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JUN 06 2013

DEPARTMENT OF
WATER RESOURCES

**FRITZ X. HAEMMERLE
HAEMMERLE & HAEMMERLE
P.O. Box 1800
400 South Main Street, Suite 102
Hailey, Idaho 83333
Tel: (208) 578-0520
Fax: (208) 578-0564
ISB #3862**

Attorneys for Claimant, Bill and Betty Grant

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

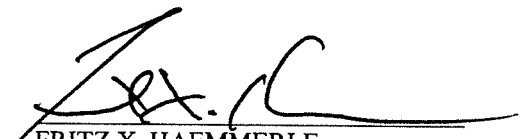
IN RE SRBA,	)	Subcase No. 37-00102B and 37-07064E
	)	
	)	MOTION TO WITHDRAW
	)	
Case No. 38576	)	
	)	
	)	
	)	

COME NOW, Fritz X. Haemmerle, of Haemmerle & Haemmerle, P.L.L.C., and pursuant to I.R.C.P. 11(b)(2) moves for an Order allowing Fritz X. Haemmerle and the firm of Haemmerle & Haemmerle, P.L.L.C., to withdraw as attorney of record for the Bill and Betty Grant Living Trust. The basis of this Motion is set forth in the Affidavit of Fritz X. Haemmerle.

Oral Argument is requested only if this Motion is contested.

DATED this 4th day of June, 2013.

HAEMMERLE & HAEMMERLE, P.L.L.C.


FRITZ X. HAEMMERLE

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JUN 06 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of June, 2013, I caused to be served a true copy of the foregoing document by the method indicated below, and addressed to each of the following:

Albert P. Barker
P.O. Box 2139
Boise, Idaho 83701-2139

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Craig D. Hobdey
Hobdey Law Office PLLC
P.O. Box 176
Goodinmg, Idaho 83330-0176

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☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Bill and Betty Grant Living Trust
P.O. Box 370
Hailey, Idaho 83333

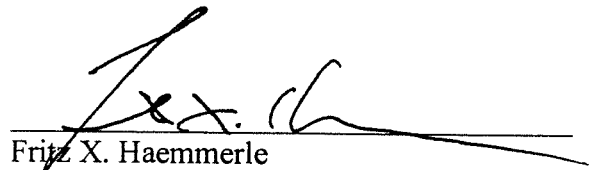
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☐ Overnight Mail
☐ Telecopy

Federal Home Loan Mortgage Corporation
500 Plano Parkway
Carrollton, TGexas 75010-4902

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy

Director of IDWR_
P.O. Box 83720
Boise, Idaho 83720-0098

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Fritz X. Haemmerle

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**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. 38576

) **Subcase No. 37-00102B and 37-07064E**

)

) **ORDER GRANTING MOTION TO
WITHDRAW**

)

)

)

On June 20, 2013, the Court heard a Motion to Withdraw filed by Fritz X. Haemmerle of the law firm Haemmerle & Haemmerle, PLLC, attorney of record for the Claimant, the Bill and Betty Grant Living Trust ("Grant Trust"), the Court having heard the Motion and there being good cause shown; now therefore

IT IS HEREBY ORDERED that Fritz X. Haemmerle is allowed to withdraw as attorney of record in the aforementioned case and pursuant to I.R.C.P. 11(b)(3):

1. The Claimant, or new owner of the real property where the water rights are appurtenant, shall appoint another attorney to appear, or to appear in person by filing a written notice with the court stating how the client will proceed without an attorney, within 20 days from the date of service or mailing of the order to the client.
2. Mr. Haemmerle shall forthwith, with due diligence, serve copies of the same upon the client, new owner of the property and all other parties to the action and shall file proof of service with the court. The withdrawing attorney may make such service upon the client by personal service or by certified mail to the last known address most likely to give notice to the client, which service shall be complete upon mailing.
3. Upon the entry of this order granting leave to an attorney to withdraw from an action, no further proceedings can be had in that action which will affect the

ORDER ALLOWING WITHDRAWAL OF ATTORNEY OF RECORD - 1

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rights of the Grant Trust, for a period of 20 days after service or mailing of the order of withdrawal to the party.

4. If the Claimants or new owner **fails to file and serve an additional written appearance in the action either in person or through a newly appointed attorney within such 20 day period, such failure shall be sufficient ground for entry of default and default judgment against such party or dismissal of the action of such party**, with prejudice, without further notice, which shall be stated in the order of the court.
5. Mr. Haemmerle shall provide the last known address of the client in any notice of withdrawal.

DATED this ____ day of June, 2013.

By:

Theodore R. Booth, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ____ day of June 2013, I caused to be served a true copy of the foregoing document by the method indicated below, and addressed to each of the following:

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Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

____ U.S. Mail, Postage Prepaid

Fritz X. Haemmerle