

Sederwal Wins Supreme Court Case

by Patrice Brazie

In a New Mexico Supreme Court hearing in Santa Fe last week, former Captain Mayor Steve Sederwal was granted a second chance to have his name included on the general election ballot in November as an independent candidate for the office of Lincoln County Sheriff.

Sederwal failed to meet the candidacy declaration requirement of a completed nomination petition, earlier

this year after allegedly being given misinformation from the offices of the Lincoln County Clerk and the Secretary of State regarding the requirements for independent candidacies.

A District Court judge ruled in July that, while Sederwal probably should have known what he was required to do, there is room for some confusion over the state statutes and how they have been applied.

The District Court Judge

denied Sederwal's request to have his name placed on the November ballot.

Sederwal's attorney Timothy Rose told *The News* after the District Court hearing that he intended to file an appeal, but Sederwal's case skipped the Court of Appeals and went directly to the New Mexico Supreme Court.

"The Supreme Court normally hears cases that have already been through the Court of Appeals," Rose said. "You can ask the Su-

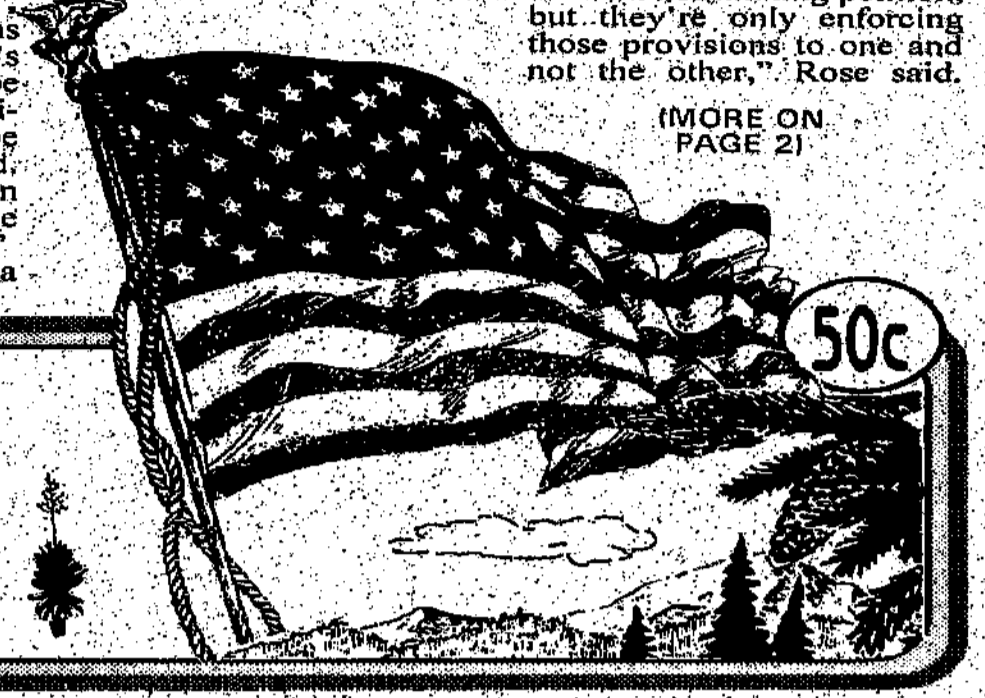
preme Court to review it; sometimes they do and sometimes they don't," he said. Occasionally the Supreme Court will accept a case that hasn't been in any court before.

"They call them petitions for extraordinary writs. It's something that needs to be determined by the top decision makers and needs to be decided quickly," Rose said. "Election cases have been historically accepted by the Supreme Court for review." Rose filed a petition for a

writ of mandamus, a court order directing a public official to do or not do something. "There were two grounds for asking the court

to put Steve on the ballot," Rose said. "One was that the law requires both Sederwal and Virden, independents and major party candidates, to file a nominating petition, but they're only enforcing those provisions to one and not the other," Rose said.

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CORONA WASTEWATER GROUND BREAKING CEREMONY -- The Village of Corona breaks ground on Phase 1 of their Wastewater Management System. The village has been working with Smith Engineering Company of Albuquerque since 2004 on preliminary engineering, the project design and hiring a contractor. The Mayor, William Hignight, stated, "It has taken us several years to gather enough funding from various sources to finally be able to begin construction on Phase 1". The contract for Phase 1 was awarded to Cone Construction of Albuquerque. The mayor also stated, "The project is very significant for our community and will allow us to bring individual properties up to compliance with environmental regulations". Shown in photo (left to right) Mayor Hignight (with shovel), Turner Wilson, Public Works Director, Sam Seely, Trustee and Allen Bolinger, Smith Engineering Company. (Courtesy Photo)

Transit Organizers Face New Obstacles

by Patrice Brazie

Maury St. John, former Lincoln County Commissioner and the driving force behind the efforts to bring a public transportation system to Lincoln County, appeared before the board of county commissioners last week to further advance those efforts.

St. John was hoping to walk away from the meeting with a signed revised Joint Powers Agreement (JPA) from the county officials, but county attorney Alan Morel said that he had received the agreement less than 24 hours prior to the meeting and the county commissioners had not yet seen the newest version at all.

Morel said that there are some issues regarding the agreement that could be cause for concern. One issue stemmed from the City of Ruidoso Downs having entered into a Memorandum of Understanding (MOU) on August 11th with the New Mexico Department of Transportation (DOT).

"Anytime there's a conflict between the JPA and the MOU that was entered into by the city of Ruidoso Downs and the state of New Mexico's transportation department, the JPA states that the MOU controls," Morel said. "I understand the concerns that the Ruidoso Downs attorney has. They are fiscally responsible for the monies coming into Lincoln County, and specifically Ruidoso Downs, as a result of this agreement, and he's trying to protect against this board, pursuant to the Joint Powers Agreement, having

the ability to bind the fiscal agent," Morel said.

The Lincoln County Transit board of directors will include members from Ruidoso Downs, Ruidoso and the county.

"There's a little conflict going back and forth as to what responsibility these two entities are going to have," Morel said of the separate agreements. "Ruidoso Downs, as the fiscal agent, has a number of responsibilities pursuant to the Memorandum of Understanding with the state, and they have the separate Joint Powers Agreement with the city of Ruidoso and Ruidoso Downs and Lincoln County," Morel said. He suggested that the city of Ruidoso Downs had concerns about the possibility of the board of directors creating liabilities for which

the city would be responsible.

One of the changes made to the original JPA was the removal of language that gave the Lincoln County Transit control over its own operational budget subject to policy direction from the Transit board.

"I think there's some real questions as to who has what responsibilities and obligations under these two agreements," Morel said.

The agreement between the city of Ruidoso Downs and the state requires that any subcontracts or other agreements first be approved by the DOT before being entered into.

"I think that the Department of Transportation has to be a signatory on the Joint Powers Agreement, or sign

(MORE ON PAGE 3)

County Approves 10 Percent Pay Increase

by Patrice Brazie

The Lincoln County Board of Commissioners voted last week to give county employees a 10 percent pay increase effective August 23rd after hearing a recommendation from county manager Tom Stewart that the increase should not exceed eight percent.

During a budget hearing in July, Stewart cited the rising costs of fuel and food and a seven percent increase in the cost of health care as the basis for increasing the salaries of county employees as soon as possible after the start of the new fiscal year.

The county commissioners last approved a classified employee pay increase 10 months ago.

Stewart said that, on average, annual growth of the county's general fund and property values run just over six and a half percent each year, but interest income from the general fund is estimated to be down by about \$140,000 this year. County

road department expenditures, which have historically increased by about seven percent each year, saw an 18 percent rise last year and are anticipated to increase at that same rate this year, Stewart said.

The county currently has a reserve budget of \$1,660,700 over the required reserved funds, due to the controlled expenditures of the county's various departments and a conservative approach to estimating revenues, Stewart said.

Because the New Mexico Department of Finance and Administration (DFA) is figuring property values in the county to be less than the value estimated by Lincoln County Assessor Paul Baca, the county could wind up with an extra \$348,000 in the reserve. The county's ending cash balances increase by 15 percent each year.

For comparison by the board of county commissioners, Stewart prepared a table of the effects on the budget by pay increases of four per-

cent, six percent, eight percent and ten percent for the county's 85 eligible employees plus the deputy sheriffs and dispatchers. The recurring costs to the county for the pay increases ranged from \$184,000 for a four per-

(MORE ON PAGE 3)

Annual Carrizozo Labor Day Street Fair & Birdhouse Auction

Each year the Labor Day Street Fair features a birdhouse auction to support its continuing education scholarship program. This year there are birdhouses made by a variety of local folks, business owners, and artists, as well as ones made in Colorado, California, Socorro and Alamogordo. They are, as always, creative and fun! Check out the birdhouses -- they can be seen at several businesses in Carrizozo and on-line at townofcarrizozo.org.

Saturday, August 30 the birdhouse auction will be held at Four Winds Restaurant at 6:30 p.m. Carrizozo's own auctioneer Frank Walker will do the honors. Help raise funds for scholarships this year. Or, even if you don't plan to buy, it's a lotta fun to watch the auction.

Be sure to attend the Carrizozo Labor Day Street Fair at McDonald

Park on Monday, September 1st. The fun starts at 10:00 a.m. with a parade line up including the Holloman Air Force Base color guard and Chaplain, and the Sierra Blanca color guard. The Parade Grand Marshalls will be the Rocking Horse Day Care and Pre-K kids -- Carrizozo High School Class of 2022.

The Carrizozo Labor Day Street Fair continues till 3:00 p.m. with live music all day including Paul Pino and the Tone Daddies, the New Mexico Saxophone Quartet, No One cares, and Desert Wind, who've been a special attraction for three years now.

There will be food vendors, art and crafts, games for kids, Mike Lagg's Outrageous Obstacle Course and old fashioned cake walk. See you there!



Have A Safe
and Enjoyable Holiday!!
Attend the
Carrizozo Street Fair.

