

Residents Angered Over Land Split

by Patrice Brazie

Some residents living outside of Capitan are upset about what they see as an obvious and intentional circumvention of the county's subdivision ordinance. Some of those people appeared before the Lincoln County Board of Commissioners on Tuesday, June 16th, to find out if anything can be done about the issue. The county's planning director Curt Temple briefed

the county commissioners on the complaints he'd received. According to Temple, Cheryl Rossi, a resident of El Paso, Texas, purchased a 37-acre tract of land near Indian Divide in 2007. Rossi then used the state's family claim of exemption from subdivision regulations to split the property into six parcels, and deeded five of those parcels to immediate family members, most of whom live in California. About one year later, the family members deeded their parcels back to Rossi, leaving her with six smaller parcels of land instead of the original one large parcel.

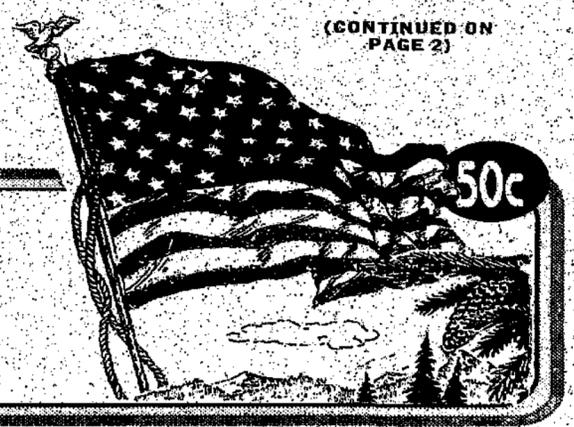
"Now (Rossi) has title to all six properties," Temple said on Tuesday. Under state and county subdivision regulations, the creation of the six smaller parcels would have been considered a Type 3 subdivision, a division of land into 2-to-24 parcels all of which are ten-

acres or smaller in size. By law, the creation of a Type 3 subdivision requires the subdivider to comply with a long list of regulations and requirements, oversight by several county and state agencies, and compliance with provisions designed to protect the environment as well as purchasers of the subdivided parcels. The family exemption allows a property owner to divide the land into parcels to

be given or sold to immediate family members, a plan designed to allow those property owners to pass the land to their heirs without the hassle of subdivision regulation compliance.

"Through the claim of exemption, everything was done correctly," Temple said. "What they do with the property afterwards is kind of

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THURSDAY, JUNE 18, 2009

County Adopts Mining Ordinance

by Patrice Brazie

The Lincoln County Board of Commissioners held a public hearing during their regular monthly meeting of June 16th, to solicit additional comments from the public regarding a proposed mining ordinance. The issues of attempting to regulate certain aspects of hard rock mining and provide the county with some authority in collecting information about proposed and working mining operations has drawn passionate responses from local residents and county advisory committee members representing opinions both in favor of and opposed to any kind of mining regulation at the county level.

Those who oppose the adoption of a mining ordinance say that mining is already adequately regulated by state and federal agencies, that enforcement of the ordinance would be very costly to taxpayers and that legal challenges to the county's authority could result in costly and burdensome litigation. Some have alleged that the proposed ordinance is an attempt to eliminate mining in Lincoln County.

Proponents of the proposed mining ordinance cite concerns about the state and federal agencies' ability to protect local citizens and a need for some local authority, fears of the potential effects of a large mining operation on water resources, air quality, property values, infrastructure, (especially county roads used regularly by heavy equipment,) and the poor record of some mining companies in regards to compliance with existing regulations.

The concept of creating a county ordinance for mining was triggered by an organized group of residents, Friends of the Capitans, opposing a proposed open pit mine in the Capitan Mountains. Residents living near the claim discovered evidence of some mining activity in the area and brought it to the attention of U.S. Forest Service personnel who had no knowledge of the activity.

The mining company involved, El Capitan Precious Metals, Inc. (ECPMI), has admitted to illegally performing test drilling on Forest Service land without a permit, and has been cited and fined by the Forest Service. The company has since submitted a proposal to continue exploratory drilling in the area, and has advertised its claim as having valuable precious metal deposits, although reportedly no outside agency has been given an opportunity to assess the samples taken during the test drilling and non-conventional means were allegedly used to determine the presence of the ores.

According to one Forest Service specialist, previous testing in the area showed no indication of the presence of precious metals in the quantities

touted by ECPMI, and the laboratory used to assay the samples has a questionable record when it comes to accuracy.

The actions of ECPMI combined with the fact that the company could operate on Forest Service administered land without the knowledge of Forest Service personnel sparked the idea of creating some county regulations to give citizens a voice at the local level.

To assist with the drafting of a county mining ordinance, attorney Kelly Cassels of Roswell was hired. During Tuesday's public hearing, Cassels updated the county commissioners on the progress of and amendments to the ordinance.

The purpose of the ordinance is to attempt to balance mining activity versus any negative impact it might have on the environment or the health, safety and welfare of the citizens of Lincoln County, Cassels said.

"It makes it clear that mining has been and continues to be an important part of Lincoln County," he said. "It says that, in the event that anyone ever determines that a part of our ordinance is (in violation) of a state or federal rule or regulation, the county ordinance will step aside and the state or federal law will control."

Under the ordinance, existing mining operations that have been producing for at least two years and are in compliance with existing laws will be grandfathered in and exempt from any new county regulations. Activities that cause no surface disturbance, and small, pick and shovel type operations that disturb no more than 12 cubic yards of earth annually are also exempt from the ordinance regulations.

Operations involving the mining of clay, adobe, flagstone, sand and gravel, caliche and quarry rock, aggregate for construction, surface water, ground water, geothermal resources, oil and natural gas and elements covered by nuclear regulatory agencies are not regulated through the proposed ordinance.

The mining ordinance will require that any non-excluded mining activity be issued a permit by the county, and will require that all permit applications include copies of the applications also prepared for the state, Cassels said.

In addition to information required by the state, the Lincoln County mining permit application will require information about the size of the operation, the equipment and vehicles to be used on the mining site, hours of operation, a description of how equipment and personnel will be moved about the permit area, power sources and delivery methods, a description of any foreseeable extensions of the permit area, management of flood events, nighttime

lighting requirements, ground vibrations caused by the operations, expected noise, potential effects to property values, impacts on public roads, amount of tax generated, economic impacts to be expected and the number and types of jobs to be created.

The proposed mining ordinance also gives the county commission the authority to place certain conditions on a mining applicant, including water monitoring, the use of the best available technology to protect the environment, inspection of mining operations and place limitations on noise and nighttime lighting.

Applications for a county mining permit will be presented to the public through notification procedures and public hearings. Permits issued would be valid for and renewable after a five year period.

ECPMI was represented at Tuesday's meeting by attorney Stuart Butzier out of Albuquerque. Butzier asked for acknowledgment that the definitions presented in the ordinance were taken from the New Mexico Mining Act, and Cassels explained that the exception was the consideration of potash as a mineral in the county's document.

Butzier further asked for clarification regarding the ordinance's reflection of state laws, fees to the permit applicant and permit requirements as they relate to both exploratory and operational activities.

