

FRITZ X. HAEMMERLE
HAEMMERLE & HAEMMERLE, P.L.L.C.
400 South Main Street, Suite 102
P.O. Box 1800
Hailey, Idaho 83333
208/578-0520
Fax: 208-578-0564
E-mail: fxh@haemlaw.com
ISB #3862

Attorney for the Claimant

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

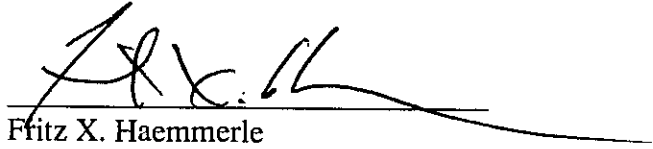
In Re SRBA	)	Subcase No. 34-230, 34-231 and 34-232
	)	
Case No. 39576	)	MOTION TO SET ASIDE PARTIAL
	)	DECREES
	)	
	)	
	)	
	)	
	)	
	)	
	)	

COMES NOW, the Claimant, the John Lezamiz Family Limited Partnership, by and through Fritz X. Haemmerle of Haemmerle & Haemmerle, P.L.L.C., and pursuant to I.R.C.P. 60(a) and (b), and based on the inherent power of the Court, moves the Court to set aside the partial decrees entered in Subcase Numbers 34-230, 34-231 and 34-232. Consistent with rulings of this court regarding Amended Claims in fully adjudicated Sub-basins, the claimant requests that this matter be referred to a Special Master for consideration.

The basis of this Motion is set forth in the *Affidavit of Fritz X. Haemmerle in Support of Motion to Set Aside Partial Decrees and To File Amended Claims*. Oral argument is requested.

DATED this 24th day of November, 2008.

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


Fritz X. Haemmerle

CERTIFICATE OF MAILING

I certify that on November 24, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

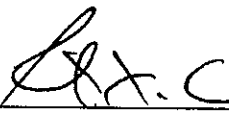
2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.
(Insert Names/address of parties)



Fritz X. Haemmerle