

County Approves 2003 Tax Rates

by Doris Cherry

With a seven percent increase in property values, attributed to the growth in residential properties, the Lincoln County 2003 property taxes will mostly be lower than last year.

At a special meeting held the afternoon of Monday, October 6 in their chambers in the Lincoln County Courthouse

in Carrizozo, county commissioners adopted the 2003 Certificate of Property Tax Rates sent from the NM Department of Finance and Administration (DFA). The rates are based on budgets submitted by all the entities for which the county collects property taxes, and the total value of all property within the county.

The county received the rates from DFA on Friday, October 3 and by Monday morning the county assessor's office had discovered mistakes in the amount assessed for the hospital and the rates for properties in the Sun Valley Sanitation District. Lincoln County Assessor Rick Silva said when they first got the rates it also

showed that all the municipalities are debt free, but Silva said they found that Ruidoso still had one quarterly payment on a bond that had been paid off but not closed.

Original rates sent from DFA showed the tax rates for the Lincoln County Medical Center (hospital only, not the clinics) at \$2,061 for residential and

\$1,994 for nonresidential properties. County manager Tom Stewart said the hospital rate should have been 1.10 for all properties.

The finalized certified 2003 property tax rates show that taxes for all areas but for properties in the Hondo School District are lower than last year. Tax rates for residential

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LINCOLN County News

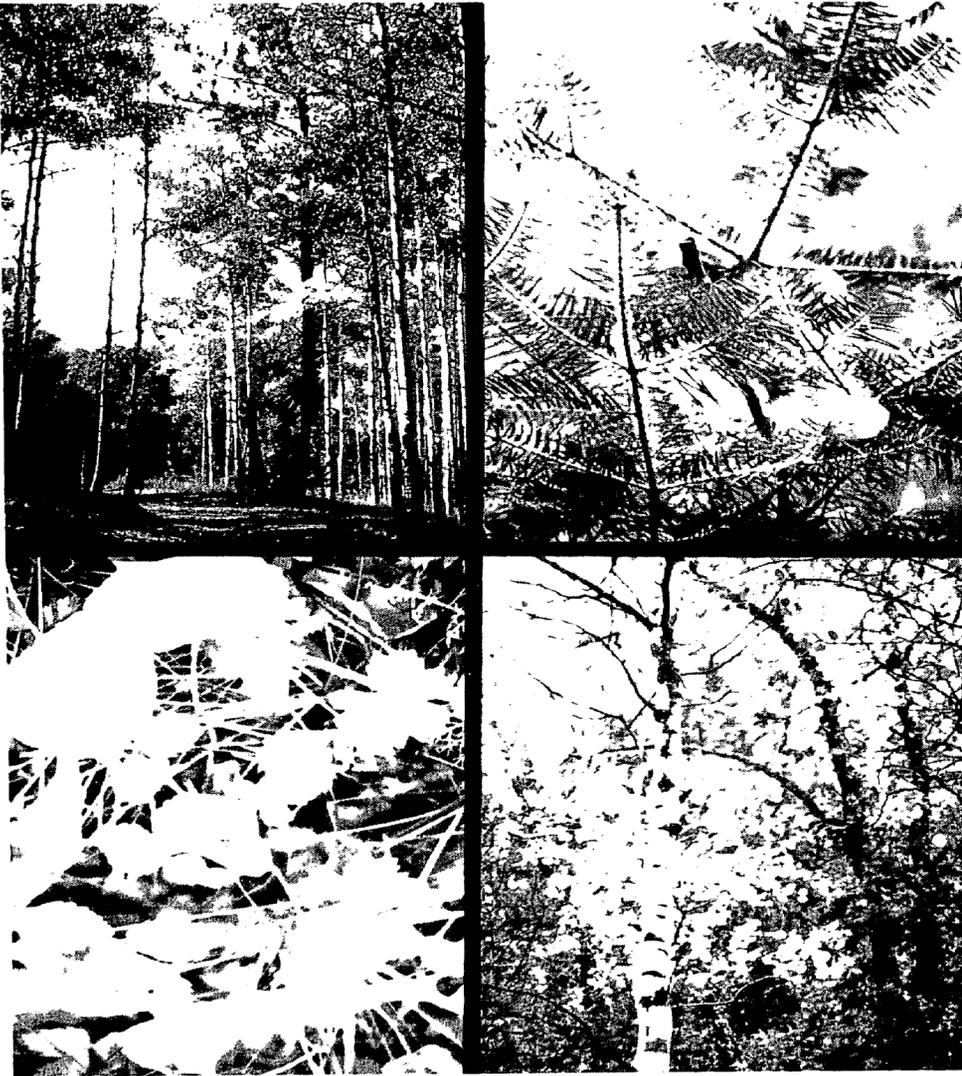
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THURSDAY, OCTOBER 9, 2003

CARRIZOZO, NM 88301



AWESOME AUTUMN. Dry weather and cooler temperatures painted the aspen forests golden along Rio Bonito above Bonito Lake last week, causing spent golden leaves to dot spruce trees like holiday decorations and carpet wild strawberries -- all pointing toward the upcoming winter. Autumn color continues this week, even though very welcomed rainfall this week caused many leaves to fall. (Photos by Doris Cherry)

La Casa To Stay In Hondo Till Jan. 1st

by Doris Cherry

La Casa de Buena Salud will continue to provide medical services to the Hondo health clinic until January 1 in an arrangement approved by Lincoln County Commissioners at a special meeting Monday, October 6.

At the special meeting held in their chambers in the Lincoln County Courthouse in Carrizozo, county commissioners voted unanimously to allow La Casa to continue to provide medical services to the Hondo clinic until Presbyterian Healthcare Services (PHS) is ready to assume operations.

At a special meeting on September 26, after six hours of negotiations with the three companies making proposals, county commissioners chose PHS to operate all three county subsidized clinics.

Smokey Bear State Park Celebrates Fire Prevention Week

Smokey Bear Historical Park is celebrating Fire Prevention Week October 5-11 by making some additions to their web site, smokeybearpark.com. The site tells the history of the fire prevention program and Smokey Bear. It features pictures of early posters and of the living symbol Smokey Bear.

To enhance the site, puzzles, coloring pages, and a play that features Smokey Bear and fire prevention have been added. Also new is an activity book that teaches about southwest fire ecology.

The new puzzles and coloring pages may be printed and copied for any number of students. The fire activities in the activity book are integrated with science, social studies, physical education, math, language, art and humanity lessons.

These activities can be used by educators in the classroom, at group meetings or in any educational environment.

At the October 6 meeting, Lincoln County Manager Tom Stewart told county commissioners he had sent a letter on September 29 to La Casa in which he wrote that the county commissioners after almost six hours of negotiations and deliberations, decided to award the contract for all county clinic operations to PHS.

"These separate executive sessions of negotiations, with individual offers," Stewart wrote to La Casa, "were in accordance with NM State Statute 13-1-115 and the Board of Commissioners considered the three firms experience with similar operations, past records of performance, transition plans and requirements for mill levy support."

"In this analysis, the Board of Commissioners found that PHS's final offer was most advantageous to the county," Stewart wrote.

Also in the letter Stewart advised La Casa that the county commission will require PHS to provide medical services to the Hondo community at a "desired minimum" of three days per week and will be paid at \$80 per patient encounter. The money will come from the special clinic mill levy revenue.

The La Casa contract with the county to provide medical services to Hondo clinic in exchange for county clinic mill levy funds had expired Sep-

tember 20. Because of this Stewart wrote that the county would like La Casa to continue operations at the clinic until PHS is ready to assume operations and coordination is complete with Hondo Schools. The county offered to pay La Casa a prorated support of \$15,000 a month until the coordinated transition date which is envisioned as January 1, 2004.

La Casa chief executive officer Serefino Montano responded with a letter dated October 1. "Please be informed that after giving serious consideration to the primary medical needs of the Hondo valley patients, we are willing to continue providing services with the understanding that the extended contract/agreement would be made retroactive to Sept. 20 and will continue until such time that PHS assumes management of the clinic."

Stewart said the facility is licensed currently under La Casa and PHS will have to get the facility licensed. Hobbs then asked if the county will have to pay for the licensing. Stewart said PHS should have to pay.

Stewart told *THE NEWS* the actual operations contract between the county and PHS will probably be ready for final approval in November.

The finalized contract agreement will be for eight years, Stewart added.

Capitan and LCSWA Both At Fault Over Landfill Closure

by Doris Cherry

Both the Village of Capitan and the Lincoln County Solid Waste Authority were at fault when it came to closing the Capitan landfills.

Village of Capitan attorney Marc Prelo and village representative on Lincoln County Solid Waste Authority (LCSWA) Bobbi Shearer, LCSWA attorney Angie Schneider, LCSWA operational supervisor

Debra Ingle and Joe Lewandowski who has contracted to provide technical advice to LCSWA met informally on September 23 prior to the regular LCSWA board meeting. They discussed the situation with \$32,000 cost to close the Capitan landfills, and the debt LCSWA continues to owe to the Village of Capitan.

"Capitan and the authority are both guilty," said LCSWA operational su-

pervisor Debra Ingle about the delay in closing the Capitan landfills that resulted in higher costs. Ingle said if LCSWA had done as Dr. Bernie Reimann (who had served as a LCSWA member for Capitan) and herself said, the cost of the closure would have been far less. But somewhere between changing managers at LCSWA and the change in

(SEE PAGE 3)

C'ozozo Chamber To Elect Officers Tuesday, Oct. 14

Carrizozo Chamber of Commerce will hold election of officers at the regular monthly meeting at noon Tuesday, October 14 at Four Winds Restaurant in Carrizozo.

The chamber nominating committee appointed according to the group bylaws, propose the following candidates: president Van Shamblin, vice-president Scott Shafer, treasurer Donna Harkey, recording secretary Korene

Walker, corresponding secretary Jim Mack Jr.

Nominations for all offices will also be taken from the floor during the meeting. Only current chamber members who are present at the meeting may vote for the officers. Also, there is only one vote per membership.

Businesses and individuals are invited to join the chamber, and can do so at the October 14 meeting.



FIRST AND THIRD TUESDAYS

--Jalayne 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 First Baptist Church Fellowship Hall.
 --Crossfire Youth Group, 6:30-8 p.m. Trinity Baptist Church in Capitan. For junior and senior high age youth.

WEDNESDAYS

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

THURSDAYS

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

TODAY, THURSDAY, OCTOBER 9

--Carrizozo junior high football v. Estancia, 4 p.m. Laabs Field, Carrizozo.
 --Carrizozo varsity volleyball v. Temple Baptist, 4 p.m. Grizzly Gym, Carrizozo.
 --Ruidoso Arts Commission 4 p.m. Ruidoso village hall.
 --Capitan Board of Education 6 p.m. board conference room in the school administration building.
 --Corona Village Council 7 p.m.

FRIDAY, OCTOBER 10

--Carrizozo Town Hall offices will be closed to allow staff to clean out the old town hall building in preparation for new construction. City hall and MVD will re-open on Tuesday, Oct. 14.
 --Carrizozo High School 2003 Homecoming, pep assembly 11:30 a.m. to noon old gym. Parade begins from the school at 1:15 p.m. and will go up 12th and back down Central; Homecoming 2003 game v. Capitan kick off at 7:30 p.m. Laabs Field.
 --Carrizozo schools dismiss early at 12:15 p.m. for Homecoming.

SATURDAY, OCTOBER 12

--Blessing of the animals at Ruidoso School House Park, call 258-1090 for information.

MONDAY, OCTOBER 13, COLUMBUS DAY

--Lincoln County Courthouse closed, all municipal buildings and MVD offices closed, Carrizozo school closed, Capitan school closed, banks and state and federal buildings including post offices closed.
 --Keep Ruidoso Beautiful committee meets at 5 p.m.

TUESDAY, OCTOBER 14

--Carrizozo Chamber of Commerce, 12 noon Four Winds Restaurant, election of 2004 officers.
 --New Mexico Senator Rod Adair to visit Carrizozo Schools.
 --Carrizozo varsity volleyball v. Corona 6 p.m. Grizzly Gym.
 --Capitan volleyball v. Tularosa, 4 p.m. Cummins Gym.
 --Carrizozo Town Council 6 p.m. town hall offices in Carrizozo Rec Center.
 --Ruidoso Village Council 6 p.m. village hall.
 --Capitan Village Trustees 6:30 p.m. public hearing, 7 p.m. meeting.
 --Corona School Board 7 p.m. school administration building.
 --Carrizozo Soil and Water Conservation District, 7 p.m. NRCS offices on Central Ave.

