

2004 Tax Rates Are Higher Than 2003

by Doris Cherry

The 2004 property tax rates are on average four percent higher than the 2003 property tax rates, but not all property owners will see increases on the 2004 property taxes.

So reported Lincoln County Treasurer Beverly Calaway at the special Lincoln County Commission meeting Tuesday, October 5 in the Lincoln County Courthouse in Carrizozo. Calaway pre-

sented the finalized 2004 tax rates and a chart showing average tax rates for 10 years, including 2004. The averaged 2004 tax rate for all properties, residential or non-residential, in or out of a municipality, is 22.203 mils. The averaged 2003 tax rates for all properties was 22.078 mils.

Tax rates are used to calculate property taxes, based on the assessed taxable value of each property. For instance,

22.203 mils is equal to \$22.20 cents of taxes per each \$1,000 worth of taxable value of the property.

Tax rates are determined and set by the New Mexico Department of Finance and Administration (DFA) and signed off by Department Secretary James Jimenez. The rates are based on state debt service (for general obligations bonds approved by the voters); county operational budgets, debt service

and special projects; municipal operational budgets and debt service; school district operational budgets, debt service and capital improvements (SB9). Also all property in Lincoln County have 2.1 mil for Lincoln County Medical Center and .5 mil for the rural health clinics.

Properties in Ruidoso School District have additional tax rates for the ENMU Ruidoso Instructional Center ranging from 1.664

mils for residential and 1.960 mils for nonresidential.

Some properties also have additional tax rates for livestock, predator control (25 cents per head livestock), for the Claunch-Pinto, Carrizozo, Upper Hondo and Chaves

Soil and Water Conservation Districts, and for Alpine Village and Sun Valley Sanitation Districts.

The total taxable value of all properties within Lincoln

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VOLUME # 99, NUMBER 40

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CARRIZOZO, NM 88301



CLASSY CARS were on display at the annual Aspenfest Rod Run and Antique car show at Ruidoso Downs Race Track on Saturday, October 2. The free admission show included this fine beauty, a black Studebaker Sky Hawk -- and many others. Prizes were awarded to the best of each category. Aspenfest weekend included a parade, chile cook-off and arts and crafts fair in Ruidoso.

Three Constitutional Amendments Will Be On General Election Ballot

by Doris Cherry

Voters in the upcoming general election will decide on three proposed constitutional amendments that will appear on the ballot.

The following information, for and against the proposed amendments were prepared and provided by the New Mexico Legislative Council Service (LCS) on the New Mexico Secretary of State Website at www.sos.state.nm.us. Full text of the proposed constitutional amendments, the joint resolutions that brought them to the ballot and where the amendments will go in the text of the state constitution are also available on the secretary of state website under "elections."

The proposed constitutional amendments came about as resolutions approved by the state legislature in its 2003 and 2004 regular sessions.

The three amendments are Constitutional Amendment (CA) number 3 to permit municipalities to hold runoff elections; CA 4 to expand veterans' property tax exemption to include veterans who did not serve in times of armed conflict; CA 5 to change name of New Mexico School for the Visually

Handicapped to New Mexico School for the Blind and Visually Impaired.

To be adopted, proposed constitutional amendments must receive a majority of the total votes. Proposed constitutional amendments become effective upon approval by the voters unless there is a different effective date provided within the text of the proposed amendment.

Constitutional Amendment 3 proposes to amend Article 7 of the New Mexico Constitution to allow run-off elections for municipalities and for certain other elections as provided by law.

In the LCS brief analysis about Constitutional Amendment 3 it states that CA3 proposes to amend Article 7, Section 5 of the constitution of New Mexico to permit municipalities to provide for runoff elections to resolve those elections that do not produce a candidate who has received a statistically significant portion of the vote. The amendment gives effect to provisions of existing municipal charters that provide for runoff elections. The amendment also permits a municipality to adopt a charter containing provisions for runoff elections, to add runoff election provisions to an existing

charter or to provide for runoff elections by ordinance if the municipality has not adopted a charter.

Arguments for: The proposed constitutional amendment gives all municipalities authority to provide for runoff elections. Whether by ordinance or by charter, a municipality would have a mechanism to incorporate runoff elections, if desired, into the election law for that community. This approach leaves the ultimate decision regarding runoff elections with the municipality.

Municipal elections are nonpartisan, and registered voters can become a candidate. In some communities, there are often more than two candidates. When more than two popular and fairly well-known candidates run against one another in an election, there is a high probability that no one person will receive a majority of the votes. In fact, two popular candidates could split the vote and a third, less popular candidate could win the election. This process does not ensure that our officials are elected with maximum support so that they can conduct the public business as true representatives of their communities.

Runoff elections give voters an incentive to support their favorite candidate in the first round rather than casting a strategic vote for a frontrunner. This simplifies the voting process.

It is wise to have runoff elections in those races where no candidate receives a majority. Having a runoff election maximizes the voice of the majority.

Although this amendment has some limitations, it is a first step in providing for runoff elections, especially in municipal elections where there is a high likelihood that mayoral races and other non-partisan races will result in a person with less than a majority of the votes being elected.

Arguments Against: Elections are costly undertakings for municipalities, and runoff elections will increase those costs. Runoff elections are costly for candidates who must raise funds for two elections instead of one, thereby undermining one of the goals of campaign finance reform.

Voter turnout tends to decrease in runoff elections, so the candidate elected might not be the candidate supported by the majority of the populace.

Runoff elections might

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LaQuinta Hotel Denial Upheld With Unbreakable Tied Votes

by Doris Cherry

The Ruidoso Planning and Zoning (P&Z) Commission denial of a proposed LaQuinta Hotel in the mid town area will continue to stand, because the Ruidoso Village Councilors in an appeal hearing tied their votes which were unbreakable by a mayor who was declared to be in conflict.

Ruidoso Councilors, at their regular meeting September 28, held the appeal hearing requested by hotel developer, Hemal Patel. P&Z had denied his request to construct a 50-room, three story LaQuinta hotel on Chase Street, about a half block south of Sudderth Drive. This was the fourth time Patel had been to the village council seeking approval of the hotel project, each time denied.

The proposed hotel site is located in a C-2 commercial zone located on arterial non-major street with light use. Several surrounding residents objected to the proposed hotel because of the increased density of traffic, light pollution and problems associated with having a large hotel nearby. Residents complained that Chase Street is too narrow to be considered an "arterial" street (one that connects a major street to another.)

During the three hour appeal hearing, involving discussions from village attorneys John Underwood and Zack Cook, and comments from attorneys for the hotel

developer and complaining residents. Mayor Eggleston declared that he worked for Comfort Inn, which is owned by the LaQuinta hotel developer, and thus may have a conflict of interest.

Councilors voted unanimously that they believed the mayor had conflict and could not vote on the issue. That set the stage for two different motions that ended up tied with three in favor and three against with no one to break the tie.

Ruidoso P&Z on August 17 had voted to deny the request for the hotel development based on the wording for C-2 developments that such development be "low intensity." In a memo from the village planner Darrell Bremmer to the P&Z, Bremmer listed 14 conditions that would have to be met if P&Z approved the commercial site development for the 50 unit hotel.

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Absentee Voting Now In Progress

Absentee voting for the general election began on October 5. Registered voters can vote in person at the county clerk's office during regular working hours from now until October 30.

Early vote in person on electronic machines at the Ruidoso Satellite poll begins on Saturday, October 16 at Ruidoso Senior Center. Hours the satellite will be open are 12 noon to 8 p.m. Tuesday to Friday, and 10 a.m. to 6 p.m. every Saturday beginning October 16 and ending October 30.

Registered voters may still request an application for the paper absentee ballot from the county, or they can mail the application which can be downloaded from the Secretary of State website, to Lincoln County Clerk Box 338,

Carrizozo, NM 88301. Clerk's office staff recommend voters do the application process soon because of the slowness of the mails.

Completed and signed absentee ballots must be mailed back to the county clerk's office in the courthouse in Carrizozo, or taken by the voter or an immediate family member, before 7 p.m. Tuesday, November 2 election day in order to be counted. Last day ballots will be mailed out is Thursday, October 28.

Voter registration for the general election closed on October 5.

For more information about voting call the Lincoln County Clerk's office at 648-2385 ext. 6, or toll free at 1-800-687-2705 ext. 6.



TREASURER'S NEW financial accounting officer, Sherrie Huddleston joined the Lincoln County Treasurer's office recently and is there to help customers and to help with the upcoming 2004 tax bills which will be mailed to property owners by November 1.

2004 Tax Rates Are Higher

(Continued from Page 1)

County affect the actual tax rates. This year the value of property in Lincoln County is \$615,303,222, which is \$27,641,056 more than the total value in 2003. Because of this increased value, tax rates only increased an average of four percent. In 2003 tax rates were an average of seven percent more than tax rates in 2002.

Calaway's 10 year history of tax rates showed that the 1992 total taxable value of Lincoln County was \$270,119,489 and have steadily increased over the 10 year period. The greatest increase in total taxable value was in 1997 when values increased 19 percent from the 1996 values. The tax rates are used to determine the actual taxes for each property, by taking the rate and multiplying it times the taxable value of the property. The taxable value is one-third of the assessed (as determined by the county assessor's office) total value of the property. The taxable value of a property is included on the notice of tax values sent by the county assessor's office to all property owners earlier in the year.

Although the average is four percent higher, 2004 tax rates in some locations were down from their 2003 tax rates.

Village of Ruidoso
The 2004 tax rate for residential and non residential (businesses and any property not used for residential) properties in the village of Ruidoso is down with the rate at 23.182 mills for residential properties and 29.298 mills for non-residential properties. The 2003 rates were 23.894 mills for residential and 29.585 mills for non-residential.

