

**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 Mr. Joe K. Nicoll (“Defendant”) in the above-referenced matter, and as grounds therefore, hereby states the following:

1. LRPA entered its appearance on behalf of Defendant while he was an active member of the Western Water Users Preservation Association (“WNMWPA”).

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

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 Defendant is:

Mr. Joe K. Nicoll
Forest Services
5345 Topaz Tr. SW
Deming, NM 88030

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;

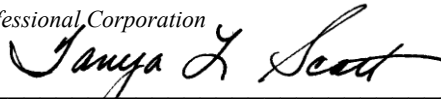
6. In accordance with D.N.M. LR-Civ. 83.8, failure to object within fourteen (14) calendar days from date of service of this motion constitutes consent to grant the motion.

WHEREFORE, Tanya L. Scott and Law & Resource Planning Associates, P.C. respectfully move to withdraw as counsel of record for Mr. Joe K. Nicoll in the above-referenced matter.

Respectfully submitted,

LAW & RESOURCE PLANNING ASSOCIATES,
A Professional Corporation

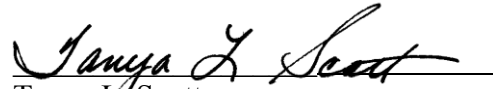
By: _____



Charles T. DuMars
Tanya L. Scott
Attorneys at Law
Albuquerque Plaza, 201 3rd Street NW, Ste. 1750
Albuquerque, NM 87102
(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