WEDNESDAY, OCTOBER 15

--Joint FCE meeting 11 a.m. at Angie Provine's home in Capitan, program on candle making.
 --Free immunizations for children under 18 at Carrizozo Public School nurse's office. Call the Lincoln County Public Health Office at 505-258-3252 or Carrizozo school for more information.
 --Lincoln County LEPC 1:30 p.m. Ruidoso Village Hall.
 --Ruidoso Parks and Rec Committee 6:30 p.m. village hall.

THURSDAY, OCTOBER 16

--Ruidoso Lodgers Tax Committee 2:30 p.m. village hall.
 --US Highway 70 Hondo Valley Citizens Task Force meeting 7 p.m. Hondo Valley Public Schools.



BOOKMOBILE SCHEDULE

TUESDAY, OCTOBER 14

Corona Post Office 12:00 - 2:00
 Carrizozo/Otero Electric 3:30 - 6:30

WEDNESDAY, OCTOBER 15

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

Free Art Workshops At Capitan Public Library

The Capitan Public Library announces the fourth, fifth and sixth free art workshops for adults, thanks to a grant obtained from McCune Charitable Foundation of Santa Fe.

This year long series is held the fourth Saturday of each month, except for December, which will be December 13.

The free art workshops give adults the opportunity to learn something new and different. Enthusiastic beginners are welcome because these workshops are not just for people who know a lot about art.

The October 25 workshop from 9 a.m. to 12 noon features Nisha Hoffman, well known in the area for her living history interpretation of Susan McSween, 19th cen-

tury cattle queen and Lincoln County War protagonist, and also for her portrayal of Lydia Lane, a 19th century officer's wife at Fort Stanton.

"One of the greatest gifts we can give to our children and our grandchildren is a lap to sit on and the sound of our voice," Hoffman said, and added, "It does not matter whether we tell the story right or not. It is the gift of our love, the gift of our and their roots that is important."

The beauty of story telling is that there is no right or wrong way, just our way. Attend the workshop and learn what to tell, when to tell, where to tell, and maybe a little bit of help in the 'how to department.'

Supplies are provided. Participants are asked to bring themselves and enthusiasm to learn.

Space is limited, please register with George W. or Pearl Tippin at 354-7021 or email pgtips@zianet.com, or mail PO Box 1324, Capitan, NM 88318. Please state your name, mail address, telephone, email address is available, and number of adults.

The November 22 free art workshop at the

Capitan Public Library will feature renowned wood carver Georgia Stacey at her home and studio in Nogal. She will teach bas relief carving on wood.

The December 13 free art workshop will feature artist Beverly Wilson, known for her work in book arts, at her studio in Lincoln.

You may register for any of these free art workshops now.

Capitan and LCSWA Both At Fault

(Continued from Page 1)

municipal administrations, the actual site work for the closure was not done.

Since that time, LCSWA took over the closure of the Capitan landfills and all closure work is almost completed. LCSWA, because it took over the closures, will have to monitor test wells at the landfill site for 20 years.

For several years LCSWA has been requesting the Village of Capitan forgive debt imposed upon LCSWA from the early days of the organization. LCSWA had to pay Capitan for the landfill and some old equipment there. All other entities to which LCSWA owed debt have forgiven the old debts because it was considered double taxation.

Capitan has held its debt as a type of collateral in order to get the landfill closed.

Lewandowski said the debt and the cost of the landfill closure are two separate issues. "You are both guilty on the closure issue," Lewandowski told Shearer and Ingle. He then said Capitan is refusing to forgive the entire debt when all the other LCSWA entities forgave theirs. Ingle said LCSWA only owes Capitan \$11,000.

Shearer asked why Capitan has to pick up all the cost for the Class A household trash landfill closure because LCSWA had a grant for the closure.

Lewandowski said he wrote the grant for the landfill closure in 1995 when he was the LCSWA manager. Lewandowski left LCSWA late 1995 and in 1996 LCSWA was forced by the state to close the construction trash landfill on the old Capitan landfill site because it was not being operated properly. (Ingle was not LCSWA manager at that time, having been hired in 2001.)

"You two have spent more on attorneys and LCSWA board and staff time than if you had settled the issue," Lewandowski told Capitan and LCSWA representatives.

Shearer said Capitan has no budget for any closure costs or to forgive the debt.

Ingle said LCSWA is not

out to hurt Capitan, rather LCSWA needs Capitan to help pay for the closure of the old household landfill. "The authority is paying the bills and trying to get the closure done," Ingle added.

"Capitan is arguing with itself, because it is an owner of the authority," Lewandowski said.

Lewandowski said it will cost a minimum of \$5,000 a year to monitor the closed landfill.

"Just close the issue and get on with it," Lewandowski said.

When the regular LCSWA meeting on September 23 went into session, an agenda item involved the landfill closure costs and the forgiveness of debt. Shearer made the motion to table the landfill costs and the forgiveness of the debt until the attorneys could work out an arrangement.

Ingle said she had brought the village and LCSWA attorneys together with an outsider (Lewandowski) so the Village of Capitan would know the paper trail involved with the landfill closures.

LCSWA county commission member Leo Martinez said he did not see why LCSWA had to pay for Capitan's closure costs, since all other LCSWA entities had forgiven their LCSWA debt. "They should not use the debt forgiveness as a bargaining chip," Martinez said.

Shearer said there was some fault on both sides in the landfill closure and debt issues. She also said Capitan's forgiveness of debt is a matter of money.

Martinez said the debt forgiveness should have been done a long time ago.

"A number of things should have been done over the years," Shearer responded.

Lewandowski informed Martinez of the history with the Capitan landfills. He said the NM Environment Dept. combined the closures of the two landfills at the Capitan sites into one closure plan.

"When I left LCSWA (in 1995) Capitan had agreed to pay 31 percent of the closure costs and the

(MORE ON PAGE 4)

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SCHOOL OF ROCK (PG-13)
 *1:30 / 4:30 / 6:45 / *9:15

SECOND HAND LOWS (PG)
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THOUGHTS

FROM THE EDITOR'S DESK

A Day In Court

By Ruth Hammond

Fortunately not everyone has a hidden agenda in their dealings with people, but then there are others who can't do anything without having a secret motive. The problem is you never know for certain what their motive is and who the next victim might be. We do know who the victims were recently. Criminal Summons were sent to **THE NEWS** reporter Doris Cherry, **THE NEWS** co-publishers Peter Aguilar and Ruth Hammond, and to the **Lincoln County News** to appear in Capitan Municipal Court on Oct. 8 between 12:30 p.m. and 4:30 p.m. The complaint stated the violation was Public Nuisances contrary to Section(s) 4-2-1. The complaint form required the date of adoption be listed but there was no date listed on the complaint form.

Rather than be arrested for not appearing in court, Doris, Peter and Ruth were in court. However **The Lincoln County News** building made no attempt to dismantle and journey to Capitan to appear in court. There would not have been enough room for the News building to be inside the court room, but we aren't sure that is a valid excuse.

It was a fairly quick hearing before the Judge and the best news is that the charges were dismissed, but we do wonder why a Public Nuisance would be criminal. Maybe any and all violations are criminal acts, but for those of us who are not summoned into court regularly, this is all new.

Violations, or rather alleged violations, should be taken seriously. Complaints should also be taken seriously and bogus complaints should not be filed. Serious business should be conducted not filing bogus complaints. But while we were being vilified other lawabiding citizens could rest knowing they were not in immediate danger of attack.

Our main concern was that the Wednesday court date meant we would have to take time away from our duties of putting the paper together, a job we do every Wednesday. Not to worry, the paper was published today as usual and you have the opportunity to read about what happened.

Language, or rather the usage of language, may have been the basis for the complaint, but the Essential facts of the Case submitted by the mayor of Capitan were not clear as to what the alleged violation actually was. Words were banded about, but there was no specific accusation. The word profanity was mentioned several times, but at no time that we know of have we or **The NEWS** been irreverent to God or sacred things, and that is the definition of profanity.

Obviously using a dictionary is not a priority with some people, but it certainly would have been wise this time. If the person filing the complaint had read the definition of profanity in a dictionary or in The Holy Bible, King James Version, the meaning of profanity would have been clear.

Uterior motives and/or hidden agendas will probably remain secret to the person harboring them, and that is where they should be, but why cast aspersions on anyone else while nurturing those hidden motives and agendas?

Scathing attacks may make the assailant happy, but much more could be accomplished by being kind toward others and sharing and caring. Wouldn't it be great if all the attackers would try to be nice to everyone for a change?

Case Dismissed

Capitan and LCSWA Both At Fault

(Continued from Page 3)

authority would pay 89 percent of the cost," Lewandowski said. "Legally LCSWA does owe Capitan for the landfill, yet at the same time Capitan is responsible for closing its portion of the landfill."

"There were a number of things not followed through," Lewandowski added. "So this \$11,000 debt is nothing, so get on with it."

Shearer said that is why they had asked the attorneys come and discuss a settlement of the issues. "Our intent is to clean this up so nothing falls through the cracks," she added.

Ingle said that LCSWA had lost the grant to help pay for the landfill closure, but she had re-applied and finally got the grant back for the next two years.

"I don't want to see personalities as we have over this last year," Martinez said. "Let's get it done."

Lewandowski said Capitan has said it is their fault. Shearer then said, "There is clearly fault on both sides."

At the end of discussion the LCSWA board unanimously tabled the landfill closure settlement and forgiveness items, again.

Weather Report

(Continued from Page 2)

lows in the mid to upper 40s.

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

Today, Thursday, Oct. 9 Partly cloudy with southwest winds 10 to 15 miles per hour, 40 percent chance of precipitation. High of 71 in Ruidoso and 76 in Capitan. Tonight partly cloudy with chance of showers and thunderstorms with low of 42 in Ruidoso and 47 in Capitan.

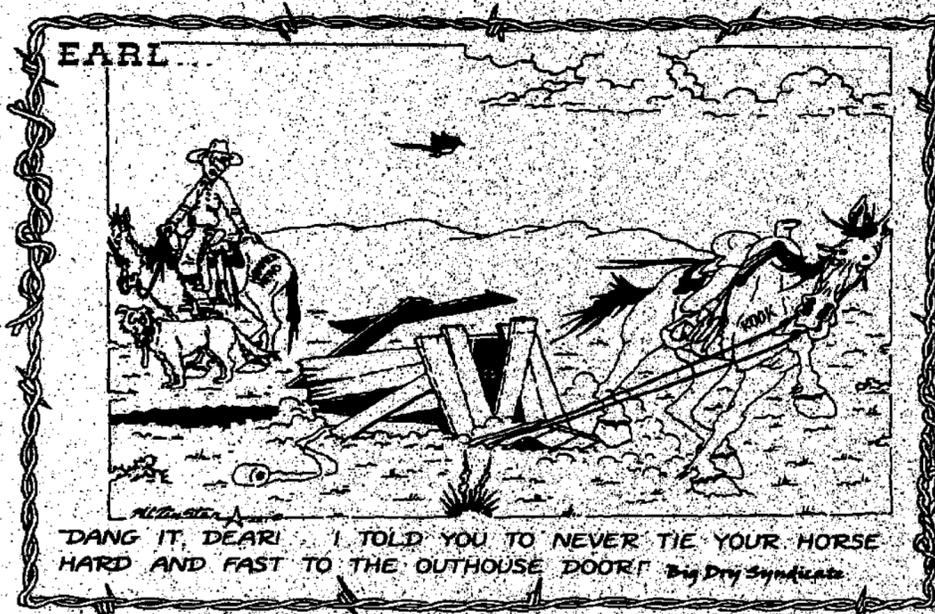
Friday, October 10 Mostly cloudy with chance of showers and thunderstorms. Highs of 72 in Ruidoso to 75 in Capitan. Lows of 41 in Ruidoso and 46 in Capitan.

Saturday, October 11 Mostly cloudy with chance of showers and thunderstorms. Highs in the 60s to low 70s. Lows in the 30s to mid 40s.

