds and improvements;

--"Develop statewide interest in Fort Stanton and develop a comprehensive plan for the most appropriate and beneficial use of Fort Stanton."

The act allows for the commission to accept, "on behalf of the state", any private or other public sources of money, gifts, donations and bequests. These donations, and any state appropriations, will then go into the "Fort Stanton development fund".

The bill also requests \$300,000 from the state general fund to go to the Fort Stanton Development Fund for use in fiscal year 2004 (which begins July 1, 2003) and subsequent fiscal years.

"This has been the best bill we have seen for Fort Stanton," said Lincoln county manager Tom Stewart.

For more information about House Bill 296, or Fort Stanton Inc. contact the Hoffmans at 258-1833 or Lincoln County manager Tom Stewart at 648-2385.



LINCOLN COUNTY FCE members pose for picture while attending the annual Leadership Training and Legislative Days in Santa Fe, February 17-19. Left to right are: NMFCE President Marsh Stone, Angie Provine, NM Chief Justice Petra Maes, Peg Schmeilpenning, Lou Turner, Inez Marrs, Virginia Burd, Arden Burd, Mary Romine and Ann Beavers.

## Lincoln County FCE Members Visit / Tour State Capitol

Members of the Lincoln County Association for Family and Community Education joined other members from throughout the state for their annual Leadership Training and Legislative Days in Santa Fe, February 17-19.

Sponsored by the New Mexico Association for Family and Community Education (FCE), the event featured workshops on duties of officers and standing committee responsibilities.

On February 17, Lt. Governor Diane D. Denish was the keynote speaker at dinner for the FCE group. Denish addressed the group about her interest in children and families, which is also one of the missions of the FCE organization. Guests also included Dean Jerry Schickedanz from New Mexico State University; Dr. Bob Coppedge, interim director of the College of Agriculture/Family & Consumer Sciences (NMSU) and Larry Hopson, president of the Co-operative Extension Support Council. All gave a brief overview of some bills in the legislature affecting children and families.

On the morning of February 18, FCE members provided refreshments for visitors in the State Capitol building. FCE members also visited legislators and sat in on legislative sessions and committee hearings. Several members also toured the State Library Archives later in the day.

The keynote speaker for dinner on Tuesday night was New Mexico Chief Justice Petra Maes. She also talked of her interest in children and families and gave some of her background in becoming

an attorney and later judge.

Lincoln County FCE members who attended were New Mexico FCE vice president Virginia Burd and husband Arden Burd; District IV FCE president Lou Turner; Lincoln County FCE president Ann Beavers; Lincoln County FCE vice-president Peg Schmeilpenning; Lincoln County FCE secretary Mary Romine and members Angelina Provine and Inez Marrs.

(Submitted by Inez Marrs.)

## Thank You Card

I wish to thank every one for the prayers, food, flowers, cards and calls during my recent illness.

Maxie LaMay and family

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## Artists Display Work At Clerk's Office

The art class of the Carrizozo Senior Center is currently displaying some of their painting in the clerk's office at the Lincoln County Courthouse.

Lincoln County Clerk Tammie Maddox invited the group to display their work in the main office. Presently four artists are exhibiting.

Art class members of several years are Pat Baker, Frances Degner, and Kenny Leslie. June Hobbs and Fae Heckler are more recent additions to the class but may display paintings also. Baker and Degner have brought back blue ribbons and awards from the county fair in Capitan several times.

The artist are appreciative of the opportunity to display their paintings at the clerk's office. Dorothy Leslie is the instructor of the art class.



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# CALENDAR OF EVENTS

### MONDAYS AND THURSDAYS

--Carrizozo School Library open for public use, 5-7 p.m.

### FIRST AND THIRD TUESDAYS

--Jayne Spivey of the District II Office of the State Engineer is at Ruidoso Village Hall from 9 a.m. to 12 noon.

### TUESDAYS

--Fibromyalgia Syndrome Support Group, every other Tuesday, 6 p.m. K Bob's in Ruidoso;  
--Alcoholics Anonymous, 6:30 p.m. Carrizozo Zia Senior Citizens Center.

### WEDNESDAYS

--Alcoholics Anonymous, 7 p.m. Capitan Senior Citizens Center.

### THURSDAYS

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

### TODAY, THURSDAY, MARCH 6

--Lincoln County Democratic Party meets at 5:30 p.m. at El Camino Nuevo Restaurant on Mechem Drive in Ruidoso. Business meeting begins at 6:15 p.m.

### FRIDAY, MARCH 7

--Carrizozo Girls Basketball team will host the Regional Girls Basketball Tournament beginning at 4:30 p.m. Grizzly Gym.  
--Capitan Public Library First Friday lecture series, 7-8 p.m. featuring Nina Ross. No admission.

### MONDAY, MARCH 10

--No class for Carrizozo and Capitan students to allow for teacher in-service day.  
--Lincoln County REDTT council meets at 10 a.m. at Smokey Bear Restaurant in Capitan. Call 648-2311 for more information.

### TUESDAY, MARCH 11

--Terra Nova testing for students in grades 6, 7, 8 begins.  
--Carrizozo Chamber of Commerce meets at noon at Carrizozo Recreation Center.  
--Carrizozo Town Council meets at 6 p.m. in town offices in Carrizozo Recreation Center.  
--Ruidoso Village Council meets at 6:30 p.m.  
--Lincoln County Planning Commission meets at 6:30 p.m. in the commission room of the Lincoln County Courthouse in Carrizozo. Alternative septic systems presentation by Jack King, NM Environment Dept.  
--Capitan Trustees meet at 7 p.m.  
--Carrizozo Soil and Water Conservation District meets at 7 p.m. in the NRCS offices on Central Ave.  
--Corona School Board meets at 7 p.m.

### THURSDAY, MARCH 13

--Capitan School Board meets at 6 p.m. in the school administration building for regular session and special hearing on budget increase for fiscal year 2002-2003.  
--Corona Village Council meets at 7 p.m.

### SATURDAY, MARCH 15

--Lincoln County Republican Party Biennial organizational convention, 10 a.m. county commission chambers, Lincoln County Courthouse in Carrizozo.

## Capitan School Budget Input Meeting March 10

Capitan Municipal Schools will conduct a public meeting on the development of a district strategic plan on Monday, March 10 at 7:30 p.m. in the Multipurpose Room of Traylor Gym at Capitan school.

The meeting will include an opportunity for public input of the 2003-04 school district budget. The public is encouraged to attend and participate in these district planning processes.

Notice is hereby given by the Democratic Party of Lincoln County

**Combined Precinct & County Meeting**  
6:30 p.m. Thursday, March 27  
Cree Meadows Restaurant  
301 Country Club Drive, Ruidoso

State Central Committee members elected at the county meeting will attend the State Central Committee Meeting on Saturday, April 26, 2003 in Albuquerque.

For information call 354-2673 or 257-3000.

Paid for by the Democratic Party of Lincoln County, Doris Cherry chair

## Thank You Card

I would like to thank the good people of Carrizozo and elsewhere for the cards, flowers, food and expressions of sympathy on the recent passing of my beloved mother, Dorothy Queen.

Sincerely,  
Donald M. Queen



## LCSWA Okays Land Appraisal; Purchase of Trucks, Containers

by Doris Cherry

Lincoln County Solid Waste Authority authorized an appraisal of land for a new facility site, and okayed the purchase of trucks and additional roll off containers.

During their meeting Tuesday, February 25, Lincoln County Solid Waste Authority (LCSWA) members Don Coleman, Leo Martinez, Frank Cummins voted in favor of getting an appraisal of the land located 1.5 miles east of Ruidoso Downs, south of Highway 70. Currently LCSWA leases the land for storage of equipment trucks. If purchased, the property would be used for a new recycling center, transfer station and LCSWA offices.

Capitan representative mayor Steve Sederwall was absent having submitted his resignation to the Capitan trustees on Feb. 20.

Carrizozo member Angelo Vega, who attended the meeting by telephone conference call, voted against the appraisal. Vega agreed it was a good idea for LCSWA to get out of its current location in the center of Ruidoso Downs. But Vega wanted LCSWA to try to find a location more central to Capitan-Carrizozo-Corona. He suggested operational supervisor Debra Ingle look for more property, perhaps with the help of a realtor.

Ingle said she did go to the realtors for a central location. She also looked at 31 acres of state land on Airport Road inside the three mile Ruidoso Extra-

territorial Zone (ETZ). She explained that the property on Highway 70 was actually more central to the areas where the most trash is produced.

Vega said he understands the Highway 70 area has the large population, and he also said he knew about how the Highway 70 property could be developed to help the county, such as a location of a new humane society facility. However, he wanted more research done on a possible location.

Martinez said he wanted the LCSWA board to buy land where the market is going up instead of being "stuck with an inferior investment."

The 25 acre Hamilton property has a well and electricity on a house site being offered to LCSWA at a cost of \$800,000, with seven acres free title.

LCSWA board also: --Unanimously approved budgeted purchase of a new roll off truck to replace the truck that will be used for the LCSWA grappling system of yard/forest debris disposal.

--Unanimously approved budgeted purchase of transport truck, and purchase of lowboy trailer for moving old cars and large metals and to move the old garbage truck at the Carrizozo convenience station.

