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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
ET AL.,	
PLAINTIFFS,)	
)	
v.)	CIV NO. 01- 00072 BDB/WDS
	ZUNI RIVER BASIN
STATE OF NEW MEXICO) COMMISSIONER OF PUBLIC) LANDS, ET AL.,)	ADJUDICATION
, , , , , , , , , , , , , , , , , , ,	
DEFENDANTS.)	

MOTION TO WITHDRAW

COMES NOW, Tanya L. Scott and Law and Resource Planning Associates, P.C. ("LRPA") and, in accordance with the Order Requiring All Counsel of Record to Amend Entries of Appearance [Doc. 1300] hereby respectfully move to withdraw as counsel of record for Defendants Richard Davis Mallery and Susan Mallery ("Defendants Mallery") in the abovereferenced matter, and as grounds therefore, hereby states the following:

- 1. It is believed that Defendants Mallery have moved out of the Zuni River Basin area and no longer own property within the Zuni River Basin and therefore would make no other claim relating to rights to use water within the Zuni Basin;
- 2. Tanya L. Scott and Law & Resource Planning Associates, P.C. have lost contact with Defendants Mallery and they have not requested LRPA to continue representing them in this proceeding.
- 3. In accordance with D.N.M. LR-Civ. 83.8, LRPA must file and serve on all parties, including the client, a motion to withdraw. Objections must be served and filed within

fourteen (14) calendar days from date of service of this motion;

4. In accordance with D.N.M. LR-Civ. 83.8, failure to object within fourteen (14) calendar days from date of service of this motion constitutes consent to grant the motion.

WHEREFORE, Tanya L. Scott and Law and Resource Planning Associates, P.C. respectfully move to withdraw as counsel of record for Defendants Richard Davis Mallery and Susan Mallery ("Defendants Mallery") in the above-referenced matter Respectfully submitted,

LAW & RESOURCE PLANNING ASSOCIATES,

A Professional Corporation

By:

Charles T. DuMars Tanya L. Scott Attorneys at Law

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(505) 346-0998 / FAX: (505) 346-0997

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Entry of Appearance was mailed on the 1st day of November, 2007, by first class mail to all counsel of record and pro se parties, as follows:

D.L. Sanders, Esq. Edward C. Bagley, Esq. Office of the State Engineer Litigation & Adjudication Program P.O. Box 25102 Santa Fe, NM 87504

Mr. Bradley S. Bridgewater, Esq. United States Department of Justice Environmental & Natural Resources Division **Indian Resources Section** 1961 Stout Street - 8th Floor Denver, CO 80294

Bidtah N. Becker, Esq. Navajo Nation Dept. of Justice P.O. Drawer 2010 Window Rock, AZ 86515

Jane Marx, Esq. 2825 Candelaria Road NW Albuquerque, NM 87107

Janya J. Scott
Tanya L. Scott