Lee Arnone, founder of Friends of the Capitans and member of the Lincoln County

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NEW MEXICO PROPERTY DIVISION Director and former Lincoln County Assessor Rick Silva was in Carrizozo on Tuesday to award Certified Appraiser certificates to two Lincoln county appraisers, Cathy Lockhart (top) and Marilyn Chewning (bottom). (Photos by Patrice Brazie)



Cattle and Sheep Producers to Meet in Ruidoso June 28 to 30

Cattlemen from across the state will gather in Ruidoso for the 2009 New Mexico Cattle Growers Association (NMCGA) and New Mexico CowBelles (NMCB) mid-year meetings and New Mexico State University (NMSU) Short Course, set for June 28-30 at the Inn of the Mountain Gods.

The meeting will start with the annual Les Davis Memorial Golf Tournament and the NMCB's Beef Ambassador Contest on Sunday, June 28. On Monday morning, the NMCB will hold its general session. NMCGA meetings and the NMSU Short Course will focus topics including animal health, Beef Quality Assurance, vaccines, research findings, drought and Country

of Origin Labeling, followed by the annual banquet and dance.

On Tuesday, June 29, the group will hear from NMSU's Range Improvement Task Force, the Bureau of Land Management and the State Land Office in the Federal and Trust Lands Committee, then discuss property valuation related to state property taxes and wildlife issues before concluding with a general session/business meeting.

The New Mexico Wool Growers, Inc. (NMWGI) will hold its annual meeting June 28-30 at the Inn of the Mountain Gods in Ruidoso.

The meeting will open

with the annual Bud Eppers Memorial Golf Tournament on Sunday, June 28. On Monday morning, attendees will hear from representatives of the American Sheep Industry Association (ASI), including ASI president Glen Fisher, Texas, then receive emergency management training from New Mexico State University's Southwest Border Food Safety & Defense Center and the New Mexico Department of Agriculture's Office of Agriculture Biosecurity. Afternoon meetings will focus on animal health and predator management, followed by a meeting of the New Mexico

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Residents Angered Over

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tough for us to keep up with unless they do it immediately. There's a definite circumvention of the rules," he said. "It almost creates a little colonia. You don't have to do a water report, you don't have to do any infrastructure or anything

like that when you use the family claim of exemption. We have no control over them."

Temple told the county commissioners that it has become more common for land owners to abuse the family exemption.

"It's becoming a problem now. It's not being used in the way it was supposed to be used, where someone gives some land to a family member and the people want to move onto it and live on it," Temple said. "Now people are taking advantage of it, deeding it back to whoever gave it to them, and they're selling it off," Temple said.

Some counties have added a requirement that properties divided under the family claim of exemption cannot be sold for five years after the division, Temple said. He sug-

gested that Lincoln County might want to add such a regulation to its subdivision ordinance, with a clause for release from the statute in the case of hardship.

County attorney Alan Morel explained that New Mexico laws allow for 13 separate claims of exemption from subdivision regulations, many of which apply to agricultural uses of land.

"If you meet the criteria for any one of these 13 exemptions, it's not going to be treated as a subdivision for purposes of either the state law or county law," Morel said. "We have a claim of exemption form that follows the state statute."

The family claim of exemption requires that the land owner provide birth certificates and other documentation to show that, if there's a split, the person the land is being given to is in fact a family member as defined by state law, Morel said.

"There are 13 exemptions and I don't think the county can do away with any of them to try to curtail any splits that we don't think are appropriate," Morel continued. "It's been approved by the legislature and we have to follow that law. If you have 12 family members, you can divide a tract of land into 12 separate tracts without any requirement for roads or utilities or any other infrastructure," he said. "That's what the legislature approved, whether we like it or not."

The attorney told the county commissioners that it's very difficult to determine whether an actual attempt to circumvent the law is being made, or if family members are just passing the land back and forth for whatever reasons they might have.

"It's a tough call. In this particular instance, I'm not certain what the county can do, if anything, to force those conveyances to be deemed void. I don't know the circumstances surrounding why they were given back to the original grantor," Morel said.

The owner of a property neighboring the Rossi tracts said there is already a water availability problem in the area, and expressed fears that there is simply not enough water to support the six, or perhaps even 12, houses that could be built next door to her.

Another neighbor suggested that the entire 37 acres owned by Rossi should be returned to its previous state as one single tract.

"I know that (Rossi) has signed some of the paperwork as a developer out of El Paso," the neighbor reported. "It just seems like she was intentionally trying to get around the law," he said.

"You are absolutely correct," Morel replied. "This is a lawful circumvention of the subdivision laws. It was intentionally done to not have to comply with our subdivision rules and regulations. The deeds were properly conveyed to family members as is legally permissible under the law," he said. "The question is, after a year or so, if those deeds are conveyed back to the original grantor, does that somehow invalidate the transfer, and I don't believe that it does," Morel opined. "The original transfers were valid."

One of Rossi's neighbors suggested that the family claim of exemption could be used by realtors to get around subdivision regulations.

"It opens the door up for anything," the neighbor said. "This door's been open since 1996," Morel said. "That's when this law went into effect and they've been utilizing it since that time quite openly. It doesn't seem fair, it does take away the jurisdiction of this commission to place requirements on that development, and that's the key problem, but our legislature authorized it," he added.

The county commissioners asked Morel to examine the possibility of adding a requirement to the county's subdivision ordinance that would force the owners of parcels created under the family claim of exemption to hold those parcels for five years before selling them.

Rossi's neighbors are left with little recourse other than to challenge the division of the Rossi property in court, but according to Morel they would likely lose the court challenge as the land split under the family claim of exemption was done in accordance with state laws.



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"Looking Back"

Through Old 'NEWS' Files

As the LINCOLN COUNTY NEWS goes into its 104th year of being in existence (1905-2009), we will again be randomly publishing articles from old NEWS files. The following articles appeared in the "Lincoln County News & Carrizozo Outlook".

Friday, June 2, 1961

Excitement grows over Billy's body

With Miss Lois Telfer of New York, the only known surviving relative of Billy the Kid, as honored guest, a meeting of people whose names are outstanding in the long and frequently bloody history of Lincoln county was held in the courtroom of the old (restore) Lincoln County courthouse in Lincoln, New Mexico on May 30, Memorial Day. It was a day to be remembered.

The surroundings were peaceful, quiet and a spirit of fellowship pervaded the high mountain air as the group gathered on the Wortley Hotel porch starting at 10 a.m. Old friendships were renewed, people who see each other only once a year or less frequently were catching up on happenings and the health of mutual friends.

The "spell" of New Mexico history began to cast itself on the group shortly after gathering in the courtroom. This was the exact place where the book on Billy the Kid's apparently charmed life seemed ready to close. He had been taken by Pat Garrett and sentenced at Las Cruces to hang on May 13, 1874 (?) and was taken back to Lincoln by Deputies Ollinger and Woods. The trip was a rough one on Billy because neither of the deputies had any love for him.

His chance to escape came when Charlie Bell, his guard, reached down to pick up a card during a monte game. Billy drew Bell's revolver. Bell moved to escape and one bullet rolled him down the stairs, dead. The Kid went to the window and spoke to Bob Ollinger outside who looked up only to get a charge of buckshot. Billy got loose of his irons and galloped up Lincoln main street out of town. (Other accounts of this incident include a gun smuggled to Billy).