--Unanimously approved Vega's motion to table action on the Rate Setting Safeguards so Ingle can meet with Carrizozo trustees about the proposed policy.

--Unanimously accepted the 2001-2002 audit report that had only one finding, that LCSWA had a bank account with \$246,062 in it that was under pledged. Ingle said that has been resolved and the account is secure for up to \$300,000 and the state auditor's office has been notified of this action.

--Unanimously approved payment to auditor John Schonberger, with a negotiated 10 percent deduction in the cost charged to LCSWA because LCSWA clerical staff had to justify an error made by Schonberger's staff while doing the audit. Ingle said the state auditor would not

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## Wedding Announcement

Ron Serna and Leslie Lewis will exchange marriage vows on Saturday, April 5 at 6 p.m. at St. Rita's Catholic Church. Following the wedding ceremony will be a reception and dance at the Carrizozo Country Club. Leslie Lewis, the bride, works as a registered nurse with Colorado Department of Corrections and resides in Canyon City, Colorado. The groom, Ron Serna, works with the Federal Bureau of Prisons and lives in Canyon City, Colorado. He is the son of Nick Serna of Carrizozo, and Eileen and Gary Loveface of Carrizozo.

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**THOUGHTS**  
FROM THE EDITOR'S DESK

**AG to settle LCSWA battle**

By Ruth Hammond

Some important matters may be on the agenda for the Carrizozo Town Council meeting next Tuesday. The water issue may be uppermost, but the proposed increases in water and sewer rates is also a major concern. Another agenda item may be for the town council to accept Angelo Vega's resignation from the Lincoln County Solid Waste Authority (LCSWA) board of directors. Vega's resignation was to be effective February 28, 2003. The town council may appoint another person to the position and we do hope the person appointed will attend LCSWA meetings and present reports for the public and town officials at the monthly town council meetings. The public does care and wants accurate information about LCSWA happenings.

It seems the Capitan Village Council may also have an agenda item concerning accepting the resignation of Steve Sederwall as the village representative on the LCSWA board. Sederwall, mayor of Capitan, sent a memo to the village trustees dated February 20, 2003, stating he was resigning from the LCSWA board, but no effective date was listed in the memo. The village council may or may not appoint another person to be the village representative on the LCSWA board. Hopefully the person appointed will also attend LCSWA meetings and present information about LCSWA at the village council meetings each month.

Many people believe that LCSWA is doing a good job of collecting trash in the county and municipalities and are glad LCSWA is fiscally in the black, while other people are more concerned with attacking LCSWA and past actions by the LCSWA board. Several allegations have been made against LCSWA by Sederwall and this week Sederwall stated he has contacted the New Mexico Attorney General about violations of the Open Meetings Act by LCSWA and the illegal hire of the Operational Supervisor. Most of you know that the LCSWA operational supervisor is Dabra Ingle and Ingle was a candidate in the Capitan Mayor race last year, and Sederwall was elected mayor of Capitan.

Perhaps the AG can settle the question of whether the LCSWA board did something wrong. Sederwall stated the AG office would "take the case" apparently meaning the AG office will investigate. The AG office will be thorough in their investigation and results should be available for the public. A copy of the letter the AG sent to Sederwall was not available to *The News* by press time this week, but hopefully will be public record at some date in the future.

LCSWA issues are important and it will be refreshing to have the AG issue an opinion as to the legality of actions taken by the LCSWA board instead of hearing allegations that may or may not be true. It would have been nice if the letter from the AG had been public record this week.

Eventually the LCSWA situation may be resolved and the new board members will have the opportunity to focus their attention on improving the services provided. And when the LCSWA issues are settled, maybe the governing bodies can spend more time working together for the good of their communities instead of re-running the same battles they had last month and last year. We wish them good luck.

*Will it ever be settled?*

**Magistrate Closure**

(Continued from Page 1)

The previous week SB143 almost got sent directly to the Senate Finance Committee, bypassing its first assigned committee hearing in the Judiciary Committee. Proctor told *THE NEWS* that she heard about the last minute committee change the day before it was scheduled to go to hearing in Senate Finance. "So I contacted Senator Rod Adair and asked for his help in getting SB143 back to Judiciary Committee," Proctor said. Adair took the issue of the committee assignment to the senate floor and received unanimous vote in favor of sending it to the original judiciary committee for its first hearing. Proctor added:

Proctor said one senator who was present at the Judiciary Committee hearing on Saturday expressed his dislike for magistrate judges and their large salaries. She also said the committee chair, Sen. Michael Sanchez was apologetic for the harsh words of his committee members. Sanchez, who voted against the substitute bill, said he had made a promise to the Tatum judge years ago he would never vote to close that court. (The Tatum magistrate court is one of those recommended for closure on the original bill and the committee substitute bill.) Proctor also said Sanchez was unhappy with the bill because it lacked analysis and a fiscal impact report before it came to committee.

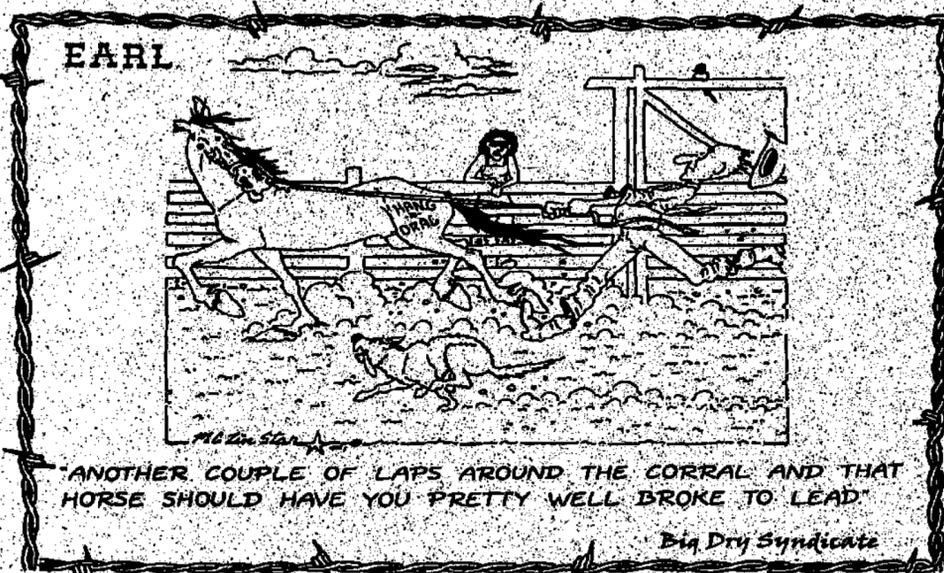
Voting on the Judiciary Committee Substitute for Senate Bill 143 was chair Sanchez no, vice-chair Cisco McSorley yes, Aragon absent for vote, Dede Feldman yes, Ramsay Gorham yes, Steve Komadina no, Richard Martinez yes, William Payne yes, Lidio Rainaldi yes, Clinton Hardin no and Linda Lopez no.

Proctor said the other senators who voted no said they did not approve of changing any of the courts, even as requested in the committee substitute bill.

Judiciary Committee Substitute for SB143 now goes to the Senate Finance Committee. At press time the bill had not yet been scheduled for hearing in the Finance Committee.

"Senator Sanchez and Judge Maes were wonderful," Proctor said. "I greatly appreciated their thoughtful, honest and logical consideration of the needs of the courts and the judicial system."

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**INSIDE THE CAPITOL**

by Jay Miller

**SANTA FE** -- Gov. Bill Richardson is now devoting his attention to the "second leg" of his economic development package -- education.

As we are well aware, tax cuts were the first leg. Those are now out of the way and Richardson is broadcasting them proudly to the world. It took a good deal of cajoling to get those cuts past some reluctant Democrats who wanted to know how we are going to do without all that revenue the governor needs to implement his other promises.

Richardson told them to have faith that the revenue would appear from all the industries that will flock to the state when they hear that we are now open for business. Shamed into joining the ranks of true believers backing their new governor, the Democrats fell into ranks with Republicans who already were there.

The second leg of the governor's economic development package will take at least as much cajoling and sleight of hand. Richardson wants to fund increases in schools with money the state doesn't have. He says the districts already have it tied up in the category all politicians call fat.

Some of that fat he can see. It is located in budget surpluses that districts save for rainy days. Those surpluses are over and above what districts keep in a stocking for emergencies, such as a boiler blowing up, an unusually cold winter or a plant closing down in town. Districts are told by the state to keep around five percent stashed away because they aren't allowed to go in the hole like the Medicaid budget, for instance.

Some districts have trouble squeezing out five percent for an emergency budget, but most districts manage to keep additional money around that isn't needed in the budget. It's called "unbudgeted surplus" and that's what Richardson is after. Districts say their bonding companies like to see that money sitting there, just in case. And it helps keep bonding ratings high and interest rates lower.

But Richardson says that money is needed for more important purposes, like helping children learn. So he's after it. But unfortunately, current law doesn't allow him to rake it all in to the state for equitable distribution back out to districts. Originally Richardson was looking for about \$36 million out of school district cash reserves to help with salary increases.