Sederwall Wins Case

"We were asking the court, as a remedy for the violation of equal protection, to apply the law equally. Then you have a choice. You take them both off of the ballot, or put them both on. Everybody argued that it would be inappropriate to take them both off," Rose said.

The second grounds for asking that Sederwall be given another chance to get on the November ballot had nothing to do with equal protection, Rose said. "It was simply that the county clerk's office and the Secretary of State's office gave incorrect advice to Sederwall on numerous occasions. We just argued to the court that, as a matter of fundamental fairness, if they're the people that we look to to seek ad-

vice and interpretation of the election code, if they give incorrect advice it should be enforceable," Rose said.

A panel of three Justices heard Sederwall's case, with Sederwall's attorney, the state and county attorneys all being given equal time to present their sides. After a brief deliberation, the Justices returned to the courtroom and issued a writ of mandamus directing the clerk's office to accept Sederwall's declaration, as long as he comes in with the nominating petitions and the \$50 filing fee.

"The interesting thing is that the Supreme Court did not say which of the (grounds) they agreed with us on," Rose continued. "Did they agree that it was just a

matter of fundamental fairness that he be placed on the ballot, or did they think it was an equal protection problem as well?" Rose said. "They didn't say, and the reason it's so important is that the county clerk's office was arguing that the major party candidates didn't need (nominating petitions). So there was an interpretation of the statute question."

Because the Supreme Court Justices failed to clearly state the reason for their decision, the issue could continue to come up, Rose said, but the Justices may issue an opinion sometime in the following weeks, explaining what they did and why. That opinion could lead to some kind of legislative action in the future to review and per-

haps amend the election laws.

In an interview with *The News* last week, Sederwall said that he was pleased to be able to have his name placed on the ballot, but expressed concern over the court's failure to closely examine the election laws.

"We got put on the ballot, but they didn't say anything about the law. That's what I was really, really interested in," Sederwall said. "It was short and sweet, let's put him on the ballot, and they voted unanimously," he added.

Sederwall said that he didn't understand why, when the state officials said they agreed with him, the county would invest the time and money to keep his name off of the ballot.

**LEGAL NOTICE
IN THE PROBATE COURT
COUNTY OF LINCOLN
STATE OF NEW MEXICO
No. 2291**

IN THE MATTER OF THE ESTATE OF)
OF)
EARL R. STADTMAN, DECEASED)

NOTICE TO CREDITORS

The undersigned has been appointed Personal Representative of the Estate of Earl R. Stadtmann, deceased. All persons having claims against this estate are required to present their claims within two months after the date of the first publication of this notice, or be forever barred.

Thressa Campbell Stadtmann
16907 Redland Road
Derwood, MD 20855

Published in the Lincoln County News on August 21 and 28, 2008.

**LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL
DISTRICT COURT
No. PB-2008-21
Div. III**

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that Patsy L. Dobbs 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 any published notice to creditors or the date of mailing or other delivery of this notice, whichever is later, or the claims will be forever barred. Claims must be presented either to the law offices of Gibson & Leonard, P.C., at the address listed below, or filed with the District Court of Lincoln County, New Mexico, located at the following address: P.O. Box 725, Carrizozo, New Mexico 88301.

Dated: August 20, 2008.

Respectfully Submitted by:
GIBSON & LEONARD, P.C.

Julie Anne Leonard
1221 Mechem Dr. Ste. 1
Ruidoso, New Mexico 88345
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Published in the Lincoln County News on August 28; September 4 and 11, 2008.

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Transit Organizers Face New

(Continued from Page 1)

off on it," Morel said. "They are not on the Joint Powers Agreement at this time," he added.

St. John said that the city of Ruidoso Downs had not yet signed the Joint Powers Agreement, because the city attorney was finalizing amendments to the agreement. She said that the Transit organizers were originally asked to include the New Mexico Department of Finance and Administration (DFA) in the JPA, but not the DOT.

"One of the things that the attorney was trying to do was to make the two agreements compatible," St. John said. "The reason they took out the operational paragraph was to allow Ruidoso Downs to have operational control," she said. "I don't care who controls it."

St. John said that the Lincoln County Transit was originally envisioned as a separate little company, standing on its own but with a fiscal agent, similar to the way The Nest domestic violence shelter is operated. "But that isn't the way our fiscal agent decided it would like it to be," St. John said. "That's fine," she said. "The main thing we want is to provide a service to the people of Lincoln County."

St. John said that the main reason she is still involved in the process is because she regularly gets calls from peo-

ple who are anxious for the service to begin.

Ruidoso Downs was scheduled to approve the JPA during its meeting on Monday and the village councilors of Ruidoso had the item on the agenda for Tuesday night's meeting there.

"As of October 1st, we are supposed to be in operation," St. John said, "and that will not happen without the JPA being in effect. At that time, we may be in a situation where the funds go away," she said. "It may look like we have the cart before the horse, but it's because of timing and that's kind of the way the state works."

Morel said that he wasn't trying to throw up any road-

blocks in the road to getting the Transit up and running, but reminded the county commissioners that he had just received the revised JPA and the 21 page MOU between the state and Ruidoso Downs.

The county commissioners had not yet had an opportunity to review either of the documents.

The Joint Powers Agreements will also have to be approved by the DFA, Morel said. "My concern has been that we are not a signatory in the (agreement with the state)," Morel said. "The Joint Powers Agreement, as long as we were only obligated to pay if it is budgeted and the funds were available, then I thought the county was protected. In deleting this one paragraph, it now says that the board is no longer responsible for any costs. So now you have to rely on the agreement with the state and Ruidoso Downs being responsible for any costs if they're not approved, if it's over budget, or whatever it may be," Morel said. "To the extent that this doesn't obligate the county, I don't know that I have a concern, but I don't think that it's incredibly clear."

Morel said that there may be conflicts between the JPA and the DOT agreement, which the county is not a party to. "I'm not comfortable with you signing something that's in a draft form and that you haven't reviewed," Morel told the county commissioners. "I don't want to keep kicking this thing down the road, but there are certain things that you need to understand before you take action and you need to read it."

County commission chair Tom Battin said that he was concerned about signing an agreement that the fiscal agent had not yet approved. "We don't know what changes might be made, or what they will agree to or not," Battin said. "I wish we could accommodate your deadline, but I'm not sure we know how to do that," he added.

County commissioner Dave Parks suggested that the county commissioners could hold a special meeting soon after the two involved municipalities finalize their agreements, and county manager Tom Stewart said that a special meeting could be scheduled.

The county commissioners agreed to table the entering into the Joint Powers Agreement until after the Ruidoso Downs and Ruidoso councils have finalized their ends of the agreement.



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Devon Arteché Recognized by U.S. Achievement Academy



The United States Achievement Academy announced recently that Devon Arteché 7th grade student from Carrizozo has been recognized by the United States Achievement Academy as a student of excellence in: Honor Roll and Leadership.

This is a prestigious honor very few students can hope to attain, the Academy recognizes fewer than 10% of all American students.

Devon, who attends Carrizozo Municipal Schools was nominated by Danny Watkins, a former counselor at the school. Devon will appear in the United States Achievement Academy's Official Yearbook which is published nationally.

"Recognizing and supporting our youth is more important than ever before in America's history. Certainly, United States Achievement Academy students should be congratulated and appreciated for their dedication to excellence and achievement," said Dr. George Stevens, Founder of the United States Achievement Academy.

The Academy recognizes students upon the exclusive recommendation of teachers, coaches, counselors, and other qualified sponsors and upon the Standards for Selection set forth by the Academy. The Standards for Selection include academic performance, interest and aptitude, leadership qualities, responsibility, enthusiasm, motivation to learn and improve, attitude and cooperative spirit, dependability, and recommendation from a qualified sponsor.

Devon is the son of David and D'rese Arteché from Carrizozo. His grandparents are Peter Aguilar, and Candie Aguilar both of Carrizozo, and David and Dorothy Arteché of Rio Rancho.



IN THE SERVICE

Army National Guard Pvt. Jaime L. Silva is currently in Ft. Lee, VA. She will return to Carrizozo Labor Day weekend after having been to basic training in South Carolina. She has two sons, Mario Silva Jr. and Carlos Silva. Jaime's parents are Connie Northcutt of Carrizozo and N. James and Rosie Silva of El Paso.



SCBA TRAINING -- The Nogal Fire Department held a regular training meeting last week and firefighters got a chance to check-out some new equipment. Shown here, trying out the department's new self-contained breathing apparatus, are Assistant Chief Tim Brazie, in the foreground and, left to right Mauricio Stewart, Josh Payne, Jeffrey Parker and Mark Warren. Members also received training on the department's new fire truck. (Courtesy photo of Nogal Fire Department)

15TH ANNUAL 2008 SEPT. 1 LABOR DAY

CARRIZOSO Street Fair

10:00 a.m. - 3:00 p.m. at McDonald Park
10:00 a.m. PARADE ON 12th Street
Noon - Chile Cook-Off Judging

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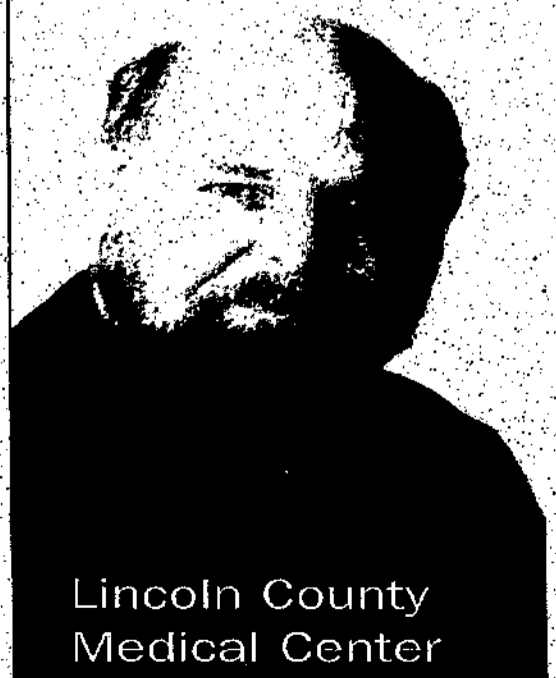
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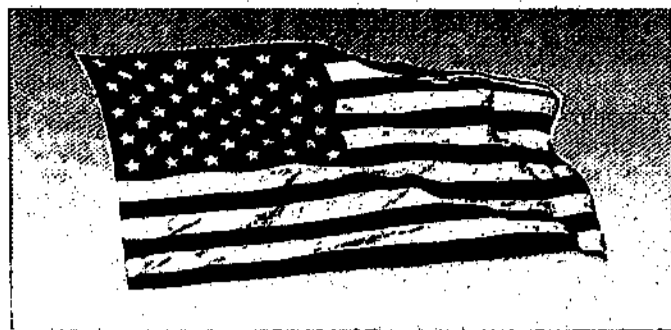
Dr. Finley received his medical degree from Indiana University and had a general surgery residency, followed by a surgical fellowship in plastic surgery, at Indiana University Hospitals. Among his accomplishments, Dr. Finley has served on the clinical staff of Tulane University and as department chair of Cosmetic and Reconstructive Surgery at the renowned Ochsner Clinic in New Orleans.