There was much more to the "spell" than just the deadly game that was the Lincoln County War. There were good times aplenty and these were recounted so that the people in the courtroom were living in 1961 but thinking in the 1870's.

Sergeant Arranged Meeting

Joe Sergeant, owner of the Yucca Bar in Carrizozo and Chamber of Commerce member instrumental in setting up the meeting, had the "judges chair" and brought the courtroom to order with a sound rap of the gavel, and the meeting went off in good order.

Sergeant first asked for a showing of hands of those people in favor of removing the bones of Billy the Kid from Ft. Sumner to their rightful home in Lincoln. The vote was unanimous in favor of the move. Sheriff W.G. Bradley noted that he had a gun and was willing to use it on any "nay" voters -- luckily for peace and harmony in Lincoln county this statement was made after the vote was cast. The crowd liked this remark.

Chase Represents Lincoln County

C.C. Chase Jr., of Alamogordo, a grandson of the late Senator Albert B. Fall, was introduced as legal counsel for Lois Telfer. Chase stated that a request by Miss Telfer for disinterment of her relative, Billy the Kid, would be filed in DeBaca County, which request was legal though the case could easily go clear to the state supreme court because DeBaca county officials have already made known their opposition to the removal. Chase said that the action can be successful -- but may take time.

Lois Telfer of New York is an interesting person. Not a publicity seeker in any way, but a person well versed in the history of her family, in fact one of the best historians around on the subject of the Lincoln County War. She has made two previous trips to this area of New Mexico and few people even knew she was here, just a few of her friends. At no time has she sought publicity over her kinship to Billy the Kid.

Twin Grandfathers Recorded

The genealogy of the Telfer and Bonney families was recorded back to the 1600's. Her

Obituary



JOAQUIN P. "BILL" SERRANO

Memorial services for Joaquin P. (Bill) Serrano will be held tomorrow, Friday June 20 at 1:00 a.m. at the family home in Carrizozo. Fr. Franklin Eichhorst will be officiating the service.

Serrano, 81, passed away on June 12 in Las Cruces. Bill was born in Monterey, California on November 24, 1927 and moved to Carrizozo in 1976 where he was a painting contractor by trade.

He is survived by Jody W. Serrano, his wife of 54 years; their children Timothy Serrano and T. Samantha Diaz of Las Cruces; six grandchildren, four great grandchildren and one great great grandchild. He is also survived by his brother, Gerald Serrano, of Monterey, California.

Bill served honorably as a Corporal in the United States Army as a Combat Engineer in the 1st Infantry Division during the Korean War.



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Adopts Mining Ordinance

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Land and Natural Resources Advisory Committee (LANRAC) suggested that the \$8,500 fee that would be required to accompany a county mining permit application be doubled. The fee is to be used to cover any costs incurred by the county in reviewing or administering the application, for example hiring any necessary consultants. Any portion of the fee not needed to cover costs will be refunded to the applicant.

Arnone said that the county might need to call upon as many as nine different experts in various fields associated with processing an application. "You're not going to find anyone for less than a thousand dollars," Arnone said. He also recommended that the balance of the application fee remain with the county until the mining operation is complete, and expressed what

he thought to be the value of having a county mining ordinance.

"I think this ordinance is really necessary," Arnone said. "It's been a long journey for me, like four years dealing with the problems on the mountain and seeing how government works. It's slow and cumbersome and things don't happen very fast. I think by having an ordinance that the county commissioners can have some control on their voice for the community is very necessary and important," he said. "It's a place to come with our grievances and hopefully we'll get some fast action."

Arnone said that "local" decisions from the Forest Service must sometimes first be referred to Alamogordo and then to Washington, D.C.

"It's a long time coming and going when you try to get answers," he said. "This

gives you a voice," he told the county commissioners.

County planning commission chair Jim Crouse said that he was "a bit chagrined" about the county commissioners' willingness to override the conclusion of a majority of the county's advisory committee members. That conclusion was that a county mining ordinance was unnecessary and represented a duplication of state and federal laws.

Crouse questioned how the county could turn down an applicant who had already been awarded a mining permit from the state, and how the county will enforce a mining ordinance. He pointed out that there are no guidelines to follow regarding things like ground vibration, and that health and welfare can not be clearly defined. There is no way to estimate potential effects on property values, he said.

"If you were to monitor the items covered in this ordinance, someone would have to be on station once daily or more. Where's this money for salary going to come from?" Crouse asked. "A working relationship with state and federal controllers would negate the need for this ordinance," he added.

Crouse said that the adoption of a mining ordinance would be a huge item for law suits, because the county cannot override state and federal decisions.

Steve Sugarman, attorney for Friends of the Capitans, presented his ideas about the ordinance and offered some possible changes. He told the county commissioners that both state and federal agencies have recognized that there are some gaps in their regulations regarding some aspects of mining and its impacts at the local level.

"New Mexico courts have specifically held that local governments do have a role to play in the regulation of mining activities," Sugarman said. "The issues that the county will regulate are those regulatory gaps that the commission has the authority and has the duty to look to in its own mining ordinance," he said.

Sugarman said that he would have liked to see the proposed ordinance go further in its requirements for financial assurances and reclamation plans, but said he understands the county commissioners' desire to be as least burdensome as possible while protecting the health, safety and welfare of the public.

Sugarman recommended that existing mining operations only be grandfathered if they have operated without being found in violation of any state or federal regulations. He also recommended that the ordinance require the submission of a water budget that would project the total amount of water needed for the project, identify the source of that water and prove a legal right to the water used.

Applicants for mining permits should be obligated to cover the costs for any necessary expert consultation in addition to the \$8,500 fee, Sugarman said, and proposed that the ordinance call for notification 45 days in advance of a public meeting on the application, rather than the draft wording of 20 days prior notice.

Cassels recommended a compromise of 30 days.

Nogal resident Bob Moeller said that the county is trying to deal with mining, which often takes place on public lands instead of developing a land use plan that defines land use in all of the districts of the county.

"I have difficulty understanding how the impact or benefit of property values for certain residents was a legitimate state interest, a legitimate ordinance interest for Lincoln County," Moeller said. "I don't know what we're doing to advance or benefit other people's property values, and without a land use plan I think we'd have difficulty explaining how we are protecting people's property values all over the county," he said.

Moeller asked the county commissioners to consider tabling preparation of the proposed ordinance, and in-

stead direct Temple, the advisory committees and Friends of the Capitans to work with the Forest Service, the New Mexico Mining and Minerals Department, the New Mexico Environment Department and ECPMI "to settle on a disposition of" the ECPMI permitting application.

Roland Burnett, who said he owns land adjacent to the proposed ECPMI mine site, said that without a county ordinance he would have no voice in the matter of a mining operation right next door.

Mike Bowen, executive director of the New Mexico Mining Association, said that his association feels that the ordinance is unnecessary, and that the New Mexico Mining Act is one of the toughest in the country and provides ample environmental protection requirements.

Jerry Carroll, co-chairman of the Jicarilla Mining District, called the proposal to create a county mining ordinance "a disassociation from fact." He said that the signing of ECPMI after it was discovered to be operating illegally, and the recent cease and desist order place on the company by the Forest Service is clear evidence that the systems and processes already in place are working.

