

Mining Ordinance Hearing Held

by Patrice Brazie

The announcement of a proposal to do exploratory mining in the Capitan Mountains, exploration that could lead to a very large open pit mine, prompted an immediate opposition to the plan from some Lincoln County citizens. In response to the concerns of those citizens, the county's Board of Commissioners is considering the adoption of an ordinance that would regulate some aspects of hard rock mining.

In a public hearing on the proposed Lincoln County Mining Ordinance

held during the county commissioners' meeting on March 17th, the officials heard opinions from both sides of the issue. A group of citizens called the Friends of the Capitan, represented by Santa Fe attorney Steven Sugarman, is the primary group supporting new mining regulations and was organized after El Capitan Precious Metals Inc announced its plans for the open pit mine. Two local citizens involved with mining and two members of the Lincoln County Planning Commission have voiced opposition to the ordinance in part or entirely.

Two county advisory committees, the Planning Commission and the Land and Natural Resources Advisory Committee (LANRAC), have been tasked with reviewing a draft ordinance and preparing recommendations on that draft for presentation to the county commissioners. A copy of the proposed ordinance has been sent to owners of the El Capitan mining company for their review as well. Lincoln County Attorney Alan Morel and attorney Kelly Cassels from Roswell prepared the draft ordinance for the county

officials to consider. Last week, Morel summed up the discussions of the ordinance among the county's advisory committees to date.

"There are people on one end that don't want any regulation at all, and there are those that would like to beef-up the ordinance to add additional regulations and

requirements," Morel said. Having had only one opportunity to look-over the ordinance in committee, both the LANRAC and the Planning Commission have requested an additional thirty days to review and discuss it. Cassels told the county commissioners that the intent of the ordinance

would not be to prohibit mining in Lincoln County, but to allow the county a reasonable amount of authority to regulate mining activities as they affect the health and safety of Lincoln County citizens.

"There's no prohibition against mining in (the draft ordinance), a lot of it is based on the state regulations and the state Mining Act," Cassels said.

Cassels said that state regulations require the submission of a very large and detailed application for a mining permit, so to avoid unnecessary duplication of application requirements, the county ordinance would simply require that mining companies file with the county a copy of their state application.

As drafted, the county ordinance would require the mining applicants to commission or perform engineering studies to estimate water runoff, air quality impairment, nighttime lighting characteristics, noise levels, impacts to private property values and impacts to public roads.

The ordinance would also require applicants for mining permits to provide a description of the proposed facilities, and estimates of the number of personnel and equipment that will be used at the site. Applicants would be required to state the hours of operation, manner and methods of transporting equipment, materials and personnel to and from the site and identify power sources and any new infrastructure requirements.

"As near as I can tell," Cassels said, "mining has been a part of Lincoln County for a long time. It's provided jobs and income to Lincoln County and you ought to balance those things as you're deciding whether to issue the mining permit."

Cassels told the county commissioners local governments have the authority to regulate mining even on state and federal land, so long as the local regulations do not seek to prohibit mining and are not duplicative or in conflict with state and federal mining laws.

"The state regulations and the federal regulations don't take into consideration the things like noise, dust, damage to public roads, property values and some of the other things that we require information on in our proposed ordinance," Cassels said. "There are some things that the state and federal governments have left unregulated and there are a lot of cases out there. The case law speaks to the ability of local government to regulate mining," he said. "A local government has a right to be more restrictive, so long as the regulations are not unreasonable."

Lincoln County Planning Commission Chairman Jim Crouse said that his committee had yet to have an opportunity to really go over the ordinance, but offered comments from a personal perspective.

"It looks like they're trying to stop all mining in Lincoln County," Crouse said. "There are several things that bother me. Why aren't gravel pits regulated?" he asked. "That dirt's gone forever. They're not regulated so why should anybody else be regulated that does the same thing?" he asked.

Crouse also questioned the county's ability to determine the affect of mining on air and water quality when there is no established baseline for comparison. Crouse said that the state does not require mining permits in all instances, and questioned the county's authority to do so.

"I'm just trying to get things cleared-up so you don't have a big bunch of lawsuits down the road," Crouse said.

Robert Moeller, member of the Lincoln County Planning Commission, reminded the county commissioners that public lands are resource areas and suggested that

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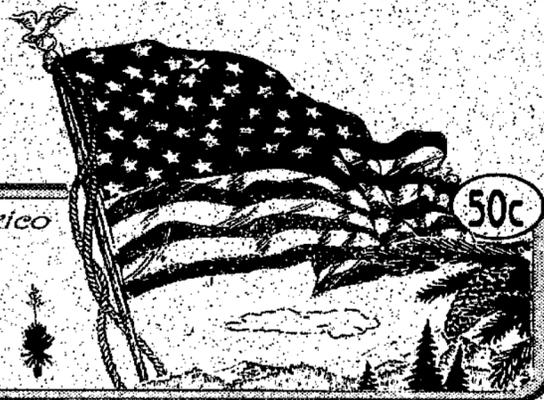
Lincoln County News

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THURSDAY, MARCH 26, 2009

CARRIZOZO, NEW MEXICO 88301



RECYCLING AWARD - Tomas Marufo received an award for excellence in recycling at his Carrizozo Texaco week last. Judy Fitz, a member of the Lincoln County Solid Waste Authority's Recycling Advisory Committee presented the award. (Courtesy Photo)

County Reviews Code Enforcement Options

by Patrice Brazie

In recent meetings, the Lincoln County Board of Commissioners has had discussions with county attorney Alan Morel and sheriff Rick Virden regarding the possible need for a code enforcement official to handle violations of the county's many ordinances.

During the March 17 meeting of the county commissioners, Morel reported having met with the sheriff, county manager Tom Stewart, the county's ordinance administrator Renee Santos and planning director Curt Temple to assess the need to hire a new county employee to manage code enforcement.

In a March 3rd memo to the county commissioners, Morel indicated that, after discussion among the group of officials, it was determined that the implementation of some minor changes to the county's methods of code enforcement could lessen the need to hire a code enforcement officer.

"The group did express the opinion that, if any additional ordinances are adopted, the County of Lincoln will likely have no choice but to proceed with the adoption of an ordinance creating the position of Ordinance Enforcement Officer due to the increased volume of work that would be created," Morel wrote in the memorandum.

He said that the group he met with all agreed that the ordinance administrator should proceed with obtaining compliance with the county's ordinances through the usual means of issuing violation notices, following up on those notices and working with the public to encourage compliance.

"We're going to try to seek compliance through the code administrator Renee Santos' office," Morel told the county commissioners on March 17. "If she's unable to obtain compliance with any particular violation, she would then bring it to my office; I would bring it to you in executive session for you to determine whether or not you want to pursue a violation in District Court or Magistrate Court or how you would like to handle it," Morel said. "This will give you some control over expenditures on enforcement."

Should the county commissioners determine that a violation or noncompliance requires the filing of a complaint in court, the sheriff's department would then

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County Lodgers' Tax Funding Granted

by Patrice Brazie

The Lincoln County Board of Commissioners, on the recommendations of the county's lodgers tax committee, awarded funding for four upcoming events during their regular monthly meeting on March 17. In following the recommendations of the committee, some awards were for less than the requested amounts.

The Hubbard Museum of the American West applied for \$5,000 to assist with advertising and public relations activities in the promotion of an exhibit featuring the art of Leroy Neiman. The Lodgers Tax Committee recommended an award of \$3,000.

The Lincoln County Sheriff's Posse submitted a request for \$3,000 to help cover the costs of advertising, insurance, permits and portable toilets for the annual Pony Express Trail Ride held in late summer. The committee recommended an award of \$1,500.

Millie Woods, an organizer of Military Appreciation Week in Ruidoso, requested \$2,500 for advertising of the May 14th-17th event. It was recommended by the committee that she be granted an award of \$2,000.

An application for Lodgers Tax funding for a new event in Capitan, an art show featuring the work of area blacksmiths, was for \$1,200. The first time Art of the Blacksmith juried art show will be held in conjunction with the annual Smokey Bear Days celebration in Capitan. The Lodgers Tax Committee recommended awarding the full amount of the request, and the board of county commissioners agreed, but county manager

Tom Stewart had some objections to the proposed use of the funds.

