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Department of Justice
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 No. 36-04219
	)	
Case No. 39576	)	ORDER GRANTING REQUEST TO
	)	WITHDRAW and RESETTING
_____	)	SETTLEMENT CONFERENCE

On September 11, 1995, M.B. Hiller, attorney for Smith Ranches, Inc., filed a *Request to Withdraw as Counsel of Record and Petition to Permit Harold Smith to Appear pro se/in the Alternative, Request for Postponement of Settlement Conference*. The *Request* was heard by telephone hearing on September 22, 1995. Those participating were Mr. Hiller, Harold Smith, Sr., president of Smith Ranches, Inc., and Daria J. Zane and William M. Ferry for the United States.

It is clear that if Mr. Hiller is allowed to withdraw as attorney of record for Smith Ranches, Inc., no delays in the subcase proceedings will result and the rights of the parties will be protected. Further, Mr. Hiller has shown good cause for his withdrawal.

THEREFORE, IT IS ORDERED that Mr. Hiller's *Request to Withdraw* is granted. Mr. Hiller shall no longer be attorney of record for Smith Ranches, Inc., in this subcase. Smith Ranches, Inc., may appear *pro se* by and through one of its corporate officers at the Settlement Conference. In the event the parties are not able to settle the matter and the subcase proceeds to trial, Smith Ranches, Inc., must retain legal counsel in a timely manner so as not to delay any pretrial or trial settings.

IT IS FURTHER ORDERED that the Settlement Conference is reset for Wednesday, September 27, 1995, at 2:30 p.m., in the Memorial Building, 326 W. Grand, Arco, Idaho.

DATED September 22, 1995.



Terrence A. Dolan
Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING REQUEST TO WITHDRAW and RESETTING SETTLEMENT CONFERENCE** was mailed on September 22, 1995, with sufficient first-class postage to the following:

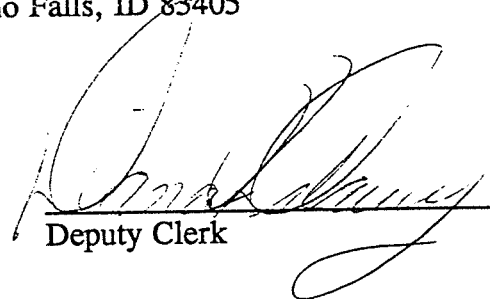
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Deputy Clerk