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Department of Water Resources

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcases 43-00099A, *et al.*
) (see list of 25 subcases attached)
) (Higley)
)
) ORDER GRANTING MOTION
) FOR LEAVE TO WITHDRAW AS
) ATTORNEY OF RECORD
) and
) ORDER SETTING SCHEDULING
) CONFERENCE

Attorney Jason D. Walker filed a *Motion for Leave to Withdraw as Attorney of Record* on July 17, 2003, seeking his withdrawal as attorney of record for claimants Ted and Betty Higley. Mr. Walker cited as a ground for the *Motion*: "A breakdown in communication between counsel and clients has occurred which makes it impossible for counsel to continue to represent the parties [the Higleys] in the above-referenced subcases."

A hearing on Mr. Walker's *Motion* was held by telephone on August 7, 2003. Mr. Walker appeared; the Higleys were duly notified but failed to appear; Gray Young appeared for objector J.R. Simplot Company, along with Vic Conrad; and Garrick L. Baxter appeared for IDWR. No one opposed the *Motion*.

THEREFORE, IT IS ORDERED that:

1. Mr. Walker's *Motion for Leave to Withdraw as Attorney of Record* is **granted** pursuant to I.R.C.P 11(b)(2);
2. Ted and Betty Higley shall appoint another attorney to appear, or appear in person by filing a written notice with the SRBA Court stating how they will proceed without an attorney, within 20 days from the date of mailing of this **Order** pursuant to I.R.C.P. 11(b)(3); and
3. A scheduling conference shall be held on **Thursday, September 25, 2003, 9:00 a.m.**, at the SRBA Courthouse, 253 3rd Avenue North, Twin Falls, Idaho.

DATED August 11, 2003.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

NOTE: The Higleys are urged to contact IDWR attorneys Garrick L. Baxter or Candice M. McHugh (800-451-4129) right away to discuss the ownership status of their water right claims, possibly involving an un-recorded "Contract for Sale."

Courtesy copies to:

Jason D. Walker
Douglas R. Whipple
Gale Wight
Vaudis Ward
Delma Udy

EXHIBIT A

Subcase Nos:

43-00099A
43-00099B
43-00099C
43-00100A
43-00100B
43-00100C
43-00101A
43-00101B
43-00101C
43-00102A
43-00102B
43-00102C
43-00103B
43-00103C
43-00104A
43-00104B
43-00105
43-00106
43-00107
43-00275
43-00276
43-00277
43-02536
43-10591
43-10592

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS ATTORNEY OF RECORD & ORDER SETTING SCHEDULING CONFERENCE was mailed on August 11, 2003, with sufficient first-class postage to the following:

J R SIMPLOT CO
J R SIMPLOT COMPANY
Represented by:
GRAY A. YOUNG
JR SIMPLOT COMPANY
PO BOX 27
BOISE, ID 83707
Phone: 208-389-7318

J R SIMPLOT CO
Represented by:
TERRY T. UHLING
JR SIMPLOT COMPANY
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

TED HIGLEY
PO BOX 57
MALTA, ID 83342
Phone: 208-645-2444

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BETTY ANN HIGLEY
HANK HIGLEY
TED HIGLEY
2200 RODOCKER LANE BOX 57
MALTA, ID 83342
Phone: 208-645-2444