The funding application submitted by Terrell Perkins of the Southwest Artist Blacksmiths Association indicated that the funding would be used for fairground rental fees, artist awards, judges, T-shirts, portable toilets and advertising.

Stewart said that it

was both his opinion and that of county attorney Alan Morel that the county cannot award Lodgers Tax funding to pay for judges, T-shirts or artist awards. He said that he would write a letter to the organizers of the event indicating that they would receive an award of \$1,200, so long as the funds are used

(SEE PAGE 3)

Dr. Dale Goad Leads Legislative Efforts

New Mexico Dental Association (NMDA) President Dr. Dale Goad appeared in Santa Fe February 27 to promote efforts for the organization's legislative agenda at the Roundhouse.

Dr. Goad, and his wife, Cheri Goad, participated in NMDA's "Legislative Day," which featured a continuing education course called "Dentistry and the

Law." More than 30 NMDA member dentists received instruction on the New Mexico legislative process, pending bills pertaining to den-

tistry and grassroots training. Dr. Goad then took the dentists to the Roundhouse where policy makers introduced them to Lt. Governor Diane Denish and the New Mexico State Senate.

The dentists also visited their respective members and inquired about the status of bills pertaining to NMDA. The organization's "Brighter Smiles for New Mexico" public education campaign has bills pending on the following dental health issues:

*The importance of children visiting the dentist prior to starting school;

*Expanding dental educational opportunities for New Mexicans to improve access to care;

*Removal of the state's gross receipt tax (GRT) for dental and medical services;

*Simplifying dental insurance benefits for all New Mexicans; and

*Investing in Medicaid dental benefit rates for patients.

Three out of four dentists in New Mexico belong to the NMDA, a comprehensive voice of dental care and the premiere dental association in the state.



ON THE FLOOR OF THE NM SENATE - (l. to r.) Robert Manzanares, Jesus Galvin, Chase Dighton, Tom Schripsema, Dale Goad, Cheri Goad, Tom Schumacher, Kim Espinosa. (Courtesy Photo)

(MORE ON PAGE 2)

Mining Ordinance Hearing

(Continued from Page 1)

sometime in the future, a group of people might come forth with opposition to uses of public land other than mining, like cattle grazing. "They might want you to pass an ordinance about that, or about timber or logging or other economic resources on the public lands," Moeller said. "Is passing an ordinance about (mining) going to lead you into an area where you're boxed-in and you're going to be asked to pass other ordinances like this?" he asked.

Moeller referred to the county's comprehensive plan, which he said encourages mining, and suggested that the adoption of a mining ordinance would be contrary to that plan. "It calls for the county to encourage opportunities to develop mining on the public lands in Lincoln County. It doesn't say anything about harmful environmental impacts," he said. "You need to take into consideration the credibility

of your comprehensive plan." Stirling Spencer, who has a third-party coal mining operation on his land near Carrizozo, told the county officials that he thought the proposed ordinance would represent an unnecessary duplication of already existing regulations. He like Moeller, suggested that the county might be better served by entering into Memorandums of Understanding (MOU) with state and federal agencies in order to stay apprised of mining applications and operations in the county.

including the definitions of an existing mining operation, mechanized equipment and exploratory mining. Lee Arnone, organizer of the Friends of the Capitans, spoke in favor of tightening up some portions of the proposed Lincoln County Mining Ordinance, especially as it relates to exploratory operations. He also presented the county commissioners with written comments on the matter from Friends attorney Sugarman.



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Jerry Carroll, Chairman of the Jicarilla Mining District, voiced concerns that the proposed ordinance might put small-operation miners out of business, although the draft exempts existing and small operations from regulation. He argued that an exploratory operation, as proposed by the El Capitan mining company, poses no threat to the population of Lincoln County. He said that there are 283 small-scale mining claims in the Jicarilla Mining District, and said that anyone traveling through the area would have difficulty in finding any evidence of the mining that goes on there.

Among the concerns of the proponents of a new mining ordinance is the protection of both surface and groundwater, not only in the mining area but, in the case of the proposed El Capitan mine, as far down-flow as the Pecos River. According to Sugarman, state regulations concerning water protection aren't triggered until a mining operation reaches the development phase and provide little protection at the exploratory stage.

You're Invited

The children of Leora Zumwalt invite you to a Birthday Celebration of 100 years.

The reception will be from 1:00 p.m. to 3:00 p.m. at the Nogal Presbyterian Church, Nogal, NM, on March 28, 2009.

In lieu of presents, the family is asking that everyone bring a single cut flower -- the goal being to have 100 flowers.

The reception will be come and go as you please.

"This ordinance is trying to plug holes that aren't even there," Carroll said. "These things have been going on for years and nothing's happened." Carroll argued that the proposed special interest ordinance did not present uniformity in its regulations as it exempts several types of mining including sand and gravel operations, rock quarries and natural gas and petroleum mining. The draft ordinance also excludes existing mines, prospectors and gold-panners that cause no measurable surface disturbance and mining by a single individual that uses no mechanized equipment and excavates no more than two cubic yards per year. Carroll also objected to some of the definitions in the ordinance.

"This is a significant concern because even exploratory operations can lead to the contamination of groundwater and can result in abrupt changes to the geohydrology in a project area," Sugarman wrote. Sugarman suggested that the ordinance contain a requirement for the drilling of monitoring wells in the proposed drilling area and in areas downhill. Doing so, Arnone said, would provide baseline information by which impairment could be determined should it occur. Carroll countered by saying it was the intent of El Capitan Precious Metals to avoid any drilling into the underground aquifer, specifically to avoid a potential for contamination. Because the mining company has only applied for a permit for exploratory drilling, El Capitan Precious Metals has not been required to state where water will come from if the project advances to the operational stage.

Sugarman, Carroll, Crouse and Moeller all voiced concerns that the ordinance is too vague in some areas and could potentially lead to litigation. Arnone alleged some that mining companies have notoriously ignored state and federal regulations because it can be more cost effective to pay fines for violations than to comply with laws.

with a \$40,000,000 clean-up tab," Arnone said. County Commissioner Jackie Powell questioned the county's ability to enforce the ordinance. "I'm not willing to spend a lot of money on something that we wouldn't be able to fix anyway," Powell said. Battin recommended that Cassels give more consideration to water protection and monitoring and the possible need for a consultant to estimate bonding requirements as he reviewed the draft ordinance. He reminded the Board that the process of developing a mining ordinance stemmed from a need to protect the county's greatest economical assets of tourism, second homes, retirees and the pristine environment that attracts them.

Proponents of the new ordinance say that the county should expand regulations to include a requirement for mining applicants to provide more extensive data regarding water use, sources and protection than state law requires before an exploratory permit is issued by the county. Cassels said that the proposed ordinance would require compliance with state and federal reclamation regulations, which he said were voluminous in regards to mining operations, but less stringent in dealing with exploration. "Some people feel like the state financial requirements (for reclamation) are too lenient and would not provide enough funding to ensure that the reclamation be funded if the outfit went belly-up," Cassels said. "It's a valid concern; I just have a hard time thinking the state wouldn't be stringent enough with that," he added. Arnone cite three examples where, in other states, mining operations have failed to meet reclamation requirements. "This group in Butte, Montana, extracted a half-a-million ounces of gold in a decade. Then they declared bankruptcy and left the state and the federal government

"As we looked at the possibility of a 1,600-acre, 450-foot deep open pit mine, as the operators described it would be, we felt like there was a definite threat to the quality of our environment, and would affect the quality of life, the economy, growth, a great deal of things in this county," Battin said. "We don't want to be over-regulating, but I think that we still need the protection that we were concerned about when we first started this." The Lincoln County Planning Commission and the LANRAC will further consider the proposal to establish a mining ordinance during a joint meeting in April. While committee meetings are open to the public, public comments will not likely be recognized at the April joint meeting.

