

Petition Challenges Sheriff's Candidacy

by Patrice Brazie

A petition filed in 12th Judicial District Court last week questions the validity of the candidacy of Lincoln County Sheriff Rick Virden in his run for re-election in November, and calls for the appointment of a Special Master to oversee that election in Lincoln County. Three respondents are named in the petition: Virden, Lincoln County Clerk Tammie Maddox and Secretary of State Mary Herrera.

Based on allegations questioning Virden's declared place of residence, the petition calls for court action to have Virden declared ineligible as a registered voter and as a registered candidate, and accuses both Virden and Lincoln County Clerk Tammie Maddox of felony misconduct.

State statute allows that, by a petition of 20 people or more, a request can be made of the court to cancel the registration of anyone found not to be a qualified elector. The

25 petitioners in this case are: Steven Sederwall, Robert Russell, Carolyn Sederwall, Melody McConnell, Stephen McConnell, Whitney Newton, Michael Leineweber, Esther Otero Flanagan, Brandy Flanagan, Patty Goodwin, Ann Goodwin, Gregory Flores, Donna Simmons, Glynis Racine, Welda Grider, Laura Leineweber, Gail Major, James Boren, Ellie Boren, Patricia Roberts, Hubert Roberts, Tony Seno, Mathew Patterson, Jason O'Neal and

Cindy O'Neal.

Virden and his wife Carol own two homes, one inside the town limits of Carrizozo and another just a mile or so outside of Carrizozo.

The petition alleges that the Virdens do not occupy the home in Carrizozo and that, contrary to the information provided in Virden's voter registration and candidacy declaration, the Virdens' actual residence is on the ranch outside of town.

Virden is not required to reside within any municipal-

ity in order to serve as Lincoln County Sheriff, but the petition alleges that the Virdens have intentionally falsely represented their place of residence in order to be able

to participate in Carrizozo municipal elections, which does require residency within the Carrizozo city limits.

"The Carrizozo address listed by Mr. Virden was and is a sham residence listed by Mr. Virden in a deliberate attempt to evade the funda-

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CARRIZOZO, NEW MEXICO 88301



MEMBERS OF THE Carrizozo Animal Control Advisory Committee presented recommendations for improvements to the town's animal shelter during last Tuesday night's city council meeting. Among the recommendations are the construction of outdoor runs and a simple drainage system to better accommodate animal welfare, safety and sanitation needs. Committee members shown here are, left to right, Bill Hayes, Barbara Culler and Kim Roper. Not shown are Mike Howard and Patrice Brazie (Photo by Patrice Brazie)

D.A. Delivers Findings on Carrizozo Audit

by Patrice Brazie

During the Carrizozo Town Council meeting Tuesday, September 9, mayor Bob Hemphill read a letter from District Attorney Scot Key that summed up the conclusions of an investigation into findings resulting from an audit of the town's finances of the 2005-06 fiscal year. That audit brought to the attention of the public a matter of additional pay afforded to the town clerk and deputy clerk which appeared to be in violation of the town's personnel policies.

Key wrote in the letter to Hemphill that, while many of the reportable conditions of the town's financial health at the time of the audit seemed to indicate a lack of financial control, none of those conditions have criminal implications.

"One reportable condition that does, however, have criminal implication is condition 06-D Open Meetings Act Violation," Key wrote.

Included in the letter is a list of facts determined by the District Attorney regarding the additional compensation to the employees. Key wrote that, at the relevant times of the audit, the town clerk was not eligible to receive overtime pay. He said that the compensation was considered by the mayor and town council at the time to be bonuses, even though the compensation rate was computed at standard time and a half overtime rates.

The town's personnel pol-

icy did not provide for additional compensation for the town clerk, and Key noted that a letter was provided to the auditor that suggested that the additional compensation was approved by the town trustees.

"The approximate amount was \$18,816.29 which may have included unused vacation time which also was not authorized by the personnel policy at the time," Key wrote. "All records, minutes, agendas and recordings of trustees' meetings have been reviewed and no mention, motion, vote or detailed minutes can be found indicating that this action was discussed or approved in an Open Meeting."

According to Key, the only record regarding the additional pay to the clerk and deputy clerk was a year end budget adjustment which was moved and passed by the trustees.

"There was neither discussion nor comment of the specifics contained in the adjustment nor any mention of the intent behind making the end of the year adjustment," Key wrote. "The additional compensation was apparently awarded because of the belief that the town clerk was providing additional services to the town above and beyond her duties. The accuracy of this contention is questionable," Key continued.

The District Attorney further stated in the letter to Hemphill that the year end budget adjustment resolution, by design or negligence, hid from the citizens of Carrizozo the specifics of the proposed action to provide additional pay to the town clerk.

"This methodology prevented input, criticism, questions or support from the citizens of Carrizozo as to the reasons behind such actions," Key wrote.

According to Key, the much anticipated results of the investigation were delayed in order to allow the District Attorney's office ample time to monitor efforts by the town officials to correct any policies or procedures that were in violation

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PUBLIC NOTICE

The Town of Carrizozo is seeking two (2) alternates for the Planning and Zoning Committee. If interested, please send a letter of interest to the Town of Carrizozo, PO Box 247, Carrizozo, NM 88301 or bring in to City Hall. This is a voluntary position and requires attendance to meetings, research of the planning and zoning ordinance and may require visits to municipal properties within the municipal boundaries.

This position also requires making unbiased decisions according to the planning and zoning ordinance.

1tc/9/11

Carrizozo to Re-do Website

by Patrice Brazie

In his monthly statement presented to the public during the September 9 Carrizozo Town Council meeting, mayor Bob Hemphill began with a reminder that citizens must be registered in order to vote in the upcoming general election in November. The deadline for voter registration is October 7th.

Hemphill asked the Trustees to consider what might be the best way to manage the matter of former Carrizozo residents who moved away leaving an unpaid balance on their water bills, and then return to again reside in town.

Renters are required to put up a \$200 deposit before getting water service from the town, and home buyers pay a \$100 deposit, Hemphill said, but that does not address delinquent balances that might be left over from a previous residency.

Trustee Dennis Vega recommended that people who left town without paying up should be required to pay a percentage of the delinquent balance and agree upon an appropriate plan to make payments on the remainder before getting water from the town again.

Hemphill said he agreed. "If they come up with a legitimate plan to pay the arrears, they should be billed just like someone who's already here," Hemphill said. "We have been criticized for allowing people to catch up, but our only other options are to get nothing or have the

attorney go after them at a number of dollars per bill."

Hemphill recommended that new customers with outstanding balances on Carrizozo water bills should be required to pay \$50 each month on the past due account in addition to paying the regular monthly bill. He said that in certain cases of hardship, an agreement could be designed that required an arrears payment of less than \$50.

"People now understand that we will turn them off," Hemphill said of those who fail to stay current on their water bills. "We've turned many of them off, but some of them for only an hour," he added. He said that people have been quick to pay the bill when faced with a shut off.

The Town of Carrizozo has, in the past, shared a web site with the Carrizozo Chamber of Commerce, but that is being changed, Hemphill said. He reported that some local business owners have questioned why only those businesses that are members of the Chamber of Commerce are listed on the web site.

Local business owners pay a licensing fee to the town, and some have expressed the idea that the license fee should also include a listing on the town's web site.

Hemphill said the town will keep the web site named townofcarrizozo and the Chamber of Commerce will have its own web site.

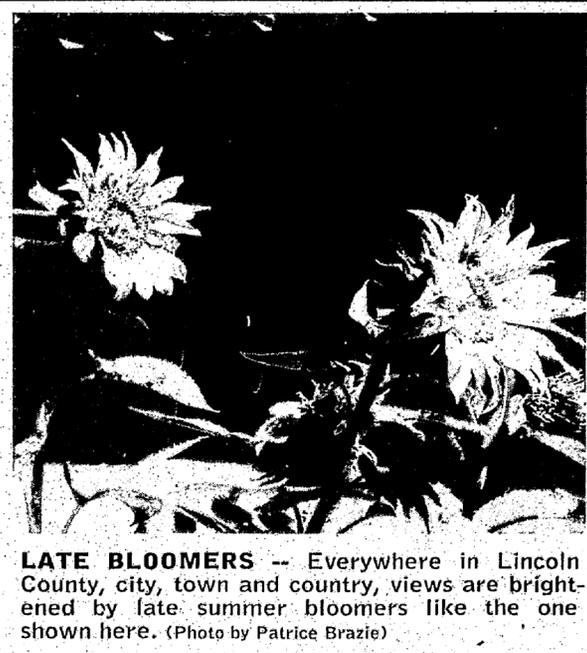
Dirk Norris of Dry Hat

computer services will continue to host the web site for the town, and that site will list the registered businesses at no additional fee.