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For a consultation with Dr. Finley, please call (575) 630-4200.

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UNTIL THEY COME HOME

THOUGHTS
FROM THE EDITOR'S DESK

Cell Tower Woes Escalate

By Ruth Hammond

Recent objections to the possible placement of a cell tower has brought other issues to be discussed. One of the proposed solutions was for the municipality to reimburse the tower builder the \$35,000 that has been spent. There was no mention as to which budget line item had the spare \$35,000 to be used. Usually governmental budgets are set without loose thousands of dollars to be spent.

Evidently the people objecting to the cell tower do not use or plan to use cell phones any time in the future. If they did they would be aware that cell towers are the only way to eliminate dead zones. Years ago there were eight areas in an eight mile section of US Hwy 380 that had dead zones and cell phones did not work between the Nogal turnoff and Carrizozo. Now service is better.

Cell phones are the new time consumer for many. The interesting thing is that many people who previously did not talk on the phone very often are now seen with a cell phone constantly dangling near their ear. This happens in stores, in and around the courthouse and other places.

Expecting adequate cell phone service is normal now. Some use cell phones instead of land lines, others text things that may or may not be important, and some have cell phones mostly for emergencies and convenience.

Perhaps you are one of the objectors. Maybe you are one of the cell phone promoters. Either way, there should be a happy medium. Yes the towers can be unsightly and personally we prefer they not be within distance of roads or buildings. We would rather not have a tower fall on our vehicle as we drive down a road, however we know the importance of service if there is an emergency near.

The shame is that the lines can't be underground as some other utility lines are now. Maybe there is a market for a new invention for underground cell phone lines. It would be a boon for people in outlying areas such as in White Oaks which is fortunate to have land line phones.

It was normal 25 years ago for most of the ranches in Lincoln County to not have phone service. This was true in other rural areas in the state as well. Nowadays most people accept the fact that cell phone service is sporadic if not nonexistent in many rural areas. Earlier this week a person from Albuquerque assumed cell phone service would be readily available in the Corona area. Wrong!

One thing to remember is that the pleasantness of rural living is not free. Conveniences such as fast food stops on every corner is not a factor. Shopping may be an hour or more away, and cell phone service can or can not be available everywhere. But the simple life is much quieter.

Not wanting cell towers in your back yard is OK, but costs should be shared, not dumped on municipalities that are already strained. It is the responsibility of the people to be informed as to what is happening, go to meetings.

County Approves 10%

(Continued from Page 1)

cent raise to \$460,000 for a 10 percent raise.

Stewart said he was very comfortable recommending a minimum of six percent and a maximum of eight percent in the county employees' pay raise.

"The issue will be that, if an eight percent is desired, future increases may be smaller next year and six percent gives the board of county commissioners more flexibility in the future," Stewart said. "The 10 percent exceeds the historical ability to maintain the budget."

County commissioner Jackie Powell said that the county's employees are the biggest part of the community's economic development and should be looked at as an asset.

County commissioner Fileen Lovelace said she opposed a six percent pay increase and preferred 10 percent.

"I don't think we can go less than eight, and ten's great if we can do it," county commissioner Dave Parks said. "Tom's turning a little pale over there," he said of the county manager.

In response, Stewart said that he could make a 10 percent increase work. "But I am a little concerned about the fact that it's a recurring expense," he said. "If you went for the 10 percent, I would caution on next year's (increase)," he said.

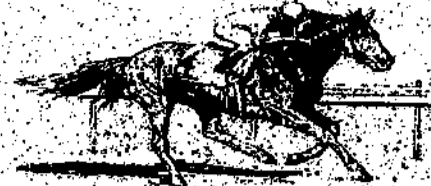
County commissioner Don Williams questioned Stewart about his recommendation. "I thought I heard you say that eight percent was doable, but 10 was marginal," Williams said.

"If you go with 10 I'm going to look real hard at what occurs next year," Stewart repeated. "Granted, we have in the bank a million-six, but I don't think you should count on that to carry you any further than two years," Stewart cautioned. "The last thing that I want to have happen is to put in an increase that sinks the county two years down the road."

Parks made a motion to approve a 10 percent increase in the salaries of county employees and Powell seconded. The motion passed four to one with county commissioner chair Tom Battin voting no.

CALENDAR OF EVENTS

- MONDAYS AND WEDNESDAYS**
-Free GED classes 6 to 8 p.m., Carrizozo School library
- WEDNESDAYS**
-Corona Lending Library story hour 4 p.m.
-AWANA for children age 3 through 6th grade, 6 p.m. to 8 p.m. at First Baptist Church of Carrizozo. Non-denominational activities. Call 648-2107 for information.
- FIRST AND THIRD THURSDAYS**
-Representative from State Engineer's office at Ruidoso Village Hall from 9 a.m. to 12 noon.
- THIRD SATURDAY OF EACH MONTH**
-American Legion Post #11, serving the Carrizozo area, meets at 9:00 a.m. at Wells Fargo Bank in Carrizozo.
- TUESDAYS**
-Capitan Public Library preschool reading hour at 1 p.m.
-Alcohol Anonymous 6:30 p.m. Carrizozo First Baptist Church Fellowship Hall.
- SATURDAY, AUGUST 30**
-Carrizozo Labor Day Street Fair Birdhouse auction 6:30 p.m. at Four Winds Restaurant in Carrizozo, proceeds for scholarship program.
- SATURDAY, AUGUST 30 and SUNDAY, AUGUST 31**
-18th annual All American Festival, Ruidoso Convention Center, 9:00 a.m. to 5:00 p.m., Fun for the entire family!
- MONDAY, SEPTEMBER 1**
-Labor Day!
-15th annual Carrizozo Labor Day Street Fair, Parade down 12th Street at 10:00 a.m. Activities in McDonald Park until 3 p.m., music, food, fun!
- WEDNESDAY, SEPTEMBER 3**
-Corona Library Board 9:00 a.m.
-Lincoln County Planning Commission 6:30 p.m. in Lincoln County Courthouse in Carrizozo.
- Area code 505 is now 575 for Lincoln County, Otero County and southern areas.



WEATHER REPORT

by Jeff Hammond

The forecast for the upcoming week for Lincoln County will be continued fair to good chance for showers and thunderstorms on a daily basis. Daytime temperatures will be consistently in the high 70s to mid 80s at all elevations, with a continuous east wind 5-15 miles an hour.

Lincoln County has reached rainfall in record amounts. The flooding clean-up continues in Ruidoso, Ruidoso Downs, and throughout the Hondo Valley. These incoming storms will not have the heavy downfall as has been received recently.

Isn't it about time monsoon season is over? Forecast for Carrizozo, the high plains of Lincoln County and the Hondo Valley:

Today, Thursday, Aug. 28, the 240th day of 2008. A fair chance of showers and thunderstorms after noon, partly cloudy, with a high near 86, calm wind becoming east around 5 mph, night: A slight chance of showers and thunderstorms before midnight, partly cloudy, with a low around 59, east wind between 5 and 10 mph.

Friday, August 29. Fair chance of isolated showers and thunderstorms, partly cloudy, with a high near 86, east wind between 5 and 15 mph, night: A fair chance of showers and thunderstorms, partly cloudy, with a low around 58.

Saturday, August 30. A fair chance of showers and thunderstorms, partly cloudy, with a high near 84, night: A good chance of showers and thunderstorms, partly cloudy, with a low around 55. Sunday, August 31. A very good chance of showers and thunderstorms,

mostly cloudy, with a high near 81, night: A very good chance of showers and thunderstorms, mostly cloudy, with a low around 54.

Labor Day, Monday, Sept. 1. A good chance of showers and thunderstorms, mostly cloudy, with a high near 84, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 56.

Tuesday, September 2. A fair chance of showers and thunderstorms, partly cloudy, with a high near 86, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 56.

Forecast for Ruidoso, Capitan and Corona and most of the Hondo Valley:

Today, Thursday, Aug. 28, the 240th day of 2008. A slight chance of showers and thunderstorms, partly cloudy, with a high near 77, calm wind becoming east around 5 mph, night: A slight chance of showers and thunderstorms, mostly cloudy, with a low around 53, east wind between 5 and 10 mph becoming calm.

Friday, August 29. A good chance of isolated showers and thunderstorms, mostly cloudy, with a high near 77, calm wind becoming east between 10 and 15 mph, night: A fair chance of showers and thunderstorms, partly cloudy, with a low around 51.

Saturday, August 30. A fair chance of showers and thunderstorms, partly cloudy, with a high near 71, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 51. Sunday, August 31. A very good chance of

(MORE ON PAGE 6)

STONE AGE STUFF

FER SAIL

The Poor Cave Man Had No Newspaper To Advertise In. But You Have!!