Adopt A Highway Volunteers Cleanup

Spring is nearing and that means hundreds of dedicated Adopt-A-Highway (AAH) volunteers in southeastern New Mexico will begin cleanup efforts to keep the roadways and state clean and beautiful.

signed to help keep New Mexico roads clean and beautiful for the residents, communities, and tourists. Participants adopt a section of highway, typically one mile including both sides, to clean up two-four times a year.

The New Mexico Department of Transportation (NMDOT) Adopt-A-Highway volunteers will be out on state highways. Cleanup events take place during the spring, summer, and fall. NMDOT encourages AAH volunteers to be a part of special community cleanup events to meet the AAH program criteria. Adopt-A-Highway is a New Mexico Department of Transportation program de-

There are several miles of state highway available for adoption in southeastern New Mexico. For information about how you can become involved in the Adopt-A-Highway program, visit the New Mexico Department of Transportation web site at <http://nmshtd.state.nm.us/> or call the NMDOT District Two Adopt-A-Highway Coordinator, at (575) 637-7200 or (800) 432-7845.

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Obituary

GARRET SWAINE MAYS
Services for Garret Swaine Mays, 27, were March 11 in Ardmore, Oklahoma with Pastor J.T. Tucker, Garret's former youth pastor, officiating. Interment followed at Hillcrest Memorial Park Cemetery. Born April 13, 1981, in Ardmore, he died March 6 in Ardmore.

While attending Ardmore Christian School, Garret was a member of the basketball team that received state honors. Garret received an individual honor as an outstanding player and was given an honorary position on the Oklahoma All-State Team. He graduated from Ardmore Christian School in 1999. In his youth he invested much of his time in his church home at Northwest Baptist Church, where he helped with youth programs and in the nursery.

Garret began working at the Comfort Inn of Ardmore in 2001, where he worked his way to being the manager, a position he held for the past three years. Survivors include his mother, Wanda Clouatre and husband, Steve, White Oaks, NM; his father, Kenneth Day, Ardmore; an uncle, Mike Mays and wife, Jayne, Calvin, OK; aunt, Mary Cunningham and husband, Mark, Ardmore, an uncle, Wayne Mays and wife, Glenda, Ardmore; and numerous cousins.

Bearers were Randy Mitchell, Chad Mitchell, Ryan Heath, Douglas Fels, Jason Wyles, Michael Johnson, Damon Leftis, Bob Vickers, Ricky Rich and Mike Wirick. Honorary bearers were employees of the Comfort Inn of Ardmore.

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INVITATION TO SUBMIT BIDS

ACEQUIAS-SALADO CREEK

BID #2009-02

The Village of Capitan working with the Natural Resources Conservation Service will be accepting sealed bids on an Emergency Watershed Protection project located in Salado Creek in Capitan, NM. The project consists of stream bank protection and channel restoration consisting of 2644 cubic yards of rock riprap with filter fabric, 297 cubic yards of concrete, and 288 cubic yards of channel restoration excavation. The Contractor must be bonded and have a current NM license. A bid tour is scheduled for Tuesday, March 31, 2009, at 9:00AM. Bid packets will be available at the bid tour or by contacting Kay Strickland, Village Clerk, at 114 Lincoln Avenue, Capitan, NM or by calling 575-334-2247. Sealed Bids will be accepted until 4:00PM Wednesday, April 8, 2009, at Village Hall at 114 Lincoln Ave, Capitan, NM. The Village of Capitan reserves the right to accept or reject any and all bids received.

Published in the Lincoln County News on March 26, 2009.





Trinity Site Will Be Open Sat., April 4

Trinity Site, where the first atomic bomb was detonated on July 16, 1945, will be open to the public on Saturday, April 4. There is no charge for the tour and no reservations are necessary. The historic site is open only two days a year, the first Saturday in April and the first Saturday in October.

There are two entrances to Trinity Site: The Stallion Gate entrance. Located 54 miles west of Carrizozo on US Hwy 380 and 12 miles east of I-25 on US Hwy 380, will be open from 8:00 a.m. to 2:00 p.m. Visitors are allowed to enter and exit un-

escorted any time between 8 a.m. and 2 p.m. through the Stallion Gate.

The Alamogordo tour caravan will meet at the Tularosa High School athletic field parking lot for departure by 8 a.m. This escorted caravan will arrive at Trinity Site about 10 a.m. and depart Trinity Site at 12:30 p.m. Those who wish to stay longer may exit through the Stallion Gate.

Photo ID will be required of all visitors to Trinity Site. Cameras will be allowed only at Trinity Site and McDonald House. Cameras must not be used on either of the drives from gates

to Trinity Site. Vehicles should have a full tank of fuel and a spare tire because no services are available between the entrance gates. Visitors are encouraged to bring a lunch.

Trinity Site, the 51,500 acre area which was declared a National Historic Landmark in 1975, includes ground zero where the atomic bomb was detonated, base camp, and McDonald ranch house where the plutonium core to the bomb was assembled.

Visitors to a Trinity Site Open House see ground zero, the Jumbo bomb casing, the McDonald House, one of the old instrumentation bunkers, historical photos; a Fatman bomb casing and part of the original crater left by the explosion revealing Trinitite, the greenish colored glassy substance formed by the heat and pressure of the explosion.

For more information contact the Alamogordo Chamber of Commerce at 1-800-826-9294.

WEDNESDAYS
 -Corona Public Library story hour 4:00 p.m.
 -AWANA for children age 3 through 6th grade, 6 p.m. to 8 p.m. First Baptist Church in Carrizozo, non-denominational.
 -The Taac non denominational for teenagers, Methodist Church in Carrizozo, 6 p.m. light meal.

THIRD SATURDAY OF EACH MONTH
 -American Legion Post #11, Wells Fargo Bank, Carrizozo.

EACH FRIDAY
 -Al Anon group for families and friends of alcoholics, noon, Methodist Church in Carrizozo, bring lunch.

TODAY, THURSDAY, MARCH 19
 -Lincoln Historic Preservation Board 7 p.m. at Community Church in Lincoln.

MARCH 27-31
 -New Mexico Senior Olympic games Las Cruces.

SATURDAY, MARCH 28
 -Carrizozo Electronic Recycling day, 9 a.m. to 12 noon city hall, computers, peripherals, electronics, small appliances.
 -Estate auction 10:09 a.m. at Big Blue Auction House, 500 Central in Carrizozo.
 -100th birthday celebration for Leora Zumwalt, Nogal Presbyterian Church 1 p.m. to 3 p.m.

TUESDAY, MARCH 31
 -Ruidoso Village Council meeting 4:30 p.m.

WEDNESDAY, APRIL 1
 -Corona Library Board meeting 9:00 a.m.
 -Lincoln County Lodger's Tax Committee 10 a.m. at Capitan village council chambers.
 -Lincoln County Planning Commission 1:00 p.m. Lincoln County Courthouse in Carrizozo.

THURSDAY, APRIL 2
 -Auction of real properties for delinquent property taxes, 10:00 a.m. Lincoln County Courthouse, commission chambers, Carrizozo.

SATURDAY, APRIL 4
 -Trinity Site is open.
 -Lincoln County Electronic Recycling day, Sierra Mall in Ruidoso, 9 a.m. to 1 p.m. Electronics, magazines, catalogs.
 -Republican Party of Lincoln County organizational meeting, 10:00 a.m. at Hotel Ruidoso, 110 Chase Street, Ruidoso to elect new county Republican leadership.

County Reviews Options

(Continued from Page 1)

become involved and be asked to file the complaint in the appropriate court.

Morel said the proposed procedure would give the county commissioners some control over which violations were filed with the courts as well what the costs for enforcement would be. He added that, although the county agents involved with code enforcement agreed that they would like to try the proposed procedure for a while before considering the hiring of a new employee, he had prepared a draft of an ordinance to establish the position for the county commissioners to review.

County commission chair Tom Battin said that he appreciated Morel and the others working on an alternative to hiring a code enforcement officer, saying that he thought that all of the county commissioners were uncomfortable with the thought of increasing the county's enforcement activities, which could translate to establishing a new department or hiring extra staff.

County Commissioner Jackie Powell stated at a recent meeting that she hated the idea.