Both the town's web site and the Chamber of Commerce web site will offer links to each other, Hemphill said.

A reminder was issued in Hemphill's statement that

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LATE BLOOMERS -- Everywhere in Lincoln County, city, town and country, views are brightened by late summer bloomers like the one shown here. (Photo by Patrice Brazie)

County Supports Tax Break for Track at Ruidoso Downs

by Patrice Brazie

The Lincoln County Board of Commissioners passed a resolution in August stating its support of a reduced tax schedule for the Ruidoso Downs racetrack citing a need for equal treatment under the law.

The resolution recognizes the racetrack's 61 year history in Lincoln County and its valuable contribution to the local economy throughout those many years. The track is a cornerstone for New Mexico tourism, convention and visitors business development, the resolution states.

The document also points to the fact that the New Mexico legislature created a new tax level for the smallest tribal casinos in the state, and that similar legislation intended to create an equal tax level for small, non-tribal casinos died while under consideration by the Senate due to a short legislative session in 2007.

The resolution will be sent to New Mexico Governor Bill Richardson and each member of the New Mexico House and Senate requesting that consideration of the creation of a new tax level for small non-tribal casinos and tracks be a priority in the next legislative session.

Petition Challenges Candidacy

(Continued from Page 1)

mental voter eligibility requirements expressly provided by our constitution and statutes," the petitioners allege in court documents.

Also according to the petition, the Virdens voted in two Carrizozo municipal elections that have been held since the time the couple allegedly took up residency at the ranch. One of those elections resulted in a tie in the Mayoral race which ultimately was decided by the toss of a coin.

The petition further states that Virden, as Sheriff of Lincoln County, and Carol

Virden, as Clerk of the City of Ruidoso Downs and former City Clerk of the Town of Carrizozo, are aware of the statutes governing election laws, procedures and requirements, and that any person who commits false voting is guilty of a fourth degree felony.

"Therefore, Petitioners challenge R. E. (Rick) Virden's voter registration and his ability to vote in the 2008 General Election and his ability to appear as a candidate for office in that same election," the petition states. Attorney for the Petition-

ers, Timothy Rose of Ruidoso, said on Tuesday that the allegations questioning Virden's primary residence are supported by electric and water utility bills for the Carrizozo house. According to the petition, the amount of water used at the house in town generally does not exceed 190 gallons per month.

Another issue presented in the filing is the fact that Virden was not required to file a nominating petition along with his declaration of candidacy as required by state law.

In a very recent New Mexico Supreme Court case, independent candidate for Sheriff, Steven Sederwall, was granted an opportunity to file his candidacy declaration and nominating petition after the mandatory deadline because of alleged misguidance by state election officials and county employees regarding the nominating petition requirement for independent candidates.

The issue of Virden not being required to file a nominating petition was presented in the Supreme Court hearing, but the Justices failed to offer any opinion or decision regarding the petition requirement as it applies to major party candidates. Al-

though statutes require those candidates to file petitions, the laws have routinely been ignored in elections throughout the state for the past 12 years.

During the Supreme Court case, both sides agreed that removing Virden from the ballot would be an inappropriate resolution, but Sederwall has apparently changed his stance on that point.

"The state called Tim (Rose) and said 'hey, we're going to put him on the ballot, so let's all pull our guns and go home,' and we said that works for us, we just want a fair election," Sederwall said on Tuesday. "But the county said 'no, we're going to fight it.' It was right then that I told Tim that I'm going to spend my money on the court fight," Sederwall said. "I don't have a problem taking him off the ballot now. What he's done is a felony," he alleged.

"Mr. Virden's name should never have appeared on the primary election ballot and therefore should not appear on the general election ballot," the petition alleges.

Virden ran unopposed in the Republican primary election. There is no candidate for the sheriff position from the Democrats or any minority party, so Sederwall is Virden's only opposition in the race for the office of Lincoln County Sheriff.

If successful, Sederwall's attempt to disqualify Virden would leave the voters with only one choice on the ballot for Sheriff of Lincoln County.

The basis for the call for the appointment of a Special Master is a bit more obscure, but the petition alleges personal and political bias in the office of the County Clerk, attempts by Maddox to sabotage Sederwall's candidacy, and felony misconduct by Maddox in the mishandling of a ballot box after the 2008 primary election.

Regarding the allegation that Maddox cannot be trusted to oversee the election, Lincoln County Attorney Alan Morel said this week that the likelihood of the appointment of a Special Master is slim. "There's been no finding of impropriety or wrongdoing, so that's pretty much a red herring," Morel said.

Morel is not directly involved in the case. The county's insurer, the New Mexico Association of Counties, has hired Attorney Dan Bryant to represent Maddox, as he did in the recent Supreme Court hearing.

Letters

TO THE EDITOR

EDITOR — In reference to the vandalism to Doris Cherry's political signs and car and her inference that it was a condition brought on by the Bush so call Republicans in Carrizozo. Not so!, because I too have suffered, though not as bad, because of my Right Wing Republican Stand in Carrizozo.

Check the signs and two hangman's noose across from the courthouse. They have been stolen, cut, and the post pushed over and one Democratic sign stolen. Whoever the cowards are they should know that destruction/vandalism of a political sign is a class 4 felony, and I hope they are caught and prosecuted.

However, this is only the symptoms of a diseased system that has forgotten what a constitutionally limited republic with inalienable personal rights is all about. In particular private property rights as enumerated in the "Bill of Rights". When the city, county, state and federal governments all show disrespect for our rights, what did you expect? Whether right, left or middle, a totalitarian form of government is not acceptable to individual freedom loving persons who respect all of your rights and are willing to fight to retain them. Ask Patrick Henry.

See you at the Lincoln County Commission meeting September 16, where you will see most of your so-called elected officials denigrate and decimate your representative form of government that is supposed to be democratic not authoritarian. When only 14% of the people approve of Congress, which is now! Only we the people are to blame. Become involved.

JERRY CARROLL
OSCURA, NM



Church Directory



MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY

Royal Presbyterian Church: 1 W. B. LEWIS, Pastor
Sunday School 10:00 a.m.
Worship 11:00 a.m.

Ancho Community Presbyterian Church:
Worship 9:00 a.m.
Sunday School 10:00 a.m.

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

First Baptist Church

HAYDEN SMITH, Pastor
314 10th Ave. Carrizozo, NM
648 2868 (Church) or 648 7107
Sunday School 9:45 a.m.
Worship Service 10:55 a.m.
Sun Evening 6:00 p.m.
Wednesday, Sept April
AWANAS 6:00 p.m.

Carrizozo Assembly of God

Corner 13th & C Ave.
Barbara Bradley, Pastor
Children's Ministry and
Nursery Available
Worship Service 10:00 a.m.
Youth Service 6:00 p.m.

Santa Rita Catholic Community

FR FRANKLIN, Pastor
213 Birch, Carrizozo, NM, 648 2853
DAILY MASS Santa Rita 8:30 a.m.
SATURDAY:
Capitan Sacred Heart 5:00 p.m.
Carrizozo Santa Rita 7:00 p.m.
SUNDAY:
Capitan Sacred Heart 8:30 a.m.
Carrizozo Santa Rita 10:30 a.m.
Corona St. Theresa 1:30 p.m.

Angus Church of the Nazarene

"Serving All of Lincoln County"
RICK HUTCHINSON, Pastor / 336 8032
Southwest Corner of Hwy. 48 & 37 Junction
Between Ruidoso and Capitan, NM
Sunday
Sunday School for all ages 9:30 a.m.
Morning Worship and
Children's Church 10:30 a.m.
Family Worship 6:00 p.m.
Wednesday
Community dinner 6:00 p.m.
Adult classes, Youth games and study,
Kids Klub 7:30 p.m.