Old Lincoln Town

by Roselle Dunlap

It has been an interesting two weeks. Ralph and I accidentally met an old college classmate of Ralph's at the Worley Hotel. Rick Lambirth and Ralph had several classes together. Rick and his wife Betty were going through Lincoln and decided to spend the night. They are living in Portales.

Another old friend was Carol Ramey. She is living in Alto and her daughter, Elisa, is working for the Ruidoso Village. A lot of memories were shared.

The Dunlaps and the Cristmans have been busy Monday and Tuesday getting ready for a garage sale to be held over the Labor Day Weekend. It will be held behind the La Placita where you will see the white tents. There will be lots of miscellaneous, books, furniture and odd and ends. The hours will be 8:00 to 5:00.

Thirty nine ladies enjoyed Creative Memories Retreat at Ft Lone Tree. They spent a lot of time remembering old times, family, family reunions, babies, ranch life, schools, children and many other memories. These are put in albums with memories journaling with the photos. There was a lot of laughter and sharing of stories. If you have not attended one, the next is scheduled for November 7-8-9, 2008.

Carol Wilson and Peggy Najar presented new items created by the Creative Memories, Inc. So many interesting items you don't know what you will really need.

ALL AMERICAN FESTIVAL

18th Annual

GUN AND WESTERN COLLECTABLE SHOW

Saturday & Sunday

August 30 & 31, 2008

9:00 am to 5:00 pm

Ruidoso Convention Center

Adults \$5.00 Children Under 12 FREE

Buy • Swap • Sell • or Just Look

Lots of Guns • Gun Related Items

Indian Artifacts • Knives • Cowboy Gear

Saddles • Spurs • Western Relics

Crafts • Food Available

575-257-6171

www.trekwest.com/gunshow

Fun for the Whole Family!

Proceeds Benefit Lincoln County Charities

No one under 18 admitted without parental supervision.

Lincoln County News

USPS 313460

"The Lincoln County News" is published Thursdays at 108 Central Ave., Carrizozo, New Mexico 88301. Second class postage paid at Carrizozo, New Mexico.

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SUBSCRIPTION RATES

IN COUNTY: 1 Year \$30.00 / 2 Years \$55.00

IN STATE (NM): 1-Year \$33.00 / 2-Years \$61.00

OUTSIDE NM: 1 Year \$37.00 / 2-Years \$69.00

LEGALS

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

No. CV-2008-104
Div. III

ROBERT SHEPPERD and JAMIE SHEPPERD, his wife,
Plaintiffs,

vs.
KURT SOHRBECK, deceased and THE ESTATE OF KURT SOHRBECK and/or JOE DOE, UNKNOWN PERSONAL REPRESENTATIVE OF THE ESTATE OF KURT SOHRBECK,
Defendants.

THE STATE OF NEW MEXICO
To: The Estate of Kurt Sohrbeck and/or John Doe, Unknown Personal Representative of the Estate of Kurt Sohrbeck.

GREETINGS:
YOU ARE HEREBY NOTIFIED that the above named Plaintiffs have commenced a proceeding against you in the above entitled Court and Cause, the object thereof being a Complaint for Malicious, Intentional and/or Negligent Infliction of Personal Injuries, Emotional Distress and Money Damages.

YOUR ARE FURTHER NOTIFIED that, unless you serve and file a responsive pleading or motion in said Cause on or before the 12th day of September, 2008, judgment will be rendered against you in said Cause by default.

Plaintiffs' attorneys are: Gibson & Leonard, P.C., whose address is 1221 Mechem Dr. Ste. 1, Ruidoso, New Mexico 88345 and Freda Howard McSwane, P.C. whose address is 1803 Sudderth Dr., Ruidoso, New Mexico.

WITNESS my hand and seal of the District Court of Lincoln County, State of New Mexico, this 18th day of August, 2008.

JAN PERRY
Clerk of the District Court
By: Gloria LaMay
Deputy

Published in the Lincoln County News on August 28; September 4 and 11, 2008.

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

No. D-1226-CV-2008-122

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-HE7,
Plaintiff,

vs.
MARK WINTER, MARGO PADILLA, CHAMPIONS RUN CONDOMINIUMS HOMEOWNERS ASSOCIATION, AND BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS ASSET-BACKED CERTIFICATES, SERIES 2006-7,
Defendants.

NOTICE OF SALE

Notice is hereby given that on September 4, 2008, at the hour of 10:00 am the undersigned Special Master, or his designee, will, at the north entrance of the Lincoln County Courthouse, at 300 Central, Carrizozo, NM 88301, 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 709 Champions Run, Ruidoso Downs, New Mexico 88346, (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:

Unit No. 709 of CHAMPION'S RUN CONDOMINIUMS, formerly known as Triple Crown Condominiums, Ruidoso Downs, Lincoln County, New Mexico, as the same is set forth and established by that certain Declaration recorded May 3, 1985 in Miscellaneous Book 99, pages 539 to 581, both inclusive; Amendment recorded in Miscellaneous Book 100, pages 19 to 21, both inclusive; Articles of Amendment recorded in Book 1990-9, pages 809 and 810; Articles of Amendment recorded in Book 1990-9, pages 811 to 814, both inclusive; Articles of Amendment recorded in Book 1991-4, pages 799 and 800; and by that certain Amended and Restated Declaration recorded in Book 1991-15, pages 537 to 605, both inclusive, all in the office of the County Clerk of Lincoln County, New Mexico; and as shown by the plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico on May 3, 1985 in Cabinet D, Slide No. 362; TOGETHER WITH said Unit's undivided interest in and to the common area and facilities of Champion's Run Condominiums, attributable thereto,

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility

liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants from entry of an order approving sale. The foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause on July 24, 2008, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$108,656.29, and the same bears interest at the current rate of 9.3000%, which accrues at the rate of \$27.69 per diem, commencing on July 1, 2008, with the Court reserving entry of final judgment against said Defendant Mart Winter 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 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 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 \$108,656.29, plus interest to and including date of sale of \$1,827.54 for a total judgment plus interest of \$110,483.83. Sale is subject to the entry of an order for the Court approving the terms and conditions of this sale.

EDWARD LITTLE, Special Master
1509 37th St SE
Rio Rancho NM 87124
Telephone: (505) 891-1918
E-mail: sale@littledrantedel.com

Published in the Lincoln County News on August 7, 14, 21 and 28, 2008.

LEGAL NOTICE

**VILLAGE OF CAPITAN
ORDINANCE 2008-05**

An Ordinance Granting Otero County Electric Cooperative, Inc., its Successors and Assigns, the Right and Franchise to Transmit and Distribute Electrical Energy in the Village of Capitan, NM, and Use the Streets Right-of-Ways, Easements, Alleys, and Other Public Places for such Purposes.

8-3-1. FRANCHISE GRANTED: USE OF STREETS:

A. Granting Franchise: There is hereby granted to Otero County Electric Cooperative, Inc., a New Mexico corporation, its successors or assigns, hereinafter called the "Cooperative", the exclusive right, privilege and franchise of erecting, constructing, maintaining, and operating an electric transmission and distribution system consisting of poles, lines, wires, insulators, transformers, arms, braces, anchors, or other suitable structures and appurtenances installed thereon, in, under, or upon so many and in such parts of the present and future public highways, streets, roads, alleys and other public places in the Village of Capitan, Lincoln County, New Mexico, hereinafter referred to as "Village", as the Cooperative, its successors and assigns, may elect to use for the purpose hereinafter specified and using such electrical transmission and distribution system for the purpose of transmitting, conveying, distributing and supplying electricity in and in the vicinity of said Village for light, heat, power and all other lawful purposes.

B. Street Use For Poles, Wires: The said Cooperative, its agents and employees, may enter in and upon the said highways, streets, roads, alleys, and public places at any time for the purpose of making excavations, removing, repairing, and maintaining such poles, wires, cable, and all other structures necessary or convenient in supplying such electric service. Any and all excavations shall be repaired, and obstructions removed as quickly as is reasonably possible under the circumstances.

C. Placement Of Poles: The poles for said transmission and distribution system shall be placed and erected in such manner as not to interfere with the use of the roads, streets, alleys, and public places in said Village, or its inhabitants, or property owners along such streets or alleys, except as may be reasonably necessary, and shall be at all times in compliance with the standards and specifications as established and amended by the Rural Utilities Service, and all applicable state and national electrical and safety codes.

8-3-2. HOLD HARMLESS AGREEMENT: The Cooperative, its successors and assigns, shall, during the term of this franchise, hold the Village harmless against any and all damages that may be caused by reason of the construction and operation of the Cooperative's electric transmission and distribution system in the Village to any and every person or persons that may be damaged by reason of the construction or operation of such transmission and distribution system, and the Cooperative, its successors and assigns, shall defend or cause to be defended,

at its own expense, all actions that may be commenced against the said Village for damages caused by reason of the construction or operation of such transmission and distribution system.

8-3-3. FURNISHING POWER UNDER TARIFF SCHEDULE: In consideration of the above grant the Cooperative agrees to furnish during the continuation of its franchise adequate electric power and energy, to the extent that the Cooperative has such power, energy and facilities available, to the consumers in the Village, under the tariff schedule as approved by and on file with the New Mexico Public Regulation Commission or its successors.

8-3-4. FRANCHISE TAX: In lieu of an occupation tax or other tax, the Cooperative shall pay as a franchise tax, to the Village, two percent (2%) of its gross revenues derived from sales of electricity to its consumers within the corporate limits of the Village. Said franchise tax shall be paid quarterly on the gross revenue of the preceding quarter on or before the last day of January, April, July, and October.

8-3-5. TERM OF FRANCHISE: This franchise shall be in force and effect for a period of twenty five (25) years from acceptance as provided herein, and shall thereupon terminate and all licenses and privileges shall thereupon cease.