Sunday, October 12 Mostly cloudy with chance for showers. Highs in the 60s. Lows in the mid 30s to low 40s.

Monday, October 13, Columbus Day Partly cloudy with slight chance for showers and thunderstorms. Highs in the 60s to low 70s, lows in the upper 30s to mid 40s.

Tuesday, October 14 Partly cloudy with slight chance for showers and thunderstorms. Highs in the 60s to low 70s, lows in the upper 30s to mid 40s.



INSIDE THE CAPITOL

by Jay Miller

SANTA FE -- It appears Gov. Bill Richardson pulled his educational funding amendment through by the skin of its teeth. At the completion of county canvassing, it was apparently ahead by 122 votes out of 184,000 votes cast. The state canvassing board meets October 14.

That's not the kind of margin Richardson wanted. It's not the kind of margin by which he won his election. And if it does end up winning, Richardson will forever be hounded by stories of how he "found" the votes he needed.

But as they say, close only counts in horse shoes and dancing. A win is a win, but it means, there will be much more scrutiny of how that money is used. And that's exactly the way it should be.

Richardson has appointed a school reform task force to oversee the spending of the funds and assure that they are used only for school reform. He also has established an Office of Educational Accountability to be sure the additional money is used properly.

But that's not really where the shenanigans could take place. Part of the state Republican Party's objection to the constitutional amendment was that there is no assurance money that has been going to public schools from general fund dollars won't now be spent on other pet projects of the governor and lawmakers.

That has been happening for the last two decades. As former Legislative Finance Committee Director Phil Baca pointed out to me recently, changes in budget priorities have pulled the public school share of the general fund from over to under 50 percent.

Each percent of a \$4 million budget is worth \$40 million. Raising the public school share of the budget by three percent or so, back to where it used to be, is a lot more money than the \$75 million a year this amendment will produce. And that is only for the next eight years. Then the distribution drops to around \$45 million a year and four years later it drops to under \$20 million.

Despite support from Republican leaders such as Sen. Pete Domenici, former Gov. Garrey Carruthers and former Rep. Manuel Lujan and from nearly all of the state's major business organizations, the funding amendment passed in only 12 of New Mexico's 33 counties. And those were the most Democratic counties, all north of I-40 except Valencia and Socorro. It was a very partisan race, with the state GOP, Green and Libertarian parties opposing it and Democrats working for it.

Richardson also barnstormed nearly every county in the state, promoting his amendments. At times, he was going as hard as he did during his election campaign a year ago. He also was polling on the amendment because he frequently said in the final days that the vote would be close.

The apparent success of both amendments leaves Richardson's record of victories unblemished since he took office. He's still on a roll and doesn't intend to let a squeaker slow him down. Within days of the election, he had appointed an interim secretary of education and a 100-member task force to recommend changes in the state's education system and the agency that runs it.

More than half that group is from rural areas and many were opponents of one or both of the amendments. Richardson hasn't given up on bringing enough folks over to his side to make all his changes work.

The task force, co-chaired by Lt. Gov. Diane Denish and former Gov. Garrey Carruthers, will immediately work on school budget recommendations to present to the Legislature in January, along with a rewrite of state laws on educational governance. It will then continue for another six months or so, working on a broad agenda of other Richardson education initiatives.

The governor also has named a 31-member search committee to recommend candidates for the permanent secretary of education. He wants that done in time for confirmation by the special legislative session later this month.



PSYCHIC PREDICTIONS FOR THE NEW MILLENNIUM

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

Libra (Sept 22 - Oct 22) You're in charge, more than you know! It's better to listen, and save your energy, you'll find out more this way. Let them do more of the work. Chill.

Scorpio (Oct 23 - Nov 21) Your health may be in question. You can't do everything by yourself. Ask for help. You need to get your energy back in order, so you can move on.

Sagittarius (Nov 22 - Dec 21) Time to start cracking. You are going into a different phase of your life. Get your Mind, Body and Soul, in order. You never know when you'll change.

Capricorn (Dec 22 - Jan 19) Your money and your family are not seeing eye to eye! Don't ask, explain the situation. Tell the whole truth, so you don't have to carry the load.

Aquarius (Jan 20 - Feb 18) Your world as you know it can change for the better once you quit doing the wrong things. Make a good change, with your body, and your mind first.

Pisces (Feb 19 - March 20) When things don't go the way you had planned, then you know that your energy is up to par. Feed your mind, as well as your body, for best results.

Aries (March 21 - April 19) Doing new things the old way, will not cut it. Let go of the past, and forgive. Start anew, so you can reap the great things that are ahead of you. Love.

Taurus (April 20 - May 20) They just don't get it. Don't waste your time on that, you have too many things to do, before it's too late. Think only of what you can do, for the good.

Gemini (May 21 - June 20) It's going to get better now. The past is behind you. You can start a new life, once you let go of the old one. Make great changes by starting out new.

Cancer (June 21 - July 22) Your money and your family are not the same. You can't buy love. Don't mix up the two. Make time for both, so you can be happy. Inside and out.

Leo (July 23 - Aug 22) Time to make new plans. A good time to bring something in your life that hasn't been there for some time. Think good thoughts so this will happen.

Virgo (Aug 23 - Sept 22) Things are going to be looking up. You are a self made person, and you know what you want and need in your life. The question is: Are you lonely?

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"Crappy" Case Against THE NEWS is Dismissed

Capitan Municipal Judge Jack Johnson in court Wednesday, October 8 dismissed the criminal complaint filed by the mayor of Capitan acting as citizen against the *Lincoln County News*.

THE NEWS was summoned into Capitan municipal court on a criminal complaint filed September 24 by S.M. Sederwall, "mayor acting as citizen." The complaint stated that on January 30, 2003 in the village of Capitan The Lincoln County News, *THE NEWS* reporter Doris Cherry and *THE NEWS* co-publishers Peter Aguilar and Ruth Hammond violated the village ordinance Section 4-2-1, "Public Nuisances" for writing a headline that contained a word considered offensive to a "number of citizens."

The mayor acting as citizen included in the criminal complaint a one-page "Essential facts of Case" that stated on January 30, the Lincoln County News ran a story written by Doris Cherry and published by Ruth Hammond and Peter Aguilar co-pub-

lishers, concerning the Lincoln County Solid Waste Authority that had an offensive word in the headline. Also in the "essential facts of the case" the mayor cited an article published August 28, 2003 concerning the Carrizozo sewer plant, that had a word in the headline that the mayor acting as citizen claimed offended "a number" of citizens and himself.

The mayor acting as citizen petitioned the court to order *THE NEWS* to cover *THE NEWS* in a wrapper any time there are offensive headlines to show the public "that profanity is within the print."

Also included in the essential facts of the case was a copy of the Capitan Schools grade six through 12 discipline policy regarding "profanity."

Appearing before Judge Johnson in court, *THE NEWS* co-publisher Ruth Hammond submitted a request to dismiss the case on the grounds that the word used in the headline was not profanity.

"Your honor we, Doris Cherry, Ruth Hammond, Peter Aguilar and Lincoln

County News respectfully request that this criminal complaint be dismissed on the following grounds," Hammond said.

"S.M. Sederwall refers to profanity in the Essential facts of Case," Hammond said. "There is NO profanity in any of the attachments (copies of the allegedly offending articles and headlines) included (with the essential facts of case)."

Hammond then referred to the Holy Bible, authorized King James Version, the Scofield Reference Bible, to read several scriptures that defined "profanity" as an act of profaning God or religious things. She also read from Black's Law Dictionary and the Random House Unabridged Dictionary which defined profanity as being profane against God.

"The complaint is frivolous," Hammond concluded.

Judge Johnson asked Cherry if the words in the January 30 article about LCSWA were a direct quote. Cherry said she

quoted the allegedly offensive words said by A.I. Vega who was then representing the Town of Carrizozo at LCSWA, in order to show the readers of *THE NEWS* how the appointed and elected members to the LCSWA board were behaving in a public meeting.

Judge Johnson, after reviewing the copy of the January 30 article, said some of the words which *THE NEWS* quoted being said by Sederwall could be offensive to readers who speak Spanish.

THE NEWS co-publisher Peter Aguilar said the so called offending word in the first headline was to show the language being used at the public meeting and in the second instance the word which was partially deleted was used as slang to define the many troubles the town of Carrizozo was having with its sewer plant.

After a few comments, Judge Johnson dismissed the case without prejudice meaning the case can be re-filed in a different court.



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You hear the state lotto jingle on the radio. The jackpot has been raised to \$10 million. You've got lotto fever. Next thing you know there's a brochure in your mail urging you to participate in some foreign country's lotto - maybe one in Australia or Canada - via convenient mail-order purchase of lottery tickets, or of a share in a pool of lottery tickets. So you start thinking that getting into a new game might improve your luck, and you ask yourself, "Why not do it?" The U.S. Postal Inspection Service can give you the answer.

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- Most foreign lottery solicitations sent to addresses in the U.S. do not come from foreign government agencies or licensees. Instead, they come from "bootleggers" who seek exorbitant fees from those wishing to play. The activities of bootleggers are neither being controlled nor monitored by the government of the country in which they are located. Typically, those who pay the required fees never see any lottery tickets issued by the government-operated lottery they are hoping to enter. They are left to rely on various forms on entry "confirmation" issued by the bootleggers.

If you receive a mailed lottery solicitation that you think may be illegal, turn the entire mail piece over to your local postmaster or the nearest Postal Inspector.

**DISTRICT COURT
CALENDAR**

Monday, October 6
1:30 p.m.

Ryan Baker; JR-2003-05 D-hearing
David Sidwell; JR-2003-08 D-hearing

Tuesday, October 7

8:15 a.m. Chris Vega; JR-2003-55 check in
9 a.m. Bailey v. Sabo; DV-2003-90 (ProSe/Rafkin) one hour for objection

1 p.m. George Curley; CR-1998-203 (Thompson / Mitchell) merits and pretrial
4 p.m. Drug Court in Ruidoso.

Wednesday, October 8

Darrell Brantley domestic mediator
10 a.m.

Montes v. Zucco; DV-2003-77 motion
Rodela v. Rodela; DV-2001-34 motion
10:30 a.m. Meyst v. Price; DV-2003-102

Thursday, October 9

8:15 a.m. McKenzie name change; CV-2003-192 & 193
8:30 a.m. teleconference, Carrejo v. Armstrong; CV-2002-13 Catron County Case.

3 p.m. Judge has professionalism subcommittee meeting in Albuquerque at state bar center.

Friday, October 10

8:30 a.m. First Appearances

Shannon Meade; CR-2003-93 pretrial
Ron Allsup; CR-2003-174 MRCR
Beau Allen; CR-2003-175
William Curtis; CR-2003-177
Richard Smutz; CR-2002-39 MRCR

Pre-Trials:

Kim Perkins; CR-2003-83
Ronald Roskoski; CR-2003-159
Justin Stroud; CR-2003-155
Michelle Brumlow; CR-2003-158
Michael Treas; CR-2001-135
Salvador Perales; CR-2003-153
Frank Gallerito; CR-2003-40 MRCR
Kimbrell Broderick; CR-2003-138
Jose Saenz; CR-203-151

Change of Plea:

Teri Sullivan; CR-2003-86
Matthew Andrews; CR-2003-108
Wesley Owen; CR-2001-149
Thomas Bremer; CR-2002-204
Terry Kerr; CR-2003-101
Martin Valenzuela; CR-2003-77

Sentencing:

Tonia Toller; CR-2003-72
Armanda Lentz; CR-2002-152
Jonathan Lentz; CR-2002-153
Guy Dingus; CR-2003-44
Kristi Deconcini; CR-2003-82

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:
September 29

12:26 a.m. loud music at location on Canada in Ruidoso Downs area. Deputy and Ruidoso Downs police notified.

7:50 a.m. Ruidoso Downs police requested agency assistance at a business. Deputy responded at 8:09 a.m.

11:44 a.m. request for ambulance from Carrizozo Health Clinic. Carrizozo ambulance responded to the clinic at 12:17 p.m. and began transport. Upon transport the ambulance requested Med 2 advanced life support ambulance intercept, which occurred at 12:34 p.m. The ambulances arrived at Lincoln County Medical Center (LCMC) in Ruidoso at 1:06 p.m.