Paulette Arnone of Capitans said that, in regards to the economy, property taxes are the most consistent, clean, wholesome and dependable sources of revenue for the county, and suggested that the jobs created by mining operations in Lincoln County are limited. She said that the value of a county ordinance is in providing local residents a voice and in holding mining companies accountable.

A few other comments were offered from people from both sides of the mining issue. County commissioner Tom Battin asked Cassels to consider the modifications of the draft ordinance suggested by Sugarman, and Cassels in-

dicated that Sugarman's recommendations were acceptable amendments of the ordinance.

County commissioner Jackie Powell said that regulation brings an end to progress, then added that she was okay with the ordinance up to the part about enforcement.

"It turns it back to lawsuits immediately and all progress ends," Powell said.

She referred to language in the ordinance that, in some circumstances, directs the commission to investigate and take action promptly.

"I can see us getting sued from both directions," Powell said. "I know we won't be able to act promptly enough. They didn't think we acted promptly enough to start with, so this gives them another person to sue."

County commissioner Sedillo said that she liked the idea of permitting at the county level because it provided an opportunity to stay informed, but said she also had concerns about enforcement and being

(MORE ON PAGE 4)



- MONDAYS and WEDNESDAYS**
-Free GED classes 6 to 8 p.m. Carrizozo School Library.
- TUESDAYS**
-Capitan Public Library preschool story hour 4:00 p.m.
- WEDNESDAYS**
-Corona Public Library story hour 4:00 p.m.
- THURSDAYS**
-Gambler's Anonymous open meeting 7:15 p.m. at Mesalero Reformed Church, 336 Wardlaw Drive in Mesalero. For information call Mike at 575-682-6200.
- FIRST and THIRD THURSDAYS**
-Representative from State Engineer's office is at Ruidoso Village Hall from 9 a.m. to 12 noon.
- THIRD SATURDAY of each MONTH**
-American Legion Post #11 Wells Fargo Bank in Carrizozo 9 a.m.
- EACH FRIDAY**
-Al Anon family group for families and friends of alcoholics, noon at Methodist Church in Carrizozo. Bring lunch.
- SUNDAY, JUNE 21**
-A memorial service for Betty Davis and Terry Davis will be held at 1:30 p.m. at the old Jicarilla log cabin schoolhouse, weather permitting. Betty lived in that area as a child and again as an adult. Her son Terry Davis live there also.
- TUESDAY, JUNE 23**
-Lincoln County Solid Waste Authority (LCSWA) board meeting 2:00 p.m. in LCSWA offices in Ruidoso Downs.
- THURSDAY, JUNE 25**
-Consumer debt/bankruptcy workshop will be held at 5:30 p.m. at Brannigan Memorial Library in Law Cruces. The free workshop is open to the public.

Cattle and Sheep Producers

(Continued from Page 1)

Sheep and Goat Council. On Tuesday morning, the focus will be on federal lands' issues and lamb and wool marketing. The meeting will finish up after lunch with a business meeting/general session. For more information, contact the NMWGI office at

(505) 247-0584 or www.nmagriculture.org. All New Mexico sheep and cattle producers, whether or not they are members are encouraged to attend the meetings. Anyone who is interested in the industry is welcome.

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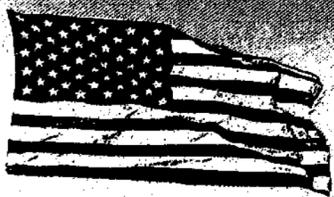
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UNTIL THEY COME HOME

Editorials / Opinions & Other Stuff

THOUGHTS FROM THE EDITOR'S DESK

Is it Monsoon season yet?

By Ruth Hammond

We heard a nasty rumor yesterday that the monsoon season is just around the corner. Our first reaction was to rush to the door and peek outside. Nothing was there, and we hastened to walk around to the side of the building in an effort to locate this erstwhile phenomenon. Needless to say, the monsoon was not visible which caused us to wonder if there actually is such a thing as a monsoon.

Although we hear constantly of the monsoon season and how it brings moisture, the exact entrance date is in limbo. You know that Valentine's Day is February 14 and St. Patrick's Day is March 17 and Independence Day is July 4, but other important days are movable. Labor Day, which is the first Monday in September, seems to bounce from September 1 to September 7. Easter is another of those special dates that moves not only from date to date but also from month to month. Then we have the start of the monsoon season. No actual date or month. Wow!

Somehow it seems that in the scheme of things life would be simpler if we knew for certain when and what, not merely why, but when and what. Today we know it is Thursday and according to history tomorrow will be a Friday, not a black Friday, and definitely not Friday 13th because today is the 18th which means tomorrow is 19, a mere deduction of adding one numeral to today's date.

This may sound confusing, but actually it is the way life should be, according to the numbers. Afore you ask, this is not a column about numerology, mainly because it isn't. It is a column asking if you have any idea when the illusive monsoon season will start. Another thing is that we would like to know exactly why the monsoon season arrives; that is more important than whenever it arrives.

Regardless of whether you believe that the monsoon season is or is not here, get used to hearing that word if a stray raindrop happens to descend anywhere. There was one lonely drop of water on the windshield yesterday at noon and it was amazing how many umbrellas began to pop up around the area. The umbrellas weren't needed, but that didn't matter, the umbrella carriers were in a mad frenzy to open these items in an attempt to keep dry.

Except for a torrential downpour, people seldom get wet when it rains. We have found that using an umbrella to get from the door to a vehicle takes more time to get it popped open and then closed to put it in the vehicle than it is worth. Of course there was the time people sat in cars for an hour because they didn't want to get wet. Dry but definitely tired of watching rain on the vehicle windows.

Like it or not, we believe that it is a proven fact that the monsoon season is more of a conversation topic than it is a true season. Unlike winter, summer, spring and fall, which are true seasons, the monsoon season is sporadic and elusive. However we will continue to watch for it.

Residents Angered Over

(Continued from Page 3)

sued. "I think that if the Forest Service and the state do their job, the people are protected," Sedillo said. "If they don't do their job, then shame on us for not telling them."

Sedillo directed a question to everyone at the meeting who opposed the ordinance.

"What bad thing will happen if we adopt this ordinance?" she asked.

After a brief pause and some mumbling among the crowd, Moeller stepped up with an answer.

"To me it would represent a failure of the county government to engage with people, and to encourage people to engage together, to solve environmental and land use problems that we have," Moeller said.

"I think the answer is that there's no bad side," County commissioner Don Williams said.

Cassels said that the downside of adopting the ordinance could be that some litigation might result.

Battin made the motion to approve the adoption of the mining ordinance, with changes as recommended by Sugarman and concurred with by Cassels. Williams seconded. Parks said that, while he was totally confused, he knew that his constituents supported adoption of the ordinance and therefore had to support it himself.

The board of county commissioners voted to adopt the ordinance in a 3-to-2 vote, with Powell and Sedillo casting the opposing votes.

EARL



"EARL, I BET YOU WISH YOU HADNT FORGOT YOUR ANKLE LENGTH SADDLE SLICKER TODAY."

Big Dry Syndicate



WEATHER REPORT

by Jeff Hammond

From all reports the annual "Monsoon Season" has hit New Mexico, and Lincoln County is going to be getting our fair share of the rainfall for the upcoming week.