St. Matthias Episcopal Church

Rev. d Canon Peter Sanderson,
Pastor in Charge
Corner of E. Ave and Sixth, Carrizozo, NM
Ph 505 257 2356
Holy Eucharist Sunday 8:30 a.m.

White Oaks Community Church Non-Denominational

Sunday Worship Service 11:00 a.m.

Claunch Community Church

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

United Methodist Churches

JOHANNA ANDERSON, Pastor
1080 D Ave, 648 2893 / 648-2848
Carrizozo, NM 88301
Sunday School (All Ages) 10:00 a.m.
Worship Service 11:00 a.m.
Choir Practice (Tuesday) 6:30 p.m.
United Methodist Women
Every 3rd Wednesday 2:00 p.m.
Fellowship Dinner on
4th Sunday of Month 12:30 p.m.

CAPITAN:

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

Christ Community Fellowship

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

Capitan Church of Christ

LESLIE EARWOOD, Minister
5th & Lincoln / 336-4527
Sunday Bible Study 10:00 a.m.
Worship Service 11:00 a.m.
Evening Worship 6:00 p.m.
Wednesday Bible Study 6:00 p.m.

Trinity Southern Baptist Church

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

First Baptist Church of Corona

CAL WES, Pastor / 849-7975
Sunday School 10:00 a.m.
Worship Service 11:00 a.m.
Wednesday Bible Study 7:00 p.m.
Fellowship Dinner 1st Sunday of Month

Sunday:

Sunday School for all ages 9:30 a.m.
Morning Worship 10:30 a.m.
Children's Church 10:45 a.m.
Evening Worship 6:00 p.m.
Wednesday:
Teen dinner and games 6:00 p.m.
Teen Bible Study 7:00 p.m.
Prayer Meeting 6:00 p.m.

Grace Fellowship Church

TERRY AIELLO, Pastor, 849 0105
Ancho
Worship 2:00 p.m.
Sunday School 3:15 p.m.

Obituary

TODD BUTTS

Funeral service for Todd Butts, 43, of Capitan was September 8 in LaGrone Funeral Chapel of Ruidoso. Burial followed at the Ruidoso Hondo Valley Cemetery.

Mr. Butts died Sept. 5, in Ruidoso. He was born March 27, 1965 in Roswell, he moved to Lincoln County 20 years ago from Clovis. He was a former sports writer for the Ruidoso News and loved kids and animals and he had served in the Navy.

He is survived by his mother, Jan Rogers; father and step mother, Wayne and Kathy Butts; grandparents, Clifford and Mabel Butts; brothers and sisters, Shane Butts, Deborah "Debbie" Abney, Mychelle Gonzales, Kristina Miller, Scott Miller; numerous aunts and uncles, 11 nieces and nephews and many loved ones and friends. He was preceded in death by his step father, Michael Rogers.

The family has requested memorials to the Scott Butts Educational Scholarship Fund in care of Southwest Securities F.S.B., 1860 Suddeath Dr., Ruidoso, NM 88345.

Condolences may be sent to the family at www.lagroneruidoso.com.

Virden said on Tuesday that, because he is named in the case as a private citizen, not Sheriff of Lincoln County, he will not be covered by the county's insurer, but he will also be represented by Bryant in court next week at his own cost.

A hearing on the case has been set for 9:00 a.m. on Wednesday, September 17th, in Alamogordo.

The case was originally going to be heard in Carrizozo, Rose said, but courtroom scheduling forced the move to Otero County. He said the case was assigned to Judge Frank Wilson, but Wilson recused himself. The case was then passed to Judge Karen Parsons who also recused herself after a challenge from Rose. The case was finally assigned to Judge Jerry Ritter, whose schedule could not be coordinated with use of the Carrizozo courtroom within an appropriate time frame.

Virden told *The News* that his side intended to vigorously defend against the allegations which are "certainly incorrect and erroneous. We're going to let the judge decide," he said.

Virden said that he is living on the ranch property temporarily while the house in town, which he purchased in 1994, is being renovated. He said that he has never leased the Carrizozo house or allowed anyone else to live there; it is the house that he and his wife intend to live in once the renovation is complete. "Carol and I decided that we can't live there and work on it at the same time," he said.

The rules governing the determination of legal residency as it applies to voter registration and candidacy registration will have to be interpreted by the court, but the statutes regarding that determination read as follows.

For the purpose of determining the residence of a person desiring to be a candidate for the nomination or election to an office under the provisions of the Election Code (Chapter 1 NMSA 1978) or for the purpose of determining the residence of any signer of a petition required by the Election Code, permanent residence shall be resolved in favor of that place shown on the person's certificate of registration as his permanent residence, provided the person resides on the premises.

For the purpose of determining residence for voting, the place of residence is governed by the following rules: The residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return.

The place where a person's family resides is presumed to be his place of residence, but a person who takes up or continues his abode with the intention of remaining at a place other than where his

family resides is a resident where he abides.

A change of residence is made only by the act of removal joined with the intent to remain in another place. There can be only one residence.

A person does not gain or lose residence solely by reason of his presence or absence while employed in the service of the United States or of this state, or while a student at an institution of learning, or while kept in an institution at public expense, or while confined in a public prison or while residing upon an Indian or military reservation.

No member of the armed forces of the United States, his spouse or his dependent is a resident of this state solely by reason of being stationed in this state.

A person does not lose his residence if he leaves his home and goes to another country, state or place within this state for temporary purposes only and with the intention of returning.

A person does not gain a residence in a place to which he comes for temporary purposes only.

A FINE GIFT FOR SOME ONE



A SUBSCRIPTION TO THIS NEWSPAPER

LETTERS TO THE EDITOR POLICY

The Lincoln County News welcomes letters to the editor.

Letters will be the writer's personal opinion and will not reflect the editorial opinion of the Lincoln County News.

All letters must be original, no copies or form letters will be used. Preference is given to typewritten letters. Hand-written letters must be legible.

Letters must be signed by the writer with the author's full name, address, and telephone number. Only the writer's name and city of residence will be published.

"Thank You Letters" will be considered as advertising and not be accepted as Letters to the Editor.

Letters of any length will be considered for publication with priority given to letters of no more than 300 words. All letters are subject to editing for length, grammar, spelling, and reader interest.

Letters to the Editor should be hand delivered or mailed to:

LETTERS TO THE EDITOR
Lincoln County News
308 Central Ave.
P.O. Drawer 459
Carrizozo, NM 88301

Jerry & Lanita Rasak

LaGrone Funeral Chapel

In Memory of
BILL WINKLER

Insurance Exchange
Carrizozo Branch



D.A. Findings

(Continued from Page 1)

of the Open Meetings Act. "I have noted those efforts have been successful and those efforts mitigate the necessity to file a formal complaint in District Court for the violations I have found," Key wrote. He acknowledged the fact that Hemphill, the current Mayor of Carrizozo, was not in office when the violation occurred.

"I believe you accept that the corrective measures, criticisms of Carrizozo government, and the responsibility to ensure that violations of the Act never occur again are placed squarely on your shoulders," Key wrote to Hemphill.

Since the violation occurred, the town council has amended the town's personnel policy.

Key also pointed out that issues connected with the Open Meetings Act violation have been openly discussed and reviewed in subsequent council meetings, and the town officials have received additional training as to the application of the Open Meetings Act to town meetings and government actions.

"There has been an acceptance of responsibility by the current mayor to improve the town's performance in matters of budgets, personnel

compensation and allowing open government to let the sunshine of public comment and scrutiny into its decisions," Key wrote.

In conclusion, Key said that although he found the former mayor and trustees of Carrizozo to have violated the Open Meetings Act, he also determined that the filing of any action in District Court would not promote any rehabilitative, retributive or educational purpose.

"I will, however, warn you that any future violation of the Open Meetings Act will be met with appropriate and timely filing in District Court," Key wrote. "Additionally, excuses and stories of negligence or oversight will be met with great skepticism by this office."



JUNIOR CLASS ENCHILADA DINNER

Friday, September 12
CARRIZOZO SCHOOL CAFETERIA
4:00 pm to 8:00 pm

\$6.00 per plate
Includes Spanish Rice, Beans, Dessert and Drink.