City of Ruidoso Downs
The 2004 tax rate for residential and nonresidential properties in the City of Ruidoso Downs also were lower than the 2003 rates. The 2004 rate for residential property is 22.926 mills and for non-residential is 29.650 mills. The 2003 rates were 23.566 mills for residential and 29.713 mills for non-residential.

Ruidoso School District (outside a municipality)
Properties in the Ruidoso School district but outside of the Village of Ruidoso and City of Ruidoso Downs in-

creased. The 2004 tax rate for residential properties is 18.479 mills and nonresidential properties at 23.148 mills. The 2003 rates were 18.198 and 22.439 mills respectively.

Town of Carrizozo
The 2004 tax rate for properties within Carrizozo also increased. The 2004 rate for residential properties in the town is 24.030 mills and non-residential properties is 29.143 mills. The 2003 rates were 23.611 and 28.446 mills.

Carrizozo School District (outside the town)
Properties in Carrizozo School district but outside the town have lower rates than 2003. The 2004 tax rate for residential properties is 19.566 mills and for non-residential is 23.918 mills. The 2003 rates for these was 20.190 and 24.237 mills.

Village of Corona
Tax rates for all properties in the Corona School district increased for 2004. The 2004 rate for residential property in the village of Corona is 22.079 mills, for non-residential is 26.283 mills. The 2003 rates were residential 20.091 and nonresidential 23.931.

Corona School District (outside the village)
The 2004 tax rates for residential property in Corona School district but outside the village is 17.654 mills and nonresidential is 21.858 mills. The 2003 rates were 16.534 mills for residential and 20.519 mills for nonresidential.

Hondo School District
Hondo property owners will get a decrease this year. The 2004 tax rates for residential property in the Hondo School district is 19.014 mills. The 2003 rate was 21.328 mills. The 2004 rate for nonresidential property is 23.233 mills, the 2003 rate was 25.287.

Village of Capitan
Tax rates for property within the Village of Capitan also increased, while the tax rates for properties outside the village but in the school district decreased. The 2004 rate for residential property within Capitan is 15.876 mills. The 2003 rate was 15.580 mills. The 2004 rate for nonresidential property in Capitan is 21.149 mills. The 2003 rate was 20.118 mills.

Capitan School District (outside the village)
The 2004 tax rate for residential property in the Capitan School district but outside the village is 14.648 mills, the lowest in the county. The 2003 rates were 15.274 mills. The 2004 tax rate for nonresidential properties in Capitan School district but outside the village is 18.925 mills, also the lowest in the county. The 2003 rates were 19.017 mills.

Lincoln County received the notice of its 2004 tax rates from DFA by email last week but errors were detected in a couple of areas.

During discussion of the tax rates at their special meeting October 5, county commissioners questioned whether these errors detected in the email notice of the rates were corrected. Calaway and county assessor Rick Silva said the errors were corrected and DFA was notified. DFA then made the corrections which were included on the official certificate of tax rates, Silva added.

Calaway told county commissioners that her office will be mailing out \$13,238,889 in property tax bills by November 1.

Payment of at least the first half of the 2004 property taxes becomes due on November 10 and delinquent by December 10. Second half of the taxes are due by May 10, 2005.

For more information about tax rates and how they are determined by each location, property values and/or about the upcoming property taxes contact the County Treasurer's Office at 648-2385 ext. 7 or the Lincoln County Assessor's Office at 648-2385 ext. 5, or toll free 1-800-687-2705 ext. 7 for treasurer, and ext 5 for assessor.



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

Friday, August 30, 1929

Ditch Two Thousand Years Old

We take an interesting article from the current month's issue of the New Mexico Highway Journal, prepared by Herbert W. Yeo, state engineer. It relates particularly to an ancient irrigation ditch in this county, and is accompanied by a splendid cut (Editors Note: A "cut" was a photograph reproduction on a zinc metal plate about a 1/4" in thickness, which was then mounted on a piece of wood; this made the "cut" the same height as the metal type around it) showing portions of this prehistoric water way. Lacking the cut, we can only present the pen-picture, which reads as follows:

The antiquity of prehistoric ditches in New Mexico has long been in question. Such ditches are found in many parts of the state and were constructed by people of different cultures and of different periods.

A photograph of an old ditch and considerable data pertaining thereto has been furnished by Dr. S.M. Johnson, of Washington, D.C., who owns a tract of land on Ruidoso Creek in the White Mountains in the southern part of the state. The ditch is very old and was used by prehistoric people to conduct waters from a spring to irrigate lands. The fall in the old ditch was what it should be and laterals conducted the water to separate tracts. A new ditch system has been used in recent years to irrigate nearby lands.

The spring water has excessive quantities of lime in solution; these were deposited on exposure to the air. Quoting Dr. Johnson: "During the centuries of use the ditches became coated with a deposit of lime, forming a concrete like ditch, and the water as it ran splashing on either side deposited the lime. This process continued for an indefinite period with the result that the rock remains of the ditch or aqueeduct can now be traced for over a mile across the table land."

In some places where the surrounding earth has been washed away, it is almost five feet high and several feet wide at the base narrowing somewhat at the top. It is broken in sections where erosion has taken place in the underlying soil. The deposit is similar to grey limestone. In the vicinity Dr. Johnson has found Pueblo Indian pottery similar to that found at Mesa Verde and also arrow heads. Skeltons have been unearthed.

A record was kept of the deposits of lime from the spring water and it was found that almost one-sixteenth of an inch was deposited in three years. It has been estimated that the old ditch was used for about 2000 years, and that it was abandoned about 300 years ago, according to physical evidences. This is therefore one of the oldest ditches in New Mexico.

The remains of other irrigation ditches are found throughout many parts of New Mexico, but no reliable estimate can be made of their age or the length of the time during which they were used. Those along the Rio Grande have been destroyed by recent evulsions and many small ditches from small streams can be traced on the mesas.

New Mexico with the remains of an old ditch on the Ruidoso that was used more than 2000 years ago, with the arrow heads found among the bones of the extinct bison near Folsom, and with the human bones found mingled with those of the giant sloth, camel and other prehistoric animals found in the cave at Bishop's cap near Las Cruces, has relics of the greatest interest to scientists and archaeologists. In fact, the claim is made that the artifacts found at both Folsom and Bishop's Cap are the oldest discoveries in the United States, if not in the western hemisphere, and that they establish the antiquity of man to have been very early.

Auto Wrecked

Sabino Vidaurri and Fr. Reyes, local parish priest, had a narrow escape from serious injury, possible death, Monday, on the road south of here.

The accident occurred on a bridge this side of

(SEE PAGE 7)

ON VACATION

Carrizozo Joe's Espresso Shop & More

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Obituary

JACK E. JOHNSON

Jack E. Johnson, 75, died Monday, October 4, at the Heart Hospital in Albuquerque.

He is survived by his wife Marguerite (Chuck); three sons, Jeripaul, Jimmy, and Jesse; daughter Jane Terrel; mother, Sophie; one sister, Charolette; 10 grandchildren, and eight great grandchildren.

Following the first 30 years of his life as a rancher in the Vaughn and Santa Rosa area, he became a New Mexico State Police Officer where he achieved the rank of sergeant prior to his retirement in 1986. After retiring he was actively involved in civic and village affairs in Lincoln County and has served as the Capitan Municipal judge for the past 11 years. Jack was an active member of the Lincoln County Bird Club, and a driving force in the establishment of his vision, a wetlands bird park east of Capitan.

Memorial Services will be Saturday, October 9 at 10:00 a.m. at the Capitan Municipal School auditorium. The family requests no flowers be sent, and that any memorial contributions be made to the Lincoln County Bird Club - 212 Jack Little Drive, Ruidoso NM 88345, so that his work at the park may continue.



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

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

SUNDAYS
--Mama Grizzlies booster club for Carrizozo athletics, 5 p.m. Otero County Electric Cooperative office in Carrizozo. All mothers of Grizzly athletes welcome. Call Deborah Ventura at 648-2330 for information.

FRIDAY, OCTOBER 8
--Lincoln County Water Research and Conservation Committee meets at 2 p.m. in the county commission chambers in the courthouse in Carrizozo.

SATURDAY, OCTOBER 9
--Blessing of the animals at Schoolhouse Park on Sudderth Drive in Ruidoso. Call 258-1090 for information.

MONDAY, OCTOBER 11, COLUMBUS DAY
--Monday holiday. Banks, all federal, state and Lincoln County offices including post offices will be closed. Capitan, Carrizozo, Corona, Ruidoso Downs municipal halls and offices will also be closed. Capitan and Carrizozo Schools will have no class. Ruidoso village hall and library will be open.

--Lincoln County Rural Economic Development Through Tourism (REDTT) council meets at 1 p.m. at Hawthorne Suites Hotel (next to Ruidoso convention center).

TUESDAY, OCTOBER 12
--Carrizozo Chamber of Commerce, noon Four Winds Restaurant.
--Carrizozo Town Trustees 6 p.m. town offices in Carrizozo Recreation Center.
--Ruidoso Village Council 6 p.m. village hall.
--Carrizozo Soil and Water Conservation District 7 p.m. NRCS offices in Carrizozo.
--Corona Village Council 7 p.m. village hall.
--Corona School Board 7 p.m. school administration building.
--Capitan Village Trustees regular meeting 7:30 p.m. any public hearings are held at 6:30 p.m. contact village hall at 354-2247 for information.

WEDNESDAY, OCTOBER 13
--Meet the Candidates Forum, 6-8 p.m. Cree Meadows Restaurant in Ruidoso. Call Harvey Twite at (505) 630-3000 for information to or submit an advance question.