Expect slight to good chance of showers and thunderstorms at all elevations. Forecast for Carrizozo, the high plains of Lincoln County and the Hondo Valley:

Today, Thursday, June 18, the 169th day of 2009

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 82, northwest wind 5 to 15 mph becoming southwest, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 59, north wind between 5 and 15 mph.

Friday, June 19
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 89, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 58.

Saturday, June 20
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 89, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 58.

Sunday, June 21
A good chance of showers and thunderstorms, mostly cloudy, with a high near 89, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 58.

Monday, June 22
Mostly sunny, with a high near 91, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 59.

Tuesday, June 23
Mostly sunny, with a high near 90, night: Partly cloudy, with low around 59.

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

Today, Thursday, June 18, the 169th day of 2009

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 73, northwest wind 5 to 10 mph becoming southwest, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 51.

Friday, June 19
A fair chance of showers and thunderstorms, mostly cloudy, with a high near 79, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 49.

Saturday, June 20
A good chance of showers and thunderstorms, mostly cloudy, with a high near 80, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 50.

Sunday, June 21
A good chance of showers and thunderstorms, mostly cloudy, with a high near 78, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 50.

Monday, June 22
A slight chance of showers and thunderstorms, partly cloudy, with a high near 82, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 52.

Tuesday, June 23
Mostly sunny, with a high near 82, night: Partly cloudy, with low around 52.

Inside the Capitol

by JAY MILLER, Syndicated Columnist

SANTA FE -- Manny's finally in jail. But that hasn't been the big news. The party thrown for him before he went has caused tongue wagging around the state. What gall. How inappropriate. Who would throw such a party? Who would go?

Well, quite a few people went. A party for someone who has violated a public trust isn't unusual, although no one likely threw a party for Bernie Madoff. But Manny is different. It's partly because he's Manny, partly because this is New Mexico and mostly because of human nature.

Manny has an appealing personality. He's always stood up for the little guy, which has made him very popular among that segment of society. As a legislator, he introduced many bills relating to prisoner rights. Were he going to a New Mexico prison, that might have made him very popular.

New Mexico was Hispanic 100 years longer than it has been American. There is a Spanish tradition of the hero bandit. Actually it happens wherever there is a rich, landed class and a poor class. England had its Robin Hood.

But as I understand the tradition is even stronger in the Spanish culture. We would have won the Mexican-American War much more quickly had it been over when it appeared we had defeated the Mexican army.

But we hadn't beaten the many bands of guerilla fighters who roamed the countryside raiding the haciendas of the rich and the military supply trains of the Americans. These banditos became heroes to the very large Mexican under classes.

At that time, American troops were occupying New Mexico, which wasn't happy with that state of affairs, regardless of what history textbooks say about General Kearny's takeover of the territory. The raids of the Mexican bandit gangs were just fine with the New Mexicans of the day.

Roswell historian David Clary explains all this much better than I in his upcoming book *Eagles and Empire*, which is the story of the Mexican-American war told from both sides. It can be pre-ordered from Amazon now, and probably from your local bookstore.

That tradition still lives. Those who defy the establishment become heroes to a large segment, whether their actions are legal or not.

People marvel at the continuing popularity of Billy the Kid. He fought a corrupt establishment of politicians, lawyers and big business and became hugely popular with the native population, while we were in the early days of territorial status.

It's not just a New Mexico tradition, however. Illinois Gov. Rod Blagojevich was reelected to a second term because he was a lovable scoundrel. That reputation faded, however, when his phone intercepts showed

he was just a petty money grubber.

Adam Clayton Powell managed to keep getting reelected to Congress, representing Harlem, despite fierce opposition from New York's crooked Tammany Hall machine. Southern Democrats didn't want a Black in their party, either, and led an effort to unseat him. Despite being corrupt himself, he won election to fill his vacated seat. He still has his supporters.

So Manny had a nice turnout for his farewell party. Pictures from the party indicate that it was attended by a retired chief justice of the New Mexico Supreme Court and a former Republican Senate president pro tem who often did battle with Manny.

Does this mean that New Mexico is the most corrupt state in the nation? We've had a bumpy road recently but we're really still in the minor leagues. It seems residents of every state like to say their legislature is the most corrupt.

The New York Legislature currently is experiencing a whale of a scandal. It is alleged that two Democratic senators received payoffs to switch parties and change the balance of power in the chamber.

We know that New Mexico is behind most other states in passage of ethics laws. One of the holdups is Michael Sanchez, the Senate majority leader. He has said we don't need more ethics legislation. Now that he is a gubernatorial candidate, maybe he'll rethink that.

THE TASK AHEAD OF YOU, IS NEVER AS GREAT AS THE POWER BEHIND YOU.



BE STRONG IN THE LORD, AND IN HIS MIGHTY POWER. EPHESIANS 6:10

"Lord, hold our troops in your loving hands. Protect them as they protect us. Bless them and their families for the selfless acts they perform for us in our time of need. Amen"

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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.

May 17
 8:58 p.m. Disturbance/family dispute reported at residence on Hwy 37 in Nogal, deputy dispatched.
 9:17 p.m. Suspicious activity reported at business located on Smokey Bear Boulevard in Capitan, police dispatched.
 11:10 p.m. Welfare check requested at residence on Second Street in Capitan,

police dispatched.
May 18
 7:29 p.m. Suspicious activity reported at location on Ski Run Road in Alto, deputy dispatched.
 7:38 p.m. Information report at location on Perry Springs Lane in Glencoe, deputy dispatched.
 11:48 a.m. Domestic battery reported at location on Ski Run Road in Alto, deputy dispatched.
 12:15 p.m. Medical call at location on Hwy 220 in Alto, Advanced Life Support (ALS) ambulance dispatched.
 1:41 p.m. Report of

escaped inmate from Lincoln County Detention Center (LCDC) located on Air Port Road in Carrizozo, deputy dispatched.
 4:28 p.m. Information report at location in Oscura, deputy dispatched.
 4:43 p.m. Information report at location on Drexel Boulevard in Carrizozo, deputy dispatched.
 5:46 p.m. Accident reported at location on Hwy 48 in Alto, deputy dispatched.
May 19
 8:34 a.m. Unknown trouble call from residence on Deer Park in Alto, deputy dispatched.

1:17 p.m. Fraud reported at location on Doe Holiday Court in Rancho Ruidoso Valley Estates, deputy dispatched.
 3:07 p.m. 911 Hang-up from residence on CR 006 in Capitan, deputy dispatched.
 4:49 p.m. Medical call at residence on 12th Street in Carrizozo, ambulance dispatched.
 6:29 p.m. Disturbance reported at location on Prospect Loop in Alto, deputy dispatched.
 9:01 p.m. Medical call at residence on C Avenue in Carrizozo, ambulance and Carrizozo emergency units dispatched.



8:54 a.m. Welfare check requested at residence on Sun Mountain Loop in Alto, deputy dispatched.
 9:43 a.m. Alarm reported at location on High Mesa Road in Alto, deputy dispatched.
 10:51 a.m. Fire reported at location on Pflingsten Road in Nogal, Bonito and Nogal fire units and deputy dispatched.
 11:25 a.m. Threats reported at LCDC located on Air Port Road in Carrizozo, deputy dispatched.
 12:53 a.m. Suspicious activity by person(s) in vehicle reported at location on Lance Trail in Ruidoso, deputy dispatched.