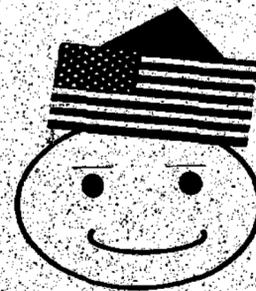
But far too many districts were unable to come up with their share. So he lowered it to \$18 million. It appears the final figure that will end up in the Legislature's school appropriation bill will be more like \$9 million and that still will require some state assistance for several small districts.

The other layer of public school fat Richardson detected was in what he called administrative expenditures, meaning everything that is spent outside the classroom. The governor can't point exactly to where the fat is, but he says he knows it is there because other states spend five percent more, on average, in the classroom than New Mexico.

The school superintendent from down in Hobbs did some figuring and determined that the state Department of Education had misreported some figures to the national group that had published the data Richardson was using. The revised figures make New Mexico look much more in line, if in fact they are more accurate.

There is also another reason the fat may not be there. Administrative expenditures, such as maintenance, custodial and utilities probably don't vary much from state to state. Most districts put everything they don't use to keep their doors open into classrooms. So districts that have more left over for teachers, end up with their non-instructional budget being a smaller percent of their total budget. They end up looking like they run a leaner operation than other districts even though they are spending just as much.

Since New Mexico salaries are low, it makes "administrative" expenditures appear higher as a percent of the total budget.



**HAVE A  
GOOD DAY!!**



**PSYCHIC  
PREDICTIONS  
FOR THE NEW  
MILLENNIUM**

JUDITH L.  
CHRISTOPHER

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**Pisces** (Feb 19 - March 20)  
For a change, you're going to have to think about you first! If your health is in question, just that much more. Make yourself strong, then others.

**Aries** (March 21-April 19)  
Your temper could make you trip over your own tongue! Make sure you're up to the task at hand. Don't do the job half way. Do it right the first time.

**Taurus** (April 20 - May 20)  
Feelings could get in the way of the facts. When you're down, you'll feel that others are hurting you, not the case. Retreat and Revise your feelings.

**Gemini** (May 21-June 20)  
Don't tell someone you're going to do something when you really don't want to do it in the first place. If they don't understand, they'll get over it, in time.

**Cancer** (June 21-July 22)  
A real good time, to take the time, to find out what is good for your future, not everyone else's. You're the only one that can make you happy. Choose.

**Leo** (July 23 - Aug 22)  
Money may have to go out more for awhile, before you'll see more coming in. Spend only on things and people that you just have to. Save more money.

**Virgo** (Aug 23 - Sept 22)  
If you ever wonder why me, then wonder why not? If you don't change your world, then you will get the cards that you're dealt. Change dealers.

**Libra** (Sept 22 - Oct 22)  
Out of the clear blue, you'll realize something that had always been there right before you. The answer to your own happiness! Don't wait, dig in. Enjoy.

**Scorpio** (Oct 23 - Nov 21)  
If you think that people around you don't know what's going on. Think again! If they don't know what's going on, they'll make it up. Set them straight.

**Sagittarius** (Nov 22-Dec 21)  
Stop! Think first, before going too far, from no return. Think long and hard about what you really want to do for a living. Where? When? & Why?

**Capricorn** (Dec 22 - Jan 19)  
Lucky? If you're lucky, then you'll need to share your luck, so not to lose it. Don't be greedy. Give and you'll get even more. Start with love.

**Aquarius** (Jan 20-Feb 18)  
Watch your health. If you don't, you'll pay for it in the long run. Take the time off, to get stronger. Not only your health is in question. Your mind & soul.

**Lincoln County News**

USPS 312460

"The Lincoln County News" is published Thursdays at 309 Central Ave., Carrizozo, New Mexico 88001. Second-class postage paid at Carrizozo, New Mexico. POSTMASTER: Send address changes to LINCOLN COUNTY NEWS, P.O. Drawer 459, Carrizozo, NM 88001.

Ruth Hammond and Peter Agutter  
co-publishers

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IN COUNTY: 1 Year \$25.00 / 2 Years \$45.00  
IN STATE (NM): 1 Year \$28.00 / 2 Years \$51.00  
OUTSIDE NM: 1 Year \$32.00 / 2 Years \$58.00

# 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.

**February 24**  
 11:10 a.m. Ruidoso ambulance requested lift assistance at location on Los Chosas. Hondo fire department responded.  
 3:37 p.m. 911 hang up from location on Vail Road. Deputy assigned to check it out.  
 3:57 p.m. Ruidoso Downs police advised of domestic at location on mile marker 270 on Highway 70. Deputy responded.

4:16 p.m. unattended fire on Highway 380 at Indian Divide. Capitan fire department responded and advised all was okay. Deputy also responded.  
 5:10 p.m. possible suicidal male at Gallinas Lookout Road.  
 5:41 p.m. out of control fire on Rain Dance. Bonito Fire department responded and advised they were watering the perimeter.  
 6 p.m. fire alarms going off at Capitan High School. Capitan fire department responded and advised all was okay, but they were still checking.

7:12 p.m. business in Carrizozo reported reckless driver westbound on Highway 380. Deputy responded.  
 7:56 p.m. domestic at location on Cedar Road.  
**February 25**  
 12:04 a.m. Children, Youth and Families Department in Albuquerque advised of an intake report for incident at location in Alto.  
 7:20 a.m. request for ambulance at location on Randal Road for four month old child with severe coffee burn. Capitan ambulance responded, then advised that their

run was cancelled because the parents took the child to the hospital by private vehicle.  
 11:45 a.m. K-9 running at large on north Big Bear in Cedar Creek.  
 2:33 p.m. request for ambulance for possible stroke at location on 11th Street. Carrizozo ambulance transported to Lincoln County Medical Center (LCMC) in Ruidoso.  
 3:45 p.m. assessor's office employee reported burglary of a spare tire off a county vehicle while parked in the courthouse parking lot.  
 4:12 p.m. Bonito fire fighter advised of a windshield hit by a rock at mile marker 273 on Highway 70.  
 8:42 p.m. request for ambulance for 42 year old male who was lethargic. Carrizozo ambulance transported to LCMC.

**February 26**  
 9:03 a.m. one car roll over with injuries at mile marker 75 on Highway 380. Carrizozo ambulance and fire department, the sheriff and two deputies and state police responded. The injured was taken to the hospital in Alamogordo.  
 11:45 a.m. stolen credit card from location on Finon in Bonito.  
 2:51 p.m. request for ambulance at convenience store in Capitan for subject who was fainting. Capitan ambulance responded but was refused.  
 5:33 p.m. Ruidoso Downs Police advised of larceny at location on Highway 70 east. An ATV was missing from the property.  
 7:07 p.m. Texas caller was attempting to locate a stranded motorist in the Hondo Valley. At 7:24 p.m. the caller advised that the motorist was on her way.  
 11:22 p.m. small fire at mile marker 280 on Highway 70. Hondo Fire Department responded with its brush truck.  
 11:39 p.m. request for ambulance at Lincoln County Detention Center (LCDC). Carrizozo ambulance transported to LCMC.

**February 27**  
 1:36 a.m. caller from El Paso advised of a domestic at location on Mesa Dr. in Biscuit Hill area. Deputy responded.  
 8:51 a.m. CYFD advised of neglect at location on Highway 70 east of Ruidoso Downs. Deputy responded.  
 8:59 a.m. larceny at location on 13th Street in Carrizozo. Deputy responded.  
 10:57 a.m. two K-9s, large boxers, on Tombstone Court. The responding deputy advised there was no injury to the caller's dog, and that he gave a verbal warning to the dogs owner.  
 10:57 a.m. request for ambulance at location on 2nd Street in Capitan. Med 1 ambulance transported to the hospital in Roswell.  
 4:10 p.m. cattle on Highway 380 three miles west of Capitan. Two deputies responded.  
 5:10 p.m. Ruidoso Downs police advised of man with a gun behind a commercial nursery east of Ruidoso Downs on Highway 70.  
 6 p.m. telephone harassment in Corona.  
 6:53 p.m. Ruidoso Downs police advised of deer in the road at mile marker 266 on Highway 70. The responding deputy advised the deer was dead and off the road and the vehicle was gone.

## Judge Karen L. Parsons COURT CALENDAR 12th JUDICIAL DISTRICT Division III

The following is the calendar for District Judge Karen L. Parsons in her court in the Lincoln County Courthouse in Carrizozo.

