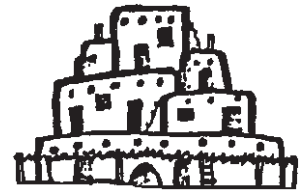


The San Marcos Association High Desert News

SPRING 2007



MINING EXPANSIONS WITHOUT APPROVAL?

Will New Mexico adopt a legal doctrine that in some cases would allow a mining operation (including sand and gravel mines) to continue to expand without seeking approvals by local zoning authorities? Not if the Rural Conservation Alliance, the Turquoise Trail Association, the San Pedro Neighborhood Association, and Vecinos del Rio of Rio Arriba County have anything to say about it.

The NM Supreme Court must be persuaded to overrule a Court of Appeals decision because it did not consider local zoning ordinances when it adopted "the doctrine of diminishing assets". This judgment could otherwise generalize statewide deregulation.

The case is allowing Richard Cook and Espanola Transit Mix the opportunity to expand a acre gravel mine in Rio Arriba

County to 14.5 acres, in an area that is zoned agricultural.

The Supreme Court has accepted a "friend of the court" (amicus) brief from the associations that argues why the Court of Appeals incorrectly applied the doctrine to the facts of this case.

Citizens are fortunate to have attorneys Mary Humphrey and Connie Odé, who discovered the problem and committed, without hesitation, to donate the time and skills to research and write the amicus brief. The RCA is asking for donations in appreciation for their selfless efforts. Please send your contribution to the RCA: P.O. Box 361, Cerrillos, NM 87010. Thank you!

by ROSS LOCKRIDGE and ANN MURRAY



WATER REPORT



The "Year of Water" is how our Governor had described the Legislative Session that just ended, although, as it turns out, energy, rather than water, was the focus.

There were minimal changes to the current situation. There is some concern that the current system which allows the State Engineer to issue domestic well permits will be challenged successfully in court. If the current law is ruled unconstitutional, that could preclude owners of parcels that do not already have a well from obtaining a domestic well permit. Instead, they would be required to obtain and transfer a full water right, which would be costly. Unfortunately, new legislation to deal with that situation got nowhere. I suspect Legislators were reluctant to manage a hypothetical situation that may not ever come about. Of interest to this community is the fact that Rhonda King, who represents some residents and homeowners in the San Marcos area, introduced one of the domestic well bills: <http://legis.state.nm.us/Sessions/07%20Regular/bills/house/HB0884.html>.

Attempts to extend the planning horizon of jurisdictions from 40 to 100 years and to standardize the format of their water plans also did not go forward. Bills that did not go forward this year might still be discussed during the off-season and reappear in the next session.

If you're interested, you can find a comprehensive list of water legislation that was introduced in this session at http://www.ose.state.nm.us/legal_legislative_48th_2007_session.html. Click on each bill to find out what happened to it. A list of legislation passed and Governor Richardson's position on the legislation can be found at <http://www.governor.state.nm.us/legislative.php>.

There are also other water-related activities going on that impact our area. We are a part of Water Region 3, which is

presently updating its water plan. The current version of the plan is available at http://www.ose.state.nm.us/isc_regional_plans3.html. It is hoped that more focus will be directed on the needs of the village of Cerrillos, since they have water challenges that are immediate and need to be addressed.

Santa Fe County has applied to the State Engineer to transfer some water rights already owned by the County to different locations, presumably locations that are better suited for the tapping of our shallow aquifers (see <http://nmwaterinfo.org>). Not everyone agrees that this approach is sound. I am not a hydrologist, but my feeling is that San Marcos area wells will not be significantly threatened by the County's plan. La Cienega, on the other hand, may be more seriously impacted. Nevertheless, it is not unreasonable for our community to expect to be informed about what the County's plans might be for extending their water and sewer services down SR-14, which could accelerate development in our area.

No one knows what the sustainable level of groundwater use is in the Santa Fe and Galisteo Basins and how this varies for different parts of these two surface basins. They are labeled "surface basins" because they are not separate; they are connected underground, so one cannot be sure that wells to the north will not affect us here. At this point, our situation is probably more threatened by domestic wells east of us than County wells to the north of us, but again, no one really knows. We do know that there are large projects planned in various parts of the Galisteo Basin which in total may double our groundwater usage over a time period which, at this point, is not clearly defined. Thus, we need to know the sustainable level of tapping our shallow aquifers. Land-use planning should unquestionably be based on knowledge rather than wishful thinking.