The board of county commissioners, the county's planning commission and the Lincoln County Land and Natural Resources Advisory Committee (LANRAC) are currently researching and reviewing two proposed new

ordinances, a mining ordinance and a wildland-urban interface fire protection ordinance.

As Morel suggested, the adoption of one or both of those ordinances will likely require changes to the county's procedures for ordinance enforcement, including the establishment of a new department and hiring of at least one additional employee.



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WHO SAID IT CAN'T BE CONVENIENT.

County Lodgers' Tax

(Con't. from P. 1)

only for advertising, rental fees and portable toilets.

"They'll have to justify to me their expenses before I pay them," Stewart said.

The county commissioners unanimously approved each of the Lodgers Tax funding awards as recommended by the Lodgers Tax Committee, with the stipulation that funding for the blacksmith event be expended appropriately.

Free Family Retreat for Cancer Patients

Cancer Services of New Mexico's Family Cancer Retreat is being held April 24-26 in Glorieta, N.M.

This free program provides NM's adult cancer patients/survivors and their loved ones with tools and information they need to manage the treatment and survival process. Sessions on treatment options, navigating the health care system, palliative care, meditation, family communications, using the internet effectively and a variety of other topics will be offered.

To receive an application packet go to www.cancerservicesnm.org or call Mike at (505) 239-4239.

ESTATE AUCTION
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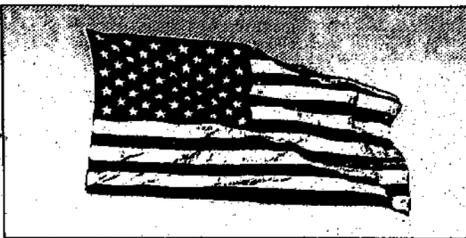
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UNTIL THEY
COME HOME

Editorials / Opinions & Other Stuff

THOUGHTS FROM THE EDITOR'S DESK

Good News and Bad News By Ruth Hammond

Whenever someone says they have good news and bad news you usually cringe. Depending on how you feel at the moment, you may prefer the good news first or the bad news first. Either way you could be in for a shock when you hear that the good news isn't all that good and the bad news could be a bunch worse than you expected.

However you prefer to take good and/or bad news, the main thing to remember is that it is all relevant. Just this week the relevant thing here at *The News* was that one computer was obstinate. This meant that typesetting in the old days, the days of melting lead and pouring it in a mold didn't seem that far fetched. Back then all you had to do was either melt more lead or change the mold. Now with computers not always complying it is quite different.

It seems that when a computer becomes obstinate it can affect many things. It can block incoming emails, if that is possible, because the computer non-experts here have no idea whether it is or not. Don't suggest taking a computer class because the thing the non-experts around here need is more than a class, more like an entire school.

Maybe the first thing needed is a basic course in what to do first. One person always asks if the computer is or is not plugged in. Vacuum cleaners may not work if not plugged in, but computers seldom get unplugged. Next on the list is whether the on/off switch is in the on position. Again it makes sense to ask if the monitor, commonly referred to as the screen similar to a TV screen, is lit. At about that time the computer operator is in a frenzy trying to explain politely that, "yes the darned screen is lit!"

Somewhere along the way the person asking questions will get the idea that the problem is not as apparent as the electrical connection or the on/off switch. Then we get down to whatever is wrong. It definitely is getting electric current, it definitely is being obstinate, and it definitely is not cooperating with any command being given to it.

Instead of glibly walking away from the blasted thing, and yes about this time we are in favor of blasting it, that is if we had any blasting material. Someway it seems that it would be a far happier computer if it were sent to the moon or thereabouts. Whether it would be happier may not be readily apparent but one computer operator would be seen with smiles, not discouraging looks as it flew off into the nether world of outer space near a bright moon..

Even if the computer continues to live here, whether it will or will not comply with commands, and whether or not it will undergo a complete make over of sorts, there is one thing we do know: there is an electronic recycling event this Saturday in Carrizozo that may appreciate this electronic jumble more than we appreciate it at this time.

Discouraging words may never be sent or received on this computer again, and that is the good news for now.

EARL...

I.A. SIMPLETON
MARRIAGE COUNSELOR



"NOW, THEN... DID YOU TWO GET MARRIED BY A JUSTICE OF THE PEACE, A CLERGYMAN, OR THE SECRETARY OF WAR?"
Big Dry Syndicate



WEATHER REPORT

by Jeff Hammond

There will be a slight to fair chance for snow showers at all elevations tonight and tomorrow (Friday) morning. After that the weather will be getting warmer on a daily basis, with continued cold nights hovering right around and just above freezing.

There will be extremely high winds out of the south and west for the upcoming week.

Ski Apache is closed for the season. The Lincoln County News will continue with weekly updates for snow and ski conditions when Ski Apache reopens for business at the end of the year.

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

Today, Thursday, March 26
Partly sunny, with a high near 62, breezy, with a southwest wind 10 to 15 mph increasing to between 20 and 25 mph; winds could gust as high as 35 mph; night: A slight chance of snow showers, mostly cloudy, with a low around 29, breezy, with a north wind 20 to 25 mph decreasing to between 10 and 15 mph; winds could gust as high as 30 mph.

Friday, March 27
A fair chance of showers, mostly cloudy, with a high near 51, night: Partly cloudy, with low around 27.

Saturday, March 28
Sunny, with a high near 58, night: Mostly clear, with a low around 32.

Sunday, March 29
Sunny, with a high near 71, night: Partly cloudy, with a low around 38.

Monday, March 30
Sunny, with a high near 74, night: Mostly clear, with a low around 39.

Tuesday, March 31
Sunny, with a high near 75, night: Mostly clear with a low around 39.

Forecast for Ruidoso, Capitan and Corona and most of the Hondo Valley:
Today, Thursday, March 26
Partly sunny, with a high near 57, windy, with a west wind 10 to 15 mph increasing to between 25 and 30 mph; winds could gust as high as 40 mph; night: A fair chance of snow showers, cloudy, with a low around 26, windy, with a west wind 25 to 30 mph decreasing to between 15 and 20 mph; winds could gust as high as 40 mph.

Friday, March 27
A chance of snow showers, mostly cloudy, with a high near 41, night: Partly cloudy, with low around 22.

Saturday, March 28
Sunny, with a high near 51, night: Mostly clear, with a low around 31.

Sunday, March 29
Sunny, with a high near 65, night: Partly cloudy, with a low around 36.

Monday, March 30
Mostly sunny, with a high near 66, night: Mostly clear, with a low around 33.

Tuesday, March 31
Mostly sunny, with a high near 64, night: Mostly clear with a low around 34.

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

Inside the Capitol

by JAY MILLER, Syndicated Columnist

SANTA FE -- If you came to Santa Fe during this legislative session, you may have seen something you'd never expect. A replica of an 1860s stagecoach now takes visitors through the streets of downtown Santa Fe.

Wild West is not the first thing that comes to people's minds when thinking about Santa Fe. With a Spanish heritage that goes back 400 years and an Indian heritage going back over a thousand years, a 150-year Western heritage doesn't get any attention in the City Different.

But Santa Fe has a Wild West history that would be the envy of most any other community in the West. Billy the Kid has his footprints all over town. The notorious Santa Fe Ring that owned and ran the state for decades had its headquarters on the entire block east of the plaza. And numerous desperados hung out here.

Allowing a stagecoach to be pulled through streets near the newly redone Santa Fe Railyard is at least a gesture from the city toward recognizing a third culture that took hold after New Mexico became a territory of the United States.

The stagecoach, drawn by two horses, offers 30-minute rides through a limited downtown area. The ride is preceded by a 10-minute talk about the history of the area.

I hadn't gotten to hear

the history presentation by the end of December but my hope is that it concentrates on the area's Western heritage. There are plenty of places to hear about Santa Fe's Indian and Spanish history. At the end of December the carriages ran Tuesday through Saturday and cost \$25 a person.

Following are some of the Wild West stops a Santa Fe stagecoach tour could take visitors. Locals also would enjoy it because far less than one percent of Santa Feans know anything about these historical sights.

