

**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**

**STATE OF NEW MEXICO )  
COMMISSIONER OF PUBLIC )  
LANDS, ET AL., )**

**ZUNI RIVER BASIN  
ADJUDICATION**

**DEFENDANTS. )**

**MOTION TO WITHDRAW**

**COMES NOW**, Tanya L. Scott and Law & 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 James M. and Frances L. Herman (“Defendants”) in the above-referenced matter, and as grounds therefore, hereby states the following:

1. LRPA entered its appearance on behalf of Defendants while they were active member of the Western New Mexico Water Users Preservation Association (“WNMWPA”).

2. Defendants are no longer an active member of WNMWPA and Law & Resource Planning Associates, P.C. has lost contact with Defendants.

3. LRPA has sent correspondence to Defendant’s last known address inquiring whether he still wishes LRPA to represent him in this action. LRPA has received no response to the inquiry.

4. The last known address of Defendants is:

Mr. and Mrs. James Herman  
P.O. Box 95  
Thoreau, NM 87323-0095

5. 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;

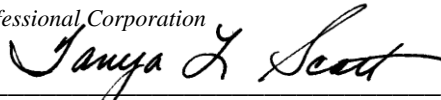
6. In accordance with D.N.M. LR-Civ. 83.8, failure to object within fourteen (14) calendar days from date of service of this motion constitutes consent to grant the motion.

**WHEREFORE**, Tanya L. Scott and Law & Resource Planning Associates, P.C. respectfully move to withdraw as counsel of record for James M. and Frances L. Herman in the above-referenced matter.

Respectfully submitted,

LAW & RESOURCE PLANNING ASSOCIATES,  
*A Professional Corporation*

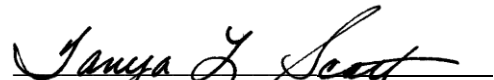
By: \_\_\_\_\_



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

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that, on March 3, 2008, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Filing to be served by electronic means, and that on February 14, 2008 served the Defendant(s) at his or her last known address by first class mail.

  
Tanya L. Scott