12:09 p.m. request for ambulance for possible heart attack at location in Nogal. Med 1 ambulance responded to the location at 12:20 p.m. and left there at 12:40 p.m. for transport to LCMC arriving at 1:12 p.m.

1:18 p.m. deputy advised he was doing warrant service.

2:13 p.m. request for deputy to check on horses with no water or food in lower Eagle Creek. Deputy responded.

3:16 p.m. request for ambulance at trailer park east of Ruidoso Downs for 72 year old male who was feeling ill. Med 1 arrived at 3:25 p.m. and transported to LCMC arriving at 3:53 p.m.

3:55 p.m. request for ambulance at Carrizozo clinic for transport. Carrizozo ambulance arrived at 3:57 p.m. and transported the patient to the hospital in Alamogordo arriving at 4:56 p.m.

4:30 p.m. State of New Mexico requested a deputy for a case involving forging/worthless checks in Corona.

5:04 p.m. Alamogordo police officer requested agency assistance at residence where a domestic victim was very scared, and to take pictures of her and her little Chihuahua dog that was injured, and video tape, with intent that after completion a warrant will be issued for subject. Victim called to arrange a time for the deputy.

7:01 p.m. attempt to locate a subject on State Road 37. A female called from location in Ruidoso that her husband was late coming home from a location on Wolf Spring Blvd. At 8:43 p.m. the caller cancelled the call, the subject was home.

8:04 p.m. state police requested agency assistance at mile marker 160 on Highway 54 for two vehicles stopped on the south-bound lane with their lights off, and the closest state police officer was in Ruidoso.

9:45 p.m. death threats. Ruidoso Downs police advised they received a report from a caller in Odessa TX about threats made in Ruidoso Downs.

10:31 p.m. deputy advised of an audible alarm sounding at location on Highway 70 east.

September 30

7:21 a.m. suspicious person, a 20-30 year old male in yellow basketball

shorts was trying to get on a school bus at location on Highway 70. The subject ran away when the caller and bus driver tried to speak with him. Two deputies responded but made no contact with the subject. State police were called at 7:30 a.m. and advised they would send an officer also.

8 a.m. Children, Youth and Families Department (CYFD) requested a deputy for a referral in Lincoln.

8:35 a.m. request for ambulance at mile marker 283 on Highway 70, a rock through a windshield, related to the construction work. State police requested ambulance and Med 7 was on the scene. Med 7 requested Med 1 intercept, which it did at 8:51 a.m. and finished transport to LCMC arriving at 9:28 a.m.

11:42 a.m. state police requested agency assistance at an accident without injuries at mile marker 161 on Highway 54 because no officer was available. A deputy arrived at 12:43 p.m. and followed subject to Corona. The vehicle was damaged but driveable.

12:59 p.m. request for ambulance at Capitan school for student who was having trouble breathing. At 1:01 p.m. Med 1

was paged at 1:02 p.m. Capitan ambulance responded to the school at 1:07 p.m. and transported to LCMC arriving at 2:12 p.m.

6:38 p.m. audible alarm at business in Tinnie on Highway 70. Dispatch called the owner and the responding deputy advised he found an open door but otherwise all was secure.

7:46 p.m. agency assistance for domestic in progress at location in Turkey Canyon. The caller hung up before giving any more information. Ruidoso Downs police and deputies responded.

October 1

7:30 a.m. K-9 running at large on Spring Road. At 8:28 a.m. the responding deputy was unable to locate the dogs.

10:43 a.m. deputy advised that a person flagged him down and requested he check some animals on a deck. At 10:51 a.m. the deputy advised the animals had food, water and shelter and all was okay.

11:59 a.m. harassment at location at mile marker 131 on Highway 54. The caller reported a woman real estate agent was harassing him.

4:24 p.m. breaking and entering at location in Corona.

5:57 p.m. request for ambulance at ranch near Corona for female with possible broken leg. Corona ambulance responded to the location at 6:38 p.m. and transported to Presbyterian hospital in Albuquerque arriving at 9:23 p.m.

7:16 p.m. damage to property, a truck hit a trailer in a trailer park east of Ruidoso Downs. The truck came by at a high rate of speed and hit the trailer.

October 2

9:23 a.m. roll over with injuries at mile marker 156 on Highway 54. Subject flagged down a passerby for an ambulance. Corona ambulance responded arriving at the scene at 10:09 a.m. and transported the 55 year old to LCMC arriving at 11:30 a.m.

12:40 p.m. students with drugs at alternative school. The responding deputy arrived at 12:53 p.m. took the children to their parents and referred them to the Juvenile Probation Officer.

2:30 p.m. Ruidoso police requested an agency assist for a stolen car involved in a hit and run.

2:32 p.m. Corona school reported a suspicious person, a female camping on the football field.

(SEE PAGE 10)

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.

Acho 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 8:15 p.m.
Evening Worship 7:15 p.m.
Wednesday Bible Study 7:00 p.m.

Carrizozo Community Church (AIG)

JOHN 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 9:00 a.m.
Carrizozo Santa Rita 10:30 a.m.
Corona St. Theresa 1:00 p.m.

Church of Christ

TOM POINDEXTER, Minister 354-3135
Ave. 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. Matthias Episcopal Church

REV. RON THOMSON, Rector
Corner of E Ave. and Sixth, Carrizozo, NM
1-505-258-1242
Holy Eucharist Sunday 9:30 a.m.

Claunch Community Church

TONY SCACCIA, Minister
848-1402
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) 6:30 p.m.
United Methodist Women
Every 3rd Wednesday 2:00 p.m.
Fellowship Dinner on
4th Sunday of Month 12:30 p.m.

CAPITAN:

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

Christ Community Fellowship

ED VINSON, Pastor (Inter-denominational)
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 / 338-4627
Sunday Bible Study 10:00 a.m.
Worship Service 11:00 a.m.
Evening Worship 8:00 p.m.
Wednesday Bible Study 7:00 p.m.

Trinity Southern Baptist Church

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

First Baptist Church of Corona

CAL WEST, Pastor / 849-7875
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

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In Memory of
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Hobbs Calls Stop To 4 Way Stop

by Doris Cherry

A resolution is going from the county to the state highway department asking for consideration of a four way stop at the Highways 380 and 54 intersection in Carrizozo.

County commissioners at their special meeting Friday, September 26 were ready to act on a motion to send a resolution demanding a four way stop when county commissioner Earl Hobbs went against the grain.

"I am not convinced and I have walked the intersection," Hobbs said, "that a four way stop on the west bound lane would not create more accidents."

"I feel there will be rear end accidents especially when heavy traffic tries to stop," Hobbs said.

"I am strongly opposed to this resolution," he added.

County commission chair Rex Wilson said the point was well taken, but the intent of the resolution was to send a message to the state Department of Transportation the county and community want significant change. "The engineering questions must be answered," Wilson said to Hobbs.

Hobbs said sending notice to the department that the county wants the intersection re-engineered is appropriate. "It is not so to ask specifically for a four way stop," he said. He preferred additional warning on Highway 380 about the intersection instead of a four way stop.

County commissioner Maury St. John said she is in favor of a four way stop. "It would seem appropriate for the highway department to put up a warning device on the west-bound lane of Highway 380," she said. "And reduce the speed further out and put larger warning signs."

"On Highway 54 there are so many signs it is hard to see the warning signs that are there," St. John added. "We should ask them to remove some of the clutter, or excess signs."

Another suggestion is to have flashing lights and rumble strips on the approaches to the intersection.

Town resident Norm VanGorder said he has no "bit of problem finding a whole bunch of disagreement with Hobbs."

County manager Tom Stewart recommended changing the wording in the resolution to ask for "serious consideration of a four way stop" and not demand. County commissioner Rick Simpson agreed the wording sounded better.

County resident Jerry Carroll said there would be no question about fixing the intersection if the near miss accidents were recorded in Santa Fe.

Carrizozo police records clerk Suzi Felm said she sends the accident and "near-miss" information about the intersection to the state. She said there were 82 near misses last year that were cited by Carrizozo police. "I am in favor of a four way stop," Felm said. "I think it is the answer. If that motor-cycle had to stop it would not have been going at a high rate of speed he was when he hit that car (and caused a fatality)."

"We need a four way stop," Felm said. "And concentrate on the approaches."

Wilson said the DOT was not going to create a four way stop just because the county commission wants it.

St. John suggested wording indicating a four way stop is "a" solution.

County commissioners voted 3-1 to amend the

wording in the resolution to request the state DOT give "serious consideration" to making a four way stop at the intersection of Highways 380 and 54 in Carrizozo. Hobbs voted against the amendment. On the final motion, which approved the resolution requesting the DOT give serious consideration to making a four way stop, Wilson, Simpson and St. John voted yes, Hobbs voted no.

★
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how would anybody
know what to sell?**

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Old Lincoln Town

by
Rosalie
Dunlap

Now maybe I will get back to the old Dunlap schedule. The sale of my mother's property went fairly well in spite of the rain. It rained all night Friday and then on Saturday it rained until the auction was over and then the sun came out.

Mother fell in the shower and has the blackest arm you ever saw. The only injury she suffered was the bruised arm and small out on her elbow.

Ralph reported that it rained all day Friday and until noon Saturday. He caught cold setting up his booth Friday but sounded a lot better last night on the phone. He will be home tonight (Monday).

It seems everyone is going into different directions. Jean and Don Redditt have been going to all the Episcopal chapels with the Ruidoso Boy Scouts selling popcorn. The money raised goes to the summer camp so no boy is left out. They will be selling popcorn at other activities also. Others are busy taking tests via the internet, visiting family members, or having company.

The Mcarthurs and Pam's cousins went to the Lodge in Cloudercroft for their first visit. They had a thoroughly good day and said the buffet was plentiful and delicious. The chef wanted to be sure they tried everything.

The fairs over the state are over with and this week is the Balloon Fiesta in Albuquerque. It seems when the balloons arrive in NM and the Wool Festival is in Taos it is a week of rain.

Linda Fox had her opening of her art work at the Eagle Ranch between La Luz and Alamogordo Saturday. Her work will be on display during the month of October.

Ruidoso had its bear hunt activities also Saturday. We also missed the birthday party for Rene Burton.

The aspens should be in their beautiful fall colors now. So take a drive to the mountains and enjoy the fall colors.

Hopefully your gad-a-bout reporter will be able to get more news.



LOUISE COE RUNNELS

*Sadly missed
by family
and
friends.*

Photo 1961

*Bonita Lou, we thought of you with love today, but that was nothing new.
We thought about you yesterday and days before that too.
We think of you in silence, we often speak your name.
Now all we have are memories and your picture in a frame.
Your memory is our keepsake, with which we'll never part.
God has you in his keep -- we have you in our heart.*



**Drive
Safely!!**



HOTTY RODDIES. Vintage sedans and customized rods filled the parking area at the Ruidoso Downs Race Track last Saturday for the annual Aspenfest Rod Show. The Rod Show was part of the Aspenfest activities that included the Chili Cook-off, Aspenfest Parade and Aspenfest Arts and Crafts Show in Ruidoso. Beautiful weather brought out thousands of locals and visitors to the events that are sponsored by Ruidoso Valley Chamber of Commerce.



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This 3.99% APR is based on an index plus a margin. The index is the highest prime rate published in the Western Edition Wall Street Journal Money Rates table. The margin is based on the credit limit combined with the loan to value and Wells Fargo's evaluation of the borrower's credit history. As of 9/30/03, the index value was 4%, plus a margin of .99%. PACE and auto debit are required to receive 3.99%.
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Grizzly

WEEKLY
 by Carrizozo High School
 Journalism Class
 Sarah Ball, Instructor

College Computer Course At Carrizozo High School

Carrizozo Schools is now offering a Web Development course, using HTML (Hyper Text Markup Language). It is a semester college computer course via the internet that shows students how to create and design web pages. It is being considered a college course because the students are getting e-mailed from an instructor in Portales at ENMU. The instructor has all the assignments set up through the internet and sends them through e-mail. He gives the students announcements, creates modules, and gives them exercises for developing web pages. The students have a discussion room in a virtual classroom. They also have an internet coffee shop area where they can chat as if they were on a real college campus. There are eight Carrizozo students taking the course, as well as Mrs. Borowski, the high school instructor. The students in the course will receive three college credits and will eventually be able to build their own web page.