8-3-6. VALIDITY OF ORDINANCE: If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole or part of the provisions, hereby other than the part so decided to be invalid or unconstitutional.

DONE, PASSED, APPROVED AND ADOPTED this 12th day of August, 2008.

Sammy Hammons
Sammy Hammons, Mayor
Village of Capitan, New Mexico
ATTEST:

Kay Strickland
Kay Strickland, Village Clerk

Published in the Lincoln County News on Thursday, August 28, 2008.

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

No. CV-2008-00032

CHASE HOME FINANCE LLC,
Plaintiff,

vs.
KIM A ROBINSON,
Defendant.

NOTICE OF SALE

Notice is hereby given that on September 25, 2008, at the hour of 10:00 am the undersigned Special Master, or his designee, will, at the front entrance of the Lincoln County Courthouse, at Twelfth Judicial District Court, 300 Central, Carrizozo, NM 88301, sell all of the rights, title and interest of the above-named Defendant, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 207 Carters Lane, Ruidoso, New Mexico 88345, (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:

Lot 253A of SKYLAND ADDITION, Ruidoso, Lincoln County, New Mexico, as shown by the replat of Lots 254, 255 and 256, and part of Lots 252 and 253, Skyland Addition, filed in the office of the County Clerk of Lincoln County, May 13, 1994 in Cabinet F, Slide 18, including any improvements, fixtures,

and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the redemption by the Defendant upon entry of an order approving sale. The foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause on March 27, 2008, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$153,773.49, and the same bears interest at the variable rate of 11.3500%, which accrues at the rate of \$47.82 per diem, commencing on February 20, 2008 with the Court reserving entry of final judgment against said Defendant Kim A. Robinson 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 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 judgment due is \$153,773.49, plus interest to and including date of sale of \$10,520.40 for a total judgment plus interest of \$164,293.89. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

EDWARD LITTLE, Special Master
1509 37th St SE
Rio Rancho, NM 87124
Telephone: (505) 891-1918
E-mail: sale@littledrantedel.com

Published in the Lincoln County News on August 28; September 4, 11 and 18, 2008.

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

No. D-1226-CV-2008-0179

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR THE MORGAN STANLEY ABS CAPITAL I INC. TRUST 2004-SDI,
Plaintiff,

vs.
SILVIA LEGASPI, ANTINO LEGASPI, FAYETTEVILLE BANK, ANGEL BUSTAMANTE, AND SUSAN BUSTAMANTE,
Defendants.

NOTICE OF SALE

Notice is hereby given that on September 25, 2008, at the hour of 10:00 am the undersigned Special Master, or his designee, will, at the north entrance of the Lincoln County Courthouse, at Twelfth Judicial District Court, 300 Central, Carrizozo, NM 88301, 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 105 Don Snyder Dr., Ruidoso, New Mexico 88345, (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:

Lots 5 and 6, Block 9, of WHITE MOUNTAIN ESTATES, Unit 1, Ruidoso, Lincoln County, New Mexico, as shown by the Amended Plat of a Portion of White Mountain Estates, Unit 1, filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, on January 4, 1973, in Tube No. 476,

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants upon entry of an order approving sale. The foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause on August 18, 2008, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$201,268.04, and the same bears interest at the rate of 6.7500% per annum, which accrues at the rate of \$37.22 per diem, commencing on August 19, 2008, with the Court reserving entry of final judgment against said Defendant Silvia Legaspi 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 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, cost of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of judgment due is \$201,268.04, plus interest to and including date of sale of \$1,414.36 for a total judgment plus interest of \$202,682.40. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

EDWARD LITTLE, Special Master
1509 37th St SE
Rio Rancho NM 87124
Telephone: (505) 891-1918
E-mail: sale@littledrantedel.com

Published in the Lincoln County News on August 28; September 4, 11 and 18, 2008.

LEGALS

NOTICE is hereby given that on July 18, 2008, The Hideout of Lincoln County, LLC, c/o Stein & Brockmann, P.A., P.O. Box 5250, Santa Fe, NM 87502-5250, filed application with the STATE ENGINEER for permit to drill supplemental well to supplement ground or surface waters in the Hondo Underground Water Basin in the State of New Mexico

The applicant proposes to drill a well 12 inches in diameter and approximately 1200 feet deep in the SE 1/4 NW 1/4 SE 1/4 of Section 1, Township 10 South, Range 13 East, N.M.P.M., for the diversion of 52.82 acre-feet per annum of ground water under pending protested application H-579 into H-3044, H-3044-S, H-3044-S-2 Amended

Application is made to supplement the following wells

WELL NO	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW 1/4 NE 1/4 SE 1/4	01	10 South	13 East
H-3050(3)	NE 1/4 SE 1/4 NE 1/4	11	10 South	13 East
H-3050(2)	SE 1/4 SW 1/4 NE 1/4	11	10 South	13 East
H-3882	NE 1/4 SE 1/4 NW 1/4	12	10 South	13 East
H-3883	NW 1/4 NE 1/4 NW 1/4	07	10 South	14 East

When water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes, the move-to place of use is within the land area described as follows

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt SE 1/4 SW 1/4 & Pt SE 1/4 E of SR 48	35	9 South	13 East	139.8
W 1/2	01	10 South	13 East	300.1
E 1/2 & Pt SW 1/4 E of SR 48	02	10 South	13 East	360.5
Pt N 1/2 N 1/4 E of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
Pt	6 & 7	10 South	14 East	
Copper Canyon Subdivision Pt	10, 11, 14, 15	10 South	13 East	268.9
Copper Ridge Subdivision Pt	10, 11, 14	10 South	13 East	479.8
Pond Storage N 1/2 NW 1/4	12	10 South	13 East	
TOTAL				2,719.0

The 2,719.00 acres are owned by Rio Bonito, LLC, The Hideout of Lincoln County, LLC, or their successors-in-interest. Two subdivisions have been created in Township 10 South, Range 13 East. Copper Canyon has been subdivided into 23 lots. Copper Ridge has been divided into 44 lots. There are numerous owners of the lots which are included in the move-to place of use when water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes. All of the lots were originally owned by Rio Bonito, LLC, or The Hideout of Lincoln County, LLC, but many have been sold to their successors-in-interest

When water is to be used for commercial and firefighting purposes, the move-to place of use is Lincoln County

When water is to be used for irrigation purposes, the move-to place of use is within the land area described as follows

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt SE 1/4 SW 1/4 & Pt SE 1/4 E of SR 48	35	9 South	13 East	139.8
W 1/2	1	10 South	13 East	300.1
E 1/2 & Pt SW 1/4 E of SR 48	2	10 South	13 East	360.5
Pt N 1/2 N 1/4 E of SR 48	11	10 South	13 East	120.7
Total				921.1

The 921.1 acres are owned by The Hideout of Lincoln County, LLC

The proposed supplemental well location and place of use are located 1 to 2 miles northeast of Angus, Lincoln County, New Mexico

Any person, firm or 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 must be based on: (1) Impairment; if impairment you must specifically identify your water rights, and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) 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. Protest can be faxed to Office of the State Engineer, (575) 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 72-12-1

Published in the Lincoln County News on Aug. 28; Sept. 4 & 11, 2008.

NOTICE is hereby given that on July 18, 2008, The Hideout of Lincoln County, LLC, c/o Stein & Brockmann, P.A., P.O. Box 5250, Santa Fe, NM 87502-5250, filed application with the STATE ENGINEER for permit to drill supplemental well to supplement ground or surface waters in the Hondo Underground Water Basin in the State of New Mexico

The applicant proposes to drill a well 12 inches in diameter and approximately 1200 feet deep in the SE 1/4 NW 1/4 SE 1/4 of Section 1, Township 10 South, Range 13 East, N.M.P.M., for the diversion of 12.68 acre-feet per annum of ground water under pending protested application H-962

Application is made to supplement the following wells:

WELL NO	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW 1/4 NE 1/4 SE 1/4	01	10 South	13 East
H-3050(3)	NE 1/4 SE 1/4 NE 1/4	11	10 South	13 East
H-3050(2)	SE 1/4 SW 1/4 NE 1/4	11	10 South	13 East
H-3882	NE 1/4 SE 1/4 NW 1/4	12	10 South	13 East
H-3883	NW 1/4 NE 1/4 NW 1/4	07	10 South	14 East

When water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes, the move-to place of use is within the land area described as follows

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt SE 1/4 SW 1/4 & Pt SE 1/4 E of SR 48	35	9 South	13 East	139.8
W 1/2	01	10 South	13 East	300.1
E 1/2 & Pt SW 1/4 E of SR 48	02	10 South	13 East	360.5

Pt N 1/2 N 1/4 E of SR 48	11	10 South	13 East	120.7
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Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
Pt	6 & 7	10 South	14 East	

Copper Canyon Subdivision Pt	10, 11, 14, 15	10 South	13 East	268.9
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Copper Ridge Subdivision Pt	10, 11, 14	10 South	13 East	479.8
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Pond Storage N 1/2 NW 1/4	12	10 South	13 East	
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TOTAL 2,719.0

The 2,719.00 acres are owned by Rio Bonito, LLC, The Hideout of Lincoln County, LLC, or their successors-in-interest. Two subdivisions have been created in Township 10 South, Range 13 East. Copper Canyon has been subdivided into 23 lots. Copper Ridge has been divided into 44 lots. There are numerous owners of the lots which are included in the move-to place of use when water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes. All of the lots were originally owned by Rio Bonito, LLC, or The Hideout of Lincoln County, LLC, but many have been sold to their successors-in-interest

When water is to be used for commercial and firefighting purposes, the move-to place of use is Lincoln County

When water is to be used for irrigation purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt SE 1/4 SW 1/4 & Pt SE 1/4 E of SR 48	35	9 South	13 East	139.8
W 1/2	1	10 South	13 East	300.1
E 1/2 & Pt SW 1/4 E of SR 48	2	10 South	13 East	360.5
Pt N 1/2 N 1/4 E of SR 48	11	10 South	13 East	120.7
Total				921.1

The 921.1 acres are owned by The Hideout of Lincoln County, LLC

The proposed supplemental well location and place of use are located 1 to 2 miles northeast of Angus, Lincoln County, New Mexico

Any person, firm or 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 must be based on: (1) Impairment; if impairment you must specifically identify your water rights, and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) 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. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3

Published in the Lincoln County News on Aug. 28; Sept. 4 & 11, 2008.