**Tuesday, March 4**  
 3:15 a.m. teleconference  
 Wear v. Wear; DM-00-115 (Jordan/ProSe) motions  
 9 a.m. jury trial  
 SNM v. Mowdy; CR-00-18 continued  
 12:15 p.m. teleconference  
 District Judicial Association meeting  
**Wednesday, March 5**  
 8:15 a.m. teleconference  
 Luna v. Luna; DM-2002-85 final decree  
 9 a.m. jury trial continued  
 SNM v. Mowdy; CR-00148  
 Mediator Darrell Brantley  
 10 a.m.  
 Lane v. Warren; DV-2003-17  
 10:30 a.m.  
 Becker v. Lucero; DV-2003-18  
 1 p.m.  
 Suire v. Suire; DM-2003-13 (Interim relief)  
**Thursday, March 6**  
 8:15 a.m. teleconference  
 Williams v. LaMay; CV-2002-64 (Raffin/Rhodes) pretrial  
 9 a.m. jury trial continued  
 SNM v. Mowdy; CR-00-148  
 1:15 p.m.  
 Mahoy v. Baxter; CV-2003-20 (Beauvais) writ  
 1:30 p.m.  
 JQ-00-01  
 JR-2002-01 permanency hearing  
**Friday, March 7**  
 In Carrizozo  
 8:30 a.m. first appearances  
 John Holmes; CR-2001-98  
 Frankie Norvell; CR-2003-36 & Pretrial on CR-99-61  
 Ken Kulow; CR-2003-21  
 Courtney Belcher; CR-2003-19  
 David Vance; CR-2003-20  
 Pretrials:  
 Wes Owen; CR-2001-197  
 Martin Valenzuela; CR-87-53  
 Change of Pleas:  
 Katie Bates; CR-2002-197  
 Constantino Rangel; CR-02-76  
 Michael Scott; CR-2002-133  
 Sentencings:  
 Erica White; CR-2002-41  
 Jerald Stepp; CR-99-85  
 Joel Leslie; CR-2001-165  
 Saul Munoz; CR-99-147  
 April Johnson; CR-2001-120  
 Other:  
 John Garcia; CR-2001-106 judicial inquiry  
 Jury Trial Docket Call:  
 Dustin Reel; CR-2002-91  
 Frankie Norvell; CR-99-161  
 Wesley Owen; CR-2001-149  
 Abeyta/Castrejon; CR-2002-65 & 61  
 Alejandro Garcia; CR-2002-75  
 Domingue Rue; CR-2002-178  
 In Ruidoso/juvenile cases:  
 1:30 p.m. Check-ins:  
 Jonathan Warren; JR-00-33  
 Casey Laymon; JR-2002-10  
 Ory Hoke; JR-2002-58  
 First Appearances:  
 Lindsay Guyrin; JR-03-02  
 Chris Vega; JR-2003-07  
 Benson Jim; JR-2002-27  
 Michael Treas; JR-2003-09  
 Alan Peal; JR-2003-10  
 Laura Loretto; JR-2003-11  
 David Sidewell; JR-2003-08  
 Other:  
 Jason Gentry; JR-01-24 & 34 disposition  
 Jeffrey Hazel; JR-2002-14 restitution  
 Dakota Bloodworth; JR-2003-03 adjudication  
 Eugenia Misquez; JR-00-42 disposition



**Bear Down**

Regardless of the season, it's important to answer the call of the wild.  
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## Church Directory



**MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY**  
 Nogal Presbyterian Church:  
 BILL SEBRING, Pastor  
 Sunday School ..... 10:00 a.m.  
 Worship ..... 11:00 a.m.

Ancho Community Presbyterian Church:  
 SCOTT KING, Pastor / 648-2024  
 Worship ..... 9:00 a.m.  
 Sunday School ..... 10:00 a.m.

Corona Presbyterian Church:  
 Sunday School ..... 10:00 a.m.  
 Worship ..... 11:00 a.m.

**First Baptist Church**  
 HAYDEN SMITH, Pastor  
 314 10th Ave., Carrizozo, NM  
 648-2968 (Church) or 648-2107  
 Sunday School ..... 9:45 a.m.  
 Worship Service ..... 10:55 a.m.  
 Sun. Evening ..... Training at 6:15 p.m.  
 Evening Worship ..... 7:15 p.m.  
 Wednesday Bible Study ..... 7:00 p.m.

**Carrizozo Community Church (A/G)**  
 JOHNNIE L. JOHNSON, Pastor  
 Corner of C Ave. and Thirteenth, 648-2186  
 Children's Church ..... 10:30 a.m.  
 Worship Service ..... 10:30 a.m.  
 Wednesday Bible Study ..... 7:30 p.m.

**Santa Rita Catholic Community**  
 FR. DAVE BERGS, Pastor  
 213 Birch, Carrizozo, NM, 648-2853  
**SATURDAY:**  
 Capitan Sacred Heart ..... 5:00 p.m.  
 Carrizozo Santa Rita ..... 6:30 p.m.  
**SUNDAY:**  
 Capitan Sacred Heart ..... 8:00 a.m.  
 Carrizozo Santa Rita ..... 10:30 a.m.  
 Corona St. Theresa ..... 1:00 p.m.

**Church of Christ**  
 TOM POINDEXTER, Minister 354-3135  
 Ava. C at 12th, Carrizozo, NM  
 Sunday School ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Evening Worship ..... 1:15 p.m.  
 Wednesday Bible Study ..... 7:00 p.m.

**St. Matthes Episcopal Church**  
 REV. CANON JOHN PENN, Rector  
 Corner of E Ave. and Sixth, Carrizozo, NM  
 1-505-257-2358  
 Holy Eucharist ..... Sunday 9:30 a.m.

**Claunch 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 / 648-2846  
 Carrizozo, NM 88301  
 Sunday School (All Ages) ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Choir Practice (Tuesday) ..... 8:30 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)  
 514 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. 49)  
 Sunday School ..... 9:30 a.m.  
 Worship Service ..... 11:00 a.m.

**First Baptist Church of Corona**  
 CAL WEST, Pastor / 849-7975  
 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

**LaGrone Funeral Chapel**  
**Jerry & Lanita Rasak**

In Memory of  
**BILL WINKLER**  
**Stearns Insurance Agency**

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# LEGALS

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL  
DISTRICT COURT

No. CV-02-208

CHASE MORTGAGE COMPANY, West,  
f/k/a Mellon Mortgage Company,  
Plaintiff,

vs.  
ELAINE G. LICHTER,  
Defendant.

### NOTICE OF SALE

Notice is hereby given that on March 14, 2003, at the hour of 9:40 a.m. the undersigned Special Master, or his designee, will, at the front entrance of the Lincoln County Courthouse, at 300 Central, Carrizozo, New Mexico, sell all of the rights, title and interest of the above-named Defendant, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 214 White Mountain Meadows, Ruidoso, New Mexico 88345, and is more particularly described as follows:

Lot 8, Block 2, WHITE MOUNTAIN ESTATES, UNIT 4, 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, February 16, 1979, in Tube No. 652, including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes, subject to all taxes, utility liens and other

restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendant, the foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$82,012.99, and the same bears interest at 8.2500% per annum, which accrues at the rate of \$18.54 per diem, commencing on December 16, 2002, with the Court reserving entry of final judgment against said Defendant Elaine G. Lichter for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

The Court's decree, having duly appointed Peter Baca, as its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders:

**NOW, THEREFORE**, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the judgment described herein and decree of foreclosure together with any addi-

tional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the judgment due is \$82,012.99, plus interest to and including date of sale of \$1,631.52 for a total judgment plus interest of \$83,644.51. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

PETER BACA, Special Master  
P.O. Box 215  
Carrizozo, NM 88301

Published in the Lincoln County News on February 13, 20, 27 and March 6, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
No. CV-02-275

COUNTRYWIDE HOME LOANS, INC.  
D/B/A AMERICA'S WHOLESALE LENDER,  
Plaintiff,

vs.  
WAYNE S. FRANCK; ROBERTA L. FRANCK;  
JOHN DOE, TENANT WHOSE TRUE NAME IS  
UNKNOWN; JANE DOE, TENANT WHOSE  
TRUE NAME IS UNKNOWN  
Defendant(s)

### NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the undersigned Special Master, or his/her designee, will, on April 7, 2003, at 10:00 a.m., at the North East Door of the Lincoln County Courthouse, 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:

**TRACT 1:**  
A tract of land lying in Section 10, Township 8 South, Range 10 East, N.M.P.M., Lincoln County, New Mexico, being more particularly described as follows:

Beginning at a point on the East line of the W/2 Section 10 from which the center-quarter corner bears S 0° 26' W a distance of 40 feet; thence N 0° 26' E along the East line of the W/2 Section 10, a distance of 1033.9 feet; thence S 52° 47' W parallel to the railroad right of way 2411.56 feet; thence East 1880.63 feet; thence N 0° 26' E, a distance of 410 feet; thence East 40 feet to the point of beginning, and which has been called 32.57 acres, more or less, in previous instruments.

**TRACT 2:**  
A tract of land lying in the E/2W/2 Section 10, Township 8 South, Range 10 East, N.M.P.M., Lincoln County, New Mexico, being more particularly described as follows:

Beginning at the center quarter corner of Section 10; thence S 0° 26' W along the East line of the NE/4SW/4, 370 feet; thence West 40 feet; thence N 0° 26' E, 410 feet; thence East 40 feet to the East line of the SE/4NW/4; thence S 0° 26' W along said East line, 40 feet to the point of beginning, and which has been called 0.376 acres, more or less, in previous instruments.

Also including the Mobile Home,  
Vin # CRH2TX022,  
1999 Crestridge  
28x76

The address of the real property is S. 10, HWY 54, CARRIZOZO, NM 88301. Said sale will be made pursuant to the Decree of Foreclosure entered on February 13, 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 \$107,837.73, plus interest from February 15, 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 verbally 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 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: February 27, 2003.

NICK VEGA  
Special Master  
c/o Shapiro & Meinhold, L.L.P.  
13275 Struthers Road, Suite 201  
Colorado Springs, CO 80921  
(800) 286-0013 (719) 634-4868

Published in the Lincoln County News on March 6, 13, 20 and 27, 2003.