According to Francesca Rossi, one of the students, "The class is informative and fun. It's hard at times because of all the deadlines." She added, "If you're a creative person, it's easy because you're creating a web page from scratch. You move at your own pace, but you have deadlines. Everything's done by computer."

Mrs. Borowski spoke highly of the course. She felt that it has been incredible because everybody is focused. They come in and get right to work. They have to step up because it is a college course and much of the work is done outside of the classroom on their own time.

Once the course is completed, the students hope to be able to design a web page and web sites for Carrizozo Schools.

Heather S. Renney and Brandon Morales

The Incentive for Excellence Program at Zozo High School

Carrizozo Schools has instituted a new policy. It's called Incentive for Excellence, and the purpose of this program is to reward middle school and high school students who maintain a high grade point average by providing enrichment opportunities and academically excused absences.

In order for students to qualify for an academically excused Friday, they must have a minimum grade of 80 percent or better in each class. The cumulative grade in each class will be weekly for each nine week marking period. Grades will be counted from Wednesday through Tuesday on a weekly basis. The grade criteria will start over with a clean slate at the beginning of each nine week period. In addition, no absences or tardies are allowed. There can be no missing assignments in any class, nor any discipline referrals for the week.

The process of approval for a Friday absence is for students to pick up a signature card each week and bring the card to each of their teachers for a signature to indicate that they have met the Friday off requirements.

Students who have met the Incentive for Excellence requirements will have this time to tutor other students, do special projects, complete extra credit, go on field trips, do research, practice for ACT, go on college visits, do service education, job shadow, or follow their regular schedule.

Students are excited about this program because they could potentially get the Friday off. Jessica Swift, a junior, states, "If you are here at school, the program will give us more time to do homework that was given during the week and more time to study for tests for the next week. It will also relieve pressures. I believe it will work." Amanda Hurley, another junior, says, "I think it's a wonderful idea and that it will be very helpful for those who need the extra 'alone time' with the teachers and help some others get caught up. It will be a great time for those who don't need it so that they are able to work on the things that they really need to get done for school or outside of school. It's a wonderful idea; I just wish I could get a Friday off, too."

Cassie Heathcock

Capitan School Board Meets Tonight, Oct. 9

The Capitan School Board of Education regular monthly meeting will be held this evening, Thursday, Oct. 9 at 6:00 p.m. in the board room in the administration building.

Tentative agenda items include action on board policy section VI / graduation and board policy section IX / school advisory councils, organization reports and special presentations by student senate, CACT and PTA, informational reports on utility comparison, strategic plan status, enrollment update on 20th day and other informational reports, consent agenda items of bills paid, budget transfers and/or increases, payroll paid, athletics, cafeteria and activity, public comment, and an executive session. An agenda item for personnel items is listed after the executive session on the tentative agenda.



Bessie Jones, family and friends celebrating her 90th birthday

BACK ROW: David Bonnell and Della Bonnell; Ronald and Teresa Joiner, Rodney and Audrey Davis; Kersti Davis; Donna Cazares. MIDDLE ROW: Patsy Racher; Pat Joiner; honoree Bessie Jones; Donna and Ed Lawrence. SEATED: Jace Davis, Betty Lou Joiner and Zoe Joiner. There were four generations represented at the celebration.

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New LCSWA Yard Plans Ready Soon

by Doris Cherry

Preliminary plans for the new Lincoln County Solid Waste Authority (LCSWA) yard and offices will be ready by the October 28 LCSWA meeting.

At the September 23 LCSWA meeting in the LCSWA yard and offices in Ruidoso Downs, LCSWA board member Bobbi Shearer from Capitan asked about the purchase of the land for the new LCSWA facility.

LCSWA operational supervisor Debra Ingle said the purchase had been finalized for \$750,000, principle, Ingle said City Bank will carry the note through November.

LCSWA will try to get a two percent loan through the New Mexico Finance Authority to pay for the land purchase, Ingle said. She also said LCSWA has \$30,000 in grants to help pay for the land. Ingle reminded LCSWA members they had approved purchase of the land at \$800,000.

LCSWA member Leo Martinez asked who would do the drawings for the new facility.

Ingle said Joe Lewandowski, who is doing contract technical consultation, would be doing the preliminary drawings which will be ready for the LCSWA board to see at the October meeting.

Lewandowski, who was at the meeting, said he and Ingle have looked at other facilities where they are using baled tires to build with.

Ingle said she hopes LCSWA can also utilize baled tires in the new facility.

Martinez said Ingle and Lewandowski were doing a good job.

LCSWA members then discussed a situation occurring with dumpsters on Pine Lodge Road (State Road 248 north of Capitan). J.D. Smalling, LCSWA driver for the Pine Lodge route said he had received complaints from the mail route driver about trash being put on the side of the dumpsters. The mail route driver was picking up the items and putting them into the dumpsters.

Smalling said the trash in question was metal fence posts and barbed wire, which should not go into the dumpsters because it damages the trash collection truck. Smalling said when he and the other trash truck drivers

find wire and other metal items in the dumpsters that could potentially damage their trucks, they take the items out, put them beside the dumpster and note the items to be picked up separately.

Smalling did say the dumpsters at mile marker 8 on Pine Lodge Road do get lots of illegal dumping, mostly from people from Capitan.

Ingle said she explained the situation with the wire and posts and other such trash items to the person who made the complaint. "We do not put wire into the trucks," Ingle said. "We don't tear up a \$180,000 truck."

Ingle also discussed a situation where the \$300 illegal dumping fines are being waived by the magistrate judges.

Smalling said they caught someone dumping illegally at dumpsters in the Fort Stanton Ranchettes. LCSWA

turned the case over to the magistrate court and it was waived.

Martinez said it is not right that the fines are being waived for the illegal dumping.

Ingle then discussed other problems occurring on the Pine Lodge Route. She said there are 12 containers along the route for 20 paying customers. She said there are 17 homes in the Boy Scout Mountain area and the dumpsters serve visitors to the forest service and hunters. Ingle said some of the people who live in that area north of the Capitan Mountains have variances as allowed by the county solid waste ordinances. Anyone with 300 acres or more of private land can apply for a variance to do their own dump site so they will not be charged the mandatory monthly solid waste fee for disposal of household trash.

Yet the truck drivers are

finding feed sacks and barbed wire and other items in the dumpsters.

When asked if LCSWA will be held accountable for the dump-site on BLM land, Ingle said LCSWA will not be held liable. She also said the state environment department regulations have changed and she wants to make sure LCSWA is not liable for the 117 variances for private lands dump-sites. She said LCSWA will be sending letters to all 117 ranchers with variances to make them aware of the new rules and to advise them about illegal dumping at or in the LCSWA dumpsters.

"They can only have these dump-sites on private land," Martinez added.

"I will keep up with those who are dumping and are not paying," Ingle said.



TRASH TREKKERS. Former Governor Gary Johnson and companion cycle out of Capitan on their way to Carrizozo, the next stop on the 2003 Trek for Trash on Sept. 26. This year's Trek for Trash route began in Roswell on Sept. 26, went through Capitan, Carrizozo, Corona, Willard, Mountainair, Moriarty and ended in Albuquerque on Sept. 28. Capitan Chamber of Commerce hosted a rally to welcome the trek group and to award winners of the Capitan clean up held earlier. When the Trek group arrived in Carrizozo, they were given a tour of the Carrizozo Heritage Museum and were fed by Carrizozo Chamber members.

Thanks for a Job Well Done!!!

I sat in my seat of the Boeing 767 waiting for everyone to hurry and stow their carry-ons and grab a seat so we could start what I was sure to be a long, uneventful flight home. With the high capacity and slow moving people taking their time to stuff luggage far too big for the overhead and never paying much attention to holding up the growing line behind them, I simply shook my head knowing that this flight was not starting out very well.

I was anxious to get home to see my loved ones, so I was focused on "my" issues and just felt like standing up and yelling for some of these clowns to get their act together. I knew I couldn't say a word so I just thumbed through the "Sky Mall" magazine from the seat pocket in front of me. You know it's really getting rough when you resort to the over priced, useless sky mall crap to break the monotony.

With everyone finally seated, we just sat there with the cabin door open and no one in any hurry to get us going, although we were well past the scheduled take off time. No wonder the airline industry is in trouble I told myself. Just then, the attendant came on the intercom to inform us all that we were being delayed. The entire plane let out a collective groan. She resumed speaking to say "We are holding the aircraft for some very special people who are on their way to the plane and the delay shouldn't be more than five minutes."

The word came after waiting six times as long as we were promised that "I" was finally going to be on my way home. Why the hoopla over "these" folks? I was expecting some celebrity or sport figure to be the reason for the hold-up. Just get their butts in a seat and let's hit the gas I thought. The attendant came back on the speaker to announce in a loud and excited voice that we were being joined by several U.S. Marines returning home from Iraq!!!

Just as they walked on board, the entire plane erupted into applause. The men were a bit taken by surprise by the 340 people cheering for them as they searched for their seats. They were having their hands shook and touched by almost everyone who was within an arm's distance of them as they passed down the aisle. One elderly woman kissed the hand of one of the Marines as he passed by her. The applause, whistles and cheering didn't stop for a long time.

When we were finally airborne, "I" was not the only civilian checking his conscience as to the delays in "me" getting home, finding my easy chair, a cold beverage, and the remote in my hand. These men had done for all of us and I had been complaining silently about "me" and "my" issues.

I took for granted the everyday freedoms I enjoy and the conveniences of the American way of life, while others paid the price for my ability to moan and complain about a few minutes delay to "me". I attempted to get my selfish outlook back in order and minutes before we landed I suggested to the attendant that she announce over the speaker a request for everyone to remain in their seats until our heroes were allowed to get their things and be first off the plane.

The cheers and applause continued until the last Marine stepped off and we all rose to go about our too often taken for granted everyday freedoms. I felt proud of them. I felt it an honor and a privilege to be among the first to welcome them home and say THANK YOU for a job well done.

I vowed that I will never forget that flight nor the lesson learned. I can't say it enough, THANK YOU to those veterans and active servicemen and women who may read this, and a prayer for those who cannot, because they are no longer with us. GOD BLESS AMERICA! WELCOME HOME! and THANKS FOR A JOB WELL DONE!!

(author unknown)

Account Set Up For Joey Otero Family

An account has been set up at Wells Fargo Bank in Carrizozo to take contributions to help the family of Joey Otero who died Friday, October 3.

Otero, a lifelong resident of Carrizozo, was killed in a fatal head-on accident that occurred after dark on Highway 54 south of Carrizozo.

Prayer service for Joey was held Wednesday, October 8 at Santa Rita Catholic Church. Funeral mass was at 10 a.m. today, October 9 at Santa Rita Church.

Joey was born October 19, 1987 in Carrizozo where he lived all his life. Joe was a member of

Santa Rita Catholic Church.

He is survived by his mother and step-father, Virginia and Manuel Carabajal of Carrizozo; his father Jake Chavez of Capitan; brother Larry Marlin of Carrizozo and sister Denise "Nene" Swift of Carrizozo.

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



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LEGALS

LEGAL NOTICE
TWELFTH JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF LINCOLN
Cause No.: DM-2003-113
Division: III

BRIDGETT HERRERA,
Petitioner,

vs.
JOSE MARQUEZ,
Respondent.

NOTICE OF PENDENCY OF ACTION

THE STATE OF NEW MEXICO TO: JOSE MARQUEZ, Respondent against whom substituted service of process is hereby sought to be obtained.

YOU ARE HEREBY NOTIFIED that there is pending in the District Court in Lincoln County, New Mexico, a civil Cause Number DM-03-113 in which BRIDGETT HERRERA is Petitioner and you are Respondent. The general object of said action is to obtain for Petitioner sole custody of the parties minor children; establish you as father of the minor children; and to set child support according to New Mexico Child Support Guidelines. Unless you enter your appearance in said cause on or before the 15th day of November, 2003, judgment will be rendered in said cause against you by default.

Petitioner's attorney is Gail Wade Brownfield, 525 E. 12th Street, Alamogordo, NM 88310. WITNESS my hand and the seal of said Court in Lincoln County, New Mexico, on this the 18th day of September, 2003.

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

Published in the Lincoln County News on September 25 and October 2, 9 and 16, 2003.