NOTICE is hereby given that on July 18, 2008, The Hideout of Lincoln County, LLC, c/o Stein & Brockmann, P.A., P.O. Box 5250, Santa Fe, NM 87502-5250, filed application with the STATE ENGINEER for permit to drill supplemental well to supplement ground or surface waters in the Hondo Underground Water Basin in the State of New Mexico

The applicant proposes to drill a well 12 inches in diameter and approximately 1200 feet deep in the SE 1/4 NW 1/4 SE 1/4 of Section 1, Township 10 South, Range 13 East, N.M.P.M., for the diversion of 0.98 acre-feet per annum of ground water under pending protested application 01401 & H-205

Application is made to supplement the following wells:

WELL NO	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW 1/4 NE 1/4 SE 1/4	01	10 South	13 East
H-3050(3)	NE 1/4 SE 1/4 NE 1/4	11	10 South	13 East
H-3050(2)	SE 1/4 SW 1/4 NE 1/4	11	10 South	13 East
H-3882	NE 1/4 SE 1/4 NW 1/4	12	10 South	13 East
H-3883	NW 1/4 NE 1/4 NW 1/4	07	10 South	14 East

When water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt SE 1/4 SW 1/4 & Pt SE 1/4 E of SR 48	35	9 South	13 East	139.8
W 1/2	01	10 South	13 East	300.1
E 1/2 & Pt SW 1/4 E of SR 48	02	10 South	13 East	360.5
Pt N 1/2 N 1/4 E of SR 48	11	10 South	13 East	120.7

Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
Pt	6 & 7	10 South	14 East	

Copper Canyon Subdivision Pt	10, 11, 14, 15	10 South	13 East	268.9
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Copper Ridge Subdivision Pt	10, 11, 14	10 South	13 East	479.8
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Pond Storage N 1/2 NW 1/4	12	10 South	13 East	
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TOTAL 2,719.0

The 2,719.00 acres are owned by Rio Bonito, LLC, The Hideout of Lincoln County, LLC, or their successors-in-interest. Two subdivisions have been created in Township 10 South, Range 13 East. Copper Canyon has been subdivided into 23 lots. Copper Ridge has been divided into 44 lots. There are numerous owners of the lots which are included in the move-to place of use when water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes. All of the lots were originally owned by Rio Bonito, LLC, or The Hideout of Lincoln County, LLC, but many have been sold to their successors-in-interest

Weather Report

(Cont. from Page 4)

showers and thunderstorms, mostly cloudy, with a high near 68, night: A very good chance of showers and thunderstorms, mostly cloudy, with a low around 48.

Labor Day, Monday Sept. 1
A good chance of showers and thunderstorms, mostly cloudy, with a high near 75, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 50.

Tuesday, September 2
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 75, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 50.

The above information was taken from the National Weather Service Website. For up to date weather reports, go to www.srh.noaa.gov/abq/ on the internet. This website is up-dated every four hours.

The New Mexico Highways Department has developed a new toll free number for up to the hour road construction/conditions information. Just dial 511. You listen to the options. You can get up to the minute in depth construction updates by logging in to www.nmroads.com for any area of the state.

County Grants Lodgers Tax Funds for Events

During their regular meeting on August 19th, the Lincoln County Board of Commissioners approved six requests for support from the county's lodgers tax funds.

The White Oaks Boosters Club was awarded \$1,100 to be used for advertising the might increase tourism to White Oaks.

\$2,500 was awarded to the Golden Aspen Rally Association to promote the five day Golden Aspen Motorcyclist Rally that will begin on September 17th.

Organizers of the Lincoln County Cowboy Symposium will receive \$1,500 for the event, which is scheduled for three days in October beginning on the 10th.

The Special Events Resource Group, which organizes and promotes the annual Ruidoso Oktoberfest, now in its 27th year, was awarded \$1,000. The two-day Oktoberfest will be on October 17th and 18th.

The Ruidoso Chili Society will receive \$500 for another event in October.

The largest of the recent Lodgers Tax funding awards will go to an organization called Partners in Preservation to promote Arts in the Orchard in Lincoln. An award of \$3,000 was granted for the event, despite the fact that the county commissioners acknowledged the poor attendance at that event in recent years.

The county commissioners awarded the funding without recommendations from the Lodgers Tax Committee, which was unable to take any action regarding recommendations because the committee had no quorum at its last meeting. Illness and a change in the regular lodgers tax committee meeting date were cited by the county commissioners as the reasons for the failure to constitute a quorum.



(Continued on Page 7)

LEGALS

(Continued from Page 6)

When water is to be used for commercial and firefighting purposes, the move-to place of use is Lincoln County.

When water is to be used for irrigation purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Pt. SE $\frac{1}{4}$ E. of SR 48	35	9 South	13 East	139.8
W $\frac{1}{2}$	1	10 South	13 East	300.1
E $\frac{1}{2}$ & Pt. SW $\frac{1}{4}$ E. of SR 48	2	10 South	13 East	360.5
Pt. N $\frac{1}{2}$ N $\frac{1}{2}$ E. of SR 48	11	10 South	13 East	120.7
Total				921.1

The 921.1 acres are owned by The Hideout of Lincoln County, LLC.

The proposed supplemental well location and place of use are located 1 to 2 miles northeast of Angus, Lincoln County, New Mexico.

Any person, firm or 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 must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) 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. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3.

Published in the Lincoln County News on Aug. 28; Sept. 4 & 11, 2008.

NOTICE is hereby given that on July 18, 2008, The Hideout of Lincoln County, LLC, c/o Stein & Brockmann, P.A., P.O. Box 5250, Santa Fe, NM, 87502-5250, filed application with the STATE ENGINEER for permit to drill supplemental well to supplement ground or surface waters in the Hondo Underground Water Basin in the State of New Mexico.

The applicant proposes to drill a well 12 inches in diameter and approximately 1200 feet deep in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 10 South, Range 13 East, N.M.P.M., for the diversion of 32.5 acre-feet per annum of ground water under pending protested application 01401, 01401-A & H-206-Comb-A.

Application is made to supplement the following wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	01	10 South	13 East
H-3050(3)	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	11	10 South	13 East
H-3050(2)	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	10 South	13 East
H-3882	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	12	10 South	13 East
H-3883	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	07	10 South	14 East

When water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Pt. SE $\frac{1}{4}$ E. of SR 48	35	9 South	13 East	139.8
W $\frac{1}{2}$	01	10 South	13 East	300.1
E $\frac{1}{2}$ & Pt. SW $\frac{1}{4}$ E. of SR 48	02	10 South	13 East	360.5
Pt. N $\frac{1}{2}$ N $\frac{1}{2}$ E. of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt.	1 & 12	10 South	13 East	1049.2
Pt.	6 & 7	10 South	14 East	
Copper Canyon Subdivision Pt.	10, 11, 14, 15	10 South	13 East	268.9
Copper Ridge Subdivision Pt.	10, 11, 14	10 South	13 East	479.8
Pond Storage N $\frac{1}{2}$ NW $\frac{1}{4}$	12	10 South	13 East	
TOTAL				2,719.0

The 2,719.00 acres are owned by Rio Bonito, LLC, The Hideout of Lincoln County, LLC, or their successors-in-interest. Two subdivisions have been created in Township 10 South, Range 13 East. Copper Canyon has been subdivided into 23 lots. Copper Ridge has been divided into 44 lots. There are numerous owners of the lots which are included in the move-to place of use when water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes. All of the lots were originally owned by Rio Bonito, LLC, or The Hideout of Lincoln County, LLC, but many have been sold to their successors-in-interest.

When water is to be used for commercial and firefighting purposes, the move-to place of use is Lincoln County.

When water is to be used for irrigation purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Pt. SE $\frac{1}{4}$ E. of SR 48	35	9 South	13 East	139.8
W $\frac{1}{2}$	1	10 South	13 East	300.1
E $\frac{1}{2}$ & Pt. SW $\frac{1}{4}$ E. of SR 48	2	10 South	13 East	360.5
Pt. N $\frac{1}{2}$ N $\frac{1}{2}$ E. of SR 48	11	10 South	13 East	120.7
Total				921.1

The 921.1 acres are owned by The Hideout of Lincoln County, LLC.

The proposed supplemental well location and place of use are located 1 to 2 miles northeast of Angus, Lincoln County, New Mexico.

Any person, firm or 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 must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State

Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) 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. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3.

Published in the Lincoln County News on Aug. 28; Sept. 4 & 11, 2008.

NOTICE is hereby given that on July 18, 2008, The Hideout of Lincoln County, LLC, c/o Stein & Brockmann, P.A., P.O. Box 5250, Santa Fe, NM 87502-5250, filed application No. H-1713-1 with the STATE ENGINEER for permit to change location of well and place and/or purpose of use of groundwater in the Hondo Underground Water Basin in the State of New Mexico.

The applicant proposes to discontinue the diversion of 4.55 acre-feet per annum of ground water from ground water well H-1713 located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Township 10 South, Range 13 East, and well H-1714, located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Township 10 South, Range 13 East, N.M.P.M. by severing said water right from the irrigation of 1.4 acres of land described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	14	10 South	13 East	0.6
Pt. E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	14	10 South	13 East	0.8

The applicant proposes to divert 4.55 acre-feet per annum when used for irrigation or divert and consume 2.275 acre-feet per annum of groundwater when used for domestic, livestock, municipal, industrial, commercial, subdivision, firefighting, recreation, and water storage purposes, from the proposed move-to points of diversion described as follows:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	01	10 South	13 East
Proposed Supplemental Well	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	01	10 South	13 East
H-3050(3)	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	11	10 South	13 East
H-3050(2)	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	10 South	13 East
H-3882	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	12	10 South	13 East
H-3883	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	07	10 South	14 East

The land on which these wells are located is owned by The Hideout of Lincoln County, LLC or Rio Bonito, LLC.