THURSDAY, OCTOBER 14
--Ruidoso Lodgers Tax Committee 1 p.m. Ruidoso village hall.
--Carrizozo Jr. High Football v. Capitan Jr. High Football, kick off at 4 p.m. in Tiger Stadium in Capitan.

FRIDAY, OCTOBER 15
--Carrizozo Grizzlies Homecoming 2004, kick off with Mescalero at 7 p.m. in Laabs Field in Carrizozo. Crowning of king and queen at half time.
--Ruidoso High School varsity football v. Albuquerque Academy, kick off at 7 p.m. in Horton Stadium in Ruidoso.

CORONA PARENTS - TEACHERS VOLLEYBALL GAME
Friday, October 8th
Tip-off at 6:00 p.m.
Sponsored by PTO
Green Chile Stew, Frito Pie or Chili Dog Plates
Serving begins at 5:30 p.m.

Fort Stanton

FACTS & FICTION

by Betty Lou Joiner

Everyone needs to be sure and get a sheet of the John Wayne stamps. A very big seller the postal service has said that we can only sell five sheets per person.

The Lincoln County Cowboy Symposium will be in progress when this article is published. Today (Sunday) as I was loading the trailer with all the dog panels, barrels, poles, tubs, jumps, and etc. I was thinking about how many have participated in this fifteen year event. As well as the pony express race and trail ride which will be starting the "36"th this year. Where has the time gone? Using a pair of pliers to cut a lot of wire I laid them on the hood of the suburban. I drove all the way to Carrizozo and back and went to find them and there they were. I cannot believe they stayed on the edge

of that hood all that way. Was so happy not to have lost them.

The meeting of the LC Sheriff's Posse had 54 members in attendance. Jow Heiser, Marty Martell, Sharon Vanderhuy, and Barbara Heiser have continued to make this year so successful. Joe called the meeting to order at 2:00 at the Otero County Co-op building in Carrizozo, the Pledge of Allegiance and prayer given and then Joe went thru the last meetings minutes.

Marty swore in Trish Petree, a new member who was sponsored by Peggy Burton and Jim Tharp.

Clarence Leslie had a sketch of the sign that will be installed at the property south of Carrizozo. Dave Spencer has cut out all of the letters and the welding is all that is waiting and the installation. Clarence's son will be doing this work for just a little pay. Once again these two men, son and father have given to the posse day in and day out. Thanks to Clarence and Perry. I would hate to have to repay you two in money value. Squeaky Mixon said nine riders rode in the parade in Ruidoso on Saturday. I still call it the Aspencade parade but think the new name is the October Fest. Rick Virden's brother had the honor of being the pooper scooper. Tom Sullivan stated that that is one of the largest parades in the county. Some discussion was held on why we had to pay to be in the parade.

Betty Browning has been very busy with the garage sale coming up on October 16 at the L&L drilling lot in Capitan. She has already sold carpet and two large doors donated by the Cash's and has taken in more money than the whole eight hours of last year. Jan Livingston and I said we would pay the posse 500 dollars not to have another one as we hauled the leftovers in our pickups for a week last year. Guess you just have to get the right people working. No clothes will be sold this year only good items. Plan to attend from 8 o'clock to sell out!

When we all arrived at the co-op building, "Posse Flossy" was in the back of Roland Caster's pickup with a big smile on her face. She was loaded and ready to go to the LC Cowboy Symposium for the wild cow-milking contest. All of you kids need to get your best duds on and plan to come milk -- Posse Flossy. She is really going to be a lot of fun. It will be just like in the ranch rodeos. You will have a bucket, you will be timed and you have to milk enough milk for the judge to see you got some. Parents you must bring the little ones to see this newest addition to the symposium.

If we were all half as organized as Roland we would all be better off. He has been working on the kids rodeo organization since January, and has Terese Ray as arena judge, Barbara Heiser chairman of the sign up.

Sharon head of all the ribbons, Jim Tharp will be leading the clowns, Castael will be guiding the queens to the right places. Clarence will be handling the money that will be taped on the goats, Bob Blackman will be teaching the goat roping, Dave Scott will be transporting the goats, Joe Heiser and crew will be getting the goats ready for the roping.

Once again the posse sends their big thanks to Joe Rhodes who brings this arena all the way from Clovis for our use. Joe is one of the few of us who has been with the symposium all fifteen years.

At the last meeting we were discussing it and we think that Sid Goodloe, Johnny Alsup, Sunny Hershfield and myself are

(SEE PAGE 4)

BOOKMOBILE SCHEDULE

TUESDAY, OCTOBER 12	
Corona Post Office	12:00 - 2:00
Carrizozo/Otero Electric	3:30 - 6:00
WEDNESDAY, OCTOBER 13	
Carrizozo, Otero Electric	7:30 - 8:30
Nogal Post Office	9:00 - 9:45
Capitan Smokey Bear Cafe	10:15 - 11:30
Fort Stanton R.T.C.	12:30 - 2:00
Camp Sierra Blanca	2:30 - 3:15
Lincoln Post Office	4:00 - 4:45
Hondo Store	5:00 - 6:00

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THOUGHTS

FROM THE EDITOR'S DESK

Stormy weather ahead

By Ruth Hammond

Tornados usually happen further east than here in New Mexico but lately there have been several warnings and watches for tornados in different portions of the state. The threat of tornados here at this altitude makes you wonder why this is happening. Changes in weather patterns has been mentioned, but maybe it is because there is much more rhetoric this election year. Most of the hot air from politicians is at the national level during, before or after debates, and later when what was debated is explained.

Explanations can be informative or can be slanted to try to convince the listener as to what was meant instead of what was said. Explanations can also be confusing because what one person hears can be the opposite of what another person hears. Listening to the explanations can be more tiring that listening to the actual debates.

Maybe the erratic weather will cease after elections are held in November. Then again, maybe there will be more storms and more tornados as the losers attack the winners and say all the things they should have said when they were debating and explanations were being given.

Pretending that election rhetoric has no effect on the weather is probably the best way to handle this matter. If we assume that el nino or la nina are the culprits instead of politicians, we can try to catch those wily culprits aka el nino and la nina as they traverse through our state. We can then demand el nino and la nina bring better weather.

Evidently demands will make no impression on el nino and la nina and asking nicely probably won't make any difference either. We may have this crazy weather forever and may have to dig storm cellars, which can also be used to store canned goods and produce and usually have an assortment of spiders and other creepy creatures.

Stormy weather can also happen indoors, as has been the case in governmental meetings recently. Large crowds have voiced their opinions about billboards, both at the county level and municipal level. Other people have been at public hearings to voice their opinions about animal control, zoning ordinances, business registrations, and whether building permits should be approved or denied.

The main thing to remember is that you do have the right to state your opinion and one of the best ways to make your opinions count is to vote. If you want to know what a candidate plans to do or not to do if elected, or if you want to know what the candidate's platform is, ask the candidate. Don't rely on a neighbor or stranger to find out the important questions you want to ask. If you want to know if a candidate plans to paint sidewalks chartreuse or leave sidewalks cement gray, ask the candidate. Not all people want sidewalks painted, but many people would prefer some of this tornado weather would just go away.

Fort Stanton Facts . . .

(Continued from Page 3)

the only ones still hanging in there. The rodeo will start at 1:00. Be sure and dress to a T as there will be awards for best dressed cowboy and cowgirl, musical hay bales, goat roping and the wild cow milking. It is going to be a lot of fun so plan to attend.

The LC Pony Express trail ride was very successful this year and always is the big money maker for the year. Bill Cotton who was thrown at year before last ride, sent ten dollars to be used for the goat roping scramble. He is doing very well for his injuries. It is always good to hear from out previous riders and participants.

In the hardware last week I overheard a couple of people talking about dogs, and my ear went up. I asked them if they were talking about the dog program at CSB. Amanda Tackett said that she was helping with the program and they hoped to get it going again. I sure hope it does as I think that is so good for the clients and the handicapped people who receive the dogs. Georgia was too far to go back and forth with the other dogs, so they are thinking of maybe using pound dogs and dealing with certified trainers in Colorado. Hope to go out soon and get more information on this.

Our condolences go to Dave and Carrie Scott. Their son was killed in Alaska. The posse donated to the Capitan Library in memory of him.

I am amazed at all of

the news articles about Billy the Kid and Tom Sullivan. My personal feelings is this has done more, for tourism in New Mexico than you could have bought with a million dollars.

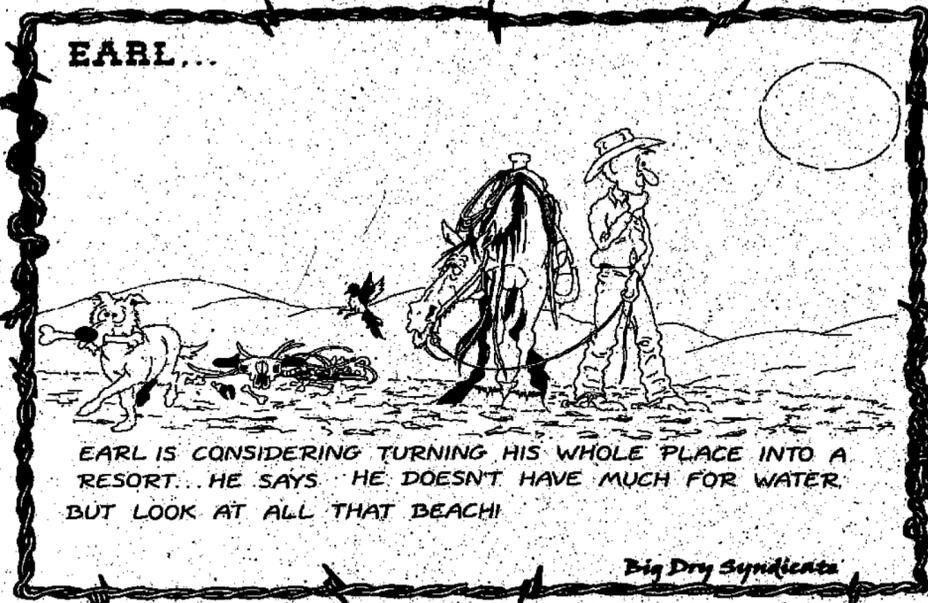
The computer world has almost all of us postmasters at the end of our ropes. So many of my customers are complaining because I am either on the computer with no way of reaching me by phone. I am late putting up the mail because I have to get on MY POST OFFICE before nine, and trying to help another postmaster learn a little about these wonderful machines when they are working.

