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DEPARTMENT OF  
WATER RESOURCES

Attorneys for F. James Whittaker  
and Paula J. Whittaker

Scott L. Campbell, ISB No. 2251  
Dylan B. Lawrence, ISB No. 7136  
MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED  
101 S. Capitol Blvd., 10th Floor  
Post Office Box 829  
Boise, Idaho 83701  
Telephone (208) 345-2000  
Facsimile (208) 385-5384  
23-187.0

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

Subcase Nos. 74-40, 74-54, 74-15681 &  
74-15682

**AFFIDAVIT OF DYLAN B. LAWRENCE IN  
SUPPORT OF AMENDED MOTION FOR LEAVE  
TO WITHDRAW AS COUNSEL OF RECORD**

STATE OF IDAHO     )  
                              ) ss.  
County of Ada         )

DYLAN B. LAWRENCE, of the firm Moffatt, Thomas, Barrett, Rock & Fields,  
Chtd., being first duly sworn on oath, deposes and states as follows:

1. I am one of the attorneys of record for F. James Whittaker and Paula  
J. Whittaker (hereinafter "Whittaker") in the above-captioned matter. I have knowledge of the  
files pertinent to this matter, and I make this affidavit based upon personal knowledge.

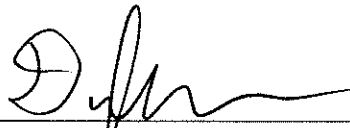
2. This firm is moving to withdraw as counsel of record in subcases 74-40 and 74-54 because Whittaker has directed counsel to discontinue any further representation of Whittaker in those subcases before this Court.

3. Further, on or about January 15, 2008, Whittaker, through the firm of Holden, Kidwell, Hahn & Crapo, P.L.L.C., filed a Substitution of Counsel in subcases 74-40 and 74-54, attached hereto as Exhibit A.

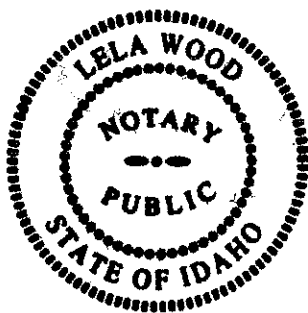
4. We hereby request leave of the Court to withdraw as counsel of record for Whittaker in subcases 74-40 and 74-54 effective the date of this Court's order.

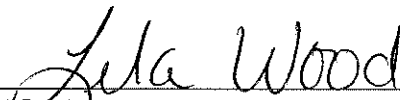
5. In addition, counsel requests that this Court disregard the Motion for Leave to Withdraw as Counsel of Record, filed by this firm on January 8, 2008. Counsel intended to identify subcases 74-40 and 74-54 in that Motion, but instead incorrectly identified subcases 74-15681 and 74-15682. At this time, Whittaker has instructed counsel to withdraw only from subcases 74-40 and 74-54.

Further your affiant sayeth not.

  
\_\_\_\_\_  
Dylan B. Lawrence

SUBSCRIBED AND SWORN to before me this 18th day of January, 2008.



  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at Boise, Idaho  
My Commission Expires 5/31/2012

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of January, 2008, I caused a true and correct copy of the foregoing **AFFIDAVIT OF DYLAN B. LAWRENCE IN SUPPORT OF AMENDED MOTION FOR LEAVE TO WITHDRAW AS COUNSEL OF RECORD** to be served by the method indicated below, and addressed to the following:

James Whittaker  
Represented by:  
Robert L. Harris  
1000 Riverwalk Drive, Suite 200  
Post Office Box 50130  
Idaho Falls, Idaho 83405

☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

Leadore Land Partners Ltd  
Represented by:  
Josephine P. Beeman  
409 W. Jefferson Street  
Boise, Idaho 83702

☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

Purcell Ranch Partnership  
c/o Allan/Betty/Kerry Purcell  
98 Purcell Road  
Leadore, Idaho 83464

☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

Richard E. Foster  
Post Office Box 55  
Leadore, Idaho 83464

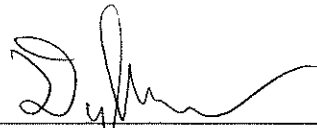
☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