"Please help support Class of 2010"



A FINE GIFT FOR SOME ONE

A SUBSCRIPTION TO THIS NEWSPAPER

LINCOLN COUNTY NEWS

CALL: 575-648-2333

- MONDAYS AND WEDNESDAYS**
-Free GED classes 6 to 8 p.m., Carrizozo School library.
- WEDNESDAYS**
-Corona Public 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.
- TODAY, THURSDAY, SEPTEMBER 11**
-Capitan School Board 6:30 p.m.
-Carrizozo Woman's Club 6:00 p.m.
- FRIDAY, SEPTEMBER 12**
-Junior class enchilada dinner 4:00 p.m. to 8:00 p.m. in Carrizozo School cafeteria.
- SATURDAY, SEPTEMBER 13**
-Capitan Village Wide Yard Sale starts 8:00 a.m.
- SUNDAY, SEPTEMBER 14**
-Grandparent's Day!
- TUESDAY, SEPTEMBER 16.**
-Lincoln County Commissioners 8:30 a.m. in Lincoln County Courthouse in Carrizozo.
-Carrizozo School Board 6:00 p.m.
-Carrizozo Planning & Zoning Commission 6:00 p.m.
- THURSDAY, SEPTEMBER 18**
-Alto Lakes Special Zoning District Commission regular meeting 8:30 a.m. at Alto Lakes Golf and Country Club.
-Lincoln Historic Preservation Board 7:00 p.m. Community Church in Lincoln.

Carrizozo Website

(Con't. from P. 1)

people who are doing remodeling work on their Carrizozo homes are required to dispose of construction waste in a roll off dumpster billed to the homeowner or contractor, not the dumpsters provided by the town for the disposal of household waste.

Helpful Business Information Phone Call Away

Knowledge is power, especially in the world of business. Whether a small business is already well established or yet to get off the ground, New Mexico State University's Arrowhead Center wants to help by providing important business information with the Arrowhead Business Dateline.

Anyone with a question about state, or local economic or business conditions can simply call (575) 646-7460 or send an e-mail to data@arrowhead.nmsu.edu for an answer.

Arrowhead Center is a nonprofit organization owned by NMSU.

Experts at Arrowhead Center's Entrepreneurship and Small Business program will provide data and projections on a variety of business-related topics in response to Business Dateline requests.



FALL RATES

A buck a hole!



- 9 holes w/ cart - \$9
- 18 holes w/ cart \$18
- Play all day w/cart - \$25

Hours of Operation
8am - 6pm

Call for tee times
575-648-2770

Be sure to have lunch at the 10th Hole Snack Bar

6634 Highway 380 • Carrizozo, NM 88301
575-648-2770



CARRIZOZO GRIZZLY			
2008 VARSITY FOOTBALL SCHEDULE			
August 29	Carrizozo 46	Tucumcari 20	
September 5	Capitan 20	Carrizozo 14	
September 12	Marfa, TX	Home	6:00 PM
September 18	Alamo JV	Home	6:00 PM
September 27	Escalante	Away	1:00 PM
October 3	Hagerman	Home	7:00 PM
October 10	OPEN		
October 17	Ft. Sumner	Away	7:00 PM
October 24	Mescalero	Away	7:00 PM
October 31	Jal	Home	7:00 PM
JR. HIGH SCHEDULE			
Sept. 4	Carrizozo 8	Mescalero 6	
Sept. 11	Capitan	Home	4:00 PM
Sept. 25	Mescalero	Home	4:00 PM
Sept. 29	Capitan	Away	4:00 PM
Oct. 9	Cloudcroft	Home	4:00 PM

YARD CARE MADE EASY

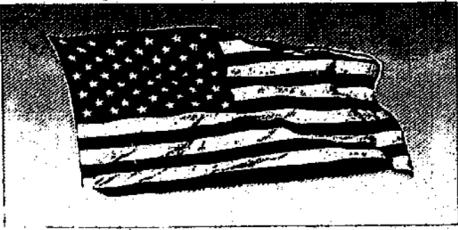
FS 45 String Trimmer \$139⁹⁵
Powered by STIHL HomeScaper Series™ engine
2-line AUTOCUT® cutting head

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Editorials / Opinions & Other Stuff

UNTIL THEY COME HOME

THOUGHTS FROM THE EDITOR'S DESK

Countdown to General Election

By Ruth Hammond

The candidates are getting primed, or rather from what we hear they are. The national battle for president is one of the most vocal, though there is a local election matter that is drawing attention. Some TV stations are already in the countdown mode, with about 53 or 54 days before the election that will be held November 4. Considering all the commentaries, and for a change the media is not leading the way in selecting the candidate and deciding which of the candidates will be the winner, things are up in the air. If you believe all the commentators, you might wonder why some of the national candidates have a desire to win.

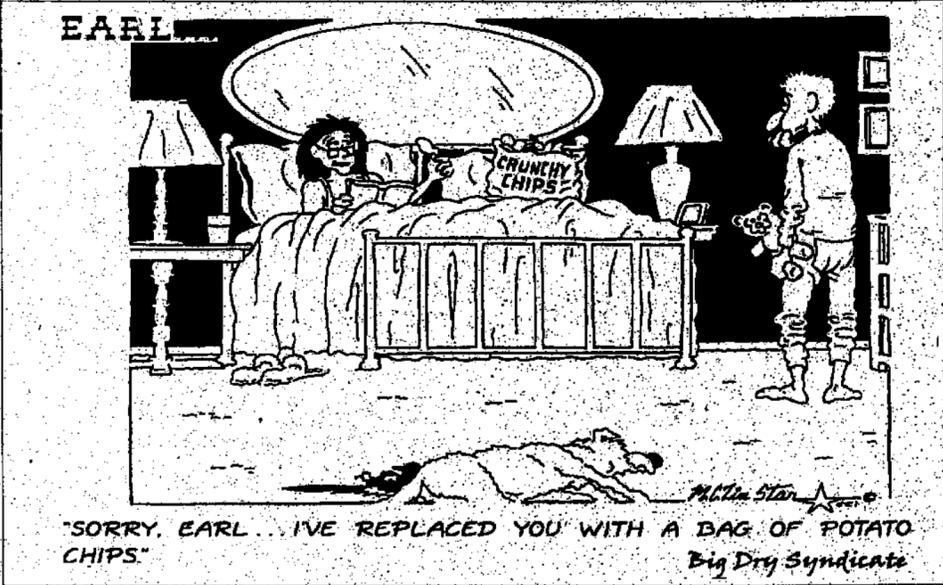
About the main thing that can be said is that it may be quite interesting during the next eight weeks. One thing for certain, the rhetoric will keep analysts busy. And the commentators will almost need a scorecard to keep track of who said what when and why and which analyst made the latest prediction as to which poll is correct and which poll has the information needed. Election night could be a rerun of these predictions with projected winners being named before the polls close across the United States.

Needless to say, it is important to be involved in the electoral process, but in another eight weeks the majority of the public could resort to wearing ear plugs. Who cares what the neighbor's dog did when a certain candidate was on TV? Did the dog show a preference for one candidate over the other or did the dog yawn during a commercial? Either action could indicate which candidate was the preferred choice. Or maybe not. Maybe the dog wanted to go outside without the hoopla of choosing a candidate.

Getting unbiased reports is difficult. Emails abound with accounts of things that supposedly happened, but some media research provides what may or may not be facts. If certain accusations are true the guilty party should have been arrested long ago. And if they are not true the people responsible for publicizing the untruths should get their comeuppance. And in the meantime the public waits to learn whether the accused candidate did or did not do the alleged things and will be punished.

Listening to some of the alleged wrongs make it sound as if candidates are above the law in certain situations. If not how could they have been allowed to continue to do all the wrong things that are credited to them for doing? One of the accusations had nothing to do with any wrong doing but was an attack on a personal choice. In the same situation many people might have made the same choice, and many would probably say it was no one's business. The choice had nothing to do with politics or with and form of government and was therefore a personal choice.