## LEGAL NOTICE

### NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Lincoln County Board of Commissioners shall hold a Public Hearing beginning at 9:00 A.M. on Tuesday, March 18, 2003, to be held at the Lincoln County Courthouse (Commission Chambers) in Carrizozo, New Mexico, to consider the following proposed ordinance:

**PUBLIC HEARING TO CONSIDER PROPOSED ORDINANCE REAFFIRMING THE CREATION OF THE LINCOLN COUNTY ROAD REVIEW ADVISORY COMMITTEE**

All parties and interested citizens will have the opportunity to be heard. Copies of the proposed ordinance may be obtained from the County Manager's Office at the Lincoln County Courthouse in Carrizozo, twenty-four (24) hours prior to the meeting.

MARTHA GUEVARA  
Assistant County Manager

Published in the Lincoln County News on Thursday, March 6, 2003.

## LEGAL NOTICE

NOTICE is hereby given that on January 27, 2003, Rancho Ruidoso Village Water Company and CDS Rainmakers Utilities, L.C. c/o Atkins Engineering Associates, Inc. P.O. Box 3156, Roswell, NM 88202-3156, filed application No. H-1122-S-6 with the STATE ENGINEER for permit to use existing exploratory well H-3409 located in the SW1/4NW1/4SW1/4 of Section 20, Township 10 South, Range 14 East, N.M.P.M., for the purpose of supplementing the following wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-1122-S	SW1/4NW1/4SE1/4	21	10S	14E
H-1122-S-2	SW1/4NE1/4SW1/4	21	10S	14E
H-1122-S-3	SE1/4NE1/4SE1/4	19	10S	14E
H-1122-S-4	SW1/4NW1/4SW1/4	20	10S	14E
H-1122-S-5	SW1/4NE1/4SW1/4	21	10S	14E

For the continued diversion of up to 251.875 (permanent) +97.5 (temporary until May 31, 2010) acre-feet per annum of groundwater for domestic and subdivision purposes in the Rancho Ruidoso Water Company's Distribution System service area.

The wells are located approximately four miles northeast of Alto, Lincoln County, New Mexico.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on March 6, 13 and 20, 2003.

## LEGAL NOTICE

NOTICE is hereby given that on February 13, 2003, NMSHTD & CDS Investments, c/o Kenneth Nosker, HC 66, Box 32, San Patricio, New Mexico 88348, filed application No. 0782, 0799 into H-608, with the STATE ENGINEER for permit to change point of diversion and change place/purpose of use of 43.776 acre-feet per annum of surface water diverted via the Analla and Barragan Ditch which diverts from the Rio Ruidoso in the SE1/4NE1/4NW1/4 of Section 30, Township 10 South, Range 16 East, N.M.P.M., the Barragan and West Ditch which diverts from the Rio Ruidoso in the SE1/4NW1/4NW1/4 of Section 30, Township 10 South, Range 16 East and well H-70 located in the NW1/4SE1/4SW1/4 of Section 20, Township 10 South, Range 16 East, by ceasing the irrigation of 30.4 acres of land described below:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. E1/2S1/2	20	10 S.	16 E.	9.6
Pt. N1/2NE1/4NW1/4	29	10 S.	16 E.	9.2
Pt. SE1/4SW1/4	20	10 S.	16 E.	11.3
Pt. NW1/4NE1/4NW1/4	29	10 S.	16 E.	0.3

Applicant proposes to commence the diversion of said 43.776 acre-feet per annum using well H-608 located in the NW1/4NW1/4NE1/4 Section 20, Township 10 South, Range 16 East N.M.P.M., for highway construction purposes.

This is a temporary application is with all rights to revert to original place and purpose of use on December 31, 2005, or upon written request from the applicant.

Well H-608 is located approximately 2 miles east of Glencoe, NM along highway 70, Lincoln County, NM. Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on February 20, 27; and March 6, 2003.

## LEGAL NOTICE

NOTICE is hereby given that on February 13, 2003, NMSHTD, Paul Jones, Debra Jones-Sanchez, Cathey Jones Ogden, c/o Kenneth Nosker, HC 66, Box 32, San Patricio, New Mexico 88348, filed application No. 0737 into 01175, 01175, 01175-A, 01175-B into H-608, with the STATE ENGINEER for permit to change place of use of 23.904 acre-feet per annum of surface-water diverted via the F. Sanchez Ditch which diverts on the south bank of the Rio Ruidoso in the SE1/4SW1/4SE1/4 of Section 6, Township 11 South, Range 15 East, N.M.P.M., by ceasing the irrigation of 16.6 acres of land described below:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. N1/2SE1/4SE1/4	6	11 S.	15 E.	6.8
SW1/4	6	11 S.	15 E.	9.0
Pt. N1/2SE1/4SE1/4	6	11 S.	15 E.	3.2
Pt. W1/2W1/2SW1/4	5	11 S.	15 E.	1.8
Pt. E1/2SE1/4	6	11 S.	15 E.	1.8

Applicant proposes to commence the diversion of said 23.904 acre-feet per annum using well H-608 located in the NW1/4NW1/4NE1/4 Section 30, Township 10 South, Range 16 East N.M.P.M., for highway construction purposes.

This is a temporary application is with all rights to revert to original place and purpose of use on December 31, 2005, or upon written request from the applicant.

Well H-608 is located approximately 2 miles east of Glencoe, NM along highway 70, Lincoln County, NM. Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on February 20, 27; and March 6, 2003.

# Sheriff's Report

(Con't. from P. 5)

7:38 p.m. breaking and entering at location in Angus area.

9:48 p.m. request for ambulance for 72 year old male. Med 1 ambulance met the patient and did final transport to LCMC.

February 28  
8:08 a.m. panic alarm at store on Ski Run Road. The store called and advised there was no problem, but a deputy made a welfare check.

11:33 a.m. request for ambulance for female in cardiac arrest at store on Ski Run Road. Med 1 ambulance transported to LCMC.

1:06 p.m. ambulance advised of an accident with injuries at the store in Tinnie. Med 2 ambulance transported to LCMC.

2 p.m. request for deputy for peacekeeping at child custody exchange at Riverside.

4:15 p.m. harassment and temporary restraining order at location on Harris in Ruidoso Downs area.

4:45 p.m. Texas caller requested a welfare check of subject at location near White Oaks. Deputy assigned.

4:59 p.m. dog complaint at location on No. Central Drive in Capitan. County animal control officer (ACO) responded.

5:07 p.m. domestic at location in San Patricio, an altercation with his girl friend, and he took his son and went to his mother's house.

7:37 p.m. four dogs killed calf at ranch in Eagle Creek, and request for deputy for report.

7:45 p.m. scam at business.

7:57 p.m. 911 suicide threat at location off Highway 70. The caller advised that her son was threatening to kill himself and everyone in the house. Deputy responded.

9:33 p.m. drag racing at Valley of Fires, about 11 cars hanging around out there. Two deputies responded.

March 1  
8:10 a.m. peacekeeping with Temporary Restraining Order (TRO) at location in Enchanted Forest.

8:41 a.m. caller from Roswell advised she was ill and needed to contact her son who was in the Ruidoso area without a phone. The responding deputy found this subject was not at the location so he left a note to call his mother.

10:23 a.m. peacekeeping at location in San Patricio.

4:15 p.m. domestic at location on Gavilan Canyon.

5:40 p.m. concealing ID at restaurant/lounge in Carrizozo. Deputy responded.

8:30 p.m. 911 hang up at Alto Cafe. Dispatch advised the number was busy when called back.

March 2  
9:55 a.m. El Paso caller reported theft of skis at ski area.

12:34 p.m. unwanted subject juveniles on four-wheelers going up and down the drive at mile marker 277 on Highway 70.

3:56 p.m. agency assistance requested at domestic in parking lot of convenience store. Carrizozo police and deputy, Carrizozo ambulance responded but was refused.

# LEGALS

**LEGAL NOTICE**  
**STATE OF NEW MEXICO**  
**TWELFTH JUDICIAL**  
**DISTRICT COURT**  
 No. CV-2003-45  
 Div. III

IN THE MATTER OF THE PETITION  
 OF KYNDRA NETTLETON &  
 KATIE NETTLETON  
 FOR CHANGE OF NAME

**NOTICE OF PETITION FOR CHANGE OF  
 NAME AND NOTICE OF HEARING**

COMES NOW the Petitioners and hereby give notice that a Petition for Change of Name was filed in Carrizozo, Lincoln County, New Mexico, the 3rd day of March, 2003, requesting that the Petitioners' name be changed from Kyndra Nettleton to Kyndra Coronado; and, Katie Nettleton to Katie Coronado.

Furthermore, Petitioners hereby give notice of a hearing on the Petitioners' Petition for Change of Name, which shall be held before the Honorable Karen L. Parsons at 8:15 a.m. o'clock a.m. on the 27th day of March, 2003 at the Lincoln County Courthouse in Carrizozo, New Mexico, whereby the Petitioners will request the Court to sign the final Order changing the Petitioners' name from Kyndra Nettleton to Kyndra Coronado; and, Katie Nettleton to Katie Coronado.