6:34 a.m. Medical call at location near intersection of Hwy 380 and Hwy 70 in Hondo, ALS ambulance dispatched.
 9:50 a.m. Assault reported at Lincoln County Medical Center (LCMC) located on Sudderth in Ruidoso, deputy dispatched.
 3:21 p.m. Traffic offenses reported on Smokey Bear Boulevard in Capitan, police dispatched.
 5:03 p.m. Registered Sex Offender check at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) on Central Avenue in Carrizozo, deputy dispatched.
 6:15 p.m. Warrant service at LCDC on Air Port Road in Carrizozo, deputy dispatched.
 7:52 p.m. Dog reported running loose on West Grandview in Capitan, police dispatched.
 7:55 p.m. Medical call at location on Hwy 70 in Hondo, ambulance and deputy dispatched.



(Continued from Page 2)

great-grandfather, Chris Bonney, was a twin brother of William Bonney, the Kid's grandfather.
 Lincoln County Commissioners Kenneth Nosker, whose wife is related to both Frank and George Coe, had thought about such removal action for years and recently talked to Joe Sergeant about the possibilities. Out of this conversation came a story which appeared in the Lincoln County News. A clipping of this story came to the attention of Miss Telfer in New York and she immediately offered her help to Nosker and Sergeant. The Memorial Day meeting was then developed.

Miss Telfer was met at the El Paso airport by Joe Sergeant, Mr. and Mrs. Pat Murphy and Mr. and Mrs. Malcolm Petree, Capitan, and Sonny Smoot, Carrizozo. She was the honored guest at dinner in Carrizozo Monday evening, and following the meeting in Lincoln intended to spend a few days there resting and visiting before going to Albuquerque to fly back to New York. This is a vacation trip for her and she need not get back to her job as a cosmetician.
 Miss Telfer thanked the committee people and told the group that she was 100 per cent for Lincoln County and always has been.

Paul Baker, former publisher of the News, was introduced.

Pardon for Kid is Possible
 William V. Morrison, El Paso attorney, who is interested in the case as a historian, said he had spend a dozen years trying to obtain a pardon for Billy the Kid and that he would gather as many of his documents as possible for use by the Lincoln County people. In 1950 he did file a posthumous pardon petition but nothing came of it. Morrison spoke at length of a contract between Billy and Gov. Lew Wallace, and, according to Morrison, the Kid kept his part of the agreement but Gov. Wallace defaulted on his part. Morrison has heard from a grandson of Gov. Wallace who is opposed to the pardon petition.

Pageant Better Each Year
 Wilbur Coe, president of the Lincoln County Historical Society, and son of Frank Coe, a close friend of the Kid who fought by his side in the Lincoln County War, said there have been times when some things had to be done to keep the society solvent, speaking of the historical society. "We decided to put on a pageant to raise funds and that was the way the 'Billy the Kid Pageant' was born", he said. Each of the 12 years the pageant has been better than the last. The parts are acted by direct descendants of those who fought in the Lincoln County War, for no pay, and they act their parts as though living in the "days of the war". There are people in the pageant who are kin to both sides of the warring parties.

Rhodes Drives 1,990 Miles for Meet
 Mr. and Mrs. Alan Rhodes had driven 1,990 miles from Apalachin, N.Y., to attend this meeting. Mr. Rhodes is the son of Eugene Manlove Rhodes, the New Mexico cowboy who became one of America's best-known western writers. He had become interested through correspondence with Miss Telfer. Rhodes stated it was a high pleasure and privilege to be here. The motion made by the group was a good one and should be carried to completion. Billy was buried in Ft. Sumer simply because that cemetery was handy.

Mrs. L. G. Perry, daughter of George Coe, who wrote one of the best books on the Lincoln County War, said she appreciated a comment from Allan Rhodes that his father considered the George Coe book one of the most authentic ever written on the subject. The book is out of print but may be revived.

Lots of Joy During War Years.
 Paul A. Blazer, a retired rancher from Tularosa, son of R. Almer A. Blazer, who owned the famous mill where Buckshot Roberts "got his," spoke highly in favor of removing Billy's body to Lincoln, Blazer said that "my people" used to have a lot of good times, lots of joy and happiness. The troubles of the times were just incidental.

Margaret Salazar Bernardo, daughter of Ygenio Salazar who was one of the few escaping from the battle of McSween's house, told some first hand information. She said that Billy told Ygenio, "You go first". The house was on fire, bullets storming the walls, and that was what confronted those inside. Ygenio was shot thru and thru and in great pain. He played dead even when kicked several times by Old Andy Boyle to make sure he was dead. Salazar hung on and crawled to his sister-in-law's home where he got well in about six months.

(CONTINUED ON PAGE 8)

Church Directory

MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY
 Nogal Presbyterian Church:
 E.W. "Bo" LEWIS, Pastor
 Sunday School 10:00 a.m.
 Worship 11:00 a.m.
 Aneho 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 648-2107
 Sunday School 9:45 a.m.
 Worship Service 10:55 a.m.
 Sun. Evening 8:00 p.m.
 Wednesday, Sept. - April
 AWANAS 8:00 p.m.

RUIDOSO DOWNS FIRST SOUTHERN BAPTIST CHURCH AT OLD LINCOLN CHURCH
 Rev. Zach Malott / 575-973-0560
 Senior Circuit Preacher
 Dr. Randy Widener, Ph.D / 575-937-2086
 Senior Pastor
 Sunday Service 2:30pm

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 8:00 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 / 338-8032
 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 9:00 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,
 Priest-in-Charge
 Corner of E. Ave. and Sixth, Carrizozo, NM
 Ph. 505-257-2858
 Holy Eucharist Sunday 9:30 a.m.

White Oaks Community Church
 Non-denominational
 Sunday Worship Service 11:00 a.m.

Claunch Community Church
 TONY SCACCIA, Minister
 848-1402
 Second Sunday of Each Month 9:00 a.m.

United Methodist Churches
 JOHANNA ANDERSON, Pastor
 1000 O. Ave, 648-2893 / 648-2848
 Carrizozo, NM 89001
 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 8:15 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 8:30 a.m.
 Sunday Morning Worship 10:30 a.m.

Capitan Church of Christ
 LESLIE EARWOOD, Minister
 5th & Lincoln / 338-4827
 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 8:30 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 8:00 p.m.

Grace Fellowship Church
 TERRY AIELLO, Pastor
 849-0105
 Corona, NM
 Worship 9:30 a.m.