Election day is seven and a half weeks away. Till then keep earplugs handy, try to decipher what is truth and what is untruth, and get ready to cast your vote Nov. 4



"SORRY, EARL... I'VE REPLACED YOU WITH A BAG OF POTATO CHIPS" Big Dog Syndicate



WEATHER

by Jeff Hammond

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

Today, Thursday, Sept. 11, the 254th day of 2008

A very good chance of showers and thunderstorms, mostly cloudy, with a high near 78, north winds around 5 mph; night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 54, north winds around 5 mph.

Friday, September 12
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 82, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 53.

Saturday, September 13
A slight 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 54.

Sunday, September 14
A fair chance of showers and thunderstorms, partly cloudy, with a high near 80, night: A fair chance of showers and thunderstorms, partly cloudy, with a low around 51.

Monday, September 15
A fair chance of showers and thunderstorms, partly cloudy, with a high near 79, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 49.

Tuesday, September 16
A fair chance of showers and thunderstorms, partly cloudy, with a high near 79, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 49.

Forecast for Ruidoso, Capitan and Corona and most of the Hondo Valley:
Today, Thursday, Sept. 11, the 254th day of 2008

An extremely good chance of showers and thunderstorms, mostly cloudy, with a high near 69, calm winds becoming easterly between 5 and 10 mph; night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 48, east winds up to 10 mph becoming west in the late afternoon.

Friday, September 12
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 72, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 47.

Saturday, September 13
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 74, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 48.

Sunday, September 14
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 72, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 43.

Monday, September 15
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 70, night: A slight chance of showers and thunderstorms, mostly cloudy, with a low around 44.

Tuesday, September 16
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 70, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 44.

Lincoln County Cannot Afford Sederwall

I have sat quietly the last 2 1/2 years while Steve Sederwall and his cohorts (some from the media) have degraded and maligned our administration. I feel the time has come to enlighten the public as to what kind of administration Mr. Sederwall ran as mayor of the Village of Capitan.

There were over 20 tort claims filed against the Village of Capitan. With which 10 of these went to litigation or arbitration for settlement. The net result from cases filed from 2003 to 2005 resulted in our Village insurer, the NM Self Insurers' Fund, to pay out \$351,618.13. Another suit filed on the ex clerk was settled later, which I'm sure puts it very close to \$400,000. While our insurance company bore the major burden of this expense, we have a deductible and some provisions of suits we have to bear the whole expense. As you all know from the past, the citizens are the ones who are made to pay in the long run.

His past administration in the media coverage has been portrayed as glorious.

In 2004, the Department of Finance with whom we are fiscally responsible, threatened to take over the village affairs and shut down the village control. His police force which has been glorified by the press caused a suit resulting in an ex felon getting a

sizable judgment against the village. This is substantiated by a letter written by Adam Rafkin in the Ruidoso News in August, page 10A.

His grandstand play in chaining up the Capitan-Carrizozo Gas office in Capitan, in which he had press present to take pictures, resulted in a lawsuit that had to be settled in favor of the person working at the time. Yet he had the audacity to put in an article on how much money we were paying out in attorney fees on our lawsuits. We have had two lawsuits, one of them was filed by Sederwall and was largely publicized by the media, was dropped later because he had no case. Although a big splash when filed, it was never mentioned by the media when it was dropped. The other suit is still in litigation which is over the last election and we're hoping it will be resolved soon. In all, our expenses have not been what one of his cases cost.

His immediate ex clerk registered a person who ran for office which didn't live in the village limits of Capitan.

Anything that I have put in this ad can be verified by facts or witnesses. I can't image what havoc could be reaped in Lincoln County if this person were to be elected to any county office.

SAM HAMMONS

Paid Advertising

Inside the Capitol

by JAY MILLER Syndicated Columnist

SANTA FE -- Two state panels made some important decisions late last month. A veterans panel voted to locate a veterans museum in Las Cruces and the state Racing Commission voted to award the last state racino license to Raton.

Amazingly, even though there was stiff competition in both contests, the decisions were unanimous. Which raises the question: why bother?

The question is especially valid in the case of the state Veterans Museum. Las Cruces had been angling for the museum the past seven years. Sen. Lee Rawson of Las Cruces introduced legislation early this year to appropriate \$1.5 million to get museum construction started.

But Gov. Bill Richardson vetoed the bill, saying there hadn't been sufficient discussion of the location. He appointed a panel of 20 veterans from around the state to make that decision.

Proposals were heard from Las Cruces, Carlsbad,

Las Vegas, Fort Stanton, Rio Rancho and Angel Fire. Reports indicate all the presentations were good. A large delegation of Las Cruces officials made a presentation loaded with facts and figures.

Fort Stanton also had an outstanding presentation, centered around a state-owned fort that would eliminate the need to construct a multi-million dollar building. Reportedly other proposals also were impressive but officially all 20 panel members supported Las Cruces.

It appears to be a major slap at Gov. Richardson, a very loud message that his veto last March was unwarranted. But then, things are not always as they seem. Possibly the total panel felt Las Cruces deserved the museum because it had the initiative to get the ball rolling and had been lobbying it for so long.

Maybe there were feelings for Sen. Lee Rawson, the major sponsor, who had a number of his money bills vetoed. Rawson is the

Republican Senate whip and one of Richardson's major critics.

Or maybe it was just a strong desire to demonstrate unity. And while it does that, it also leaves those supporting other points of view feeling they haven't even been heard.

Let's hope Las Cruces wasn't chosen based on it being the best of the competitors for museum attendance. The New Mexico Farm and Ranch Museum in Las Cruces, right off Interstates 10 and 25, has had dismal attendance, as has El Camino Real International Heritage Center, to the north on I-25.

Interstates may not be good places for museums. People use them to get somewhere fast. Sightseers driving the mountain roads of Lincoln and Taos counties are much more likely to decide to stop and look.

Data from the state Department of Cultural Affairs indicates attendance at museums throughout the state is falling and has been for some time. Columnist Harold Morgan suggests that before building more muse-

ums, we should understand what is happening with the present bunch.

The award of the last racino license to Raton by unanimous vote was a little less surprising. The other five racinos in the state were all lobbying the Racing Commission to choose Raton because it is farthest from them.

The commission had said its decision would be based on what was best for New Mexico and for horse racing. It appears what was best for casino business also was a factor.

As with the Veterans Museum, one of the unsuccessful racino competitors already had the facilities ready to go. Pojoaque Pueblo owns Santa Fe Downs and has a large marketing department promoting its huge gaming resort 30 miles to the north.

Pojoaque may have proved the most economically successful, but why award the racino to a pueblo when it is an Indian gaming compact that limits the number of racinos?

Anyway, congratulations to Las Cruces and Raton for their victories. It was the second major accomplishment for Las Cruces in a very short time. Sen. Pete Domenici recently decided to give all his papers to New Mexico State University.

And cool Raton will be a needed location for more summer racing in New Mexico.



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Lincoln County News

USPS 313480

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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 Südderth 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-2008-0179

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

vs.
 SILVIA LEGASPI, ANTONIO 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 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 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 Plaintiffs' 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@littledrante.com

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

LEGAL NOTICE
IN THE TWELFTH
JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF LINCOLN
PROBATE NO. PB-06-40

IN THE MATTER OF THE)
 LAST WILL AND TESTAMENT)
 OF)
 WILLIAM S. MILLER, III,)
 DECEASED.)

NOTICE OF HEARING ON
PETITION FOR ORDER OF
COMPLETE SETTLEMENT OF
ESTATE BY PERSONAL
REPRESENTATIVE

THE STATE OF NEW MEXICO, TO:

William S. Miller, IV, The Unknown Heirs of William S. Miller, III, deceased; all unknown persons claiming any lien upon or right title or interest in or to the Estate of William S. Miller, III, deceased.

GREETING:
 You and each of you are hereby notified that William Miller, IV, Ancillary Personal Representative of the Estate of William S. Miller, III, deceased has filed his Petition for Order of Complete Settlement of Estate by Ancillary Personal Representative; and you are further notified that on Friday, the 19th day of September, at 10:00 A.M., at the District Courthouse in Carrizozo, Lincoln County, New Mexico, before District Judge Karen L. Parsons of Lincoln County, New Mexico, the District Court of said County and State, pursuant to an Order duly made and entered, will hear objections, if any, to said Petition for Order of Complete Settlement of Estate by Ancillary Personal Representative, and will proceed to finally determine the testacy and heirship of said decedents, the ownership of the estate, the interest of each respective claimant thereto or therein, and the persons entitled to the distribution thereof.