I am so proud of Willie Hobbs, Margaret Woodard and, Mary Eshom. I have been trying to teach them a few basics and they end up teaching me. Rosalee Patterson at Hondo has had to tell me over and over so many times how to do each of our programs that I know she is going crazy.

We have all come so far and hope to finally one day be at peace with using these machines, that know more than we do. We have a program called WINBATs that we are having to put in the computer with every box number, person, etc.

When we go to write the receipt out when you pay your box rent, the computer has already put the receipt number down.

Homecoming for Capitan was last week. Jace Davis was crown bearer.



EARL IS CONSIDERING TURNING HIS WHOLE PLACE INTO A RESORT. HE SAYS HE DOESN'T HAVE MUCH FOR WATER BUT LOOK AT ALL THAT BEACH!

Big Dry Syndicate

Inside the Capitol



SANTA FE

Cold cuts, fruit punch and chocolate chip cookies, yum, yum!

SANTA FE -- Instead of a court hearing, Fort Sumner held a victory celebration on Sept. 27 to mark the dismissal of proceedings to exhume Billy the Kid.

Three days earlier, attorneys for the sheriffs agreed to dismissal of the case, with prejudice, meaning it can't be refilled. Fort Sumner officials consider it a total victory, ending the effort to dig up Billy's bones.

A big party was held at City Hall, complete with a banquet of cold cuts, fruit punch and chocolate chip cookies. It doesn't get much better than that.

Beforehand, Mayor Raymond Lopez presented certificates of honorary citizenship in the Village of Fort Sumner to visiting dignitaries from as far away as England. The world's pre-eminent authority on the Lincoln County War, Frederick Nolan, of Chalfont, St. Giles, England, made a special trip for the event.

Also present were Silver City Mayor Terry Fortenberry and Chamber of Commerce executive director Cissy McAndrew. Last January Fort Sumner officials attended Catherine Antrim's exhumation hearing in Silver City. Since then, the two communities have provided mutual support to each other in a joint effort to protect their cemeteries and tourism produced by the Billy the Kid and Pat Garrett history and legend.

Following the banquet lunch, participants made the five-mile trip south to Billy's gravesite, where Nolan placed a bouquet of flowers in front of the gravestone of Billy and his pals, Tom O'Folliard and Charlie Bowdre. Nolan declared the day a victory for truth.

Adam Baker, lead attorney for the Village of Fort Sumner, stated that he is not sure why attorneys for the sheriffs were willing to dismiss the case with prejudice. But there are some telltale signs that the battle may not be over.

The sheriffs are declining to comment about whether they plan to renew their attempt to retrieve DNA from the remains of Billy's mother, whose grave is in Silver City.

But Gov. Bill Richardson has been more forthcoming. It is time the truth is known now that DNA technology is

available, said Richardson spokesman Billy Sparks, following dismissal of the Fort Sumner court case. Richardson has consistently maintained that he wants "the DNA" even though his own Office of the Medical Investigator has filed legal papers saying DNA from Catherine Antrim is useless since the location of her remains is uncertain.

"I have a sinking feeling that we haven't heard the last from these three sheriffs," Baker says. He notes that Henry Lee, a forensic expert who is working with the sheriffs, has recovered some samples from a bench said to be stained with Billy the Kid's blood.

Baker speculates that legal action in Silver City focusing on the Kid's mother may be renewed soon. This should create some fireworks since forensic experts around the nation acknowledge Lee's claims can never be substantiated.

Another reason the sheriffs may have backed off the dig for Billy's bones was a spirited attack against the two sheriffs from Lincoln County by County Commissioner Leo Martinez three nights before the sheriffs threw in the towel on the Fort Sumner case.

At a commission meeting, Martinez demanded that Sheriff Tom Sullivan immediately cease his investigation of the 123 year old murders and concentrate on more recent murders that remain unsolved.

A lengthy and heated discussion ensued over how much public money was used for the investigation, the origin of the private money used, whether Capitan Mayor Steve Sederwall's "reserve deputy" status qualified him to sign legal documents that are part of the investigation and whether the county is liable for their actions.

Next door in DeBaca County, Sheriff Gary Graves is having to defend himself against recall charges that include failing to maintain proper records relating to this case and others. Representing Graves against the recall is attorney Bill Robins, the lawyer Bill Richardson brought into the case a year ago to represent (and speak for) dead Billy.



Psychic Judi Christopher
Ruidoso NM
http://www.ruidoso.net/psychic
(505) 257-2986
e-mail: judithchristopher@hotmail.com

Libra (Sept 22 - Oct 22)
You're about to be tested. If you know this now then you'll come out ahead when you study life's plan without taking anything too personal. Lessons to be learned first hand, and not by reading about it.

Scorpio (Oct 23 - Nov 21)
Temper, temper, temper. Even if you are right, this isn't the time to lose self-control. You need to use your good, loving energy towards the ones that respect you and really love you. Let all others go. Talk it out.

Sagittarius (Nov 22 - Dec 21)
You have come to a fork in the road. Study everything very carefully, for you'll never come this way again. Reach down to the deepest depth of your soul and bring forth true love and understand for you and all.

Capricorn (Dec 22 - Jan 19)
Expect a new change in your life. Will you like this change? It's up to you. Don't assume just because someone loves you that they'll be there if you don't show them you care too. Your loving heart will heal the hurt.

Aquarius (Jan 20 - Feb 18)
Oh, this could be good! Real good. How good? Well how good do you want it to be? What you want and get are two different things. It's time for you to quit wanting and go after your dream. What are you waiting for?

Pisces (Feb 19 - March 20)
Money? Don't borrow what you can't afford to lose. If at all possible, work harder, extra job whatever it takes to get the money you need. If you borrow, the money you'll be in the hole one more time. Work and save first.

Aries (March 21 - April 19)
What have you done now? Listen to the little voices in your head that tell you that you can't do something with nothing. You have been here before so do what needs to be done before you dig yourself any deeper.

Taurus (April 20 - May 20)
Change it. Talk this out, walk out, shout, but do something before this gets too big to handle. Not talking about your weight. Your attitude towards this is what is holding you back. Think positive and get results.

Gemini (May 21 - June 20)
Can we spell EGO? Maybe not yours but somebody's. Keep your tongue when it comes to someone that gets to you. Let them hang themselves with their own words. Send loving and caring thoughts. Smile.

Cancer (June 21 - July 22)
They said it couldn't be done, but you'll show them it can be done. Kudos to you. You are on a roll and can be nonstopable now. Get good sleep, eat right and think positive and don't let others get you down.

Leo (July 23 - Aug 22)
You will be cutting a lot of loose ends. People places and things. Your attitude will lighten up and for a change you're going to get back to the old you. Your heart and soul is warming up. You big softy. Let the past go.

Virgo (Aug 23 - Sept 22)
What once was, will never be again. The stars and the moon are shining on you. Let your own light shine too. You will be helping someone that you once knew. Be the teacher that you are and let the light shine through.

Lincoln County News
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ruth hammond and peter aquilar
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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 27

7:41 a.m. accident at top of Angus Hill. Bonito Fire Department responded with two vehicles arriving at 7:59 a.m.

11:17 a.m. gas spill, request for Capitan fire department to wash down gas spill at business. Two responded and advised all was okay.

12:42 p.m. theft at location on Gavilan Canyon Road. Deputy dispatched.

2:31 p.m. loose horse in Rancho de Sonterra, the caller was afraid the horse would get hit on the highway. Deputy dispatched.

6:01 p.m. injury to child, at location in Capitan. The reporting party's three year old son came home after visiting his father and the boy had a black eye and busted lip. Deputy dispatched.

7:18 p.m. one vehicle accident without injuries on Gavilan Canyon Road. Deputy dispatched.

9:43 p.m. request for ambulance at location at mile marker 299 on Highway 70 for female who was ill. Hondo ambulance arrived at 10:08 p.m. and at 10:20 p.m. left for the hospital in Ros-

well arriving there at 10:52 p.m.

September 28

5:19 a.m. request for ambulance at business. Carrizozo ambulance arrived at 5:31 a.m. and at 5:43 a.m. left for Lincoln County Medical Center (LCMC) in Ruidoso arriving there at 6:35 a.m.

6:30 p.m. deputy advised he did warrant service to subject in Carrizozo.

7:15 p.m. request for deputy near Capitan reference an altercation. Deputy dispatched.

September 29

5:03 p.m. fire at location in San Patricio. Hondo Fire Department was paged but cancelled the call at 5:17 advising it was a control burn.

4:36 p.m. 911 hang up at location on Highway 380 in Lincoln area. Dispatch called back with no answer. Deputy dispatched.

11:31 p.m. lost/stolen license plate for a trailer from location on Buffalo Court. Deputy dispatched.