by SIGMUND SILBER

JUST IN: The El Dorado Area Water & Sanitation District (EAWSD) filed an application on March 13 with the State Engineer for a "Diversion Amount" of 818.40 acre-feet of water per annum. The application seeks to drill a supplemental well "to supplement ground or surface waters" for "domestic, municipal, and commercial" purposes. The place of use is "within the water service area of the EAWSD within and around the Canada de los Alamos Grant and the Bishop John Lamy Grant." We can expect to see the public notice details published soon in the local paper. This is of interest to area well owners and the SMA community, since El Dorado is located near the headwaters of our basin.

submitted by ROSS LOCKRIDGE and ANN MURRAY

WHY I BECAME AN ACTIVE MEMBER OF THE SMA

27 years ago, my dear husband James "Santiago" Hughes and I jumped at the opportunity to establish roots in a very special place known as The San Marcos Land Grant area, just off the Turquoise Trail. The terrain was wide open, wild, and wonderfully free, and the charm was distinctly Southwestern. "The Lone Butte" was a lively quintessential western hangout for horses and people of all personality types. Highway 14 in those days was a hilly, narrow 2-way, white-knuckle 'do you feel lucky today?' kind of road. Helen Boyce, one of the founding members of the brand spanking new San Marcos Association, managed a growing family and provided a very busy and highly adored day care center where many of "our" kids have attended. Many of us had no phone service but the SMA became a reliable source of contact and offered a friendly welcome.

Just to show how communication has advanced since then, a friend from UNM's Engineering Department used to periodically fly overhead in his single engine airplane on his way to work. Taking careful aim, he would circle around and toss out the window handwritten, detailed messages attached to rocks, hoping we would eventually find them. They would land somewhere near our vintage trailer, known locally as the "Condo-Minimum". The "CM" stood proudly, bullet holes and all, and was our home for two years as we built, by hand, a passive solar/photo-voltaic adobe home. We would find these messages a month or two later as we walked among the broken San Marcos Pueblo pottery shards that once graced the mighty San Marcos Arroyo, or we would discover the messages while leisurely riding on a horse with the neighbor's daughter leading the way. The night skies were phenomenal. You get the picture.

The positive efforts of the SMA provided thoughtful results that indeed influenced and extended our unique rural cultural timeline for many years. Like many of you, my life had been too busy to join. Time now passes at what seems like the speed of light, and our beautiful community ebbs and flows with exponential growth rates and challenges.

I'm still busy but I did finally join the SMA and I'm so happy I did. This is an effective environment in which to voice your opinion or your neighbor's opinion and get to know some great people at the same time. We are all so fortunate to live here. We owe it to our elders and our children to set an example of participation.

The meetings are usually held on the third Thursday of every month except August and December. Email President Sig Silber at ssilber1@juno.com for confirmation of time and location, which is usually also available on our website.

The next meeting is scheduled for April 19th at 6:00 PM at the SF Brewing Company, located on Highway 14 down by the Turquoise Trail Business Park. We hope to see you there.

by RAQUEL CASILLAS HUGHES



Kindred Spirits Animal Sanctuary
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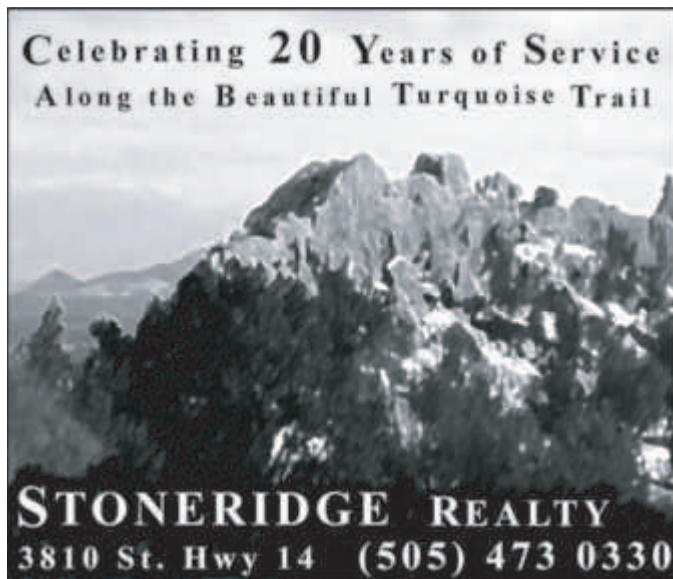
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SAN MARCOS DISTRICT HISTORY: CHAPTER 3 - PART 2

~ the late 1930s to the mid 1960s ~

Mr. Witticker, a Santa Fe attorney, and his family owned 60 to 80 acres west of SR-14, north of the Boyce property. There were at least four families living on the dirt lane that became Bonanza Creek Road. In the early 1940s, two women, Dr. Jones and Fern Buckner, bought a 360 acre homestead from Gene West, who eventually built their house north of Bonanza Creek Road and west of SR-14.

