

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 4 2011

By _____ Clerk
_____ Deputy Clerk

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

ORDER GRANTING LEAVE TO WITHDRAW AS ATTORNEY OF RECORD AND DISMISSING RESPONSES

SUBCASE NO.: 27-10505

On July 26, 2010, counsel for Edward and Ilene Bergeman, Dwight Baker, filed a *Notice of Withdrawal of Attorney*. Hearings on the *Motion* were held on November 17, 2010 and again on March 2, 2011. The Court asked at both hearings whether claimants were withdrawing their *Responses* since the stated reason for the withdrawal was that the property had been sold. Counsel did not attend the hearings. There was no opposition to the *Withdrawal of Attorney*.

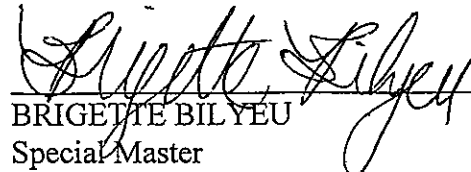
The *Motion to Withdraw as Attorney of Record* is **granted**. Therefore, Dwight Baker is allowed to withdraw as attorney of record for Edward and Ilene Bergeman. Pursuant to Idaho Rule of Civil Procedure 11(b)(3), Edward and Ilene Bergeman are hereby notified that they may appoint another attorney. They may also file a written notice explaining how they will proceed without an attorney. If a change of ownership of this water right has occurred, the parties should file a change of ownership form with IDWR. IT IS ORDERED THAT:

- 1) Dwight Baker may withdraw as counsel of record for Edward and Ilene Bergeman.
- 2) Edward and Ilene Bergeman must notify the court of how they will proceed with representation within 20 days after the service or mailing of this *Order*.
- 3) Dwight Baker shall serve a copy of this *Order* on Edward and Ilene Bergeman, according to I.R.C.P. 11(b)3.

IF IS FURTHER ORDERED that the Responses filed by Edward and Ilene Bergeman are dismissed.

The Court notes that all objections and responses have been withdrawn in this subcase. Once the 20 day time period has passed for the claimants to indicate how they will proceed, the Court will issue a *Special Master's Report and Recommendation* pursuant to the elements in the *Director's Report*.

DATED: March 4, 2011.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING LEAVE TO WITHDRAW AS ATTORNEY OF RECORD AND DISMISSING RESPONSES was mailed on March 04, 2011, with sufficient first-class postage to the following:

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