12 noon state police requested deputy to execute a search warrant. Deputy dispatched.

12:06 p.m. request for ambulance at business in Hondo area for male patient. Hondo ambulance arrived at 12:18 p.m. and at 12:28 p.m. left for LCMC arriving there at 1

p.m.

2:18 p.m. request for ambulance at Carrizozo health clinic for 80 year old male with trauma to chest and hand. Carrizozo ambulance arrived at 2:30 p.m. and at 3:14 p.m. left for LCMC arriving there at 4:06 p.m.

4:47 p.m. accident with injuries at mile marker 47 on Highway 380. Carrizozo ambulance arrived at 5:14 p.m. but was refused. Deputy and state police were dispatched.

September 30

10:17 a.m. possible breaking and entering at location on Lincoln Street in Capitan. Deputy dispatched.

11 a.m. Children, Youth and Families Department (CYFD) requested deputy for assistance in Ruidoso. Deputy dispatched.

2:20 p.m. accident at mile marker 78 on Highway 380. State police and deputy arrived at 2:25 p.m. and cancelled the ambulance run.

3:39 p.m. request to speak to a deputy for neighbor's dog that barks a lot and now was put in a pen in the forest and the caller had seen it watered and fed only once. Deputy dispatched.

6:58 p.m. smoldering burn in Alto area, a control burn was left smoldering. Request for someone to check. Bonito Fire Dept. arrived at 7:12

p.m. and was done at 7:17 p.m.

6:58 p.m. 911 request for assistance, a Capitan officer at location on Nogal Street, for a domestic situation where a male subject waved a gun at his wife/girlfriend, then threatened to kill himself, and the subject was intoxicated. Deputies dispatched.

October 1

8:40 a.m. request for deputy for welfare check at location in Hondo. Deputy dispatched.

10:18 a.m. request for deputy for loud voices on hill top above residence on Santiago Drive. Deputy dispatched.

11 a.m. district court requested deputy for warrant service at Lincoln County Detention Center (LCDC). Deputy dispatched.

4 p.m. illegal dumping on White Angel Mesa, someone dumped trash all over the caller's property. Deputy dispatched.

7:37 p.m. request for ambulance at location on Second Street for 22 year old male with chest pain. Capitan ambulance arrived at 7:45 p.m. and requested Med-1. Capitan ambulance left at 8:06 p.m. and intercepted with Med 1 at 8:20 p.m. and arrived at LCMC at 8:43 p.m.

October 2

12:39 p.m., dog at large on Screaming Eagle, the dog was not controlled, was running at large menacing the neighborhood. Deputy arrived at 12:45 p.m. and by 12:54 advised he made no contact with the dog and the workers on the road advised they had not seen the dog.

4:46 p.m. 911 threats at location on Sky View in Capitan. Workers were being threatened by a subject who lived across the street. Deputy dispatched.

5:34 p.m. lost 11 year old male in Hondo area. Deputy arrived at 5:58 p.m. and advised assignment complete by 7:19 p.m.

8:55 p.m. 911 request for ambulance at business in Alto area for male subject having seizures. Med 2 ALS arrived at 9:16 p.m. and at 9:36 p.m. left for LCMC arriving there at 9:51 p.m.

8:14 p.m. unknown vehicles were at garage in Capitan area while owner was out of town. Deputy arrived at 8:45 p.m. and at 8:51 p.m. all was okay.

9:20 p.m. male lost and despondent from location on Buckner in Ruidoso. Subject was 6 foot 4, 250 pounds in a '95 copper colored pick up. Deputies dispatched.

October 3

10:22 a.m. criminal damage/ vandalism to property on Second Street in Capitan. Deputy dispatched.

10:27 a.m. domestic at location on Screaming Eagle. Deputies dispatched.

10:41 p.m. damage to vehicle, vandalism at location on Fourth Street in Capitan. Deputy dispatched.

12:09 p.m. vandalism at location on Second Street in Capitan, one spot of graffiti had been removed but one spot would not come off and they needed a report. Later the landlord called and advised he did not need a report.

2:38 p.m. possible drunken driver/reckless driving on the highway between Gavilan and ski run roads. A red pick-up was all over the road almost causing several vehicles to go off the road. Deputy dispatched.

3:05 p.m. temporary restraining order (TRO) violation, a woman requested a deputy for the violation by a male subject. Deputy dispatched.

5:31 p.m. LCMC emergency room requested a deputy for a subject with a reportedly accidental gun shot wound to the knee that happened in the Nogal area. Deputy dispatched.

October 4

9:39 a.m. request for ambulance at location on Highway 54 north near Coyote. Carrizozo ambulance arrived at 9:47 p.m. and at 10:26 p.m. left for the hospital in Alamogordo, arriving there at 11:31 a.m.

Grizzly WEEKLY
by Carrizozo High School Journalism Class
Sarah Ball, Instructor

New Head Football Coach

"I enjoy football. I enjoy kids because it's such a great challenge," said Gerald Burns, new head coach of the Carrizozo Grizzly football team and PE teacher.

Gerald is no stranger to Carrizozo. He started his coaching career here many years ago. In the ensuing years he has been responsible for teams in Grants, Dexter, and Eunice. Last year he came out of retirement to be an assistant coach for Mesalero.

He wanted to get back into public schools again, so when Coach Holland gave him the opportunity to be head coach for the Carrizozo Grizzly football team, Burns said yes.

According to Coach Burns the most challenging thing for coaching this football team is their small size. They are the smallest team in the state playing 11-man football. The second is getting all the boys who have some desire and talent to go out for the team.

Coach Burns' goals are to make the playoffs and someday really retire. He loves to see the boys on his team perform their best, and also he enjoys watching the kindergartners and first graders do their best.

He is in his element with his whistle around his neck on the open football field, and he admits he started dreaming of coaching while in high school. He also dreamed about working in a refinery but coaching had a stronger draw.

When off the field, Burns enjoys camping, gambling, and fishing. His wife, Theresa Burns, was the former special education teacher who left Carrizozo when Coach Burns returned. He is enjoying the challenges of building the football team and is just glad to be back in Carrizozo schools.

Krista Padilla

Homecoming Week Activities

Carrizozo High School's Homecoming festivities will be the week of October 12 through the 15, ending with the homecoming game on Friday night against the Mesalero Chiefs at Laab's Field, which kicks off at 7:00 p.m.

Since Monday, October 11, is a holiday, Carrizozo's Student Council has designated the following days for dressing up.

- Tuesday - Pajama day (wear your favorite pj's)
- Wednesday - Teacher day (dress as a teacher)
- Thursday - Clash day (wear mis-matched clothing)
- Friday - SPIRIT Day!! (wear red and white)

On Friday, there will be an assembly at 10:30 in the old gym to present the court. The parade will begin at 1:00 p.m. at the school. All students planning on riding their bikes need to have a parent permission form signed before 11:00 a.m. on Friday, October 15. Students participating in the parade should meet at the high school at 12:30 p.m. The Homecoming Dance will be held in the old gym following the game and ending at 12:00.

The 2004 Homecoming Court includes freshmen, Erin Hightower and Jude Renney; sophomores, Kristen Heathcock and Tim Barela; juniors, Britni Ward and Justin Wilson. Senior Queen candidates are Heather Renney, Amanda Hurley, Tierney Burd, Sonya Vega, and Stephanie Brewer. Senior King candidates are Jesse Samora, Joseph Samora, Nathan Chavez, Brandon Morales, and Jake Riddle. Show your spirit by dressing up all homecoming days, and go support the Grizzlies in their homecoming match-up!!!

Go, Grizzlies!!

Come In and Enjoy

"Willie's" Homemade Meringue & Fruit PIES Extra Flakey Crust!!

ONLY AT...
Chris & Di's FOUR WINDS RESTAURANT
Carrizozo, NM

Church Directory



MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY

Nogal Presbyterian Church:
BILL SEBRING, Pastor
Sunday School 10:00 a.m.
Worship 11:00 a.m.

Ancho Community Presbyterian Church:
TERRY AIELLO, Pastor / 648-2024
Worship 8:00 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
648-2888 (Church) or 648-2107
Sunday School 9:45 a.m.
Worship Service 10:55 a.m.
Sun. Evening Training at 6:15 p.m.
Evening Worship 7:15 p.m.
Wednesday Bible Study 7:00 p.m.

Carrizozo Community Church (AIG)

JOHNIE L. JOHNSON, Pastor
Corner of C Ave. and Thirteenth, 648-2186
Children's Church 10:30 a.m.
Worship Service 10:30 a.m.
Wednesday Bible Study 7:30 p.m.

Santa Rita Catholic Community

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

Church of Christ

TOM POINDEXTER, Minister 354-3136
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
849-1402
Second Sunday of Each Month 9:00 a.m.

United Methodist Churches

JOHANNA ANDERSON, Pastor
1000 D. Ave, 648-2893 / 648-2846
Carrizozo, NM 88301
Sunday School (All Ages) 10:00 a.m.
Worship Service 11:00 a.m.
Choir Practice (Tuesday) 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 / 336-4627
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 / 848-7975
Sunday School 10:00 a.m.
Worship Service 11:00 a.m.
Wednesday Bible Study 7:00 p.m.
Fellowship Dinner 1st Sunday of Month

Angus Church of the Nazarene

RICK HUTCHISON, Pastor / 336-8032
Southwest Corner of Hwy. 48 & 37 Junction
Between Ruidoso and Capitan, NM

Sunday:
Sunday School for all ages 9:30 a.m.
Morning Worship 10:30 a.m.
Children's Church 10:45 a.m.
Evening Worship 8:00 p.m.