Heidel, Samberson, Newell, Cox & McMahon, Post Office Drawer 1599, Lovington, New Mexico 88260, are the attorneys for the Estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District Court of Eddy County, New Mexico, this 29th day of August, 2008.

JAN PERRY
 Clerk of the District Court
 Lincoln County, New Mexico
 (SEAL)
 By: Gloria LaMay
 Deputy

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON
 Post Office Drawer 1599
 Lovington, New Mexico 88260
 Telephone: 5751-396-5303
 Attorneys for the Estate

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

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

IN THE MATTER OF THE ESTATE OF FANNIE MAE DOBBS, Deceased

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
 575.258.1070

Published in the Lincoln County News on September 11 and 18, 2008.

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 Plaintiffs' 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@littledrante.com

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

LEGAL NOTICE
REQUEST FOR
SEALED BIDS FOR:

QUALIFIED FIRMS AND INDIVIDUALS TO PERFORM FINANCIAL AUDIT FOR 2007-2008 IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW MEXICO STATE AUDITOR.

Submit a complete proposal to:
 Lorena Garcia, Superintendent
 Vaughn Municipal Schools
 PO Box 489
 101 East 4th Street
 Vaughn, NM 88353
 (505) 584-2283 ext. 120
 (505) 584-2355 fax

Deadline: 3:00, September 22, 2008
 Published in the Lincoln County News on Thursday, September 11, 2008.

LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL
DISTRICT COURT
 No. D-1226-CV-2008-131

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR J.P. MORGAN CHASE BANK, NATIONAL ASSOCIATION JPMAC 2007-CH4,
 Plaintiff,

vs.
 DAVID CLARKE, WENDY CLARKE A/K/A WENDY B. CLARKE, AND CHASE BANK USA N.A.
 Defendants.

NOTICE OF SALE

Notice is hereby given that on October 9, 2008, at the hour of 10:00 am the undersigned Special Master, or his designee, will, at the North Side 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 101 Del Monte Drive, Alto, New Mexico 88312, (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 28, BLOCK 15 OF ALTO LAKES GOLF & COUNTRY CLUB SUBDIVISION, UNIT 5, LINCOLN COUNTY, NEW MEXICO AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, JULY 8, 1969, IN TUBE NO. 344

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendant from entry of an order approving sale. The foregoing sale will be made to satisfy an in rem foreclosure judgment rendered by this Court in the above-entitled and numbered cause on September 2, 2008, being an action to foreclose a mortgage on the above-described property. The Plaintiffs' in rem judgment is \$251,801.65, and the same bears interest at the variable rate of 7.9000%, which accrues at the rate of \$54.50 per diem, commencing on July 9, 2008, with the Court reserving entry of final in rem judgment against said Defendant, David Clarke, for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its in rem judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its in rem judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

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

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the in rem judgment described herein and decree of foreclosure together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the in rem judgment due is \$251,801.65, plus interest to and including date of sale of \$5,123.00 for a total in rem judgment plus interest of \$256,924.65.

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

Published in the Lincoln County News on September 11, 18, 25; and October 2, 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 SE¼ NW¼ SE¼ 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	SW¼NE¼SE¼	01	10 South	13 East
H-3050(3)	NE¼SE¼NE¼	11	10 South	13 East
H-3050(2)	SE¼SW¼NE¼	11	10 South	13 East
H-3882	NE¼SE¼NW¼	12	10 South	13 East
H-3883	NW¼NE¼NW¼	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 SE¼SW¼ & Pt SE¼ E of SR 48	35	9 South	13 East	139.8
W¼	01	10 South	13 East	300.1
E¼ & Pt SW¼ E of SR 48	02	10 South	13 East	360.5
Pt N¼N¼ E of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
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 N¼NW¼	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 SE¼SW¼ & Pt SE¼ E of SR 48	35	9 South	13 East	139.8
W¼	1	10 South	13 East	300.1
E¼ & Pt SW¼ E of SR 48	2	10 South	13 East	360.5
Pt N¼N¼ 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 SE¼ NW¼ SE¼ 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	SW¼NE¼SE¼	01	10 South	13 East
H-3050(3)	NE¼SE¼NE¼	11	10 South	13 East
H-3050(2)	SE¼SW¼NE¼	11	10 South	13 East
H-3882	NE¼SE¼NW¼	12	10 South	13 East
H-3883	NW¼NE¼NW¼	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 SE¼SW¼ & Pt SE¼ E of SR 48	35	9 South	13 East	139.8
W¼	01	10 South	13 East	300.1
E¼ & Pt SW¼ E of SR 48	02	10 South	13 East	360.5

Pt N¼N¼ E of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
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 N¼NW¼	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 SE¼SW¼ & Pt SE¼ E of SR 48	35	9 South	13 East	139.8
W¼	1	10 South	13 East	300.1
E¼ & Pt SW¼ E of SR 48	2	10 South	13 East	360.5
Pt N¼N¼ 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.

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The applicant proposes to drill a well 12 inches in diameter and approximately 1200 feet deep in the SE¼ NW¼ SE¼ 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-206.

Application is made to supplement the following wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-3884	SW¼NE¼SE¼	01	10 South	13 East
H-3050(3)	NE¼SE¼NE¼	11	10 South	13 East
H-3050(2)	SE¼SW¼NE¼	11	10 South	13 East
H-3882	NE¼SE¼NW¼	12	10 South	13 East
H-3883	NW¼NE¼NW¼	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 SE¼SW¼ & Pt SE¼ E of SR 48	35	9 South	13 East	139.8
W¼	01	10 South	13 East	300.1
E¼ & Pt SW¼ E of SR 48	02	10 South	13 East	360.5
Pt N¼N¼ E of SR 48	11	10 South	13 East	120.7
Copper Mountain Subdivision Pt	1 & 12	10 South	13 East	1049.2
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 N¼NW¼	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.

(Continued on Page 7)

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 25
11:14 a.m. Alarm reported at location on East Grandview Road in Capitan, police dispatched.

12:07 p.m. Warrant service at Lincoln County Detention Center (LCDC) on Airport Road in Carrizozo, deputy dispatched.

1:50 p.m. Dog reported running loose on Cherry Creek Road in Nogal, deputy dispatched.

5:00 p.m. Information report at intersection of Hwy 220 and Paso Monte in Alto, deputy dispatched.

5:03 p.m. Burglary reported at location on Loma Grande Road in Nogal, deputy dispatched.

6:30 p.m. Littering or illegal dumping reported at location on Kokopelli in Alto, deputy dispatched.

6:41 p.m. Medical call at LCDC on Airport Road in Carrizozo, ambulance dispatched.

August 26
5:18 a.m. Welfare check requested at location on E Avenue in Carrizozo, police dispatched.

8:47 a.m. Accident reported at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) on Central Avenue in Carrizozo, deputy dispatched.

10:50 a.m. Dog reported running loose on Jarratt Road in Ruidoso, deputy dispatched.

12:24 p.m. Dog reported running loose at mile marker 82 on Hwy 380 in Capitan, deputy dispatched.

2:03 p.m. Burglary reported at residence on Homestead Loop in Ruidoso, deputy dispatched.

2:14 p.m. Trespassing reported at location on Larkspur in Alto, deputy dispatched.

10:23 p.m. Suspicious activity reported at intersection of Hwy 380 and Hwy 54 in Carrizozo, deputy dispatched.

10:35 p.m. Shots fired reported near Hwy 380 in Carrizozo, deputy dispatched.

August 27
7:46 a.m. Trespassing reported at location on Dry Gulch Lane in Nogal, deputy dispatched.

8:45 a.m. Civil dispute reported at location on Ravens Wing Road in Alto, deputy dispatched.

10:14 a.m. Warrant service at LCDC on Airport Road in Carrizozo, deputy dispatched.

12:02 p.m. Agency assistance requested at mile marker 279 on Hwy 70 in Hondo, deputy dispatched.

12:42 p.m. Littering or illegal dumping reported at location on Brady Canyon Road in Ruidoso, deputy dispatched.

1:13 p.m. Breaking & Entering (B & E) reported at location on La Junta Drive in Alto, deputy dispatched.