Presbyterian Church where Billy the Kid's mother and step father were married. Billy and his brother stood with them. Building on Canyon Road where Billy went to grammar school. Jail, where Billy was held years later, awaiting Mesilla trial for killing Sheriff Brady.

It was from this jail that Billy wrote his famous letters beseeching Gov. Lew Wallace to pardon him. Wallace had promised the pardon in return for Billy's testimony against a suspect in another murder trial.

Billy upheld his end of the bargain. Wallace would only have had to walk a few blocks from the Palace of the Governors to talk with Billy who was being held near the corner of Galisteo and Water streets.

Diagonally across from Wallace's office and residence in the Palace of the

Governors is the Catron Building with large engraved letters saying "Catron Block."

At that time, lawyer Thomas Benton Catron owned the entire block, which served as headquarters of the Santa Fe Ring, which owned and ran much of the state and its politics.

The Santa Fe Ring backed the crooked merchants and politicians in Lincoln County that were being opposed by a new group for which Billy worked.

That group was headed by lawyer Alexander McSweeney and English rancher John Tunstall, who were introduced to each other while dining at the Exchange Hotel, which was located where the La Fonda Hotel now sits.

This may be too broad an area for a horse drawn stage amongst erratic traffic. Maybe a motorized tram modified to look much like a stage could complete this circuit and venture out farther to include Fairview Cemetery and the Odd Fellows Cemetery to see the mausoleum of Thomas Catron and the gravesites of Sam Ketchum and other notorious outlaws of the time.

A few years ago, the Western Outlaw and Lawmen Association met in Santa Fe. They were aware of Santa Fe's Western heritage and wanted to see the various sites but they haven't been preserved and the ones that still exist aren't being showcased.

The one plaque purporting to commemorate Santa Fe's Western history is on a building at 208 W. San Francisco. Unfortunately it is incorrect. Santa Fe can do better.



LETTER TO THE EDITOR

EDITOR -- After 25 years of politics in Lincoln County one rule stands out.

To make a Conservative mad tell them a lie. To make a Socialist mad tell them the truth.

JERRY CARROLL
Private Citizen
Oscuro Freeholder

Lincoln County News

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Savvy
Investor

New Mexico Securities Division



the book
of Eli

On behalf of the cast & crew of *The Book of Eli*, I'd like to express my sincerest thanks to the many fine citizens of Carrizozo. Your generous display of patience, kindness and hospitality was truly appreciated. You are fortunate to live in a such special place. We were touched to have been welcomed into so many homes and hearts. I'm always amazed by the number of people it takes to make a film. On that note, I couldn't leave town without expressing Special Thanks to some of the extraordinary people and businesses that helped us do what we did:

Mayor Bob Hemphill
Trustee Dennis Dunnum
Trustee Max Saucedo
Trustee Dennis Vega
Trustee Dusty Voss
Leann Weihbrecht
Police Chief Rachel Weiser
Fire Chief Walter Hill
Lincoln County Sheriff's Posse
Richard Bryant
Nathan Chavez
Marc Cohen & Julia Danielle
Mary Jane Cooper
Roger Estry
Michael Everett
Alisa Day-Kenyon
Stephen Fortelny
Harold & Faye Garcia
Jamie Gieb
Ashley & Brooke Halladay
David LaFave
Annmarie LaMay
Warren & Joan Malkerson
Tomas Marrufo
Tony Marsh (thanks for the Snakebite)
Anne New
Dirk Norris
Jeanie Oglio
Georgia Ortiz & Francisco Gallegos

Audrey Paton
Ed Young
David Zamora & the security team
(thanks for keeping an eye on things!)
Linda Zamora
Allsups
Big Blue Auction House
Carrizozo Animal Clinic
Elsie's Four Winds Restaurant
Gallery 408
La BrewJa Café
Lincoln County Abstract
Lincoln County News
Mannys Cafe
Ned's Plumbing & Remodeling
No Scurm Allowed Saloon
Otero County Electric Coop
Paul's New Mexican
Roy's Ice Cream Shop
Superior Title Company
The Chaparral Motel
The Outpost Bar & Grill
The Rainbow Inn
The Sands Motel & RV Park
The Shire of Ghillie Dhu
The Upstairs Artists at Gallery 401
The Union Pacific Railroad Co
Tierra Verde Properties
Wells Fargo Bank

The "post-apocalyptic" Carrizozo footage looks amazing...I think you'll be pleased and proud. *The Book of Eli* should be ready for release early next year. I look forward to seeing you at the New Mexico Premiere; we will be in touch when a screening date is set.

With heartfelt thanks and gratitude,

Michael Dellheim, Location Manager

Physician's Assistant Has Rural Care in Her Blood

Rose Clinic's Kaaren Mahan-Riska prefers caring for patients in rural setting

Describing Kaaren Mahan-Riska, PA-C at Capitan's Rose Clinic, as having medicine in her blood would be an understatement. Mahan-Riska's brother is a pharmacist and her sister is a nurse practitioner.

She also has the kind of experience rural residents appreciate. She's been a registered nurse, worked in an emergency room and as an air-flight nurse. She's responded to critical cases as well as trauma events. She's done so all while investing time to listen to her patients and make sure all of their questions have been answered before moving on to the next appointment.

"I had always considered medicine. When I was seven years old, I broke my arm while camping and spent two weeks in a Santa Fe hospital. Everyone was wonderful and I thought that this is what I want to do," said Mahan-Riska. She added that she pursued nursing as she wanted to provide more care and treat patients to the fullest extent.

Mahan-Riska received her nursing degree from West Texas A&M in Canyon. She attended the Physician's Assistant program at the University of Utah in Salt Lake City. Rural care was emphasized throughout the Utah program.

"I was leaning that way, that I wanted to go to a rural area and the PA's school really encouraged rural providers in family medicine since it is in such demand," said Mahan-Riska. "I fell in love with this area when I was younger. I interviewed in Lubbock and here with Dr. Jackson and here felt like home," Mahan-Riska added.

Capitan rancher and Rose Clinic advisory board chair Preston Stone agreed. "In rural communities, individuals like Kaaren has to be accepted as herself and people need to feel comfortable in visiting with her. Kaaren has that rapport with all of her patients. She is a very person-oriented individual," said Stone.

Mahan-Riska celebrated four years at the Rose Clinic on February 15, 2009 and reported that she continues to see the practice grow.

Rose Clinic
"Kaaren's experience with critical care has prepared her well for being a PA. She feels comfortable being the only one in charge and can assess and manage patients. She's very good at sorting out who's sick and who isn't," said Dr. Gary Jackson, Lincoln County Medical Center's (LCMC) Medical Director.

"I do my best not to rush any patients and really listen to their concerns. I want to be sure and let them know that they're being heard and make sure all of their questions have been answered," said Mahan-Riska.

Dr. Jackson said that Mahan-Riska routinely receives high marks from patient surveys. "Her practice continues to grow from patient and family member referrals," said Jackson.

"She takes time listening to each individual before she starts with an examination. Patients feel like they are the only person on the face of the earth that has her 100-percent attention," said Stone.

The clinic's staff of three, Mahan-Riska, office manager Sue Burke and Jessica Herbert, LPN, all work hard to see patients in the 2,000 square foot facility.

"We work really well together, we have good communication with each other. The community is very comfortable coming in here because the building itself is very comfortable. The town is pretty easy going and they don't have any fear of asking questions," said Burke.

Mahan-Riska said that she has noticed some changes in the types of cases seen just in the years she's been in Capitan.

"It seems that we're seeing more cancer cases," said Mahan-Riska. She added that she's seen other cases increase such as obesity, diabetes and hypertension.

Access to Care

Mahan-Riska said the most important aspect of the Rose Clinic is the access to care. "The biggest challenge is awareness and support for the Rose Clinic," said Mahan-Riska. "I think the community has embraced the Rose Clinic much more after it was going to close when the 2007 mill election failed. There's a deeper appreciation for the funding mechanism of how rural care is delivered," she added.