Jerry & Lanita Rasak
LaGrone Funeral Chapel

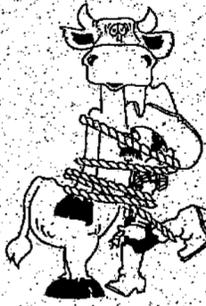
In Memory of
BILL WINKLER
Insurance Exchange
 Carrizozo Branch

(CONTINUED ON PAGE 8)

Carrizozo Cowboy Days

DISTRICT COURT CALENDAR

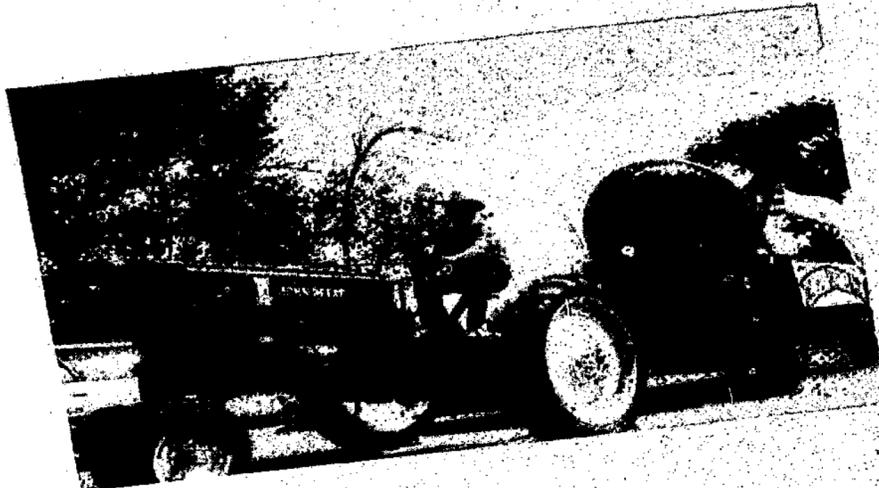
The Calendar for District Judge Kaye Parsons



COURTESY PHOTOS BY ROSE KRATOCHVIL



MORE PHOTOS NEXT WEEK



Monday, June 8
 Judge Grisham - Jury Trial
 Judge Parsons - Small Crt Room
 9:00 a.m. Richard Osborne v. James Wolter CV-09-108 (Mtn/W/draw)Perrin/ProSe
 10:00 a.m. Guillermo Gandora; CR-09-81 (FA) Trailing
 Anna Randals; CR-09-82 (FA) WFA forthcoming
 11:00 a.m. Jennifer Lucero; CR-08-60/09-63-64 (Mtn/Reconsider)DA/McSwane
 12:00 p.m. Judges' Brown Bag
 1:15 p.m. Telephonic - Capital One v. William Dunlap; CV-08-384 (Mtn/Judgment)Grubel/ProSe
 2:00 p.m. Murray C.YR-06-01 (Judicial Inquiry)DA/Ewing
 Trailing
 Stephen C.; JR-08-45/09-13 (Change of Plea)DA/Mitchell P.C.
 3:00 p.m. Mountain View Investment v. Smith; CV-07-304(H/Mtn Dismiss) (Mtn/Compel)JRB/C.Haw/Morel
 4:00 p.m. Walter Whinters v. V.G. Adams, et al., CV-05-23(OTSC)Rafkin/Pro Se

Tuesday, June 9
 No Hearings Scheduled

Wednesday, June 10
 Judge Parsons Drug Court National Conference

Thursday, June 11
 Judge Parsons Drug Court National Conference

Friday, June 12
 Judge Parsons Drug Court National Conference

Monday, June 15
 9:00 a.m. Telephonic - Tracy Shields v. Darrell Dronet; CV-2008-211 (Status) Gibson/ ProSe
 10:00 a.m. Billy Berry v. David Berry; CV-2008-116 (MSJ)Garcia/Lindsey
 1:15 p.m. Richard Dolphin v. Sheryl Dolphin; DM-2008-141 (OTSC/Mtn Compel /2nd Mtn for Interim)R.Haw/McSwane
 3:30 p.m. DV-2009-32 (OTA)ProSe
 4:30 p.m. Telephonic - In the matter of SA-2009-02 (Merits)S-Cook

Tuesday, June 16
 In Ruidoso
 8:05 a.m. Canning v. Holdson, Morrison, & Martinez; CV-2009-202 (TRO) Beauvais/ Pro Se
 8:30 a.m. Roger Phillips v. Nancy Phillips; DM-2008-23 (Judicial Inq.)S-Cook/ Pro Se
 8:45 a.m. Percy Herrera; CR-07-106 (Judicial Inq.)Thompson/S-Cook
 9:00 a.m. Ryan D.; JR-2008-07 (ADJ)Thompson/S-Cook/Romo
 1:15 p.m. Chris Salas v. James Salas; CV-2009-182 (TRO/OTSC)McSwane/ ProSe
 2:00 p.m. Grand Jury Orientation
 3:00 p.m. Drug Court Screening
 4:30 p.m. Drug Court

Wednesday, June 17
 8:15 a.m. Docket Call
 8:30 Plea/Meets
 8:30 a.m. Telephonic - Ray Roberts; OCR-01-348/04/94
 9:00 a.m. Criminal Docket - FA/Initial
 Chris MillerCR-09-89
 Michael Forte;CR-09-71
 Roger Stefani;CR-09-84
 Amadeo GomezCR0972
 Javier Dominguez; CR-09-70
 Michael SmithCR-09-74
 Sabrina FehrCR-08-201
 Patricia Mirabal; CR08-243
 Justin Slaughter;CR-08-136
 Lawrence Chee; CR-02-181/03-47
 Darrell Smith; CR-08-03/126
 Anthony RueCR-06-93
 Julie Samora;CR08-247
 Travis Prins;CR-01-157
 Joseph Bookhammer; CR-03-157/04-63

Plea
 Thomas Daniel CR09-58/13
 Ismael GallegosCR0937
 Alexandra Trujillo; CR-09-07
 Dusty Baker CR-06-83
 Emanuel Botella CR08-47

Mtns/Other
 Brian PainterCR-02-121
 AllenMorganCR-06-180
 Charles Soto;CR-05-207
 Jose Prieto; CR-07-164
 Steven Noseff; CR-09-23/ 09-85 (FA)
 Marcus JohnsonLR09-10
 Rodrigo Vasquez; CR08-281
 Janimeleigh McIntosh; CR-04-192
 Jacob Scott; LR-09-02/09-24/2

Adj Sent.
 Shane PaquinCR-06-146

Michelle Kassell; CR-08-216
 Kim Alden;CR-08-279
 Joe Ochoa;CR-05-158
 Roger Phillips; CR-07-30/53 09-25
 Charles Belin;CR-09-53
 Robert SanchezCR08-80
 Scott Lane;CR-09-14
 Billy Durham;CR07-107
 Lucas Bautista; CR-08-132
 1:15 p.m. OCR-2007-611
 (All Pending Motions)
 3:00 p.m. Todd Dentler; CR-08-265 Mtn/Suppress
 4:00 p.m. Scott v.BlackDM08-120 (Judicial Inquiry)Pro Se

Thursday, June 18
 8:15 a.m. Telephonic - Burgess v. Smith et al; CV-2004-229(Pre-Trial) Mitchell/S-Cook
 8:30 a.m. CYPD
 JQ-2007-05 (TPR)
 1:05 p.m. JQ-2009-02 10 Day
 1:15 p.m. JQ-2008-01 (TPR)
 4:00 p.m. Cadelario Pedroza v. Rosalilia Pedroza; DM-2008-46 (Property Issues) ProSe

Friday, June 19
 8:05 a.m. Judge to meet with Juror
 8:15 a.m. Foxworth Galbrath v. Jay Singletary et al; CV-2009-09 (Mtn/set aside Entry of Judgment) Askew/McNeil/R.Haw
 8:30 a.m. Derek Garcia; LR-2009-04 (Trial De Novo) DA/ ProSe
 9:30 a.m. Danny Garcia v. EF William and Billie Courtney; CV-2008-316 (Mtn/Dismiss/Strike) Dugan/Filosa
 2:00 p.m. Petit Orientation - Ruidoso Civic Center

LEGALS

**LEGAL NOTICE
INVITATION FOR BIDS**

NOTICE is hereby given that the Village of Capitan, Lincoln County, New Mexico, calls for sealed bids for chips for chip sealing roads within the Village.

