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DEPARTMENT OF
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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) Subcase 01-14,¹
) (A&B Irrigation District)
Case No. 39576)
) ORDER GRANTING MOTION TO
) WITHDRAW AND DISMISS OBJECTION

On October 6, 2006, Martin and Lorraine Muecke, 1250 West, 300 South, Heyburn, Idaho, 83336, filed an *Objection* in subcase 01-14, by and through their attorney of record, Robert A. Maynard, Perkins Coie LLP, 251 E. Front Street, Suite 400, Boise, Idaho, 83702-7310.

On December 21, 2006, Mr. Maynard filed a *Notice of Withdrawal as Attorney of Record* in subcase 01-14 stating he withdrew as attorney of record for Steve Muecke and Martin and Lorraine Muecke at their request. However, the *Notice* was not signed by the Mueckes.

Idaho Rules of Civil Procedure 11(b)(1) states in part: "The attorney of record of a party to an action may be changed or a new attorney substituted by notice to the court and to all parties signed by both the withdrawing attorney and the new attorney without first obtaining leave of the court [emphasis added]."

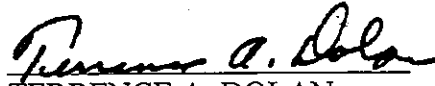
On July 25, 2008, Martin and Lorraine Muecke filed a *Motion to Withdraw and Dismiss Objection* in subcase 01-14 stating their filing was *pro se*. Martin and Lorraine Muecke have the right to represent themselves in SRBA proceedings, so their *Motion*, together with Mr. Maynard's *Notice*, will be deemed to meet the requirements of I.R.C.P.

¹ Subcase 01-14 is one of 33 subcases grouped under lead subcase 01-04 and informally termed "high water claims."

11(b)(1) thereby allowing Mr. Maynard to withdraw as attorney of record for Martin and Lorraine Muecke and allowing the Mueckes to withdraw their *Objection*.²

THEREFORE, IT IS ORDERED that Martin and Lorraine Mueckes' *Motion to Withdraw and Dismiss Objection* is **granted**.

DATED August 21, 2008.



TERRENCE A. DOLAN

Special master

Snake River Basin Adjudication

² There remains an issue of whether Mr. Maynard is the attorney of record for Steve Muecke since the Mueckes' *Objection* listed only Martin and Lorraine Muecke but the *Notice of Withdrawal* included Steve Muecke. The Court's record shows Steve Muecke as an objector in subcase 01-14.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO WITHDRAW AND DISMISS OBJECTION was mailed on August 21, 2008, with sufficient first-class postage to the following:

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