Wednesday:
Teen dinner and games 6:00 p.m.
Teen Bible Study 7:00 p.m.
Prayer Meeting 8:00 p.m.

LaGrone Funeral Chapel

Jerry & Lanita Rosak

In Memory of...
BILL WINKLER

Stearns Insurance Agency

Three Constitutional Amendments

(Continued from Page 1)

make it difficult for a member of a minority group to be elected in a race where most of the voters are of a different background. A minority candidate might run strongly in the first election, only to lose in the runoff election if the majority votes against the minority candidate.

If runoff elections are important, then this amendment to the New Mexico constitution does not go far enough. It does not apply to statewide races for the election of a governor, New Mexico supreme court justice or court of appeals judge, secretary of state, attorney general, state auditor, state treasurer or any other race that is not conducted by district.

It is illogical that these important offices should be filled by less than a majority of the voters, while other offices are required to have runoff elections.

The proposed amendment gives the legislature the task of enacting a law to specify which offices would have runoff elections. However, the wording of the amendment does not require the legislature to enact such a law, so there is no guarantee that legislation providing for runoff elections will be adopted.

The proposed amendment's restriction of the legislature's ability to provide for certain runoff elections is burdensome.

Constitutional Amendment 4 proposes an amendment to

Article 8, Section 5 of the New Mexico constitution to apply the exemption from property taxation to all honorably discharged veterans who served in the United States Armed Forces.

In the LCS analysis Constitutional Amendment 4 proposes to amend Article 8, Section 5 of the Constitution of New Mexico to expand eligibility for exemption from the property tax to all honorably discharged veterans of the Armed Forces of the United States. Without the amendment, eligibility for the exemption is limited to honorably discharged veterans who served in times of armed conflict.

Arguments For: Members of the armed services have no control over whether they will serve during a period of armed conflict and all members of the armed forces serve and protect the country by putting themselves in harm's way and risking their lives if necessary. All veterans were at some point ready and able to engage in armed conflict and that should be sufficient to grant them equivalent benefits. Their service should be rewarded. Providing property tax exemptions to all honorably discharged veterans encourages enlistment and good conduct in the United States military.

The expansion of the veterans' property tax exemption is a small token of appreciation for all those who served

their country in the military. The expanded exemption might especially benefit elderly veterans who are now or will soon be living on fixed incomes, since their property taxes may keep rising even though their income does not.

The proposed amendment will eliminate the time and resources the state must expend in verifying whether a specific veteran claiming the exemption served during a time of armed conflict.

The relatively low dollar level of this exemption means that the expansion to include all veterans will not be particularly costly. It is estimated that the amendment will reduce the residential property tax base by no more than one percent. In addition, any impact on either state or local revenues will be minimal because the loss in tax base will be largely offset by rate increases for residential taxpayers.

Favorable tax treatment for veterans who served during a time of armed conflict misrepresents the comparative value of service provided. The proposed constitutional amendment equalizes tax benefits for veterans.

The special exemption for veterans was established in 1921 as a way of recognizing the special contribution and sacrifice of those who served in our armed forces during World War I. Since that time, the nation's need for a permanent army has expanded, and

it is appropriate to extend this exemption to all veterans, whether or not the country was engaged in armed conflict during their period of service.

In years past, many of the veterans who served during periods of armed conflict did so by conscription. Since the end of the draft, however, the military has been comprised of those who have chosen to serve their country, and the exemption is an expression of appreciation for their choice.

Arguments Against: This amendment removes an appropriate distinction between those who have served during times of armed conflict and those who have not. Veterans who were willing to risk their lives deserve special recognition. To be meaningful as an expression of the state's gratitude, the exemption should continue to be restricted to those veterans who have served during a period of armed conflict. State and local governments should not have to bear the expense of compensating an individual for a service to the nation. This is a national responsibility, not a state or local responsibility. More generous military retirement benefits are the appropriate way to reward veterans.

This exemption may have made sense in the days when the military draft was in effect, but today we have a volunteer military. There is no longer any reason to treat

persons who served in the military differently than others. We should not extend a special benefit to someone who happens to choose the armed forces as a job.

The special exemption for veterans was established in 1921 as a way of recognizing the special contribution and sacrifice of those who served in our armed forces during World War I and at a time when veterans did not receive benefits from the federal government. Today, veterans receive \$62 billion in federal benefits. Eliminating the armed conflict requirement removes the basis for the veterans' exemption and provides an unnecessary additional benefit to veterans who receive federal money.

By expanding this property tax exemption, the property tax bills of other New Mexico residents will increase. The tax burden is shifted to all other taxpayers.

Tax relief measures should be targeted to individuals based on need.

The property tax is based on the value and nature of the property, not on the personal characteristics of the owner.

This amendment may prove more costly than anticipated, since many New Mexicans have served some period of time in the armed forces, and the exemption also applies to widows and widowers.

Constitutional Amendment 5 proposes to amend Article

12, Section 11 of the New Mexico State Constitution to change the name of the New Mexico School for the Visually Handicapped to the New Mexico School for the Blind and Visually Impaired.

Arguments For: The proposed amendment provides a politically correct alternative to the name of the New Mexico school for the visually handicapped.

The term "handicapped" no longer appears in federal law applicable to blind and visually impaired persons. It is appropriate and necessary to amend our state constitution so that we are consistent with the federal law.

The term "handicap", though often thought to mean impairment or disability, is not necessarily synonymous with those terms. Not all blind or visually impaired people are handicapped. In short, the current term, "visually handicapped", does not accurately describe all those who are served by the school.

What we call ourselves and how we define ourselves is central to our well-being, and the fact that the use of the term "handicapped" is often offensive to the people so labeled is enough reason to substitute "blind and visually impaired" for "visually handicapped" in the constitution of New Mexico. Names do matter, and more accurately describing the purposes of the institution that serves the blind and visually impaired shows an appreciation of that fact and respect for those served by that institution.

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Extreme Gardening

by Doris Cherry

Freezing times ahead.

High altitude gardeners get ready, the end of gardening season is on its way.

The average date of the first killing frost for the Capitan (6,500 feet altitude) area is October 10. Because of the late monsoon season, combined with cooler than average weather this summer, the Extreme Garden as well as many other high altitude gardens are late in producing things like tomatoes and squash.

Often after the first killing freeze, Indian Summer sets in, with warm days and mod-

erately cool nights. This can be frustrating if your squashes and tomatoes were damaged or killed by the frost that sometimes is only for one night. For years the Extreme Garden season has been extended with the use of cloches and twinkly lights.

If you are not using cloches which can be buttoned up against the cold air, be ready in your garden with large sheets of plastic, light weight blankets or old mattress covers, or the white row cover cloth to cover your tender plants on the late afternoon before a suspected frost. If the frost is light, down to 30

degrees for a short while, the light cloth will protect tender plants. But if the cold goes down to 22 degrees for two hours sustained, tender plants will be damaged even if covered.

To take the edge off the cold in your cloches or under the cloth/plastic covers, try putting a 100-light string of 1/2 watt twinkly lights draped over the top of your tender plant.

Use an outdoor rated extension cord that has two or more inlets for the power for these lights. Make sure the cloche or the covering is tucked in snugly, with no loose flaps to let in cold air. Use clothes pins if necessary to hold things together.

Turn on the lights in the afternoon, before the sun goes down if possible to give as much time as you can to warm up the space. The cloches should protect your plants down to about 24 degrees, if warmed with lights. Be ready the next morning to turn off the lights, open the cloches and move aside the cloth covers if the day promises to be warm and sunny. If the day of the frost is chilly and overcast, leave the lights on and everything buttoned up. Try to use white or light colored cloth and clear or translucent plastic sheeting (avoid black unless you are diligent in uncovering your plants).

If weather predictions are for a freeze, pick your garden the evening before. Pick all squashes large enough to pick and eat, pick all your beans, berries, and all the red tomatoes and other summer type fruits as possible. Many of these vegetables are not good once frosted. Pick pumpkins and place them in a dry place so their stems will dry out. Pumpkins can take a light frost, but a heavy freeze will make them rot quickly. Tomatoes surprisingly can be put in a bag and frozen if they are frosted.

Green beans and squash must be blanched (boiled) for a few moments before they can be frozen. Lay the vegetables out on a clean towel to drain and cool, then bag them separately to freeze. By freezing loosely, you can use only the amount of vegetables needed or wanted, instead of having to defrost an entire bag of vegetables.

Greens such as lettuce, Swiss chard, and cole crops as broccoli, cabbage and kale will tolerate a frost, but pick

the larger lettuces just in case. It is a good idea to give them a little cover, even if it is an old bed sheet or piece of shade cloth.

If you are diligent at covering your plants at night, and making sure the cloches are tightly closed, you should be able to extend your growing season by a few days or sometimes weeks.

With September turning out to be a very wet month, with the last two weeks drizzly with measurable precipitation, it is hard to predict what October will be like. It is a given however that a killing frost could occur around Oct. 10, (or earlier), and it can then turn warm and sunny with very cool nights.

The late monsoon did bring some pleasant surprises. Apples are everywhere. Apples are usually sweeter if harvested after a light frost, so be prepared if you want to go apple picking.

Pinons are also everywhere, especially in the Indian Divide area. The pinon trees that did not die from bark beetles and drought produced nuts heavily.

If you forget to cover your tender plants and they freeze, go out into the garden first thing in the morning before the sun gets on the frozen plants. Check to see if any fruit is salvageable. You can tell if it is frozen by the appearance and feel. If any fruit is salvageable, pick it and cook or use it right away. Soups are a great way to use frozen vegetables, or the vegetables you pick before the frost. Chop everything, mix it all in a big cooking pot, add water to cover, add salt and pepper to taste, onion, garlic and/or some green chilis. Some like a dash of wine for flavor while others prefer meat such as bacon, beef, pork or chicken.