Stone said that during the mill levy, it wasn't just about Capitan or the Rose Clinic. For Kaaren, it was about the healthcare of every individual in Lincoln County and she did a lot in getting it passed.

Burke said that if Presbyterian hadn't stepped forward years ago and acquired the clinic from then owner Kathy Smith, Capitan may not have a clinic today. Burke added that the Rose Clinic is roughly split into thirds of those patients that are insured, on Medicare/Medicaid and indigent and that patients are seen from Capitan, Ruidoso, Ruidoso Downs, Nogal, Carrizozo, Lincoln and Hondo. She added that any time patients can be seen in a clinic setting, they save money.

"I want to encourage everyone to seek preventative medicine when possible. Get immunizations. If you have children, get your well baby check-ups on time. Seek regular exams such as pelvic and breast exams and lab work. Annual prevention usually allows patients to be healthier and live longer," said

Mahan-Riska. She added that everyone should take the time and money and invest in their health and that she wants residents to know that the Rose Clinic is an option.

"We're pretty flexible. We can fit most patients in the same day and on the rare occasion we can't, we can the next day," both Mahan-Riska and Burke said.

The main aspects are the convenience and accessibility of the Rose Clinic. Most patients don't have to wait and when they do, it's usually just a day," said Burke. She added that the town has been growing and, in her opinion, patient volume has grown approximately 40-50 percent during the past six years.

Mahan-Riska acknowledged that caring for people in a rural area does come with challenges but the rewards outweigh those challenges.

Mahan-Riska said that rural New Mexico struggles to get providers and the absence of a pharmacy in Capitan can be challenging.

"People forget rural areas need providers and care," said Mahan-Riska.

Mahan-Riska said that being affiliated with a larger system has its benefits.

"Access to care is fantastic. It's only 20 miles away. You can have labs drawn, procedures done, x-rays, surgery, OB-GYN, family practice," said Mahan-Riska. "Everyone is willing to be accessible in Lincoln County and even Albuquerque," she added.

"She acknowledges what her limitations are. She knows if they need to go to LCMC or even Presbyterian in Albuquerque for additional care that exceeds her capabilities," said Stone.

Mahan-Riska said that she is asked questions all of the time. "I think one of the hardest things about being a rural provider is being asked medical questions all of the time," said Mahan-Riska. "It is a real challenge getting through Wal-Mart," she added laughingly.

Burke said that is a challenge. "You consider yourself lucky when you're stopped by only one person. Sometimes, it's three or four. This goes to show how much they appreciate the clinic and the care," said Burke.

The Rose Clinic sees at least 2,000 patients a year and Mahan-Riska said it appears to be increasing. Mahan-Riska said that if the area continues to grow, she envisions that the clinic would be expanded and some of the equipment would be updated as well as providing more continuity of care with an emphasis on prevention.

"I think word of mouth has helped increase the number of patient visits, especially after the first mill levy election," said Mahan-Riska. "I don't think people fully understood the consequences of the mill levy failure. It was devastating when that sign went up. It was very traumatic during those four months between elections," she added.

"Kaaren's honesty and integrity are impeccable. She is a wonderful young lady and the Rose Clinic patients are real lucky to have her," said Stone.

"As a rural provider, you want to take care of people or you wouldn't be in this profession," said Mahan-Riska.

Lincoln County Medical Center is a county-owned facility leased by Presbyterian Healthcare Services. This partner-



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.

March 2
9:50 a.m. Identity theft reported at location on Enchanted Loop in Alto, deputy dispatched.

10:54 a.m. Fire reported at location on High Mesa in Alto, Bonito fire units, Advanced Life Support (ALS) ambulance and deputy dispatched.

11:16 a.m. Accident reported on Hwy 54 in Corona, Corona emergency units and deputy dispatched.

2:28 p.m. Suspicious activity reported at location on Crown Ridge in Alto, deputy dispatched.

3:06 p.m. Traffic offenses reported near intersection of Hwy 380 and Hwy 37, deputy dispatched.

4:15 p.m. Medical call at residence on Moceasin in Alto, ALS ambulance dispatched.

5:03 p.m. Criminal damage to property reported at location on Don Jose in Hondo, deputy dispatched.

6:27 p.m. Medical call at residence on Moceasin in Alto, ALS ambulance dispatched.

6:38 p.m. Domestic battery resulting in agency assistance at location on Water Canyon Road in Carrizozo, police and deputy dispatched.

March 3
2:17 a.m. Medical call at Carrizozo ambulance shed on Eighth Street in Carrizozo, ambulance dispatched.

9:09 a.m. Information report at location on Hwy 48 in Alto, deputy dispatched.

9:21 a.m. Suspicious activity reported at location on Hwy 220 in Alto, deputy dispatched.

10:10 a.m. Dog reported running loose on Spur Trail in Capitan, police dispatched.

12:54 p.m. Fire reported at location on Gavilan Canyon Road in Alto, Bonito fire units dispatched.

1:28 p.m. Criminal damage to property reported at location on Alto Pines Road in Alto, deputy dispatched.

1:47 p.m. Fire reported at location on E Avenue in Carrizozo, fire units dispatched.

6:16 p.m. Disturbance/family dispute reported at residence on Hwy 70 in Hondo, deputy dispatched.

March 4
2:50 a.m. Medical call on Hwy 54 south of Carrizozo, ambulance dispatched.

5:55 a.m. Agency assistance requested at mile marker 288 on Hwy 70 in Tinnie, deputy dispatched.

8:29 a.m. Fire reported on Hwy 380 in Hondo, fire units dispatched.

8:30 a.m. Suspicious activity reported at business located on Hwy 380 in Capitan, police dispatched.

8:42 a.m. Registered Sex Offender check at Lincoln County Sheriff's Office (LCSCO) located in the Lincoln County Courthouse (LCC) complex on Central Avenue in Carrizozo, deputy dispatched.

10:04 p.m. Warrant service at Lincoln County Detention Center (LCDC) located on Airport Road in Carrizozo, deputy dispatched.

11:43 a.m. Medical call at residence on D Avenue in Carrizozo, ambulance dispatched.

2:23 p.m. Medical call at location on Indian Divide in Capitan, ambulance dispatched.

4:09 p.m. Larceny/theft reported at Altamira Drive in Alto, deputy dispatched.

4:31 p.m. Threats reported at residence on Hwy 70 in Ruidoso, deputy dispatched.

4:41 p.m. Littering or illegal dumping reported at location on Ridge Road in Ruidoso, deputy dispatched.

8:56 p.m. Death reported at residence on Summit Street in Corona, ambulance and deputy dispatched.

9:38 p.m. Motorist assistance requested at mile marker 292 on Hwy 70 in Tinnie, deputy dispatched.

10:52 p.m. Accident reported on Old Schoolhouse Road in Hondo, deputy dispatched.

March 5
8:44 a.m. Abandoned vehicle reported on Hwy 70 in Hondo, deputy dispatched.

9:02 a.m. Information report at location on Hwy 48 in Capitan, deputy dispatched.

9:17 a.m. Medical call at residence on Lakeshore in Alto, ALS ambulance and deputy dispatched.

2:56 p.m. Alarm reported at location on Grapevine Court in Alto, deputy dispatched.

3:39 p.m. Trespassing reported at location near intersection of Hwy 380 and Haley Hill in Capitan, police dispatched.

4:42 p.m. Welfare check requested at residence on C Avenue in Carrizozo, police dispatched.

7:38 p.m. Medical call at residence on Aristeo Road in San Patrio, ambulance and deputy dispatched.

9:28 p.m. Civil dispute reported at residence on Hwy 70 in Hondo, deputy dispatched.

11:03 p.m. Disturbance/family dispute reported at mile marker 12 on Hwy 48 in Alto, deputy dispatched.

March 6
9:27 a.m. Dog reported running loose on Ski Run Road in Alto, deputy dispatched.

1:52 p.m. Medical call at residence on Enchanted

Forest Loop in Alto, ALS ambulance and deputy dispatched.

3:39 p.m. Accident reported at mile marker 304 on Hwy 70 in Riverside, Hondo emergency units, ambulance and deputy dispatched.