1:16 p.m. Suspicious activity reported at location on Reynolds Circle in Palo Verde, deputy dispatched.

2:00 p.m. Information report at LCSO located in the LCC on Central Avenue in Carrizozo, deputy dispatched.

2:41 p.m. Disturbance reported at location on Don Pablo Lane in Hondo, deputy dispatched.

3:21 p.m. Medical call at mile marker 291 on Hwy 70 in Hondo, ambulance and deputy dispatched.

3:25 p.m. Agency assistance (MORE 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.

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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
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.

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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 $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$	14	10 South	13 East	0.6
Pt. E $\frac{1}{2}$ E $\frac{1}{2}$ 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 direct 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 Proposed Supplemental Well	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

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
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.

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Sheriff's Report

(Con't. from P. 6)

requested at mile marker 291 on Hwy 70 in Picacho, deputy dispatched.

3:27 p.m. Accident reported at intersection of Hwy 220 and Hwy 48 in Alto, Advanced Life Support (ALS) ambulance, Bonito emergency units and deputy dispatched.

August 28
1:16 a.m. Fire reported at residential location on Hwy 70 in Glencoe, Glencoe/Palo Verde fire units, ALS ambulance and deputy dispatched.

10:15 a.m. Fire reported at location on Cedar Creek Road in Ruidoso, deputy dispatched.
10:24 a.m. Larceny/theft reported at location on Jarratt Road in Ruidoso, deputy dispatched.

1:55 p.m. Medical call at mile marker 8 on Hwy 247 in Corona, ambulance dispatched.

2:30 p.m. Police presence requested at school function at Hondo School in Hondo, deputy dispatched.

3:03 p.m. Warrant service at LCC on Central Avenue in Carrizozo, deputy dispatched.

11:28 p.m. Welfare check requested at residence on Mount Capitan in Capitan, police dispatched.

August 29
2:38 a.m. Accident reported at top of Picacho Hill on Hwy 70 in Picacho, Hondo emergency units and ambulance dispatched.

8:07 a.m. Dog reported running loose on Alto Alps Road in Alto, deputy dispatched.

8:19 a.m. Burglary reported at residence on B Avenue in Carrizozo, police dispatched.

9:31 a.m. Agency assistance requested at location on Montes Road in Capitan, police dispatched.

10:03 a.m. Dog reported running loose on Sudderth Drive in Ruidoso, deputy dispatched.

12:25 p.m. Harassment reported at residence on Fifth Street in Capitan, police dispatched.

12:46 p.m. Dog reported running loose on 13th Street in Carrizozo, police dispatched.

2:09 p.m. Warrant service at location on Mechem in Ruidoso, deputy dispatched.

3:34 p.m. Criminal damage to property reported on 12th Street in Carrizozo, police dispatched.

5:01 p.m. Suspicious activity reported on Second Street in Capitan, police dispatched.

5:20 p.m. Public relations at Hondo School football field, deputy dispatched.

6:25 p.m. Disturbance/loud party reported at location on Hitching Post in Palo Verde, deputy dispatched.

9:40 p.m. Disturbance reported at business location on Hwy 54 in Carrizozo, police dispatched.

10:08 p.m. Suspicious activity by person(s) in vehicle reported at mile marker 6 on Hwy 37 in Nogal, deputy dispatched.

10:35 p.m. Alarm reported at location on Nogal Canyon Road in Nogal, deputy dispatched.

11:53 p.m. Shots fired reported at mile marker 270 on Hwy 70 in Glencoe, deputy dispatched.

August 30
8:28 a.m. Medical call at intersection of Hwy 48 and Gavilan Canyon Road in Alto, ALS ambulance dispatched.

9:08 a.m. Fire reported at Tinnie Baptist Church in Tinnie, Hondo fire units, ambulance and deputy dispatched.

5:34 p.m. Medical call at location on Katrina Road in Corona, ambulance dispatched.

6:35 p.m. Medical call at residence on Randle Road in Capitan, ambulance dispatched.

7:43 p.m. Disturbance reported at McDonald Park located between Hwy 54 and 12th Street in Carrizozo, police dispatched.

9:15 p.m. Fire reported at location on Alamo Canyon in Hondo, Hondo fire units dispatched.

9:39 p.m. Disturbance reported at Westlake Campground on Bonito Lake, deputy dispatched.

August 31
12:43 a.m. Message delivery at residence on 13th Street in Carrizozo, police dispatched.

8:04 a.m. Dog reported running loose on Wanda in Capitan, police dispatched.

(MORE ON PAGE 8)

"Have A Good Day!"

**DISTRICT COURT
CALENDAR**

The Calendar for
District Judge Karen Parsons

Wednesday, September 3
8:00 a.m. Grand Jury Orientation In Magistrate Court
8:30 a.m. Telephonically - In the Matter of Travis Turner; CV-2008-225 (Mtn/structure settlement) (Clay)
10:00 a.m. Dan Bolin v. Scott Lane and Belinda Breedlove; CV-2008-169 (Merits/Appeal) (ProSe/ProSe)
4:30 p.m. Midland Credit v. Harvey Twite; CV-2007-507 (Mtn for Judgment on the Pleadings) (Grubel/ProSe)
Darrell Brantley
10:00 a.m. Michelle Garcia v. Raymond Garcia; DV-2008-63

Thursday, September 4
8:15 a.m. Nateal Hart v. Patos Inc; CV-2007-258 (Approval/Settlement) (Biehler/R. Hawthorne)
9:00 a.m. Homer Clark v. Tom McFarlin; CV-2006-89 (Merits) (S-Cook/ProSe)
11:00 a.m. In the Matter of PQ-2008-12 (Ap/Kinship/Guardian) Interpreter Diem (S-Cook/Cook G.A.L.)
1:15 p.m. Name Change; CV-2008
1:30 p.m. Desiree Gerhardt v. Reginald Turner; DM-2003-143 (Mtn/Reinstatement and Support) (Beauvais/S-Cook)
2:30 p.m. Ellen Russell v. Stephen I. Russell; DM-2007-133 (Final Accounting) (Wills/Russell/ProSe)
3:00 p.m. In the Matter of; SA-2008-06 (Merits) (S-Cook)
4:00 p.m. Pamela F. Ekins v. Quentin Ekins; DM-2008-57 (Default Final Decree) (Gibson/ProSe)

Friday, September 5
8:15 a.m. Liberty Finance v. Gerardo Valenzuela and Coordinated Care CV-2008-92 (Appellant) (Mtn/SJ) (Liberty Finance/ProSe/Crowson)
Trailing
In the matter of PQ-2008-09 (Guardianship) (Kallunki/McSwane) Trailing
In the Matter of PQ-2008-08 (Kallunki/McSwane)
8:30 a.m. One Day Merits - Jerry Shaw v. Scott Williams; DM-2007-111 (Hawthorne/Martwick)
1:15 p.m. Linda Armstrong v. Dan Austin; CV-2004-243 (Sch Conference) (Pro Se/Nunez)
3:00 p.m. JQ-2008-06 (Custody Hearing)

Monday, September 8
8:15 a.m. Telephonic - Gary M. Wolf v. Gary C. Mitchell et al; CV-2007-127 (Judicial Inquiry) (Stevens)
8:30 a.m. Telephonic - Patrick Sanchez v. Emily Klecka; DM-2007-24 (J/L valuation Costs) (R Hawthorne/Saavedra)
9:00 a.m. Joe Gutierrez v. Orlando & Rosa Gutierrez; CV-2004-201 (Order SJ Determination atty fees, costs, damages) (Rose/Morel)
11:00 a.m. Collectrite v. Peter Wolfe CV-2006-53 (Merits) (Thomson/Burroughs)
1:15 p.m. Sonya Brooks v. Kenneth Durbin; DM-01-126 (OJSC) (Pro Se/McSwane)
2:30 p.m. Shawn Patton v. Cheyenne Allen and Susan Allen Interveners; DM-2007-106 (Mtn/Appoint 706) (Wills/Grahn/Allen)
3:30 p.m. Mark Lewis et al v. Jhiovany Ruis et al; CV-2007-386 Merits (Rafkin/ProSe) (Intp. Diem)