LEGAL NOTICE

NO. CV03-216

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

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

Plaintiff,

vs.

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

GROUP II

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

GROUP III

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

Defendants.

NOTICE OF PENDENCY OF CIVIL ACTION

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

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

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

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

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

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

DISTRICT COURT CLERK
ELIZABETH YSASI,
DEPUTY

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

Sheriff's Report

(Continued from Page 6)

4:03 p.m. fire alarm near Alto. Dispatch called and found the alarm was in a vent. Bonito Fire Dept. was advised it was a false alarm.

5:03 p.m. 911 request for ambulance at a youth camp for a 17 year old male with back injury. Med 1 responded to the location at 5:34 p.m. Captain ambulance responded at 5:24 p.m. and assisted Med 1 with transport to LCMC arriving at 8:17 p.m.

5:51 p.m. be on the look out for a possible drunken driver on ski run road who had just left a business.

6:22 p.m. K-9 killing poultry at location on Gray Road, the neighbor has five K-9s which killed his poultry and chased him.

7:30 p.m. 911 report of a strong odor of smoke at location on D. Ave. Carrizozo fire department and police responded at 7:41 p.m.

9:04 p.m. request for ambulance at Lincoln County Detention Center (LCDC) for 34 year old male inmate who was complaining of chest pain. Carrizozo ambulance arrived at 9:13 p.m. and requested that Med 1 intercept with them, which was done at Juniper Springs Road on State Road 37 at 9:48 p.m. and transported to LCMC arriving at 10:13 p.m.

October 3

8:11 a.m. request for deputy for CYFD referral at location on Spring Road.

11:12 a.m. deputy advised he was doing warrant service in Alto area.

11:41 a.m. noise complaint at location in Palo Verde Slopes. Radios on construction trucks were going off all night. The construction company was contacted and advised they could deal with that.

2:01 p.m. 911 request for ambulance at LCDC for 34 year old inmate with chest pains. Carrizozo ambulance responded at 2:12 p.m. and requested Med 1 which they intercepted with at the top of Nogal Hill at 2:44 p.m. and transported to LCMC arriving at 3:19 p.m.

3:19 p.m. human remains found at mile marker 274 on Highway 70. Deputy to meet the caller at the site the next day.

11:30 p.m. Carrizozo police department requested agency assistance at location on Birch Street.

4:28 p.m. 911 hang up from location on west 2nd Street in Capitán. Upon calling back the person who answered sounded like a female, and after being advised who the caller was and why she called, the female hung up the phone again.

4:30 p.m. dog bite. The neighbor's dog attacked the caller's daughter and bit her breaking the skin. The child was taken to LCMC where a deputy was requested.

7:08 p.m. accident with injuries, fatality, at mile marker 113 on Highway

54, a head on crash and one subject needed extraction. Carrizozo ambulance, fire department and state police responded and requested the office of the medical investigator (OMI).

8:45 p.m. request for ambulance at LCDC for 24 year old male who had been involved in a fight

earlier was having difficulty breathing. Carrizozo ambulance responded at 8:51 p.m. and transported to LCMC arriving at 9:35 p.m.

8:58 p.m. subject camping at Hale Lake reported two males walking down the road below the lake. A deputy responded at 9:13 p.m. and advised the subjects were waiting for someone to drive the vehicle.

October 4

1:08 p.m. phone harassment at location south of Carrizozo.

1:38 p.m. request for ambulance at Bonito Lake for subject with sprained ankle. Med 1 responded at 1:40 p.m. and transported to LCMC arriving at 2:59 p.m.

1:46 p.m. neighbor dispute at location on Hunter Lane in Enchanted Forest. Deputies arrived at 2:06 p.m. and cited an individual for drug paraphernalia and advised the next time it will be an arrest for trespassing.

2:23 p.m. request for agency assistance for gas skip in Capitán. Deputy responded at 8:25 p.m.

5:30 p.m. 911 report of brush fire on Badger Court behind condos in Alto area. Request for assistance with a control burn because the caller's husband's tractor was in the middle of the fire. Bonito Fire Dept. responded at 5:41 p.m. and was back to the station by 5:49 p.m.

5:37 p.m. request to speak to a deputy at the ER in LCMC for a patient/victim of an accident who was also involved in a domestic two days ago somewhere in the county.

7:20 p.m. Ruidoso police advised of a domestic report at location in Cedar Creek. Deputy responded and transported the female to a safe location.

8:21 p.m. missing person from Peebles Road. The caller advised he lost contact with his wife at 6:30 p.m. when she was going down to the job site a mile away, and she had not returned and the caller had checked the site in Enchanted Forest. The call for the deputy was cancelled at 8:54 p.m. when the wife returned home.

9:51 p.m. property damage at location on west 2nd Street in Capitán. Deputy assigned.

11:37 p.m. verbal dispute at RV park east of Capitán. Deputies assigned.



Corona News

(Con't from P. 13)

the men and women donation ship.

Donations are being accepted to make it possible, and should be mailed to NSDAR Project Patriot, Treasurer General, 1776 D. St. NW, Washington, DC 20006-5303, and made out to the Treasurer General with a notation DAR Project Patriot National Fund.

The National Society Daughters of the American Revolution is committed in their support for the men and women of the military still actively deployed around the world in the fight against terrorism. For more information about Project Patriot go to www.projectpatriot.com.



(Continued from Page 2)

home south of Ramon. They have our hearty congratulations.

Mr. Smith from Roswell has rented Mr. L.O. Morgan's store building and intends to put in a stock of groceries.

More About the Sales Tax

The poor widow who washes for a living spends her dollar thus:

Bread 10c, Meat 10c, Soap 10c, Starch 10c, Syrup 10c, Cereal 10c, Rolls 10c, Lard 10c, Butter 10c, Milk 10c. 2 cents sales tax which is her widow's mite and she is only too glad to pay it toward the education of her orphan children - A Democrat.

Real Facts About the Sales Tax

Letter to Editor of Lincoln County News

In last week's issue of The Outlook, the editor tried to make it appear as though the State law levied a larger tax than two cents on every dollar. Two cents on the dollar is all that any one is required to pay. Anyone can refuse to pay more. That would be:

On purchases up to 50c, 1 cent. On purchases over 50c to \$1.00, 2 cents.

The law does not state that the merchant should charge 1 cent on every 10 cent purchase. As usual the editor of the Outlook is wrong again. It seems that some merchants in Carrizozo charge 1 cent on every 10 cent purchase.

Citizen.

Additional Locals

Evelyn and Jackie Claunch are unable to attend school this week on account of measles.

Jane Gallacher, little daughter of Mr. and Mrs. Wm. Gallacher was operated on for appendicitis at the Johnson hospital Monday. She is recovering nicely.

Daily Tasks for Wife and Mother

Few Women Will Look Upon Household Duties as "Monotonous."

"Women are best suited for monotonous jobs."

That heading to a news dispatch sent several of our readers up in arms. "Best suited indeed. What they mean is that women did the monotonous work that was put upon them - as long as they could not help themselves," writes one of the friends whom we heard from before.

The basis for it all was the publication of a report of a British sociologist, that women adapt themselves to monotonous work with greater success than men, that they can best bring themselves to the daily performances of monotonous work without losing their interest in life.

It is true enough that women have for centuries done uncomplainingly the work that was their duty, though it was not always the work they would have chosen. The reference is of course to the monotonous grind of housework, the job of home and children. But it seems to me that that is not all there is to it.

The question is, are household tasks as monotonous to the wife and mother as they seem? Are the routine chores involved always as uninspired and uninspiring as they may seem to one who looks upon them coldly and impersonally?

The setting of rights of the little home, the preparation of the meal the family will enjoy - are these duties trying to a woman of imagination? For my part I should say the more imagination, the less trying they are. Every job, of course, at some time palls, all work has its good and its less pleasant aspects. Duties which in themselves might be pleasurable become a strain when multiplied beyond the capacity of a single person to cope with them. But if the demands upon her are within reasonable limits, I can very well understand a wife and mother with abundant imagination enjoying the tasks involved in the making of a home and the up-bringing of children. It requires imagination on the part of the observer to feel the joyous thrill in the task of making up a lunch for little Bobby to take to school, to measure the unbounded flights of fancy enjoyed by a mother bent over the apparently monotonous job of making a party dress for her daughter.

Is it that women are suited to monotony - or that their imagination defeats monotony?

NOTICE TO BE PUBLISHED IN DESIGNATED NEWSPAPERS

By November 6, 2003, Counsel for the Office of the State Engineer will direct the mailing of a copy of the following published notice to defendants in the Pecos River stream system water rights adjudication and to water rights claimants in the Pecos River stream system as known to the Office of the State Engineer...

FIFTH JUDICIAL DISTRICT COURT
COUNTY OF CHAVES
STATE OF NEW MEXICO

STATE OF NEW MEXICO, et al.
State Engineer and PECOS VALLEY
ARTESIAN CONSERVANCY DISTRICT
Plaintiffs.

vs.
E.T. LEWIS, et al.
UNITED STATES OF AMERICA
Defendants.

and
STATE OF NEW MEXICO, et al.
State Engineer and PECOS VALLEY
ARTESIAN CONSERVANCY DISTRICT
Plaintiffs.

vs.
HAGERMAN CANAL CO., et al.
Defendants.

Nos. 20294 and 22600
Consolidated

Honorable David W.
Bonem
District Judge Pro Tempore

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

TO: ALL DEFENDANTS IN THE PECOS RIVER STREAM SYSTEM WATER RIGHTS ADJUDICATION AND ALL PERSONS CLAIMING WATER RIGHTS IN THE PECOS RIVER STREAM SYSTEM, INCLUDING ITS TRIBUTARIES AND UNDERGROUND BASINS, WITHIN THE STATE OF NEW MEXICO.

You are hereby notified of the presentation to the Court of a proposed Partial Final Decree adjudicating the diversion, storage, and delivery rights claimed by the Carlsbad Irrigation District ("CID") and of the United States of America ("United States"), the terms of which are summarized below. The purpose of this notice is to inform all defendants in the Pecos River stream system water rights adjudication and all persons claiming water rights in the Pecos River stream system whose water rights interests may be affected by the proposed Partial Final Decree of (1) their right to object to all or any part of proposed Partial Final Decree and (2) the manner in which they may file a Statement of Intent to File Objection.

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

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

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

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

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

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

By: [Signature] (Seal)
Bee J. Clem
District Clerk, Fifth Judicial District
P.O. Box 1776, Roswell, NM 88202-1776
505-622-2212