**CLYDENE HULL**  
 Trial Court Administrative  
 Assistant to  
 THE HONORABLE  
**KAREN L. PARSONS**  
 District Judge

Published in the Lincoln County News on March 6 and 13, 2003.

**LEGAL NOTICE**  
**CAPITAN MUNICIPAL SCHOOLS**  
**NOTICE OF SPECIAL**  
**BUDGET HEARING**

Notice is hereby given that the Board of Education of Capitan School District #28, county of Lincoln, State of New Mexico, will on Thursday, March 13, 2003, 6:00 PM, MDT, at the Capitan School Board Room, present and publicly review a budget increase for the 2002-2003 fiscal year.

This is a public hearing and all school patrons are invited to attend.

Done at Capitan, New Mexico, this 18th day of February 2003.

**CAPITAN BOARD**  
**OF EDUCATION**  
**GARY TREGEMBO,**  
 President

ATTEST:  
**GRANT DEAN,**  
 Secretary

Published in the Lincoln County News on February 27 and March 6, 2003.

**LEGAL NOTICE**  
**PROBATE COURT**  
**COUNTY OF BERNALILLO**  
**STATE OF NEW MEXICO**  
 Probate #2003-053

IN RE THE ESTATE OF  
**GLEN ELLISON**

**NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN that the undersigned has been appointed as personal representative of this estate. All persons having claims against this estate are required to present their claims within two months after the date of the first publication of this Notice or the claims will be forever barred. Claims must be presented to the undersigned personal representative at P.O. Box 25722, Albuquerque, NM 87125.

Dated: 2/24, 2003.

**GLENDIA ARMSTRONG**  
 P.O. Box 25722  
 Albuquerque, NM 87125

Published in the Lincoln County News on February 27, March 6 and 13, 2003.

**LEGAL NOTICE**  
**STATE OF NEW MEXICO**  
**COUNTY OF LINCOLN**  
**TWELFTH JUDICIAL DISTRICT**  
 No. CV02-76

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR WASHINGTON MUTUAL BANK, FA, SUCCESSOR IN INTEREST TO HOMESIDE LENDING, INC.**  
 Plaintiff,

vs.  
**MIKE DENNIS HAWLEY, HOLLY LEI HAWLEY, JOHN DOE, TENANT WHOSE TRUE NAME IS UNKNOWN, JANE DOE, TENANT WHOSE TRUE NAME IS UNKNOWN,**  
 Defendant(s).

**NOTICE OF SALE**

NOTICE IS HEREBY GIVEN that the undersigned Special Master, of his/her designee, will, on April 1, 2003, at 10:30 am, at the Front Steps of the Lincoln County Courthouse, 300 Central Avenue, 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 68 AND 69, BLOCK 3 OF PARADISE CANYON SUBDIVISION, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE SECOND SUPPLEMENT PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, APRIL 26, 1956, IN TUBE 147.**

The address of the real property is 461 PARADISE CANYON DRIVE, RUIDOSO, NM 88345. Said sale will be made pursuant to the Decree of Foreclosure entered on October 16, 2002, 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 \$126,622.64, plus interest from August 2, 2002 to the date of sale at the rate of 7.62500% 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 verbally 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 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: February 26th, 2003.

**FAISAL SUKHYANI**

Special Master  
 c/o Shapiro & Meinhold, L.L.P.  
 13275 Strathers Road, Suite 201  
 Colorado Springs, CO 80921  
 (800) 286-0013 (719) 634-4868

Published in the Lincoln County News on March 6, 13, 20 and 27, 2003.

**LEGAL NOTICE**  
**STATE OF NEW MEXICO**  
**COUNTY OF LINCOLN**  
**TWELFTH JUDICIAL**  
**DISTRICT COURT**  
 No. CV-02-233

**CHASE MANHATTAN MORTGAGE CORPORATION,**  
 Plaintiff,

vs.  
**AUGUST R. GRUNOW, DONNA J. GRUNOW, and STATE NATIONAL BANK d/b/a Sierra Bank,**  
 Defendants.

**NOTICE OF SALE**

Notice is hereby given that on April 4, 2003, at the hour of 9:00 a.m. the undersigned Special Master, or his designee, will, at the front entrance of the Lincoln County Courthouse, at 300 Central, Carrizozo, New Mexico, sell all of the rights, title and interest of the above-named Defendants, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 113 Doc Holiday Court, Alto, New Mexico 88312 and is more particularly described as follows:

Lot 3, Block 22, RANCHO RUIDOSO VALLEY ESTATES, 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, November 30, 1982, in Cabinet D, Slide Nos. 99 to 103, both inclusive.

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes, subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants, the foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$89,417.63, and the same bears interest at 7.7500% per annum, which accrues at the rate of \$18.99 per diem, commencing on February 1, 2003, with the Court reserving entry of final judgment against said Defendants August R. Grunow and Donna J. Grunow for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

The Court's decree, having duly appointed Peter Baca, as its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders.

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the judgment described herein and decree of foreclosure, together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the judgment due is \$89,417.63, plus interest to and including date of sale of \$1,196.37 for a total judgment plus interest of \$90,614.00. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

**PETER BACA, Special Master**  
 P.O. Box 215  
 Carrizozo, NM 88301  
 (505) 648-9925

Published in the Lincoln County News on March 6, 13, 20 and 27, 2003.

# Spencer Get Support

(Continued from Page 1)

about two miles north of Carrizozo on Spencer's land. The underground portion will be about three miles north, on the east side of Highway 54. Coal will be transported out of the area by rail.

Surface mining on the west side of the highway will consist of open trenches about 2,000 feet long and about 120 feet wide for minimal surface disruption, Spencer said. While the activity will be visible from the highway, the trenching method will employ berms of overburden to block direct visibility of the trenches.

Because mining is regulated by the federal Mining Act and state mining regulations, the coal mine must meet all regulations from the Environmental Protection Agency (EPA), Clean Air and Water Act and Mine Safety Act, Spencer said. He said he has researched the regulations diligently since he purchased the ranch in 1978.

Spencer said the coal on his ranch is of the quality and quantity to fit the needs of the Rio Grand Cement and Terrace company of Albuquerque, which will use the coal to make cement.

To assuage concerns about the coal operation, Spencer said he would do nothing that would damage his ability to continue his ranching operations. Also any coal dust from the operation would blow to the northeast on his property, or to the southwest, also on his property. "I do not plan to lose my ranching abilities," Spencer added.

The coal mine project has the potential to employ 15 to 25 people during its 10-20 years of operation.

To Carrizozo trustees Spencer said the coal mine is a great opportunity for the area. Presently the cement company gets its coal from the Grants area.

Spencer went to the town to get local support of the people and local governments. "We're not here for any money," Spencer assured the Carrizozo trustees. "Just support for the project."

"We've seen many scams come through here and many people have lost their retirement money on these," Spencer added. "This is a real deal."

The coal mine will not use huge steam shovels to extract the ore, rather you'll see a couple of scrapers, a dozer and loaders. "It will be a very low impact operation," Spencer added.

Spencer said water needed for the mine operation will come from ranch water rights. "There is more water on the ranch than is needed for the coal mine," Spencer said. "And we will seek to change the purpose of the ranch water rights (for the mining operation)."

Spencer said it will take at least two years before there is any approval of the mining operation, some of which will be on state owned lands, as well as Spencer's private property.

The mayor of Carrizozo said he applauded the project. "We are interested," the mayor said. But some Carrizozo resi-

dents were concerned about the coal dust which could blow into the town, causing respiratory problems with residents. But Spencer said the EPA would shut down the operation if coal dust becomes a problem. He also explained how the prevailing winds would bring coal dust onto his mother's home or onto the ranch, rather into town.

In answer to questions, Spencer said federal and state laws require reclamation of the coal mine area to a great extent. "My family has owned this ranch for five generations, we would not destroy generations of work," he added.

Carrizozo resident Norm VanGorder said the federal government will not allow this coal mine to open.

Spencer did not respond to VanGorder's comments, rather went on to allay fears expressed by a woman who had once lived in coal mine areas of Virginia. Spencer said there will be less than 20,000 tons of coal stockpiled, which will be wetted down before loading on the train. "If you study the history of my family's operation it will show we are concerned for the environment," Spencer added.

Lincoln County Commissioners had fewer concerns, and even asked if the county road department can use any of the overburden materials from the mine. A White Oaks resident at the county commission meeting asked if coal would be available to local residents to use as heating fuel.

Spencer told commissioners that coal now goes through Carrizozo on the train from the Grants area. "And I've seen no problems of dust," he added. In response to the quality of the coal, Spencer said the coal is low sulfur. Osguro resident Jerry Carroll asked if the coal, since it is low sulfur, will go to El Paso or to Mexico. Spencer said the coal could go to El Paso, Juarez, Chihuahua or to Pueblo to be used to make portland cement, not to fuel power generators.

County commissioners voted unanimously for the resolution of support for the Banderas/Spencer Coal Mine Carrizozo trustees did not take action on such a resolution, because it was not listed on their meeting agenda. They did offer verbal support and advised Spencer the resolution would be on the March 11 meeting agenda for action.