Tuesday, September 9
Judge Parsons hearings vacated
Darrell Brantley
10:00 a.m. Michelle Spencer v. James Lofton; DV-2008-62 (Application/Modify)
10:30 a.m. Delfina Rue v. Jacob Scott; DV-2007-115 TRO

Wednesday, September 10
8:15 a.m. Asset Acceptance v. Yolanda McCarty; CV-2008-132 (J. Default Judgment) (Lucas/ProSe)
8:10 a.m. Jenny Stevenson v. MVDJ CV-2008-124 (Mtn/Dismis) (Mitchell/Belles)
9:30 a.m. Medina v. Medina; CV-2006-193 (Pre-Trial) (B. Schenider/ProSe)
10:00 a.m. Katharine Umberger v. James Hilburn; DM-2006-67 (Mtn/Custody/CS/Order dividing property) (S-Cook/ProSe)
1:05 p.m. Telephonic - In the Estate of Thompson; PB-2005-18 (Judicial Inquiry) (Nibert)
1:15 p.m. Tina Barnes v. Johnny Vasquez; CV-2005-265 (Merits) (Beauvais/Holmes)

Thursday, September 11
8:15 a.m. Roxana Eshom v. Robert Eshom; DM-2008-94 (Judicial Inquiry) (ProSe/ProSe)
8:40 a.m. C.Y.F.D. - JQ-2007-06 (Sub. Perm)
1:15 p.m. Emily Flores v. Adrian Gomez; DM-2003-22 (Mtn/Modify Order) (Dickson/S-Cook)
2:30 p.m. Jose Mendoza v. Maria Mendoza; DM-2006-128 (Merits) (Ortiz/ProSe) (Intp. Diem)
4:00 p.m. Candelario Pedroza v. Rosalilia Pedroza; DM-2008-36 (Merits) (Pro Se) (Intp. Diem)

Friday, September 12
Criminal Day
8:30 a.m.
First Appearance/Initial
Jesse Walls; CR-08-208
Dustin Barton; CR-08-207
Trisha Swink; CR-08-205
Dustin Bentley; CR-08-204
Felix Portillo; CR-08-197
Mark Martinez; CR-08-200
Kristos Thokakis; CR-08-195
Weaver Ballard; CR-08-199
Scott Williams; CR-07-23
Joey Edwards; CR-07-18
Stephen Vasquez; CR-04-100/145
Sylvia Barcia; CR-07-102
Richard Fraleck; CR-06-157 (Initial/Sent)

Change of Plea
Adelina Payne; CR-08-28
John Ortiz; CR-08-108
John Kernodle; CR-08-135
Shay Sims; CR-07-151

Other
Alley Hosetosavit; CV-08-257 (Compt)
Lissa Monet; CR-06-164 (Status)
Anita Trujillo; CR-04-182 (Judicial Inquiry)
Jesus Castillo; LR-08-04 (MRCR)
Iyrene Riordan; CR07-113 (Mtn/Bill Particulars/Mtn Specific Discovery)
Frances Ochoa; CR-06-35 (Mtn/Withdraw Plea)

Sentencing
Andrew Balcom; CR-08-01
Ozie Winter; CR-08-20
Daniel Quiroz; CR-08-34
Linda Gurule; CR-07-62
Stephen Waites; CR-06-103
1:00 p.m. Plea/Meet/Confer
Matthew Sanchez; CR-08-140
Cody McMurray; CR-08-144
Henry Bentley; CR-08-157
Phillip Garcia; CR-08-163
Daniel Candelaria; CR-08-162
Joseph Kyle; CR-08-152
Ray Surratt; CR-08-138
Jimmy Baca; CR-08-158
Dwayne Chavez; CR-08-159
Jerry Chavez; CR-08-150
Cody McMurry; CR-08-141
Michael Garcia; CR-08-137
Sean Wilson; CR-08-142
Jerry Castillo; CR-08-154
Tod Kizer; CR-08-170
Baldimar Apodaca; CR-08-165
Dennis Porter; CR-08-146
1:30 p.m. Christopher Kartchner; CR-2008-65 (Evidentiary Sentencing) (Thompson/McSwane)

Sheriff's Report

(Continued from Page 7)

8:07 a.m. Accident reported at mile marker 15 on Hwy 246 north of Capitan, Capitan emergency units, ambulance and deputy dispatched.
9:36 a.m. Unknown trouble call from business located on Hwy 54 in Carrizozo, deputy dispatched.
1:38 p.m. Welfare check requested at Ski Apache, deputy dispatched.
6:12 p.m. Fire reported at mile marker 276 on Hwy 70 in Glencoe, Glencoe/Palo Verde fire units and deputy dispatched.
7:10 p.m. Disturbance reported at residential location on Smokey Bear Boulevard in Capitan, police dispatched.
7:20 p.m. Larceny/theft reported at location on Pebble Trail in Alto, deputy dispatched.
7:42 p.m. Fight reported at residential location in Capitan, police dispatched.
9:31 p.m. Medical call at mile marker 3 on Ski Run Road in Alto, deputy dispatched.
10:03 p.m. Assault reported at business location on Central Avenue in Carrizozo, deputy dispatched.
11:24 p.m. Suspicious activity by person(s) in vehicle reported on Pine Lodge Road in Capitan, deputy dispatched.

Capitan, ambulance dispatched.
4:23 p.m. Traffic offenses reported at location on Hitching Post in Glencoe, deputy dispatched.
9:01 p.m. Run-away juvenile reported from residence on Little Big Horn in Rancho Ruidoso Valley Estates, deputy dispatched.
9:19 p.m. Medical call at location on Smokey Bear Boulevard in Capitan, ambulance dispatched.
11:18 p.m. Medical call at residence on Edwards Avenue in Ruidoso, ALS ambulance and deputy dispatched.

Ruidoso Valley Estates, deputy dispatched.
September 2
Disturbance reported at residence on Little Big Horn in Rancho Ruidoso Valley Estates, deputy dispatched.
5:34 p.m. Alarm reported at location on Lavender Court in Alto, deputy dispatched.

FAST ACTION

Lincoln County News

CLASSIFIED ADS

CALL: (505) 648-2333



NOTICE OF EMPLOYMENT

The Town of Carrizozo is seeking applications for a full-time Office Manager for the Police Department. Complete job description and applications are available at Town of Carrizozo City Hall, 100 43th St., P.O. Box 247, Carrizozo, NM 88301. Applications will be accepted until September 12, 2008.

Leann Weibrecht, CMC
Clerk/Treasurer
Town of Carrizozo

2tc/9/4-11

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

MOBILE FOR RENT --
In beautiful Mesa Verde of Capitan, nice 3 bdr, 2 bath, new carpet, decks, storage, security light, 1 year lease, 750.00/mo 700.00 deposit. 117 East Cedar 575-544-1028.

2tp/9/11-18

CAPITAN VILLAGE WIDE YARD SALE

Saturday, September 13 / 8:00 a.m.

Find lots of bargains and save on gas. Participants must live within a five mile radius of Capitan. \$5.00 covers ad, sign, and map with information -- entry deadline is noon Sept. 11. Pick up entry forms at the Chamber, Library and N2SS. Maps will be available from the above on Sept. 12.

2tc/9/4-11

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.

Tfn-June12



Old Lincoln Town

by Rosalie Dunlap

As I write this it is raining hard again this evening. Sometimes it seems to be very picky about where it rains. We went to Capitan Sunday for supper and it rained hard all the way up and back. It was still raining at midnight.

The rain did hold off until a short time before the vendors of the Art in the Orchard came to an end. Not all of them were able to break their booths down before it really did rain.

The only results I got of the pie baking contest was Tom Mann winning two blue ribbons for an apple and a pecan pie.

There was full house at the Lincoln County Historical Society program at the Capitan Library Saturday afternoon. Nathalie Britton Taylor was the guest speaker. She spoke on the history of the Block Ranch - when it was formed - the thousand of acres and cattle that were raised, stories about the different cowboys and other personalities involved in the history of the ranch.

Her father, N.E. Britton was the foreman for several years. When the ranch diversified from cattle to sheep, many of the hands refused to work with the "woolies".

There were many comments from the audience.

The next meeting of the Society will be October 4th at the Hubbard Museum at Ruidoso Downs.

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