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

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

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

- 1. Priority dates for diversions of water:
A. Pecos River, State Engineer File Number 6; July 31, 1888, for an amount not to exceed 101,283 acre-feet annually; April 10, 1915, for an amount not to exceed 22,625 acre-feet annually; and June 24, 1919, for an amount not to exceed 1,292 acre-feet annually. The above priorities shall be subject to such superior rights of the FSID and the Storrie Project Water Users Association established by the Final Decree in United States of America v. Hope Community Ditch, U.S. District Court Cause No. 712 Equity (1933); in addition to being subject to all other water rights having senior priority dates.
B. Black River, State Engineer File Number 1927; December 31, 1889.
2. Place of Use: The CID consists of 25,055.00 acres, located in T. 21S., R. 26E., T. 21S., R. 27E., T. 22S., R. 26E., T. 22S., R. 27E., T. 22S., R. 28E., T. 23S., R. 27E., T. 23S., R. 29E.; T. 24S., R. 27E.; T. 24S., R. 28E.; T. 24S., R. 29E., N.M.P.N. as shown on "Plan of the Carlsbad Irrigation District, Eddy County, New Mexico," filed for record April 16, 1993, in Eddy County, NM. The CID boundaries may be changed pursuant to and as authorized by state law.
3. Purpose: For irrigation and for domestic and livestock watering uses incidental to irrigation use.
4. Points of diversion: Pecos River - Avalon Dam gate into the CID Main Canal in Sec. 12, T. 24 S., R. 26 E., N.M.P.M., Eddy County, NM; Black River - junction at which the CID Black River Canal intersects the Black River, in Sec. 12, T. 24 S., R. 27 E., N.M.P.M., Eddy County, NM.
5. Allowable annual diversion: The combined annual diversion of water shall not exceed the lesser of (i) 125,200 acre-feet or (ii) the quantity of water necessary to supply an annual depletion of 53,572 acre-feet. The right, allotment or entitlement of use within the CID for each acre irrigated from the Pecos River shall be based on an amount of water at the point of diversion that shall not exceed a diversion of 4,997 acre-feet per year, a farm delivery of 3,697 acre-feet per year, and a consumptive irrigation requirement of 2,218 acre-feet per year. The right, allotment or entitlement of use within the CID for that acreage irrigated from the Black River shall not exceed a total maximum diversion of 2,800 acre-feet per year, a farm delivery of 3,697 acre-feet per year, and a consumptive irrigation requirement of 2,218 acre-feet per year; such diversion to be governed by the State Engineer Findings and Order dated June 10, 1964, as the same exists or may be amended in the future.
6. Diversion, impoundment, and storage of public surface waters of the Pecos River for the United States and CID, under State Engineer File Number 6.
A. Lake Avalon, the headwall at the Avalon Dam outlet gate being in Sec. 12, T. 21 S., R. 26 E., N.M.P.M., Eddy County, NM; Amount of water - the amount of total reservoir capacity available, but not more than 7,000 acre-feet, with the right to fill and refill as often as waters are available. Priority - October 31, 1889.
B. Brantley Lake, the control tower at Brantley Dam outlet gate being in Sec. 28, T. 20 S., R. 26 E., N.M.P.M., Eddy County, NM; Amount of water - an amount not to exceed 40,000 acre-feet, with the right to fill and refill as waters are available, said 40,000 acre-feet to include the quantity of water in tank storage which returns to and is available for release from Brantley Lake. Priority - October 31, 1893.
C. Lake Sumner, the center of Sumner Dam being in Sec. 34, T. 5N., R. 24E., N.M.P.M., DeBaca and Guadalupe Counties, NM; Amount of water - the total reservoir capacity in acre-feet available at elevation 4,261 above sea level, provided that the elevation of 4,261 feet above sea level may be exceeded during the period from October 1 of each year to April 30 of the following year so long as the water level is reduced to an elevation not exceeding 4,261 feet above sea level by April 30 of each year and, provided further, that such impoundment and storage rights shall never be less than 20,000 acre-feet so long as the storage capacity at any elevation is 20,000 acre-feet or more; Priority - February 2, 1906.
D. Santa Rosa Lake, the outlet gates at Santa Rosa Dam being near lat. 35° 01' 47", long. 104° 41' 30", Jose

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

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

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

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

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

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

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

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

5. ISC Water Right Acquisition, Sale Back and Lease Back. To effectuate the Settlement Agreement, ISC will use its best efforts to purchase land as follows: (a) up to 6,000 acres of land on the CID assessment rolls that are entitled to delivery of Project water; (b) up to 1,000 acres of irrigation water rights in the RAB, to which approximately 3,000 acres shall be water rights in the shallow aquifers and approximately 8,000 acres shall be water rights in the artesian aquifers. By owning land on the CID assessment rolls, ISC shall become a CID member, entitled to the rights and benefits, and subject to the obligations, assessments, rules and regulations, of such membership, on the same basis as other CID members. ISC may sell or lease water rights, pursuant to the terms of the Settlement Agreement and in accordance with the terms of NMSA, 1978, § 72-1-24.

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

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

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

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

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

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

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

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

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LINCOLN COUNTY NEWS
505-648-2333

LEGALS

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL
DISTRICT COURT

No. CV-03-22

NORWEST BANK MINNESOTA, N.A., AS TRUSTEE UNDER THAT CERTAIN POOLING AND SERVICING AGREEMENT DATED AS OF JUNE 1, 1997, FOR SOUTHERN PACIFIC SECURED ASSETS CORP., MORTGAGE LOAN ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 1997-2

Plaintiff,

vs.
SHERRILL ZAMORA, a/k/a Sherrill Zamora, a/k/a Sherril A. Zamora, a/k/a Cheryl Zamora, JOE R. ZAMORA, and FIRST INTERSTATE BANK, Defendants.

NOTICE OF SALE

Notice is hereby given that on October 14, 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 129 Cedar Street, Captain Area, New Mexico 88316 (if there is a conflict between the legal description and the street address, the legal description shall control), and is more particularly described as follows:

A tract of land situate within Tract 107 of MESA VERDE ACRES SUBDIVISION, UNIT 3, Lincoln County, New Mexico, and more particularly described as follows:

Beginning at the NE corner of said Tract 107 of Mesa Verde Acres, Unit 3, for a point of beginning of this tract (NE corner); thence South 88° 38' West, 298.3 feet to a point for the NW corner; thence South 03° 50' West 202 feet to a point for the SW corner; thence North 87° 52' East 272 feet to a point for the SE corner, thence North 11° 20' East 202 feet to the point of beginning, which has been called 1.32 acres, more or less, in previous instruments.

including a 1985 16x60 Mobile Home, VIN No. 485660S52685CR, and any and all other improvements, fixtures, and attachments, 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 \$34,148.59, and the same bears interest at 13.1250% per annum, which accrues at the rate of \$12.28 per diem, commencing on August 12, 2003, with the Court reserving entry of final judgment against said Defendant Sherrill Zamora, a/k/a Sherrill Zamora, a/k/a Sherril A. Zamora, a/k/a Cheryl Zamora 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 \$34,148.59, plus interest to and including date of sale of \$785.92 for a total judgment plus interest of \$34,934.51. 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
(505) 648-9925

Published in the Lincoln County News on September 18 and 25 and October 2 and 9, 2003.

LEGAL NOTICE

STATE OF NEW MEXICO
IN THE PROBATE COURT
LINCOLN COUNTY

No. 1985

IN THE MATTER OF THE ESTATE OF
WAYLAND W. HILL, DECEASED.

NOTICE TO CREDITORS

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

Dated: October 2, 2003.

WAYLAND L. HILL,
Personal Representative
P.O. Box 104
Carrizozo, NM 88301
Phone: 505-648-2858

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

LEGAL NOTICE

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION
BY ALTO LAKES WATER CORPORATION
FOR NEW RATES PURSUANT TO
ADVICE NOTICE NO. 6.

ALTO LAKES WATER CORPORATION

Petitioner.

Case No. 03-00317-UT

NOTICE

Pursuant to 17.1.2.53, C NMAC, notice is hereby given to all water service customers of Alto Lakes Water Corporation ("Alto Lakes") that:

1.) On August 12, 2003, Alto Lakes filed with the New Mexico Public Regulation Commission ("Commission") its Advice Notice No. 6 and accompanying proposed Third Revised Rate No. 1, Third Revised Rate No. 2, Original Rate No. 5, and Original Rate No. 6 (the "Proposed Rates") and petitioned the Commission for authorization to place the Proposed Rates into effect. The Commission has suspended the Proposed Rates pending a public hearing and has docketed this proceeding as Case No. 03-00317-UT. The undersigned has been designated Hearing Examiner for this proceeding.

2.) Through the Proposed Rates, Alto Lakes is requesting additional annual revenues from its water utility operations of \$201,806, representing an increase of approximately 24.79% above its adjusted water service revenues for the twelve months ending December 31, 2002. The proposed rate increase will affect all of Alto Lakes's customers.

3.) The following tables compare the Proposed Rates with the current water service rates for each customer classification:

| General Metered Service Rates/1000 Gal | | | |
|--|----------|---------|---------|
| Customer Classification | Proposed | Present | %Change |
| Residential | | | |
| 4,000 gallons and under | \$ 2.50 | \$ 1.80 | 38.9% |
| 4,001-5,000 gallons | 2.50 | 2.00 | 25.0% |
| 5,001-10,000 gallons | 3.75 | 2.00 | 87.5% |
| 10,001-12,000 gallons | 5.00 | 2.00 | 150.0% |
| 12,001-25,000 gallons | 5.00 | 2.80 | 78.6% |
| 25,001-50,000 gallons | 7.50 | 2.80 | 167.9% |
| More than 50,000 gallons | 25.00 | 2.80 | 792.9% |
| Small Commercial | | | |
| 4,000 gallons and under | \$ 2.50 | \$ 1.80 | 38.9% |
| 4,001-5,000 gallons | 2.50 | 2.00 | 25.0% |
| 5,001-10,000 gallons | 3.75 | 2.00 | 87.5% |
| 10,001-12,000 gallons | 5.00 | 2.00 | 150.0% |
| 12,001-25,000 gallons | 5.00 | 2.80 | 78.6% |
| 25,001-50,000 gallons | 7.50 | 2.80 | 167.9% |
| More than 50,000 gallons | 25.00 | 2.80 | 792.9% |
| Large Commercial | | | |
| 4,000 gallons and under | 4.50 | 1.80 | 150.0% |
| 4,001-12,000 gallons | 4.50 | 2.00 | 125.0% |
| 12,001-175,000 gallons | 4.50 | 2.80 | 60.7% |
| 175,001-350,000 gallons | 9.00 | 2.80 | 221.4% |
| More than 350,000 gallons | 25.00 | 2.80 | 792.9% |
| Irrigation - Golf Course | | | |
| 6,660,000 gallons and under | 2.50 | \$2.15 | 16.3% |
| 6,660,001-13,000,000 gallons | 4.50 | 2.15 | 109.3% |
| More than 13,000,000 gallons | 25.00 | 2.15 | 1062.8% |

| Monthly Service Charge Rates | | | |
|------------------------------|-----------|----------|---------|
| Customer Classification | Proposed | Present | %Change |
| Residential | \$ 26.00 | \$ 22.00 | 18.2% |
| Small Commercial | 26.00 | 22.00 | 18.2% |
| Large Commercial | 75.00 | 22.00 | 240.9% |
| Irrigation - Golf Course | 11,000.00 | 8,500.00 | 29.4% |

4.) The following table compares bills for a 5/8-inch residential water service customer at the indicated level of usage under the Proposed Rates and the current rates.

| Consumption Level (1000 Gal) | Proposed Rates | Present Rates | % Change |
|------------------------------|----------------|---------------|----------|
| 0 | \$26.00 | \$22.00 | 18.2% |
| 5 | \$38.50 | \$31.20 | 23.4% |

5.) The above rate changes stated by class and, for residential customers, by consumption levels are for informational purposes only, and the final rate design may vary the rates ultimately charged to each class and for each consumption level.

6.) The Hearing Examiner has established the following procedural schedule for Case No. 03-00317-UT:

A.) A public hearing will be held beginning at 10 a.m. on November 25, 2003, at the Commission's offices, 224 E. Palace Avenue, Santa Fe, New Mexico, for the purpose of hearing and receiving testimony, exhibits, arguments and any other appropriate matters in order to determine whether the Proposed Rates or other rates, if appropriate, should be approved by the Commission.

B.) Any person who desires to intervene to become a party to this case must file a motion for leave to intervene, pursuant to 17.1.2.26 NMAC on or before November 3, 2003. Intervenor(s) shall file testimony by November 10, 2003.

C.) The Commission Staff shall file any direct testimony, or stipulation with Alto Lakes with supporting testimony, on or before November 14, 2003.

D.) Any rebuttal testimony shall be filed on or before November 20, 2003.

7.) Any interested person may examine the rate filings together with any exhibits and related papers that may be filed at Alto Lake's main business office 250 Lakeshore Drive, Alto, New Mexico 88312, telephone: (505) 336-4333, or at the Commission's offices, 224 E. Palace Avenue, Santa Fe, New Mexico 87501, telephone: (505) 827-6940.

8.) Any interested person may intervene by filing a motion for leave to intervene pursuant to 17.1.2.26 NMAC herein on or before the date specified above.

9.) Any interested person may appear at the time and place of hearing and make a written or oral comment at the hearing pursuant to the Commission's Utility Division Procedures, 17.1.2.26 NMAC, without becoming an intervenor, but the comment will not be considered as evidence in the proceeding.

10.) The Commission's Utility Division Procedures, 17.1.2 NMAC, will apply to the proceeding except as modified by order of the Commission or Presiding Officer in this proceeding.

11.) Any person with a disability requiring special assistance in order to participate in this proceeding should contact the offices of the Commission as soon as possible prior to the commencement of the proceedings mentioned herein.

12.) Further information may be obtained by contacting either Alto Lakes or the Commission at the addresses and telephone numbers provided above.

ISSUED at Santa Fe, New Mexico this 17th day of September, 2003.

