

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA, )  
ET AL., )  
 )  
                  **PLAINTIFFS,** )  
 )  
 )  
 )  
 )  
 )  
v. )  
 )  
 )  
**STATE OF NEW MEXICO )  
COMMISSIONER OF PUBLIC )  
LANDS, ET AL., )  
 )  
                  **DEFENDANTS.** )****

---

**CIV NO. 01- 00072 BDB/WDS  
  
ZUNI RIVER BASIN  
ADJUDICATION**

**MOTION TO WITHDRAW**

**COMES NOW**, Tanya L. Scott and Law & Resource Planning Associates, P.C. (“LRPA”) and, in accordance with the Order Requiring All Counsel of Record to Amend Entries of Appearance [Doc. 1300] hereby respectfully move to withdraw as counsel of record for Mr. Eusebio Montoya (“Defendant”) in the above-referenced matter, and as grounds therefore, hereby states the following:

1. LRPA entered its appearance on behalf of Defendants while he was an active member of the Western Water Users Preservation Association (“WNMWPA”).
2. Defendant is no longer an active member of WNMWPA and Law & Resource Planning Associates, P.C. has lost contact with Defendant.
3. LRPA has sent correspondence to Defendant’s last known address inquiring whether he still wishes LRPA to represent him in this action. LRPA has received no response to the inquiry.
4. The last known address of Defendant is:

Mr. Eusebio Montoya  
PO Box 954  
Grants, NM 87020-0954

5. In accordance with D.N.M. LR-Civ. 83.8, LRPA must file and serve on all parties, including the client, a motion to withdraw. Objections must be served and filed within fourteen (14) calendar days from date of service of this motion;

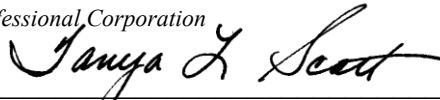
6. In accordance with D.N.M. LR-Civ. 83.8, failure to object within fourteen (14) calendar days from date of service of this motion constitutes consent to grant the motion.

**WHEREFORE**, Tanya L. Scott and Law & Resource Planning Associates, P.C. respectfully move to withdraw as counsel of record for Mr. Eusebio Montoya in the above-referenced matter.

Respectfully submitted,

LAW & RESOURCE PLANNING ASSOCIATES,  
*A Professional Corporation*

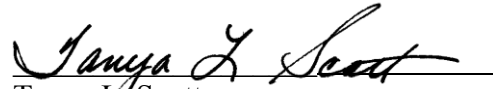
By: \_\_\_\_\_



Charles T. DuMars  
Tanya L. Scott  
Attorneys at Law  
Albuquerque Plaza, 201 3<sup>rd</sup> Street NW, Ste. 1750  
Albuquerque, NM 87102  
(505) 346-0998 / FAX: (505) 346-0997

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that, on March 3, 2008, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Filing to be served by electronic means, and that on February 14, 2008 served the Defendant(s) at his or her last known address by first class mail.

  
Tanya L. Scott