Interested bidders may request a copy of the specifications from the Village Clerk at the Village of Capitan at 114 Lincoln Avenue, Capitan, New Mexico or by phoning 575-354-2247. The specifications are also available by email from the Village Clerk.

Sealed bids will be received by the Village Clerk at 114 Lincoln Avenue, Capitan, NM until June 22, 2009 at 2:00 PM local time. The Bids will be publicly opened and read aloud at the Village Hall at 114 Lincoln Avenue, Capitan, NM at 2:05 PM. Any bids received after the closing time will be returned unopened.

The Village of Capitan reserves the right to reject any and/or all bids and to waive all informalities as allowed by the State of New Mexico Procurement Code.
Kay Strickland
Village Clerk

Published in the Lincoln County News on June 11 and 18, 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 SALE

Notice is hereby given that on June 25, 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 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 herein-after described real estate to the highest bidder for cash. The property to be sold is located at 306 4th St., 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 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. 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 in rem foreclosure judgment rendered by this Court in the above-entitled and numbered cause on May 14, 2009, being an action to foreclose a mortgage on the above-described property. The Plaintiff's in rem judgment is \$55,518.91, and the same bears interest at the rate of 6.3750% per annum, which accrues at the rate of \$9.70 per diem, commencing on April 26, 2009, with the Court reserving entry of final in rem judgment against said Defendant, Mavis F. Chenault, for the amount due after foreclosures 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 or 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 \$55,518.91, plus interest to and including date of sale of \$591.70 for a total in rem judgment plus interest of \$56,110.61. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

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

Published in the Lincoln County News on May 28; June 4, 11 and 18, 2009.

LEGAL NOTICE

**STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT
NO. D1226CV200900104**

WELLS FARGO BANK, N.A.
Plaintiff,

vs.

KEITH G. LONG, MARGARET P. LONG;
WELLS FARGO BANK, N.A.; OCCUPANTS WHOSE TRUE NAMES ARE UNKNOWN,
Defendant(s),

NOTICE OF SUIT

STATE OF NEW MEXICO to the above-named Defendants Keith G. Long and Margaret P. Long.

GREETINGS: You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 309 Cocorino Lane, Ruidoso, NM 88345, Lincoln County, New Mexico, said property being more particularly described as:

LOT 44, BLOCK 20 OF FOREST HEIGHTS SUBDIVISION, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE AMENDED PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, SEPTEMBER 20, 1973, IN TUBE NO. 495.

Unless you serve a pleading or motion in response to the complaint in said cause on or before July 27, 2009, judgment by default will be entered against you.

Respectfully submitted,
CASTLE MEINHOLD & STAWIARSKI
By: Sharon Hankla

Sharon Hankla
D. Renae Richards Charney
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
(800) 286-0013; (303) 285-2222
Attorney for Plaintiff

WITNESS the Honorable KAREN L. PARSONS, DISTRICT COURT JUDGE, of the Twelfth Judicial District of New Mexico Judicial District Court, Lincoln County, New Mexico, this 21st day of May 2009.

Jan Perry
CLERK OF THE DISTRICT COURT
By: Gloria LaMay, Deputy
08-2539 P580091

Published in the Lincoln County News on June 11, 18 and 25, 2009.

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

NO. D1226CV200900154

WELLS FARGO BANK, N.A., SUGGES-
SOR BY MERGER TO WELLS FARGO
HOME MORTGAGE, INC.,
Plaintiff,

vs.

BONNIE A. CONLEY, MAUREEN K. IRELAND, WELLS FARGO BANK, N.A., OCCUPANTS, WHOSE TRUE NAMES ARE UNKNOWN, UNKNOWN SPOUSE OF BONNIE A. CONLEY, IF ANY, UNKNOWN SPOUSE OF MAUREEN K. IRELAND, IF ANY,
Defendant(s)

NOTICE OF SUIT

STATE OF NEW MEXICO to the above-named Defendants Maureen K. Ireland, Occupants, Whose True Names are Unknown and Unknown Spouse of Maureen K. Ireland, if any Margaret P. Long.

GREETINGS: You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 15 Katrina Road, Corona, NM 88318, Lincoln County, New Mexico, said property being more particularly described as:

TRACT 15 OF TRACT A, COUGAR MOUNTAIN ESTATES, LINCOLN (SIC) 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, MAY 25, 1999, IN CABINET G, SLIDE NO. 381 MORE CORRECTLY KNOWN AS TRACT 15 OF TRACT A, COUGAR MOUNTAIN ESTATES, 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, MAY 25,

1999, IN CABINET G, SLIDE NO. 381.

Unless you serve a pleading or motion in response to the complaint in said cause on or before August 3, 2009, judgment by default will be entered against you.

Respectfully Submitted,
CASTLE MEINHOLD & STAWIARSKI

By: D. Renae Richards Charney
Sharon Hankla
D. Renae Richards Charney
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
(800) 286-0013; (303) 285-2222
Attorney for Plaintiff

WITNESS the Honorable KAREN L. PARSONS, DISTRICT COURT JUDGE, of the Twelfth Judicial District Court, Lincoln County, New Mexico, this 1st day of June 2009.

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

09-0212; P585000
Published in the Lincoln County News on June 18, 25; and July 2, 2009.

LEGAL NOTICE

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

Request to vacate a portion of land within the Prospect Loop right-of-way adjoining Lot 16A in the Valley East Estates. Prospect Loop is a dedicated County-Maintained Road. Requested from Eric Collins for Sean & Loretta Lawrence.

Request to close part of County Road E043, Las Palas Road, off the Arabella Highway. Request to close the portion from the gate to the already closed part at the private gravesite, approximately 2000'. Petitioner is Hunter Schuehle.

Request to vacate part of Bronson Avenue and part of the alleyway within the Buckhorn Addition of White Oaks. Requested from Eric Collins for Barry Keith.

Request to vacate Sparrow Hawk Ct. (formerly known as Gavilan Court) in Gavilan Subdivision dedicated to the County. Requested by Mike Runnels, Esq.

Pursuant to Section 67-6-9, N.M.S.A., the Board of Commissioners has appointed a Road Review Committee which will meet at 8:00 A.M. on Tuesday, June 30, 2009. The Road Review Committee will meet at the Lincoln County Road Department and proceed to each site for review.

The report of the Road Review Committee will be presented to the Board of Commissioners during their regular meeting on July 21, 2009.

Anyone wishing to make comments or recommendations may do so at either of the two above mentioned meetings.

TOM BATTIN, CHAIRMAN
LINCOLN COUNTY BOARD
OF COMMISSIONERS

Published in the Lincoln County News on June 18 and 25, 2009.

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DANGER
HIGH**

*Have A
Great
Day!!*