If you add meat, brown it first in a bit of olive oil in the cooking pot. Then add vegetables and water and cook down just until the vegetables are tender. Add crusty bread and enjoy, or cool the soup and put it in quart sized zip bags to freeze for winter.

This gardener prefers to freeze vegetables and fruit, and does not do any canning. If you want information on canning, contact the Lincoln County Extension Office in the courthouse in Carrizozo. They will provide you with circulars about the canning process.

Plants that are frozen should be pulled up and composted before they get dried out, as the mushy frozen plant cells will decompose in the compost pile much quicker than if it dried to hardness.

One reason to remove the frozen plants is for insect control. Grasshoppers especially love to hide under the garden debris and lay their eggs for the following season. By removing the frost killed plant debris, the eggs are exposed to the winter weather.

Remove all leafy and stem debris, rake all old mulch and compost with some fresh horse or bull manure if possible. Turn the garden soil slightly, then mulch with fresh mulch. This will keep our precious moisture in the ground over the winter, instead of letting the soil dry out and bake to hard clay. If you have new compost done,



(Continued from Page 2)

Oscuro. The bridge is on a curve and as they approached it, the car swerved to the outside, in soft ground, and in righting it, just as the bridge was reached, the car made a sudden turn and plunged over the bridge into the gulch below.

The car was battered and smashed into a tangled mass, a complete ruin, and yet Sabino and Fr. Reyes escaped with slight cuts and bruises. It was a close call, and one that Sabino and the father have no desire to duplicate.

English, Scotch and Irish

Last Sunday evening a number of friends gathered at the pleasant house of Mr. and Mrs. J.L. Bogle, Coyote, to enjoy a big chicken dinner, for which the Bogles are noted. The dinner -- and oh, what a dinner!, was spread on the beautiful lawn, after mutually pleasant greetings -- not the least of which was Mrs. Bogle's engaging smiles, and Roy's equally pleasant smile, and more significant nod -- all fell to with a hearty good will and each vied with the other in the attempt to exterminate, or devour, the good things piled high on the table. But it couldn't be done; for there is a point beyond which human capacity cannot go.

Finally, when appetites were satiated, and to have gone further would have been approaching gormandism, the crowd began to lay dishes aside, one by one; all except Mesdames Gallacher, McCammon and Paden, each of whom kept nibbling at this, that and the other, as though the last meal before their execution. At last they, too, succumbed, gave in, quit; for nature, generous and long suffering, rebelled, could stand no more.

Then Roy brought out the graphophone and regaled the assemblage, sitting on the velvety blue grass, with the "Cowboy's Lament," the "Gambler's Wall," and a few choice selections of jazz, to which the giddy spirits of Bill Gallacher and Brent Paden responded after the manner of colts just turned onto a green pasture. Then back into the house, where different ones presided at the piano supplying the accompaniment to the latest songs, at which Mrs. Bogle and the writer were the chief song birds.

All good things have an end, however, and this delightful party was no exception to the rule, and about 10:30, the guests bade their host and hostess good night, and wended their way home with happy recollections of a delightful evening.

Those present besides host and hostess and the aged mother, were Mrs. Jane Gallacher, Mrs. C.A. McCammon, daughters Helen and Ardeane, Mrs. and Mrs. Will Gallacher and Jane, Mr. and Mrs. M.B. Paden, Mr. and Mrs. John A. Haley and Harry Gallacher -- as motley a bunch of English, Scotch and Irish as ever assembled on the American soil -- and no broken heads when the party concluded.

Lincoln County School Notes

Lincoln County Schools will open Monday, September 2nd. On Monday pupils will be enrolled and classified, then dismissed for the day. Classes and the regular work will be taken up Tuesday morning.

The following teachers have been elected for the coming year:

Lincoln -- J.F. Chambers, Albert Moss, Mrs. C.M. Boyd, Callie Morris, Nellie Pfingsten, Mrs. Chambers.

San Patricio -- Stella Gomez, Lucia Montes, Mrs. Helena Lucas.

Ruidoso -- Mrs. Ida Browning, Maudie Fritz, Verlyn Ballentine, emergency teacher.

Picacho -- Viola Kimbrell, Elma Fresquez.

Encinosa and Richardson -- Dora Kimbrell, Mary Montoya.

White Oaks -- Mrs. Florence Ward, Lorene Stimmel.

Nogal -- Charles Pfingsten.

Angus -- Mrs. Lola Jones.

Corona -- A.D. Boucher, Mrs. Boucher, L.S. Van Scoyoc, Mrs. Scoyoc, Mrs. Callie Franks, Donnie Franks, G.W. Greer, D.D. Salzer.

Rabenton -- Mrs. Marie Pacheco.

Alto -- Mrs. Mannie C. Wright.

Mon Jeu -- Mary Elma Ludlow.

Blewater -- Mrs. Geo. Dixon.

Oscuro -- Mrs. Ethyl Robinson.

Hondo -- A.M. Freeman, Nellie Kinney, Eva Rose, Louise Fritz.

Ancho -- Ethel Johnson, Hilda Key.

Bethel -- W.C. Rockwell.

Baca Canyon -- Not supplied.

Escondida -- Frances Sandoval.

(SEE PAGE 11)

ELECT
CHARLES H. LANE
PROBATE JUDGE

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- ★ I am not a New Mexican by birth, but by choice!

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- Preserve County and Historical Property.

Questions? Please call 505-648-2326 or email: tierraverde@tularosa.net
Paid for by Candidate

Corona News

An impressive thunder and lightning display Sunday evening with light showers over the weekend.

Mrs. Tom Froese, Mrs. Melvin Johnson, Corona and Mrs. Darlene Lucero, Los Lunas hosted a miscellaneous shower for Mrs. Eddie Sanchez who lost her home in the Lookout Fire. Mr. and

Mrs. Sanchez have been married 53 years. Mrs. Sanchez says her new kitchen is mostly complete and she is now working on the living room. The Sanchez family is very appreciative of the help received from the churches and from their wide circle of friends.

World Wide Communion

was celebrated at the Presbyterian Church Sunday with Christian music from the Caribbean, Argentina, Zimbabwe, Native American, South Africa and India. A special peace offering was received.

The previous Sunday, Terry Aiello was in San Angelo and Lewis Toland, PhD filled the pulpit. Toland is head of the English department at New Mexico Military Institute.

Wednesday, September 29 was Zelfa Atkinson's 92nd birthday and her daughter, Kay Lindsey, invited friends from Carrizozo, Claunch and Corona to a luncheon honoring her mother. Later Mrs. Atkinson and the Lindseys went to Albuquerque to have dinner with the Polosky family.

After what seems like forever, the Corona Clinic opened its doors in the new facility located in the Village Hall. Byron and Cathy Yancey were the first clients.

Jeanene Gibbs, Bill Hight and Sherrill Bradford

were in Ruidoso last Wednesday for an afternoon of instruction on the Open Meetings Act and the Inspection of Public Records Act. The meeting was conducted by Betsy Glenn and Mary Smith from the Attorney General's Office.

Corona Cardinals played a good game against Magdalena last Saturday even though the score ended 15-19. The Cardinals were playing without J.R. Shafer who had a knee injury in the last game. The Cardinals will spend this week resting before the Homecoming game against Mountainair October 15 at 7:00 p.m.

Zach Perkins announced Friday after school that he wanted to spend the weekend with his grandfather, so his family brought him from Melrose to Yeso where he was met by Sherrill Bradford. His great grandmother and great aunt returned him to Melrose Sunday afternoon.

Mrs. Rand Perkins accompanied by her sister, Flora

Berund, Deming, went to Wilcox, AZ for the rodeo. Over 400 contestants kept the secretary, Mrs. Perkins very busy.

Plan now to attend the Co-

rona Parent-Teacher Volleyball game on Friday, October 8. The event, sponsored by

Corona PTO will raise funds for extracurricular activities in the school system.

Lincoln County News



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LEGAL NOTICE
TWELFTH JUDICIAL DISTRICT COURT
COUNTY OF LINCOLN
STATE OF NEW MEXICO
Cause No. PB-04-28
Division III

IN THE MATTER OF THE ESTATE OF JOSIE O. VEGA,
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 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 1200 11th St., Carrizozo, NM 88301 or filed with the Twelfth Judicial District Court.

DATED: 10-04, 2004.

Angelo Vega
 1200-11th St.
 Carrizozo, NM 88301
 Personal Representative

Published in the Lincoln County on October 7 and 14, 2004.

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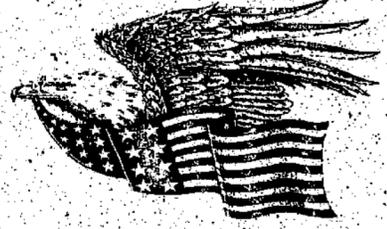
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HISTORICAL



Lincoln County

Spring * Summer * Autumn * Winter



(Con't. from P. 1)

Regardless of the memo P&Z denied the request based on the low intensity issue.

Patel said he based his appeal on how the denial affected his ability to develop the lot for commercial purposes on a scale that can be supported economically and that the P&Z construed an "ambiguous term" in the ordinance, "low intensity" in favor of use restriction rather than in favor of the landowner as required by law. In Bremmer's memo about the September 28 appeal that he sent to village councilors he wrote that Planning staff believed the hotel proposal had complied with the village zoning ordinance because it has met site development criteria. However, P&Z at its hearing on August 14 had heard protests from the community.

Village planning department also wrote that the village ordinance gives no direction and no definition of "low intensity". Because of this lack of definition, the attorney for the developer argued that the term "low intensity" is ambiguous.