When water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Pt. SE $\frac{1}{4}$ E. of SR 48	35	9 South	13 East	139.8
W $\frac{1}{2}$	01	10 South	13 East	300.1
E $\frac{1}{2}$ & Pt. SW $\frac{1}{4}$ E. of SR 48	02	10 South	13 East	360.5
Pt. N $\frac{1}{2}$ N $\frac{1}{2}$ E. of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt.	1 & 12	10 South	13 East	1049.2
Pt.	6 & 7	10 South	14 East	
Copper Canyon Subdivision Pt.	10, 11, 14, 15	10 South	13 East	268.9
Copper Ridge Subdivision Pt.	10, 11, 14	10 South	13 East	479.8
Pond Storage N $\frac{1}{2}$ NW $\frac{1}{4}$	12	10 South	13 East	
TOTAL				2,719.0

The consumptive use of the water right will not exceed 2.275 acre-feet per annum, pending the filing of a return flow plan.

The 2,719.00 acres are owned by Rio Bonito, LLC, The Hideout of Lincoln County, LLC, or their successors-in-interest. Two subdivisions have been created in Township 10 South, Range 13 East. Copper Canyon has been subdivided into 23 lots. Copper Ridge has been divided into 44 lots. There are numerous owners of the lots which are included in the move-to place of use when water is to be used for domestic, livestock, municipal, industrial, subdivision, recreation, or water storage purposes. All of the lots were originally owned by Rio Bonito, LLC, or The Hideout of Lincoln County, LLC, but many have been sold to their successors-in-interest.

When water is to be used for commercial and firefighting purposes, the move-to place of use is Lincoln County.

When water is to be used for irrigation purposes, the move-to place of use is within the land area described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Pt. SE $\frac{1}{4}$ E. of SR 48	35	9 South	13 East	139.8
W $\frac{1}{2}$	1	10 South	13 East	300.1
E $\frac{1}{2}$ & Pt. SW $\frac{1}{4}$ E. of SR 48	2	10 South	13 East	360.5
Pt. N $\frac{1}{2}$ N $\frac{1}{2}$ E. of SR 48	11	10 South	13 East	120.7
Total				921.1

The owner of the land of the move-to place of use when water is to be used for irrigation purposes is The Hideout of Lincoln County, LLC.

The proposed move from wells and place of use are located approximately one-half mile east of Angus, Lincoln County, New Mexico. The move to well locations and place of use are located 1 to 2 miles northeast of Angus, Lincoln County, New Mexico.

Any person, firm or 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 must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) 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. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3.

Published in the Lincoln County News on Aug. 28; Sept. 4 & 11, 2008.

Sheriff's Report

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

- August 10
 - 6:51 p.m. Pawn slip check at Lincoln County Sheriff Office (LCSO) located in the LCC on Central Avenue in Carrizozo, deputy dispatched.
 - 7:19 p.m. Alarm reported at location on Eagle Creek in Alto, deputy dispatched.
 - 8:34 p.m. Welfare check requested at residence on Ranch Road in Nogal, deputy dispatched.
 - 10:36 p.m. Welfare check requested at residence on Sonterra Drive in Alto, deputy dispatched.
- August 11
 - 1:19 a.m. Alarm reported at location on Lincoln Avenue in Capitan, police dispatched.
 - 7:27 a.m. Driving test requested at location on Hwy 54 in Corona, deputy dispatched.
 - 9:32 a.m. Disturbance reported at location on Hwy 220 in Alto, deputy dispatched.
 - 11:56 a.m. Dog reported running loose on Upper Homestead Loop in Ruidoso, deputy dispatched.
 - 1:27 p.m. Hazardous materials reported at business located at intersection of Hwy 54 and Hwy 380 in Carrizozo, fire units dispatched.
 - 1:45 p.m. Motorcycle test requested at location on Hull Road in Ruidoso, deputy dispatched.
 - 6:20 p.m. Alarm reported at location on Antler in Alto, deputy dispatched.
 - 8:30 p.m. Fire reported at location on E Avenue in Carrizozo, fire units and police dispatched.
 - 8:55 p.m. Dog reported running loose on Lovelace Road in Carrizozo, police dispatched.
 - 8:59 p.m. Dog reported running loose on Gavilan Canyon Road in Alto, deputy dispatched.
 - 9:52 p.m. Information report at residence on Jarratt in Ruidoso, deputy dispatched.
 - 11:14 p.m. Fire reported at location on E Avenue in Carrizozo, fire units dispatched.
- August 12
 - 8:08 a.m. Welfare check requested for person sitting in car at mile marker 102 on Hwy 380 in Lincoln, deputy dispatched.
 - 9:02 a.m. Skeletal remains reported being found at mile marker 5 on Hwy 532 in Alto, deputy dispatched.
 - 10:06 a.m. Dog reported running loose on Sierra Blanca Trail in Ruidoso, deputy dispatched.
 - 10:07 a.m. Trespassing reported at location on Del Mar in Ruidoso, deputy dispatched.
 - 12:21 p.m. Dog reported running loose on Gavilan Canyon road in Alto, deputy dispatched.
 - 1:43 p.m. Dog reported running loose on La Cumbre in Capitan, police dispatched.
 - 1:50 p.m. Warrant service at District Court located on the LCC on Central Avenue in Carrizozo, deputy dispatched.
 - 2:11 p.m. Police peacekeeping presence requested at residential location in Capitan, police dispatched.
 - 3:35 p.m. Medical call at location on Smokey Bear Boulevard in Capitan, ambulance dispatched.
 - 5:00 p.m. Larceny/theft reported at mile marker 286 on Hwy 70 in Hondo, deputy dispatched.
 - 8:15 p.m. Disturbance/family dispute reported at residence on Little Creek Road in Alto, deputy dispatched.
 - 11:21 p.m. Domestic battery reported at residence on El Vado in Nogal, deputy dispatched.
- August 13
 - 9:38 a.m. Civil dispute reported at location on Hwy 220 in Alto, deputy dispatched.
 - 12:01 p.m. Sex offender check at residence on E Avenue in Carrizozo, deputy dispatched.
 - 3:49 p.m. Disturbance reported at location on Maverick Court in Alto, deputy dispatched.
 - 4:12 p.m. Traffic offenses reported in LCC parking lot located on Central Avenue in Carrizozo, deputy dispatched.
 - 6:25 p.m. Assault in progress reported at residence on Wanda in Capitan, police and deputy dispatched.

(MORE ON PAGE 8)

"Have A Great, Safe Holiday!"

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SHERIFF'S REPORT

(Continued on Page 7)

6:50 p.m. Information report at location on Carrizo Canyon Road in Ruidoso, deputy dispatched.
 6:58 p.m. Traffic offenses reported at intersection of Ruth Road and Ariel Road in Nogal, deputy dispatched.
 7:16 p.m. Disturbance reported at location on Ruth Road in Capitan, deputy dispatched.
 8:26 p.m. Dog reported running loose at mile marker 17 on Hwy 48 in Capitan, deputy dispatched.
 10:27 p.m. Alarm reported at mile marker 286 on Hwy 70 in Hondo, deputy dispatched.
 August 14
 5:11 a.m. Alarm reported at business location on West Smokey Bear Boulevard in Capitan, police dispatched.
 10:51 a.m. Dog reported running loose on Reynolds Circle in Palo Verde, deputy dispatched.
 11:34 a.m. Warrant service at residence on 11th Street in Carrizozo, deputy dispatched.
 1:19 p.m. Larceny/theft reported at residence on 17th Street in Carrizozo, police dispatched.
 1:54 p.m. Welfare check requested at lower Eagle Creek in Alto, deputy dispatched.
 2:46 p.m. Alarm reported at location on Midiron Drive in Alto, deputy dispatched.
 3:00 p.m. Larceny/theft reported at residence on 17th Street in Carrizozo, police dispatched.
 4:16 p.m. Suspicious activity by person(s) in vehicle reported at location on Devils Canyon Road, deputy dispatched.
 6:59 p.m. Medical call at Carrizozo High School football field in Carrizozo, ambulance dispatched.
 7:07 p.m. Medical call at mile marker 96 on Hwy 380 in Lincoln, Advanced Life Support (ALS) ambulance and deputy dispatched.
 7:11 p.m. Traffic offenses reported at location on Hitching Post Road in Palo Verde, deputy dispatched.
 August 15
 12:06 a.m. Shots fired reported at location on B Avenue in Carrizozo, police and deputy dispatched.
 3:16 a.m. Medical call at residence on Water Spirit in Alto, ALS ambulance and deputy dispatched.
 7:26 a.m. Gas spill reported at business located at Hwy 54 and Hwy 380 intersection in Carrizozo, Carrizozo fire units dispatched.
 7:33 a.m. Medical call at location on Gran Quevara in Corona, deputy dispatched.
 7:59 a.m. Trespassing reported at location on Hwy 247 in Corona, deputy dispatched.
 8:04 a.m. Breaking & Entering (B & E) reported at location on Hwy 70 in Hondo, deputy dispatched.
 8:19 a.m. Motorcycle test requested at location in Nogal Canyon in Nogal, deputy dispatched.
 1:04 p.m. Dog reported running loose on Gavilan Canyon Road in Alto, deputy dispatched.
 4:39 p.m. Warrant service at Lincoln County Detention Center (LCDC) located on Airport Road in Carrizozo, deputy dispatched.
 4:44 p.m. Medical call at residence on Pomp Court in Capitan, ambulance dispatched.
 6:30 p.m. Police presence/stand-by requested at residence on F Avenue in Carrizozo, deputy dispatched.
 8:08 p.m. Harassment reported at location on Hwy 70 in Glencoe, deputy dispatched.
 9:07 p.m. Disturbance reported at residence on Gavilan Canyon Road in Alto, deputy dispatched.
 August 16
 12:02 a.m. Shots fired reported at Westlake campground on Bonito Lake in Bonito, deputy dispatched.
 1:14 a.m. Traffic hazard reported at intersection of Hwy 48 and Cedar in Capitan, police and deputy dispatched.
 6:46 a.m. Fire reported at mile marker 6 on Hwy 55 north of Carrizozo, Carrizozo fire units dispatched.
 8:59 a.m. Abandoned vehicle reported on Hwy 380 in Capitan, deputy dispatched.
 11:27 a.m. Trespassing reported at mile marker 2 of B0001 in Capitan, deputy dispatched.
 1:09 p.m. Dog reported running loose on Second Street in Capitan, police dispatched.
 1:59 a.m. Larceny/theft reported at location on El Vado in Nogal, deputy dispatched.