County commissioners voted unanimously for the resolution of support for the Banderas/Spencer Coal Mine Carrizozo trustees did not take action on such a resolution, because it was not listed on their meeting agenda. They did offer verbal support and advised Spencer the resolution would be on the March 11 meeting agenda for action.

## LCSWA Okays

(Con't. from P. 3)  
 accept. Schonberger's audit until the mistake was corrected. Cummins asked that the agreement for reduced payment be put in writing.

Heard Ingle report that LCSWA has contracted with the Mescalero tribe to dispose of Mescalero household trash and contracted with Mescalero Casino and Ski Apache for waste disposal.

Were told that the Joint Otero County Solid Waste Authority and LCSWA meeting will be held at 8 p.m. Tuesday, March 18 at the Tularosa Community Center.

**Without it,  
 how would anybody  
 know what to sell?**

**Advertising,  
 use it!**

# LEGALS

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
IN THE CHILDREN'S COURT  
No. JQ-2002-06  
Div. III

STATE OF NEW MEXICO ex rel.  
CHILDREN, YOUTH AND FAMILIES  
DEPARTMENT

In the Matter of SR, Child,  
And Concerning Brandy Otero and  
Sergio Ramirez Sr., Respondents.

NOTICE OF PENDENCY OF ACTION  
SERGIO RAMIREZ, SR.  
TO THE ABOVE NAMED RESPONDENT:

YOU ARE NOTIFIED that an action has been filed against you in the above named Court and County by the State of New Mexico in which the State of New Mexico has filed a petition alleging that you have abused and neglected SR, child. The above proceeding could ultimately result in the termination of your parental rights.

YOU ARE FURTHER NOTIFIED that this matter will be heard in the Children's Court Division of the District Court in Lincoln County, New Mexico, thirty days after the last publication of this notice.

WITNESS my hand and the Seal of the District Court of the State of New Mexico.

JAN PERRY  
Clerk of the District Court

(SEAL)

by: Mickie L. Vega  
Deputy

ATTORNEY FOR PETITIONER:  
Lynne Pruett, 2200 Indian Wells Rd.,  
Alamogordo, NM 88310  
(505) 434-5950.

Published in the Lincoln County News on February 20, 27; March 6 and 13, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT COURT  
No. Cv-01-236  
Div. III

THE CHASE MANHATTAN BANK, as  
Trustee of IMC Home Equity Loan Trust  
1998-2 under the pooling and servicing  
agreement dated as of March 1, 1998,  
Plaintiff,

vs.  
ROBERT R. WARD, REBECCA WARD and  
TAXATION AND REVENUE DEPARTMENT  
OF THE STATE OF NEW MEXICO,  
Defendants.

### NOTICE OF SALE

Notice is hereby given that on March 14, 2003, at the hour of 9:10 a.m. the undersigned Special Master, or his designee, will, at the front entrance of the Lincoln County Courthouse, at 300 Central, Carrizozo, New Mexico, sell all of the rights, title and interest of the above-named Defendants, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 2 Hillcrest Road, Capitan Area, New Mexico 88316, and is more particularly described as follows:

Lots 2 & 3 of FORT STANTON  
RANCHETTES, Lincoln County, New Mexico,  
as shown by the plat thereof filed in the office of  
the County Clerk of Lincoln County, June 4,  
1968, in Tube No. 310.

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes, subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants, and subject to nine (9) month right of redemption by the Defendant Taxation & Revenue Department of the State of New Mexico, the foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$84,565.06, and the same bears interest at 11.2400% per annum, which accrues at the rate of \$26.04 per diem, commencing on December 1, 2002, with the Court reserving entry of final judgment against said Defendants Robert R. Ward and Rebecca Ward for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its judgment amount and submit its verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

The Court's decree, having duly appointed Peter Baca, as its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders:

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the judgment described herein and decree of foreclosure together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the judgment due is \$84,565.06, plus interest to and including date of sale of \$2,708.16 for a total judgment plus interest of \$87,273.22. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

PETER BACA, Special Master  
P.O. Box 215  
Carrizozo, NM 88301  
(505) 648-9925

Published in the Lincoln County News on February 13, 20, 27 and March 6, 2003.

## LEGAL NOTICE

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT COURT  
No. CV-02-212

OAKWOOD ACCEPTANCE CORPORATION,  
L.L.C.,  
Plaintiff,

vs.

ROBERT TOPPS, VICKI TOPPS, TAXATION  
AND REVENUE DEPARTMENT OF THE  
STATE OF NEW MEXICO, and  
GOLDEN CIRCLE FINANCIAL,  
Defendants.

### NOTICE OF SALE

Notice is hereby given that on March 14, 2003, at the hour of 9:20 a.m. the undersigned Special Master, or his designee, will, at the front entrance of the Lincoln County Courthouse, at 300 Central, Carrizozo, New Mexico, sell all of the rights, title and interest of the above-named Defendants, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 116 Kaibab Drive, Ruidoso, New Mexico 88355, and is more particularly described as follows:

Lot 23, Block 10 of FOREST HEIGHTS  
SUBDIVISION, Ruidoso, Lincoln County, New  
Mexico, as shown by the amended plat thereof  
filed in the office of the County Clerk of Lincoln  
County, September 20, 1973, in Tube No. 495.

Together with all improvements constructed upon, affixed to or located upon the above described real property, including without limitation any residential dwelling located upon or to be located thereon, which dwelling is or may be a manufactured home, as herein below described, which manufactured home is or upon placement and affixation shall be conclusively deemed to be real estate (the "Manufactured Home"), 1998 Goldenwest mobile home VIN No. GWCA21L25306AB

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes, subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants, the foregoing sale will be made to satisfy an in rem foreclosure judgment rendered by this Court in the above-entitled and numbered cause, being an action to foreclose a mortgage on the above-described property. The Plaintiff's in rem judgment is \$100,661.23, and the same bears interest at 8.5000% per annum, which accrues at the rate of \$23.44 per diem, commencing on January 1, 2003, with the Court reserving entry of final in rem judgment against said Defendants Robert Topps and Vicki Topps for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its in rem judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its in rem judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

The Court's decree, having duly appointed Peter Baca, as its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described in rem judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders:

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the in rem judgment described herein and decree of foreclosure together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the in rem judgment due is \$100,661.23, plus interest to and including date of sale of \$1,711.12 for a total in rem judgment plus interest of \$102,372.35. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

PETER BACA, Special Master  
P.O. Box 215  
Carrizozo, NM 88301  
(505) 648-9925

Published in the Lincoln County News on February 13, 20, 27 and March 6, 2003.

## LEGAL NOTICE

TWELFTH JUDICIAL DISTRICT COURT  
COUNTY OF LINCOLN  
STATE OF NEW MEXICO  
No. CV-03-32  
Division III

ANNE W. ANDERSSON,  
Plaintiff,

vs.

GROUP I: THE FOLLOWING NAMED  
HEIRS OF VERLIE STEPHENS  
(aka Verlie B. Stephens), IF LIVING,  
IF DECEASED, THEIR UNKNOWN HEIRS,  
O.B. STEPHENS, JR. N.B. STEPHENS  
and TAD BIRDWELL HENS,  
GROUP II: THE UNKNOWN HEIRS OF THE  
FOLLOWING NAMED DECEASED PERSONS:  
GUNNAR E. ANDERSSON, O.B. STEPHENS,  
SR. (aka Ollie B. Stephens, Sr.) and VERLIE  
STEPHENS (aka Verlie B. Stephens),  
GROUP III: 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:  
GROUP I: THE FOLLOWING NAMED HEIRS OF VERLIE STEPHENS (aka Verlie B. Stephens), IF LIVING, IF DECEASED, THEIR UNKNOWN HEIRS: O.B. STEPHENS, JR., JOHN B. STEPHENS and TAD BIRDWELL STEPHENS.  
GROUP II: THE UNKNOWN HEIRS OF THE

FOLLOWING NAMED DECEASED PERSONS:  
GUNNAR E. ANDERSSON, O.B. STEPHENS,  
SR. (aka Ollie B. Stephens, Sr.) and VERLIE STEPHENS (aka Verlie B. Stephens). GROUP III: ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFF.  
GREETINGS: You are hereby notified that Anne W. Anderson, Plaintiff, has filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-03-32 Div. III, wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.

The general subject matter 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 4, Block 9, of PONDEROSA HEIGHTS SUBDIVISION, UNIT II, 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 September 13, 1956.

You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before April 2, 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 is: Archie A. Witham, P.O. Box 83, Nogal, New Mexico 88341.

WITNESS my hand and seal of the District Court of Lincoln County, New Mexico, on this the 18th day of February, 2003.

JAN PERRY  
Clerk of the District Court  
By: Elizabeth Ysasi  
Deputy

Published in the Lincoln County News on February 20 and 27; March 6 and 13, 2003.

## LEGAL NOTICE

NOTICE is hereby given that on February 13, 2003, NMSHTD & CDS Investments, c/o Kenneth Nosker, HC 66, Box 32, San Patricio, New Mexico 88348, filed application No. H-70, with the STATE ENGINEER for permit to change location of well and place and purpose of use of 4,608 acre-feet per annum of groundwater diverted from well No. H-70 located in the NW1/4SE1/4SW1/4 of Section 20, Township 10 South, Range 16 East, N.M.P.M., by ceasing the irrigation of 3.2 acres of land described as the Pt. S1/2 S1/2 of Section 20, Township 10 South, Range 16 East, N.M.P.M.