Kurt Bird  
56 Lower Texas Creek Road  
Leadore, Idaho 83464

☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

IDWR Document Depository  
Post Office Box 83720  
Boise, Idaho 83720-0098

☒ (X) U.S. Mail, Postage Prepaid  
☐ ( ) Hand Delivered  
☐ ( ) Overnight Mail  
☐ ( ) Facsimile

  
\_\_\_\_\_  
Dylan B. Lawrence

# EXHIBIT A

Kent W. Foster, Esq.  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
1000 Riverwalk Dr., Ste. 200  
P.O. Box 50130  
Idaho Falls, Idaho 83405  
Telephone: (208) 523-0620  
Facsimile: (208) 523-9518  
Idaho State Bar Number 1198

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

Subcase No.: 74-40

**SUBSTITUTION OF COUNSEL**

TO: SPECIAL MASTER, TERRENCE A. DOLAN

Please take notice that James Whittaker, Objector in the above entitled action has substituted Robert L. Harris of Holden, Kidwell, Hahn & Crapo, PLLC, at 1000 Riverwalk Dr., Ste. 200, PO Box 50130, Idaho Falls, Idaho 83405-0130, as their attorney of record in this cause in the place and stead of Dylan B. Lawrence of Moffatt, Thomas, Barrett, Rock & Fields, Chtd., at 101 S. Capitol Blvd., 10<sup>th</sup> Floor, PO Box 829, Boise, ID 83701-0829.

Please take further notice that Scott L. Campbell hereby withdraws as counsel of record for Objector herein. Please take further notice that Robert L. Harris hereby appears on behalf of Objector herein, that all papers and documents in this case should be served upon Robert L. Harris.

DATED this \_\_\_\_\_ day of January, 2008.



Dylan B. Lawrence  
Moffatt, Thomas, Barrett, Rock & Fields, Chtd.

Robert L. Harris  
Holden, Kidwell, Hahn & Crapo, PLLC

## CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_\_ day of January, 2008, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

2. Copies to:

Leadore Land Partners, Ltd.

Represented by:

Josephine P. Beeman  
409 W. Jefferson St.  
Boise, ID 83702

Purcell Partnership  
Purcell Ranch Partnership  
c/o Allan/Betty/Kerry Purcell  
98 Purcell Rd.  
Leadore, ID 83464

Richard Foster  
PO Box 55  
Leadore, ID 83464

Director of IDWR  
PO Box 83720  
Boise, ID 83720-0098

Kurt Bird  
56 Lower Texas Creek Rd.  
Leadore, ID 83464

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Robert L. Harris  
Holden, Kidwell, Hahn & Crapo, PLLC

G:\WPDATA\KWF\13836 Whittaker, James\Substitution of Counsel.wpd;cdv

Kent W. Foster, Esq.  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
1000 Riverwalk Dr., Ste. 200  
P.O. Box 50130  
Idaho Falls, Idaho 83405  
Telephone: (208) 523-0620  
Facsimile: (208) 523-9518  
Idaho State Bar Number 1198

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

Subcase No.: 74-54

**SUBSTITUTION OF COUNSEL**

TO: SPECIAL MASTER, TERRENCE A. DOLAN

Please take notice that James Whittaker, Objector in the above entitled action has substituted Robert L. Harris of Holden, Kidwell, Hahn & Crapo, PLLC, at 1000 Riverwalk Dr., Ste. 200, PO Box 50130, Idaho Falls, Idaho 83405-0130, as their attorney of record in this cause in the place and stead of Dylan B. Lawrence of Moffatt, Thomas, Barrett, Rock & Fields, Chtd., at 101 S. Capitol Blvd., 10<sup>th</sup> Floor, PO Box 829, Boise, ID 83701-0829.

Please take further notice that Scott L. Campbell hereby withdraws as counsel of record for Objector herein. Please take further notice that Robert L. Harris hereby appears on behalf of Objector herein, that all papers and documents in this case should be served upon Robert L. Harris.

DATED this \_\_\_\_\_ day of January, 2008.

  
\_\_\_\_\_  
Dylan B. Lawrence  
Moffatt, Thomas, Barrett, Rock & Fields, Chtd.

\_\_\_\_\_  
Robert L. Harris  
Holden, Kidwell, Hahn & Crapo, PLLC

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G:\WPDATA\KWP\13836 Whitaker, James\Substitution of Counsel, 74-54.wpd:cdv