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Department of Water Resources

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ISB No. 5790

Attorneys for Claimant/Objector,
Jeff Sessions

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) Subcases (Basin 43 Clear Creek claims,
Case No. 39576,) - See Exhibit A attached)

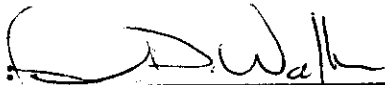
MOTION TO ALTER OR AMEND
SPECIAL MASTER'S RECOMMENDATION
DATED SEPTEMBER 5, 2002

COMES NOW the Claimant/Objector, Jeff Sessions, by and through his attorneys of record Ling & Robinson, and moves the Court to alter or amend the Special Master's Recommendation of September 5, 2002 pursuant to Section 13 of SRBA Administrative Order 1 by vacating said Special Master's Recommendation and setting the matter for an evidentiary hearing on the merits or for such other proceedings as the Special Master may determine appropriate.

Oral argument is requested and this Motion is based upon the grounds that Objections of the Claimant/Objector have not been withdrawn nor have they been addressed in this matter.

DATED this 10th day of October, 2002.

LING & ROBINSON

By: 

Jason D. Walker

Attorneys for Claimant/Objector

Jeff Sessions

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of October, 2002, I served a true and correct copy of the MOTION TO ALTER OR AMEND SPECIAL MASTER'S RECOMMENDATION DATED SEPTEMBER 5, 2002, upon:

Director of IDWR
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Boise, ID 83720-0098

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1655 Sunset Drive
Logan, UT 84321

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State of Idaho
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Boise, Idaho 83711-4449

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Salt Lake City, UT 84111

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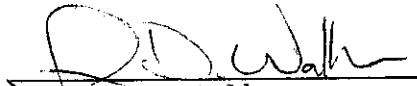
Steven Holmgren
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Tremonton, UT 84337

by depositing copies thereof in the United States mail, postage prepaid, in envelopes addressed to said parties at the foregoing addresses.


Jason D. Walker

MOTION TO ALTER OR AMEND SPECIAL MASTER'S
RECOMMENDATION DATED SEPTEMBER 5, 2002

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EXHIBIT "A"

43-00037
43-00045
43-00084
43-00085
43-00259
43-00260
43-00286A
43-00286B
43-02061
43-02110
43-02401
43-10116

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