Applicant proposes to commence the diversion of said 4,608 acre-feet per annum using well H-608 located in the NW1/4NW1/4NE1/4 Section 30, Township 10 South, Range 16 East N.M.P.M., for highway construction purposes.

This is a temporary application is with all rights to revert to original place and purpose of use on December 31, 2005, or upon written request from the applicant.

Well H-608 is located approximately 2 miles east of Glencoe, NM along highway 70, Lincoln County, NM.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to: (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on February 20, 27; and March 6, 2003.

## LEGAL NOTICE

NOTICE is hereby given that on February 13, 2003, NMSHTD & Kenneth Nosker, HC 66, Box 32, San Patricio, New Mexico 88348, filed application No. H-608, with the STATE ENGINEER for permit to change place and purpose of use of 3,168 acre-feet per annum of groundwater diverted from well No. H-608 located in the NW1/4NW1/4NE1/4 of Section 30, Township 10 South, Range 16 East, N.M.P.M., by ceasing the irrigation of 2.2 acres of land described as the Pt. SE1/4 of Section 19, Township 10 South, Range 16 East, N.M.P.M.

Applicant proposes to commence the diversion of said 3,168 acre-feet per annum using well H-608 located in the NW1/4NW1/4NE1/4 Section 30, Township 10 South, Range 16 East N.M.P.M., for highway construction purposes.

This is a temporary application is with all rights to revert to original place and purpose of use on December 31, 2005, or upon written request from the applicant.

Well H-608 is located approximately 2 miles east of Glencoe, NM along highway 70, Lincoln County, NM.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to: (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Section 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on February 20, 27; and March 6, 2003.



# OLD LINCOLN

by Rosalie Dunlap

It seems like March is coming in like a lion. It has been cold, windy, and trying to snow and rain. It seems the surrounding area is getting more moisture than Lincoln town.

New Mexico lost a great news/radio reporter with the passing of Ernie Mills. He was an honest and trusted personality and will be sadly missed by everyone. No matter how busy he was he could always stop, say "Hello" and shake your hand. I will miss him on the TV and radio programs.

Those who watched "Mr. Rogers" were saddened by his death. The youngsters in Nogal used to gather at the home of Opal and Randall Greer's to watch it and of course "Mickey Mouse".

Our condolences to the families of Arsenia Navarez, Dorothy Queen and Lem Clarke.

Mr. and Mrs. Norman Parr have been visiting with their daughter Kyle Parr. Welcome back Kyle.

Aaron Hooper, Roswell, is one busy youngster. He has been working as a page at the New Mexico Legislature in addition to all his other activities. He has two proud grandparents, Pam and Herman McArthur.

This is the 50th year of the beginning of the Lincoln County Fair. There will be a display of the history of the fair. Any contributions of newspaper clippings, photos and stories will be greatly appreciated. Send copies if you don't wish to loan any information during the fair. I can copy them if necessary. You can contact the Extension Office or me. Does anyone know the whereabouts of A. J. Bivens? He was the AG teacher at that time and helped get the Achievement Days started. Also Bill Clark who was the Supt. of the Capitan Schools and others that were instrumental in its beginnings.

The early fruit trees - apricot, cherry etc. are blooming. Other flowers and trees are trying to leaf and bloom. Mother Nature is giving false signs with the variable weather.

Congratulations to Bethany Sanchez on her recent honor of Miss New Mexico candidate from the New Mexico Highland University.

The Luna House restoration is anticipated to be finished the middle of March. The work will then start on the Dr. Woods house. The exhibits will be removed from the Dr. Woods House to the Luna house until that part of the project is finished.



# Grizzly

# WEEKLY

by Carrizozo High School  
Journalism Class  
Sarah Ball, Instructor

## Jump for Heart



On Thursday, Feb. 13, in the old gym, Carrizozo elementary students participated in the 4th annual Jump for Heart. Jump for Heart is a nationwide exercise program established by the American Heart Association. Every year students can jump for a relative or a friend who has had a heart attack or a heart condition. Students participate in events that are all

cardiovascular activities, which results in raising their heart rate. According to the American Heart Association this program was designed for five reasons.

- \* Helps control weight and build healthy bones and muscles.
- \* Increases self-esteem and reduces anxiety and stress.
- \* Helps the mind and promotes learning.



Students in grades 3rd thru 8th participated in a spelling bee on January 31 at Carrizozo schools. Robert Dutchover (8th grade-left) was third, Joel Ferguson (4th grade-center) was second, and Jennifer Shafer (6th grade-right) was the first place winner. She will go on to El Paso on March 25 to compete with students from 169 schools from across the Southwest.

### BOOKMOBILE SCHEDULE

TUESDAY, MARCH 11	
Corona Post Office	12:30 - 2:30
Carrizozo/Otero Electric	4:00 - 6:30
WEDNESDAY, MARCH 12	
Carrizozo/Otero Electric	7:30 - 8:30
Nogal Post Office	9:00-9:45
Capitan Smokey Bear Cafe	10:15 - 11:45
Camp Sierra Blanca	1:00 - 3:00
Lincoln Post Office	4:00-4:45
Hondo Store	5:00-5:45

## LEGALS

### LEGAL NOTICE TWELFTH JUDICIAL DISTRICT COURT COUNTY OF LINCOLN STATE OF NEW MEXICO

No. PB-03-05  
IN THE MATTER OF THE ESTATE  
OF  
GRADY ELDRIDGE, DECEASED  
NOTICE TO CREDITORS

The undersigned has been appointed Personal Representative of the Estate of Grady Eldridge, deceased. All persons having claims against this estate are required to present their claims within two months after the date of the first publication of this notice.

WELLS FARGO BANK  
NEW MEXICO, N.A.  
By: Marian M. Thompson, CTHA  
Assistant Vice President  
P.O. Box 2468  
Roswell, NM 88202-2468

Published in the Lincoln County News on March 6 and 13, 2003.

- \* Reduces the risk of heart disease and stroke.
- \* May improve blood pressure and cholesterol levels.

During the afternoon the students were split up into groups and were assigned to one station before rotating to another. The students participated in a variety of activities, which included jump rope relays, heart relays, dancing, limbo and snake, helicopter jump rope, and long jump.

Joel Ferguson, a 4th grader, said, "This was good because we were donating money to people who needed it."

Lauren Smith, also a 4th grader, noted, "This was fun because we got to do stuff we normally don't get to do."

"In the past three years Jump for Heart has raised about \$5,000 dollars which has been donated to the American Heart Association," said Rebecca Ferguson, the 1st grade teacher and coordinator for this program. She added, "The money we have raised is so incredible because we are such a small school." This year elementary students raised \$1,281.98. Zhane Vega raised the most donations, and for that she will receive a bike or a boom box from Wal-Mart.

Rebecca Ferguson also praised the community for all the support that they have given this program.

Nathan Chavez

## Carrizozo Hosts Regional Tourney

The Carrizozo Lady Grizzly girls basketball team will be hosting the 'Region A' -- 2003 Regional Class 'A' Basketball Tournament this Friday and Saturday at the Grizzly Den.

Desert Academy (Dist. 2 Champ), and Mountainair (Dist. 7 Runnerup) will get things started on Friday evening with tip-off scheduled for 5:30. The host Grizzlies (Dist. 7 Champs), will then face off against Victory Christian (Dist. 2 runner up) in the second contest of the evening scheduled to start at 7:30 p.m.

Winners of the session (1) games on Friday will advance to the championship game on Saturday set to start at 6:00 p.m. Both teams advance to the state tournament in Albuquerque next week.

Other Class 'A' regional tournaments will be taking place at three other sites. Tatun will be hosting Region 'B' with Taum, Logan, Grady, and Mesclero vying for state berths. Elida will host Magdalena, Cliff and Fort Sumner in Region 'C', and Des Moines will host Ramah, Springer, and Quemado in Region 'D' action.



SEE YOU AT THE GAME!



Carrizozo elementary students raised a total of \$1,281.98 in the Jump for Heart nationwide exercise program established by the American Heart Association. Elementary student Zhane Vega (pictured above) raised the most pledges, and will receive a bike or a boom box from Wal-Mart.

FOR ALL YOUR  
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**FAST ACTION**

*Lincoln County News*

**CLASSIFIED ADS**

CALL: (505) 648-2333

**NOTICE**  
New Consignment Lot for all equipment, cars, boats, trailers etc.  
Butch's Service Center

One mile west of Capitan on Hwy. 380 or phone (505) 354-3125  
4tc/2/20 to 3/13

**HELP WANTED**  
Lincoln, NM  
Full-time Farm hand. Experience and references required. Please send references and availability to P.O. Box 181, Capitan, NM. (505) 653-4041  
3tc/3/6-13-20

**GARAGE SALE: 510**  
"F" Ave., in Carrizozo, Saturday, Sunday -- 8 a.m. to 5 p.m.  
1tp/3/05

**REMINDER**  
Carrizozo School Re-union, June 27 and 28. Class of 1953 will host. Watch for activities in the Lincoln County News.  
4tp/2/27 to 3/20

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