7:41 p.m. Public relations at location on Don Pablo Lane in Hondo, deputy dispatched.

8:14 p.m. Accident reported on El Valle Loop in Hondo, ambulance and deputy dispatched.

March 7
12:34 a.m. Alarm reported at Carrizozo schools, police dispatched.

8:48 a.m. Trespassing reported at location in Corona, deputy dispatched.

11:53 a.m. Information report at LCDC on Airport Road in Carrizozo, deputy dispatched.

5:21 p.m. Accident reported at mile marker 273 on Hwy 70 in Glencoe, deputy dispatched.

8:44 p.m. Assault reported at LCDC on Airport Road in Carrizozo, deputy dispatched.

March 8
12:36 a.m. Report of cattle on highway at mile marker 292 on Hwy 70 in Tinnie, deputy dispatched.

DISTRICT COURT CALENDAR

The Calendar for District Judge Karen Parsons

Wednesday, March 11
Judge Counts Jury Trial - 8:30 a.m.
Judge Parsons (Small Crt Room)
8:15 a.m. Telephonic - Burson v. Burson; DM-2008-102 (Judicial Inq. Re: Jurisdiction) C. Hawthorne/Kraft/TX Court
8:30 a.m. Forest Pera v. Frank Pera; DM-2009-22 (Judicial Inq) Pro Se
9:00 a.m. Benjamin Brumlow; CR-2008-23 (Sent) DA/Rafkin
10:30 a.m. Roger Linefoot v. Barbara Linfoot (TC); DM-2008-149 (Mtn/Set Aside Default) Pro Se
1:15 p.m. Telephonic - Linda Soto v. Jeremy Crotts; DM-2007-07; DM-2002-15 (Status) Beauvais/CSEB/Pro Se
2:00 p.m. In the Matter of Robert Canning; PB-2006-01 (TRO) Beauvais
4:00 p.m. Telephonic - Rita M. Chavez v. WWC Inc; CV-2007-407 (Sch Conf) Lilley/Hale/Francis

Thursday, March 12
Judge Bell (Small Crt Room)
8:30 a.m. Dale Dixon CR-2008-161 (Motions) Thompson/Holmes
Judge Parsons
8:15 a.m. In the Matter of SA-2009-01 (Consent to Adoption) Gibson/CYFD
9:00 a.m. Richard Bowen v. Mescalero Tribe; CV-2007-259 (Mtn supporting Memorandum brief, alternative SJ/Def Mtn to stay non Jurisdiction) Perrin/Peterson
10:30 a.m. EP Scott v. John New Jr; CV-2008-27 (MSJ/Mtn Judgment on the pleadings) S-Cook/Beauvais
1:15 p.m. Danny Garcia v. John Senyszyn et al; CV-2008-361 (Mtn/Dismiss) Mladek/Garcia
2:00 p.m. In Re: JC; DM-2009-16 (Mtn/Temp Custody) C. Hawthorne/Pro Se
3:00 p.m. Emily Flores; DM-2003-22 (Relinquishment) S-Cook/Pro Se

Friday, March 13
Judge Counts Jury Trial - 8:30 a.m.
Judge Parsons - Jury Trial Alamogordo OCR-2007-611 (Pending Mtn to Cont)

Monday, March 16
8:15 a.m. James Cox v. Tammy Cox; DM-2009-19 (JI Reg. CS) Pro Se
9:00 a.m. Ramona Salcido v. Cornelia Salcido; CV-1998-1-18 (Merits) Mitchell/Rafkin
1:15 p.m. Terry Seitz v. Jerry Seitz; DM-2009-20 (JI/Custody) Pro Se
4:00 p.m. Sandóval v. Alonzo DM-2008-24 (Relinquishment) Pro Se
4:15 p.m. TuffB; JR-2007-53 (Detention Hearing) A. Elev- PD

Tuesday, March 17
8:15 a.m. In the Matter of Ryan D; JR-2008-07 (Mtn/Vacate Sent) Esquibel/Cook Tippet
1:15 p.m. Telephonic - Everhome Mortgage v. Socorro Nava et al; CV-2008-280 (Mtn and Memorandum for Default & St) Drantel/ProSe/Rafkin/Gibson
2:00 p.m. Pamela Eakins v. Quentin Eakins; DM-2008-57 (OTSC) Gibson/ProSe

Darrell Brantley
10:00 a.m. DV-2009-08
11:00 a.m. DV-2009-15
1:15 p.m. DV-2008-11
2:00 p.m. DV-2009-16
3:00 p.m. DV-2009-02 (ProSe/McSwane)

Wednesday, March 18
8:00 a.m. Judge to Meet with Juror
8:30 a.m. Bench Trial Brazeal v. Palm; CV-2008-242 C. Hawthorne/Bryant
1:15 p.m. Kelly Trapp v. Rich Black; CV-2008-69 (Sch Order) Beauvais/R. Hawthorne
4:00 p.m. Heath Keck v. Kristi Bergeron; DM-2009-15 (OTSC) Hawthorne/ProSe

Thursday, March 19
8:15 a.m. Telephonic - Jessica Coloman v. MVD; CV-2008-315 (JI Re: Remand) C. Hawthorne/Belles
8:30 a.m. Bob Kirk v. Martin Rose et al; CV-2007-32 (Sch Conf) Hapka/Garacia
9:00 a.m. Cheryle Peralta v. Abe Peralta; DM-1996-195 (Mtn to Modify PP) Hawthorne/Ragsdale
1:15 p.m. 1/2 Day - Ralph Nosker v. MVD; CV-2008-207 (Merits) Mitchell/Belles



KAAREN MAHAN-RISKA, PA-C at Capitan Rose Clinic

LEGALS

NOTICE

CARRIZOZO MUNICIPAL SCHOOLS IS SEEKING AN AUDITOR TO CONDUCT OUR FINANCIAL AUDIT FOR THE 2008-2009 SY, 2009-2010 SY, AND 2010-2011 SY. PLEASE CALL CARRIZOZO SCHOOLS AT 575-648-2348.
 Published in the Lincoln County News on Thursday, March 26, 2009.

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

**No. PB-2009-03
 Div. III**

IN THE MATTER OF THE ESTATE OF LOUIS TRUJILLO MONTOYA, Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that Vivian M. McFarland 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 officer 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: March 9, 2009.

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

JulieAnne Leonard
 505 Mechem Dr.
 Ruidoso, New Mexico 88345
 575-257-1010

Published in the Lincoln County News on March 19 and 26, 2009.

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

No. D-1226-CV-2008-00365

EVERHOME MORTGAGE COMPANY,
 Plaintiff,

vs.

MAVIS F. CHENAULT, HEINZ D. MUELLER, MARTHA G. MUELLER, D. CRAIG FARKAS, DAVID H. HORAK, ANNE D. HORAK, EDDIE J. JACKSON, AND JUDY K. JACKSON,
 Defendants.

NOTICE OF SUIT

TO: MAVIS CHENAULT, EDDIE J. JACKSON, JUDY K. JACKSON

You are hereby notified that a civil action has been filed against you in the District Court of Lincoln County, New Mexico, by Plaintiff, Everhome Mortgage Company, in which Plaintiff prays for foreclosure on its Note and Mortgage on real property located in Lincoln County, New Mexico, as described in the claim in said cause against Defendants named above, that the said real property be sold according to law and practice of this Court to pay the lien of the Plaintiff, and that the interest of the Defendants, and each of them, and all persons claiming under or through them and all other persons bound by these proceedings be barred and foreclosed of all rights, interest of claims to said real property, and for such other and further relief as the Court may deem just and proper.

The property involved is the real estate and improvements located at 306 4th St., Ruidoso, New Mexico 88345, and more particularly described as:

Lots 28 and 29, Block K of RUIDOSO PINE LODGE CO. SUBDIVISION, Ruidoso, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, on March 26, 1925,

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. If there is a conflict between the legal description and the street address, the legal description shall control.

You are further notified that unless you enter or cause to be entered your appearance or file responsive pleadings or motions in said cause within twenty (20) days of the third consecutive publication of this Notice of Suit, judgment will be rendered in said cause against you and each of you by default, and the relief prayed for will be granted.