After World War II, Bill Van Meter, a retired naval officer, and his wife Alene, purchased the property. The large adobe home that currently houses the glass workshop, just beyond the dip of the Gallina Creek and to the north of the road, was originally the Jones and Buckner house.

Leo Dillenschneider and family moved into the old stone and adobe Whalen homestead across the road from the Van Meters. The property had gone through transformations over the years and two adobe additions had been added as early as 1918. It had been a dairy, "Lone Butte Mineral Water", and a pear, tomato, and corn farm in the thirties and forties. In the 1940s it was called "Picture Rock Ranch", named for the petroglyphs on top of what is now known as the "Lone Butte". In the 1950s the Dillenschneiders owned about 320 acres along the road from SR-14 to beyond the Lone Butte. J.W. Eaves and his wife owned the old Underwood Ranch that would become the J.W. Eaves Movie Ranch and the Rancho Alegre subdivision. West of Eaves was the Byrne Ranch, owned by Chuck Taylor in the 1960s .

Taylor raised quarter horses on the property until 1968. The house burned down in the mid 1960s and Taylor began subdividing land. In 1967 he created the Silver Hills subdivision, with lots of 9 to 20 acres. The Hughes (formerly Jarrett) Ranch headquarters was located where it is today, although Bonanza Creek Road did not exist past the entrance to the Synergia Ranch until later.

South of the Boyce's new adobe home was the Calvin Ranch that was east and west of SR-14 to the San Marcos Arroyo. The Thornton Ranch was east of Calvin Ranch. The land on the west side of SR-14, presently the Wolf Road area, was also owned by Calvin.

North and south of the SF Railroad tracks was the Sweet Ranch. Clarence Sweet bought the property in 1941 and opened

INTRODUCING:

SIG SILBER

President of The San Marcos Association

Sig's father was a butcher who sold his business and moved to Atlantic City with his family in tow. He dabbled in parking lots, penny arcade machine rentals, hotels, and guest houses. A Trump hotel is presently located on the site of his family's first guest house.



Sig inherited his father's spirit of adventure. As a kid he was always afraid that all the things that could be invented would be invented by the time he grew up. So he went to work quickly and, straight out of college, joined Bell labs and invented the first electronic telephone switching system. He subsequently joined IBM and was instrumental in creating their software as they led the industry into the new computer age. He has been an independent consultant, and has worked for Diebold and a large mining company.

It was only fitting then, that Sig would end up in the San Marcos area, because he so values the rich and diverse tapestry of our district. The people who live here are very individualistic and he recognizes that they passionately want to protect their lifestyle. After moving here he realized he didn't want to remain isolated, so he surfed the web looking for something that might connect him to others, and he discovered the San Marcos Association site. He realized that the SMA had been around a long time and had become an active voice for the local community, so he joined the Board and has been working tirelessly on our behalf ever since.

He acknowledges that change in this area is inevitable. He believes that the SMA has the confidence and trust of the community and the County Commissioners, but if we want to protect our lifestyle here, we all need to participate and we need to encourage all the different neighborhood organizations to work together. The future is in the hands of our entire community, not just the diligent few.

Sig is also on the Board of the Earthworks Institute and is heavily involved in water issues relating to the Galisteo watershed. He wants to continue to use his talents to sustain the San Marcos area. "I'm a good writer, organizer, I'm good with people, and I care." He is a valuable gift to our community and we are so lucky to have him.

by ARCHIE TEW

"Sweets Petrified Forest", perhaps the first tourist trap in the area.

During WW II, Nellie Byrne's son Vern and his wife La Vern were the last to operate the Mina del Tiro, Pennsylvania, and Bottom Dollar Mines. The struggling mining companies gave up in the mid 1950s, although there was some attempt by big mining companies to rediscover the area in the mid 1970s. The Pennsylvania Mine closed in 1953, the Tom Payne Mine and the Bottom Dollar Mine followed in 1956. The Cash Entry Mine was still in operation in the late 1950s, although no one lived in the big brick Victorian house after 1953.

No more than ten families lived in our area from late 1940s to early 1960s. The Boyce's had the only electrical pole until about 1965. Until the Penitentiary was built in 1956, the West and Boyce houses were the only buildings seen from SR-14 until you reached Mary Salazar's house at the Garden of the Gods.

compiled by WALT WAIT, to be continued
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The San Marcos Association
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The San Marcos Association Relies On Your Support!
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MEMBERSHIP in the SMA is open to any resident or property owner in the San Marcos area. Most of the Association funds come from your annual dues, which are \$20 per person and \$30 per household. We need your dues and your involvement. Thank you!

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The San Marcos Association
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