After hours of discussion and repeated review of the village zoning ordinance by attorneys for the developer and for surrounding residents opposing the project, about 11:30 p.m. councilors tried to take action on the appeal. First a motion was made to postpone action on the appeal, although it got a second the motion died.

Then councilor Ron Hardeman made a motion and got a second to uphold the P&Z denial of the project. The vote tied three to three. But the mayor could not break the tie.

Underwood then advised councilors to make another motion to overturn the P&Z denial. That motion also got a tie vote, with no mayor vote to break the tie. If the mayor had been able to break a tie, any action to overturn a P&Z action must be a super-majority (two-thirds vote either way), said Underwood in response to a question from councilor Hardeman.

Since there was no super-majority of vote by the council to overturn, or uphold, the P&Z denial, the August 14 action by P&Z to deny the application for the hotel development will stand, village manager Lorri McKnight told THE NEWS.

Because councilors did not finish the business on the September 28 meeting agenda before midnight, they agreed to continue the rest of the meeting on Tuesday, October 5. Items on the agenda included discussion and possible action on the village water conservation ordinance regarding the use of outdoor fountains during water conservation phases; discussion and possible action on commercial water rates for Cherokee Mobile Village; request for funds for Festival of Lights from the village Parks and Recreation Dept.; approval of task order for Grindstone sewer improvements; approval of task order for engineering assistance during the state engineer's office hearings; discussion and possible action on a request to schedule a public hearing on impact fees appeal from Lincoln County for the public health facility.



LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT
IN THE CHILDREN'S COURT
 No. JQ-2004-03
 Div. III

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

In the Matter of J.H., E.M., and D.R.,
 Children,
 And Concerning Jennifer Romero, Tomas
 Parra, Mario Montalvo, and George
 Romero,
 Respondents.

NOTICE OF PENDENCY
OF ACTION

TOMAS PARRA
TO THE ABOVE NAMED RESPONDENT:

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

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

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

JAN PERRY
 Clerk of the District Court

(SEAL)

by: Elizabeth Ysasi
 Deputy

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

Published in the Lincoln County News on
 September 16, 23 and 30 and October 7,
 2004.

LEGAL NOTICE
TWELFTH JUDICIAL
DISTRICT COURT
COUNTY OF LINCOLN
STATE OF NEW MEXICO
 No. CV-04-246
 Division III

JOSEPH GRIEGO, EVANGELINE GRIEGO,
HAROLD L. SHELBY and
MAXINE F. SHELBY,
 Plaintiffs,

vs.

THE UNKNOWN HEIRS OF THE
FOLLOWING NAMED DECEASED
PERSON: H.F. DOCKRAY,
AND
ALL UNKNOWN CLAIMANTS OF
INTEREST IN THE PREMISES
ADVERSE TO THE PLAINTIFFS.
 Defendants.

SUMMONS AND NOTICE OF
PENDENCY OF ACTION

THE STATE OF NEW MEXICO TO THE
DEFENDANTS ABOVE NAMED:

GREETINGS: You are hereby notified that Joseph Griego, Evangeline Griego, Harold L. Shelby and Maxine F. Shelby, Plaintiffs, have filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-04-246 Div. III, wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.

The general subject matter of said action is to quiet title to certain real estate, which is the subject matter of the above-captioned and num-

bered cause of action and is described as follows:

The East Twenty (20) feet of the North One-half (1/2) of Lot Four (4), of Block Three (3), of DOCKRAY ADDITION to the TOWN OF CAPITAN, Lincoln County, New Mexico, as shown by the plat filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico.

You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before November 10, 2004, judgment will be rendered against you by default and the relief prayed for in the Complaint will be granted to Plaintiffs in conformity with the allegations of the Plaintiffs' Complaint.

The name and address of the attorney for the Plaintiff is: Archie A. Witham, P.O. Box 83, Nogal, New Mexico 88341.

WITNESS my hand and seal for the District Court of Lincoln County, New Mexico, on this the 27th day of September, 2004.

JAN PERRY
 Clerk of the District Court

(SEAL)

By: Mickie L. Vega
 Deputy

Published in the Lincoln County News on
 September 30 and October 7, 14 and 21,
 2004.

LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT
 No. CV04-218

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

vs.

REGINALD W. TURNER; DESIREE
GERHARDT-TURNER; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC. (SOLELY AS NOMINEE FOR LENDER
AND LENDER'S SUCCESSORS AND
ASSIGNS); UNKNOWN OCCUPANTS
WHOSE TRUE NAMES ARE UNKNOWN;
THE UNKNOWN SPOUSE OF REGINALD
W. TURNER, IF ANY; THE UNKNOWN
SPOUSE OF DESIREE GERHARDT-
TURNER, IF ANY.
 Defendant(s).

NOTICE OF SUIT

STATE OF NEW MEXICO to the above-named Defendant(s):

GREETINGS:

You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 201 Nogal Place, Ruidoso, NM 88345, Lincoln County, New Mexico, said property being more particularly describe as:

LOT 22, BLOCK 2, COUNTRY CLUB
ESTATES, RUIDOSO, LINCOLN
COUNTY, NEW MEXICO, AS SHOWN
BY THE PLAT THEREOF FILED IN
THE OFFICE OF THE COUNTY
CLERK AND EX-OFFICIO RECORD-
ER OR LINCOLN COUNTY, NEW
MEXICO, JUNE 9, 1960.

Unless you serve a pleading or motion in response to the complaint in said cause on or before November 27, 2004, judgment by default will be entered against you.

Respectfully Submitted,
SHAPIRO & MEINHOLD, L.L.P.

By: Kelly J. McMullen
 Sharon Hankla, NM Bar #8112
 Kelly J. McMullen, NM Bar #17033
 13725 Struthers Road, Suite 201

Colorado Springs, CO 80921
 800/286-0013; 719/634-4868
 Attorney for Plaintiff

WITNESS the Honorable **KAREN L. PARSONS, DISTRICT COURT JUDGE**, of the Twelfth Judicial District Court, Lincoln County, New Mexico, this 24th day of September, 2004.

CLERK OF THE
DISTRICT COURT

(SEAL)

By: Mickie L. Vega
 Deputy

Published in the Lincoln County News on
 September 30 and October 7, 14 and 21,
 2004.

LEGAL NOTICE
TWELFTH JUDICIAL
DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF LINCOLN
 NO. CV04-245

IN RE: PETITION REQUESTING THE
FORMATION OF THE ALTO
LAKES WATER AND
SANITATION DISTRICT.

NOTICE OF PENDENCY
OF PROCEEDINGS

The Twelfth Judicial District Court, Division III, Judge Parsons, shall hold a hearing on October 21, 2004 at 4:00 p.m. at the Twelfth Judicial District Courthouse, 300 Central, Carrizozo, New Mexico 88301. Then and there, the Court will hold a hearing on a proposal to create an Alto Lakes Water And Sanitation District.

JOLENE BIGGS
 Twelfth Judicial District Court Clerk
 By: /s/ Clydene Baca.

Published in the Lincoln County News on
 September 30 and October 7, 14 and 21,
 2004.

LEGAL NOTICE
NATIONAL FOREST TIMBER FOR SALE
CIBOLA NATIONAL FOREST

The Blue Ox Timber Sale, part of the Thunderbird Ecosystem Management Project, is located in Township 4 North, Range 5 East, Sections 10-12, NMPM; approximately 40 air miles SE of Albuquerque, Manzano Peak 7.5' Quadrangle. The Forest Service will receive sealed bids in public at Mountainair Ranger District Office in Mountainair, New Mexico, at 12:00PM local time on November 1, 2004. There is an estimated 1,004 CCF hundred cubic feet) of Ponderosa Pine sawing material designated for cutting. Additionally, there is an estimated 702 CCF of mixed Ponderosa Pine/Juniper post/pulp/fuelwood material that the bidder may agree to remove. The Forest Service reserves the right to reject any and all bids. Interested parties may obtain complete information concerning the timber, conditions of sale, and submission of bids from the Mountainair Ranger District, #40 Ranger Station Road, Mountainair, NM 87036 (505-847-2990), or on-line at www.timbersource.com.

Published in the Lincoln County News on
 October 7 and 14, 2004.

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LEGAL NOTICE

NOTICE is hereby given that on September 28, 2004, Mike Leinweber, P.O. Box 1079, Capitan, NM 88316, filed application No. 01406-D & H-209, with the STATE ENGINEER for permit to change point of diversion, place of use of surface waters supplemental by groundwater for the diversion of 6.50 acre feet per annum diverted from the Elena Vigil Ditch, which diverts from the Rio Bonito at a point located in the NE¼ NW¼ NE¼ of Section 13, Township 10 South, Range 16 East, N.M.P.M., and from supplemental well H-209 located in the NW¼NW¼SE¼ Section 12, Township 10 South, Range 16 East, N.M.P.M., by ceasing the irrigation of 2.0 acres located in Pt. E½ E½ of Section 13, Township 10 South, Range 16 East, N.M.P.M.

Applicant proposes to commence the diversion of said 6.50 acre-feet per annum using a river pump on the Southwest Bank of the Rio Bonito at a point located in the SE¼ NE¼ SE¼ of Section 13, Township 10 South, Range 16 East, N.M.P.M., and supplemental well H-2963 located in the SE¼ NE¼ SE¼ Section 13, Township 10 South, Range 16 East, N.M.P.M., for the irrigation of 2.00 acres located in the E½ E½ of Section 13, Township 10 South, Range 16 East.

The move from and move to points of diversion and places of use are located approximately five miles northwest of Hondo, Lincoln County, NM.

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

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