The name of the attorneys for Everhome Mortgage Company is Little & Drantel, P.C., 7430 Washington Street NE, Albuquerque, New Mexico 87109, Telephone: (505) 833-3036.

BY ORDER OF the Honorable Karen L. Parsons, District Judge of the Twelfth Judicial District Court of the State of New Mexico, and the Seal of the District Court of Lincoln County, entered on February 6, 2009.

Published in the Lincoln County News on March 12, 19 and 26, 2009.

LEGAL NOTICE

**COUNTY OF LINCOLN
 RFP # 08-09-016**

COUNTY OF LINCOLN

NOTICE OF REQUEST FOR PROPOSAL

The County of Lincoln is issuing a Qualification Based Selection Request for Proposals for professional engineering services for the development of a Special Assessment District for the Deer Park Valley Subdivision in Lincoln County. The selected firm will prepare, submit and file with the County Clerk preliminary plans for the contemplated improvements, an estimate of the improvements total cost by lump sum or unit prices, and an assessment plat showing the area to be included in the District and an addendum thereto showing the amount of maximum benefit estimated to accrue to each tract or parcel of land in the District on the front-foot, zone, area or other equitable basis and including an Engineer's Report on the method used in determining such benefits. Proposals will be received by Lincoln County, P.O. Box 711, Carrizozo, New Mexico 88301 for RFP # 08-09-016 until Tuesday, April 14, 2009, 3:00 p.m. local prevailing time.

Copies of the Request for Proposal can be obtained in person at the Office of the County Manager, 300 Central Avenue, Carrizozo, NM 88301 or will be mailed upon written or telephonic request to Orlando Samora, at 575-648-2385 Ext. 105.

Lincoln County reserves the right to accept or reject any or all proposals and to waive all formalities. The order to proceed will be based upon the obtaining of necessary funds.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA, 1978 imposes civil and criminal penalties for code violations. In addition, the New Mexico criminal statutes impose felony/penalties for illegal bribes, gratuities and kickbacks.

All costs incurred by the proposer in the preparation, transmittal or presentation, of any proposal or material submitted in response to this request for proposals will be borne solely by the proposer. DATED this 25th Day of March 2009

COUNTY OF LINCOLN

**BY: TOM F. STEWART
 County Manager**

Published in the Lincoln County News on Thursday, March 26, 2008.

LEGAL NOTICE

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

No. D-1226-CV-2008-0231

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR THE MLMI TRUST SERIES 2007-MLNI,
 Plaintiff,

vs.

RAYMUNDO URBINA, AND MARTHA URBINA,
 Defendants.

NOTICE OF SALE

Notice is hereby given that on April 16, 2009, 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 herein-after described real estate to the highest bidder for cash. The property to be sold is located at 405 Reservoir Dr., Ruidoso Downs, New Mexico 883465, (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 2, Block 4 of MOUNTAIN HOME SUBDIVISION, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Lincoln County September 3, 1946, in Tube No. 78.

Including any improvements, fixtures, and attachments, such as, but 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 March 5, 2009, being an action to foreclose a mortgage on the above-described property. The Plaintiff's in rem judgment is \$93,905.51, and the same bears interest at the variable rate of 11.0000%, which accrues at the rate of \$28.30 per diem, commencing on February 16, 2009, with the Court reserving entry of final in rem judgment as to said Defendant Raymundo Urbina 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 \$93,905.51, plus interest to and including date of sale of \$1,641.40 for a total in rem judgment plus interest of \$93,546.91. Sale is subject to the entry of order of the court approving the terms and conditions of this sale.

Peter Baca, Special Master

P.O. Box 215
 Carrizozo, NM 88301
 Telephone: (575) 648-9925
 E-mail: sale@littledrantel.com

Published in the Lincoln County News on March 19, 26; April 2 and 9, 2009.

LEGAL NOTICE

**REQUEST FOR PROPOSAL
 08-09-004**

Re-Bid

"Purchase and Erect a County Fire Station in Arabela in Three Phases"

**DUE: April 14, 2009
 2:00 p.m. Local Time**

The County of Lincoln is requesting proposals to purchase and erect a County Fire Station, in Arabela, New Mexico. Copies of the Request for Proposal can be obtained in person at the Office of the County Purchasing Agent, 300 Central Ave., Carrizozo, NM or will be mailed upon written or telephone request to Orlando Samora (575) 648-2385 ext. 105.

All Proposals submitted must be clearly marked on the outside of the sealed envelope with the Proposal Title, Proposal Number, Date and Time of Opening. If the Proposal is sent by mail, the sealed outside envelope shall have the notation "Sealed Proposal" along with the Proposal Number. Mailed proposals should be sent to County of Lincoln, P.O. Box 711, Carrizozo, NM 88301.

The Lincoln County Board of Commissioners will review and make their final determination during their regular commission meeting scheduled for 8:30 on Tuesday, April 21, 2009.

Lincoln County reserves the right to accept or reject all or any part of any proposal, waive minor technicalities and award the proposal to best serve the interest of Lincoln County.

**ORLANDO SAMORA
 Purchasing Agent**

Published in the Lincoln County News on Thursday, March 26, 2009.

Have A Great Day!

**LEGAL NOTICE
 INVITATION TO BID 08-09-012
 Resurfacing of Roads in
 Ranches of Sonterra II
 #1**

DUE: Tuesday, April 14, 2009

NOTICE is hereby given that competitive sealed bids will be received by the County of Lincoln, for Resurfacing of Roads in Ranches of Sonterra II #1. Roads to be resurfaced include Corvo Crsta, and San Mateo Drive. Complete specifications are contained in the Bid Package that is available at the office of the County Purchasing Agent, 300 Central Ave., Carrizozo, NM 88301 or by calling Orlando Samora at (575) 648-2385 ext. 105.

All bids submitted must be clearly marked on the outside of the sealed envelope with the Bid Title, Bid Number, Date and Time of Opening. If the bid is sent by mail, the sealed envelope shall have the notation "Seal Bid" along with the Bid Number. Bid should be sent or hand-delivered to County of Lincoln, PO Box 711 (300 Central Ave.), Carrizozo, NM 88301 by 2:00 PM Local Time, Tuesday, April 14, 2009. bids received after that date and time will be returned unopened. Faxed bids cannot be accepted.

The Lincoln County Board of Commissioners will review the bids and make their final determination during a regular Commission Meeting on Tuesday, April 21, 2009 at the Lincoln County Courthouse.

Lincoln County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of Lincoln County.

**ORLANDO SAMORA
 Purchasing Agent**

Published in the Lincoln County News on Thursday, March 26, 2009.

**LEGAL NOTICE
 INVITATION TO BID 08-09-013
 Resurfacing of Roads in
 Ranches of Sonterra II
 #2**

DUE: Tuesday, April 14, 2009

NOTICE is hereby given that competitive sealed bids will be received by the County of Lincoln, for Resurfacing of Road in Ranches of Sonterra II #2. Road to be resurfaced is Sonterra Drive. Complete specifications are contained in the Bid Package that is available at the office of the County Purchasing Agent, 300 Central Ave., Carrizozo, NM 88301 or by calling Orlando Samora at (575) 648-2385 ext. 105.

All bids submitted must be clearly marked on the outside of the sealed envelope with the Bid Title, Bid Number, Date and Time of Opening. If the bid is sent by mail, the sealed envelope shall have the notation "Seal Bid" along with the Bid Number. Bid should be sent or hand-delivered to County of Lincoln, PO Box 711 (300 Central Ave.), Carrizozo, NM 88301 by 2:00 PM Local Time, Tuesday, April 14, 2009. bids received after that date and time will be returned unopened. Faxed bids cannot be accepted.

The Lincoln County Board of Commissioners will review the bids and make their final determination during a regular Commission Meeting on Tuesday, April 21, 2009 at the Lincoln County Courthouse.

Lincoln County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of Lincoln County.

**ORLANDO SAMORA
 Purchasing Agent**

Published in the Lincoln County News on Thursday, March 26, 2009.