3:35 p.m. Medical call at residence on Laya Loop in Carrizozo, ambulance dispatched.
 4:08 p.m. Hazardous materials reported at business location on Hwy 54 in Carrizozo, Carrizozo fire units dispatched.
 5:12 p.m. Police presence/stand-by requested at residence on 10th Street in Carrizozo, police dispatched.

FAST ACTION Lincoln County News CLASSIFIED ADS CALL: (505) 648-2333



LABOR DAY WEEKEND GARAGE SALE -- Books galore, furniture, and lots of miscellaneous items. The sale will be behind the La Placita Shop in Lincoln where the white tents will be. Saturday and Sunday, August 30 and 31, 8:00 am to 5:00 pm. No early callers please.

ELSIE'S FLAME CHARBROILED BURGERS, HOMEMADE ENCHILADAS AND BURRITOS, HOT DOGS, SANDWICHES, FRESH SALADS, ICE CREAM, SHAKES, FLOATS AND SODAS. CARRIZOZO 380@54, VISIT US SOON. LOCAL BUSINESS DELIVERY 648/4200

HOUSE FOR SALE, 1,200 sq. ft. home on 1.5 acres off B Ave., Carrizozo. Recently remodeled, new roof, siding, electric service and carpet. Three bedroom, two bath, handicap accessible, good well with 3 acre foot water rights and city water and sewer. Horses OK. Great mountain views and good location. Appraised at \$90,000 asking \$82,000. Possible owner finance with 10 percent down. Contact Cathie Eisen at 575-937-6321.

ESTATE SALE -- Sunday, Aug. 31, 8am to 2pm, 410 11th St., Carrizozo. Furniture, household items, lots and lots of books, knick knacks, etc. Must be able to take purchases home the same day. CASH ONLY!! 2tp/8/21-28

CHECK OUT The Menagerie Flea Market, Capitan. Special Labor Days! Friday, Saturday and Sunday, possibly Monday. More vendors, new items. 937-2271 for info. 1tp/8/28

Call 575-648-2333

LEGAL NOTICE
 TWELFTH JUDICIAL DISTRICT COURT
 COUNTY OF LINCOLN
 STATE OF NEW MEXICO
 No. CV-08-247
 Division III
 TAMMY KAYE CALLAHAN
 Plaintiff.
 VS.
 GROUP I. THE FOLLOWING NAMED PERSONS, IF LIVING, IF DECEASED THEIR UNKNOWN HEIRS, AND THE UNKNOWN SPOUSES OF THE FOLLOWING NAMED PERSONS, IF LIVING, IF DECEASED THEIR UNKNOWN HEIRS: LOICE H. CALLAHAN, ESEQUIEL GARCIA AND LOUISA GARCIA;
 GROUP II. THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSONS: JOSE S. ENCINIAS, ALSO KNOWN AS JOE S. ENCINIAS AND AS JOE ENCINIAS, AND CAROLYN C. MAESTAS, ALSO KNOWN AS CAROLYN MAESTAS;
 GROUP III. THE UNKNOWN TRUSTEES OF THE ROGER MAESTAS AND CAROLYN MAESTAS LIVING TRUST, AND THE UNKNOWN BENEFICIARIES OF THE ROGER MAESTAS AND CAROLYN MAESTAS LIVING TRUST;
 GROUP IV. ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFF.
 Defendants.

SUMMONS AND NOTICE OF PENDENCY OF ACTION

THE STATE OF NEW MEXICO TO THE ABOVE DEFENDANTS NAMED OR DESIGNATED:
 GREETINGS: You are hereby notified that Tammy Kaye Callahan, Plaintiff, has filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-08-247 Div. III, wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.
 The general subject matter of said action is to quiet title to certain real estate, which is the subject matter of the above-captioned and numbered cause of action and is described as follows:
 Lot 3, Block "E" of RUIDOSO PINE LODGE CO. SUBDIVISION, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Lincoln County, New Mexico, on March 26, 1925;
 TOGETHER WITH all improvements thereon, SUBJECT TO reservations, restrictions and easements of record.
 You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before October 6, 2008, 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 to the Plaintiff's Complaint.
 The name and address of the attorney for the Plaintiff is: Archie A. Witham, (575) 351-2698, P.O. Box 83, Nogal, New Mexico 88341

WITNESS my hand and seal of the District Court of Lincoln County, New Mexico, on this the 19th day of August, 2008.
 JAN PERRY
 Clerk of the District Court
 By: Jolene Biggs
 Deputy
 Published in the Lincoln County News on August 21, 28; and September 4, 2008.

LEGAL NOTICE
 ALTO LAKES SPECIAL ZONING DISTRICT

On the 9th day of September, 2008, there will be held for the Alto Lakes Special Zoning District an election for the purpose of electing members of the Zoning Commission. The polling precinct for this Election will be as follows:
 Voting District: Alto Lakes Special Zoning
 Polling Place: Lincoln County Clerks Office
 Precinct Board Members: Lincoln County Clerks Office
 The polls for said Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of the Election.
 Absentee voting will be permitted in the manner authorized by Section 1-6-1 et seq., NMSA 1978; provided, however, that pursuant to Section 1-22-19, NMSA 1978, qualified electors may also vote absentee in person at the office of the County Clerk of Lincoln County, 300 Central Ave. Carrizozo, NM, during the regular hours and days of business from 8:00 a.m., August 15, 2008 being the twenty-fifth day preceding the Election, until 5:00 p.m. September 5, 2008, being the Friday immediately prior to the Election. Absentee ballots shall be airmailed or, if requested, electronically transmitted to each such applicant or registered voter who is a federal qualified elector and overseas voter, not later than September 4, 2008 being the Thursday immediately prior to the date of the election as provided in Section 1-6-5 NMSA 1978.
 The following persons have declared their candidacy for the Board as follows:
 Position 1, a two year term commencing September 18, 2008
 RONALD D DUNCAN
 Position 2, a two year term commencing September 18, 2008
 FRANCES H HAINES
 Position 3, a two year term commencing September 18, 2008
 NO DECLARED CANDIDATE
 Position 4, a two year term commencing September 18, 2008
 NO DECLARED CANDIDATE
 Position 5, a two year term commencing September 18, 2008
 NO DECLARED CANDIDATE
 THIS NOTICE IS PUBLISHED IN MY CAPACITY AS PRINCIPAL FILING OFFICER FOR THE ELECTION.

BY:
 TAMMIE J MADDOX
 LINCOLN COUNTY CLERK
 [SEAL OF THE COUNTY CLERK]

Published in the Lincoln County News on August 28 and September 4, 2008.

LEGAL NOTICE
 DISTRITO ESPECIAL DE ZONA

En el día 9 de Septiembre, 2008, tomará lugar una elección para el Distrito Especial de Zona, Alto Lakes, con propósito de elegir miembros de la Comisión de Zona.
 El recinto de la interrogación para esta elección será como sigue: Distrito de Votación Distrito Especial de Zona, Alto Lakes Colegio Electoral oficina del Clérigo del Condado de Lincoln Miembros del Consejo del Recinto oficina de los vendedores de condado
 Los lugares de votar estarán abiertos entre las hora de las 7 de la mañana y 7 de la tarde el día de la elección.
 El votar en ausencia se permitirá según Sección 1-22-19, NMSA 1978, con tal que, según Sección 1-22-19, NMSA 1978, electores calificados también pueden votar ausente en persona en la oficina del Clérigo del Condado de Lincoln, durante días y horas normales desde las 8 de la mañana, día 15 de Agosto, 2008, el día veinticinco antes de la elección. Se enviarán por aire, o electrónicamente se se pide, boletas a cual elector o aplicante quien es elector calificado federal y transmar, antes día 4 de Septiembre, 2008, el Jueves antes de la elección, según sección 1-6-5 NMSA 1978. Las personas siguientes han declarado su candidatura para el tablero como sigue:
 Posición 1, término de dos años, para comenzar el día 18 de Septiembre, 2008
 RONALD D DUNCAN
 Posición 2, término de dos años, para comenzar el día 18 de Septiembre, 2008
 FRANCES H HAINES
 Posición 3, término de dos años, para comenzar el día 18 de Septiembre, 2008
 NINGUÍN CANDIDATO DECLARADO
 Posición 4, término de dos años, para comenzar el día 18 de Septiembre, 2008
 NINGUÍN CANDIDATO DECLARADO
 Posición 5, término de dos años, para comenzar el día 18 de Septiembre, 2008
 NINGUÍN CANDIDATO DECLARADO

ESTE ANUNCIO SE PUBLICA EN MI CAPACIDAD COMO OFICIAL PRINCIPAL DE LA LIMADURA PARA LA ELECCIÓN.
 POR:
 TAMMIE J MADDOX
 CLERGO DE CONDADO DE LINCOLN

Published in the Lincoln County News on August 28 and September 4, 2008.

"We Salute and Thank All of Our Service People."