NEW MEXICO PUBLIC REGULATION COMMISSION

MARILYN S. HEBERT
Hearing Examiner

Published in the Lincoln County News on Thursday, October 9, 2003.

LEGAL NOTICE

STATE OF NEW MEXICO
IN THE PROBATE COURT
LINCOLN COUNTY

No. 1982

IN THE MATTER OF THE ESTATE OF
CORA LAMAY DUTTON, DECEASED.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of this estate. All persons having claims against this estate are required to present their claims within two (2) months after the date of the first publication of this notice, or the claims will be forever barred. Claims must be presented either to the undersigned personal representative at the address listed below, or filed with the Probate Court of Lincoln County, New Mexico, located at the following address: 300 N. Central, Carrizozo, NM 88301.

with the Probate Court of Lincoln County, New Mexico, located at the following address: 300 N. Central, Carrizozo, NM 88301.

Dated: September 5, 2003.

RHONDA BURROWS,
Personal Representative
HC 67 Box 210
Nogal, NM 88341
(505) 354-9125

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

Published in the Lincoln County News on October 2 and 9, 2003.

Obituaries

CLAUDE C. WALKER

Memorial services will be held at a later date for Claude Coleman Walker, 95, of Roswell. Claude died September 30 at Mission Arch Care Center.

Claude was born in Melrose, NM to Walter Walker and Elizabeth Turner Walker on May 29, 1908. He and Geneva Louise McCarley were married on October 10, 1940 in Clovis. They moved to Roswell from Capitan in 1981. Claude was a member of South Manor Baptist Church.

Claude is survived by his wife, Geneva, of the family home; children, Claudette Gifford and her husband, Art, of Camp Verde, AZ, Bobby Banbury and her husband, Bill, of Afton, WY, Betty Jones and her husband, Walt, of Capitan, Jack Walker of Texas, and Patsy Barrera and her husband, Louie, of Roswell; nine grandchildren; numerous great-grandchildren; and three sisters, Bonnie Daly and her husband, Roy, Dolley Dooley and her husband, Spike, and Doris Hartley, all of Roswell.

Claude was preceded in death by his parents, a brother, Jim Walker, three sisters, Bernice Buchman, Frances Cooper, and Bess Simpson.



DA Issues Warning About Fraud E-Mail Messages Being Sent

Scot Key, District Attorney for the Twelfth Judicial District, issued a statement concerning numerous E-Mail messages that are being sent to personal computers in Lincoln County and Otero County.

These E-Mails are from DarkProfits.com and state "your credit card has been charged for \$234.85 and state:

Important notice. We have just charged your credit card for money laundry service in amount of \$234.85 (because you are either child pornography webmaster or deal with dirty money, which requires us to laundry (sic) them and then send to your checking account). If you feel this transaction was made my our mistake, please press "No". If you confirm this transaction, please press "Yes" and fill in the form below. The E-Mail then asks for your credit card number and expiration date.

DA Scot Key states this is another type of fraud and the FBI has been notified by his office. He further suggests that upon receiving E-Mail to delete it immediately.

Betty Teasley will exhibit her needlework at Village Hall. Watercolors by Jamie Slack, music furniture by Troy Volk, and an exhibit of work by Ruidoso Public School students taught by Barry Lucy will be exhibited at the Public Library.

LEGALS

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

No. CV-03-153
Div. III

MARGARET M. HAMILTON, a married woman, BANK OF AMERICA, a New Mexico Banking corporation, formerly SUNWEST BANK OF ROSWELL, and GLENN G. STIFF and JUANITA S. STIFF, Trustees of the GLENN G. AND JUANITA S. STIFF REVOCABLE TRUST, Plaintiffs,

v.
CHARLES M. RUCKER and CINDY K. RUCKER, Husband and wife, Defendants.

NOTICE OF PENDENCY OF SUIT TO THE FOLLOWING NAMED DEFENDANTS AGAINST WHOM CONSTRUCTIVE SERVICE IS HEREBY SOUGHT TO BE OBTAINED:
Cindy K. Rucker

PLEASE TAKE NOTICE that the Plaintiffs have filed a Complaint for Foreclosure in the above captioned cause wherein you are named as the Defendant.

YOU ARE HEREBY NOTIFIED that the general object of this action is to foreclose your interest in certain real property located in Lincoln County, New Mexico, as more particularly set forth in the Complaint on file in the above-captioned cause.

The Plaintiff's attorney is Adam D. Raffin, P.O. Box 1912, Ruidoso, New Mexico 88355.

PLEASE TAKE FURTHER NOTICE that if you intend to contest this suit, you must respond to the Complaint on or before 20 days from the last date of publication of this Notice.

WITNESS my hand and seal of this Court this 6th day of October, 2003.

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

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

LEGAL NOTICE STATE OF NEW MEXICO COUNTY OF LINCOLN TWELFTH JUDICIAL DISTRICT COURT No. CV-2003-180 Division III

JOY GARDNER, NORMA ANN BELCHER, and CAROLYN LEE CRILL, Plaintiffs,

vs.

GROUP I
H.R. GARDNER, deceased, HUNTER HAYS and DOVIE HAYS, his wife, deceased; their heirs, devisees, and assigns; CONRAD W. LLOYD and DORIS E. LLOYD, his wife; ROBERT P. McINTIRE and SHARON McINTIRE, husband and wife; WILLIAM FURY and MARTHA FURY, husband and wife; ESPERANZA VENEGAS, a single woman; their heirs, devisees, and assigns; and ALLWEST BAIL BOND AGENCY, INC., its successors and assigns;

GROUP II
JOHN DOES, 1 through 100, and all of their lawful heirs, devisees or assigns; and

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

SUMMONS AND NOTICE OF PENDENCY OF ACTION

THE STATE OF NEW MEXICO TO THE DEFENDANTS NAMED IN GROUP I, GROUP II, AND GROUP III ABOVE:

GREETINGS: You are hereby notified that Plaintiff, has filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-2003-180 (III), wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.

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

Lots 270 and 271, SKYLAND, 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 March 1, 1928; more commonly known as 221 Carter's Lane, Ruidoso, New Mexico.

You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before October 31, 2003, judgment will be rendered against you by default and the relief prayed for in the Complaint will be granted to Plaintiff in conformity with the allegations of the Plaintiff's Complaint.

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

WITNESS my hand and seal of the Twelfth Judicial District Court of Lincoln County, New Mexico, on this the 5th day of September, 2003.

(SBAL)

JAN PERRY
Court Administrator/
District Court Clerk
By: Mickie L. Vega
Deputy

Published in the Lincoln County News on September 18 and 25, and October 2 and 9, 2003.

Corona News

by
Lanita Rasak

Corona area residents were happy to receive up to an inch of rain this week.

Mr. and Mrs. A.J. Gibbs have returned from a trip to Redding, CA where they visited their daughter Kelly and husband Steve Brewer. Most important was the visit with the grandkids. They are Max and Seth Brewer.

The Corona Presbyterian Church welcomed their new interim lay pastor Terry Aiello and his wife Linda Sunday. Mr. CLP Aiello is commissioned to minister to Ancho, Corona and the First Presbyterian Church of Roswell when needed. A reception was held after church Sunday for Mr. and Mrs. Aiello. The Corona and Ancho churches celebrated World Communion Sunday this past Sunday with communion services.

Terry Aiello is inviting everyone to the Presbyterian Church in Corona next Sunday when he will begin a series on Great Ends of the Church. Services start at 11 a.m.

Everyone is also invited to choir practice on Monday nights from 8:30 p.m. to 7:30 p.m.

The choir is going to sing the Cantata from Christmas and needs as many varied voices as it can get. This is a complex song requiring many different voices. They need your help to be a resounding success.

JoAnn Clark is recovering from surgery she had Friday for a broken hip she suffered from an ornery horse ride. She is supposed to spend a couple of weeks in the hospital, but that is still up for debate.

The Homecoming Prince for Corona was Cutler Cox and the Princess was Savannah Lucero.

Helen and Pete Porter will have a reception from 1 p.m. to 4 p.m. to celebrate their 50 years of marriage this Saturday the 11th at the Corona Senior Citizens Center.

The Corona football team played Roy in Vaughn this past Friday with the outcome favoring Roy 12 to 6.

The Estancia team beat Thoreau 7 to 6 in football.

Mrs. W.W. Korges enjoyed her vacation here celebrating her birthday. Tod Carroll brought Frank Shelton up from Roswell and took Jeannie and the other guests on a picnic so that the brother and sister could enjoy some time together without interruption.

Mrs. Korges spent one afternoon with her friend Robin Pfeiffer in Albuquerque and on Saturday celebrated her birthday with a visit from several friends, Cotton Yancey and Janet, Bloomfield, Bob White, a cousin, from out of state. Tuesday morning, early, they left for their homes in California.

Cully Nalda, 48, former Corona resident and graduate of Corona High School, after a long illness has succumbed to multiple sclerosis. Services were scheduled for Wednesday morning in

Albuquerque with interment in Roswell.

Gayle May and Sherrill Bradford represented Cedar Temple of Pythian Sisters at Grand Temple in Socorro. Grand chief Mary Jane Woodruff, Albuquerque, appointed Sherrill as grand secretary protem.

Geraldine Perkins, past grand chief, accompanied them Saturday to attend memorial services for Jean Spurgeon and was appointed to fill the chair of grand junior. Helen Auge, supreme officer, installed Grand Temple officers, including Ruth Auge, grand chief, Gayle May, grand protector and Sherrill Bradford, grand guard.

You can get involved now in DAR Project Patriot Phase V in support of the nuclear aircraft carrier USS John C. Stennis (CVN 74) on maneuvers in the Pacific Ocean to safe-

guard us in America's worldwide war against terrorism.

The DAR is providing the 3,000 members of the USS Stennis with mini maglite flashlights that can be worn in holsters attached to belts of Stennis personnel to help find

their way in the darkness while on duty aboard ship.

They are also sending Christmas cards and drawings by DAR school children with the theme *USS Stennis Light the Way*, for distribution to

LEGAL NOTICE

Notice is hereby given that the Lincoln County Board of Commissioners has received the following road review requests:

- 1.) Request to vacate road easements, Brady Canyon for purpose of widening the road way for emergency access to the area.
- 2.) Request to close Lincoln County Road E-033, by ranch owner.

Pursuant to Section 67-6-9, N.M.S.A., the Board of Commissioners has appointed a Road Review Committee which will meet at 10:00 A.M. on Wednesday, Oct. 15, 2003.

The report of the Road Review Committee will be presented to the Board of Commissioners during their regular meeting on Oct. 21, 2003.

Anyone wishing to make comments on recommendations may do so at any of the above mentioned meetings.

REX WILSON, CHAIRMAN
Lincoln County Board of Commissioners

Published in the Lincoln County News on October 2 and 9, 2003.

FAST ACTION

Lincoln County News

CLASSIFIED ADS

CALL: (505) 648-2333

EMPLOYMENT NOTICE

LINCOLN COUNTY TREASURER

is now accepting applications
for a
TEMPORARY CLERK.

Requirements: Knowledge of ten key calculators, computer skills, basic accounting skills, and filing skills. Conversant in good telephone skills and good communication skills and must be able to meet and work well with the public. Employment will be condition upon applicant's successful completion of a physical examination and substance abuse test. Obtain application and job description at the Lincoln County Manager's Office in Carrizozo or by calling 505/648-2385, extension 100.

All applications must be received no later than 5:00 P.M. on October 17, 2003. Lincoln County, Equal Opportunity Employer and in Compliance with ADA Requirements, Title II-A.

1tc/10/9

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1tp/10/9

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354-7000 / 937-2470
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1982 SINGLE WIDE MOBILE HOME FOR SALE
In good condition.
Call 648-0025
4tp/9/18/10/19

FOR SALE: Good looking, nice running 1992 Caddy. See at Lincoln County News or call 648-2333 weekdays, 648-3000 on weekends.
\$3,995.00 (firm).

1fc/nc

FOR SALE: (2) Gas Heaters, with exhaust pipes.
648-2175

1tp/10/9

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CARRIZOZO
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**Otero County
Fairgrounds**

Friday, Saturday, & Monday
9 am to Dusk
Sunday
10 am to Dusk
October 10, 11, 12, 13

4 DAYS ONLY