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ELECTIONS / LICENSING  
SECRETARY OF STATE



BALLOT TITLE BOARD

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MOTION FOR REHEARING

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IN RE PROPOSED INITIATIVE 2005-2006 #125 ("DAMAGES FOR MINERAL  
EXTRACTION")

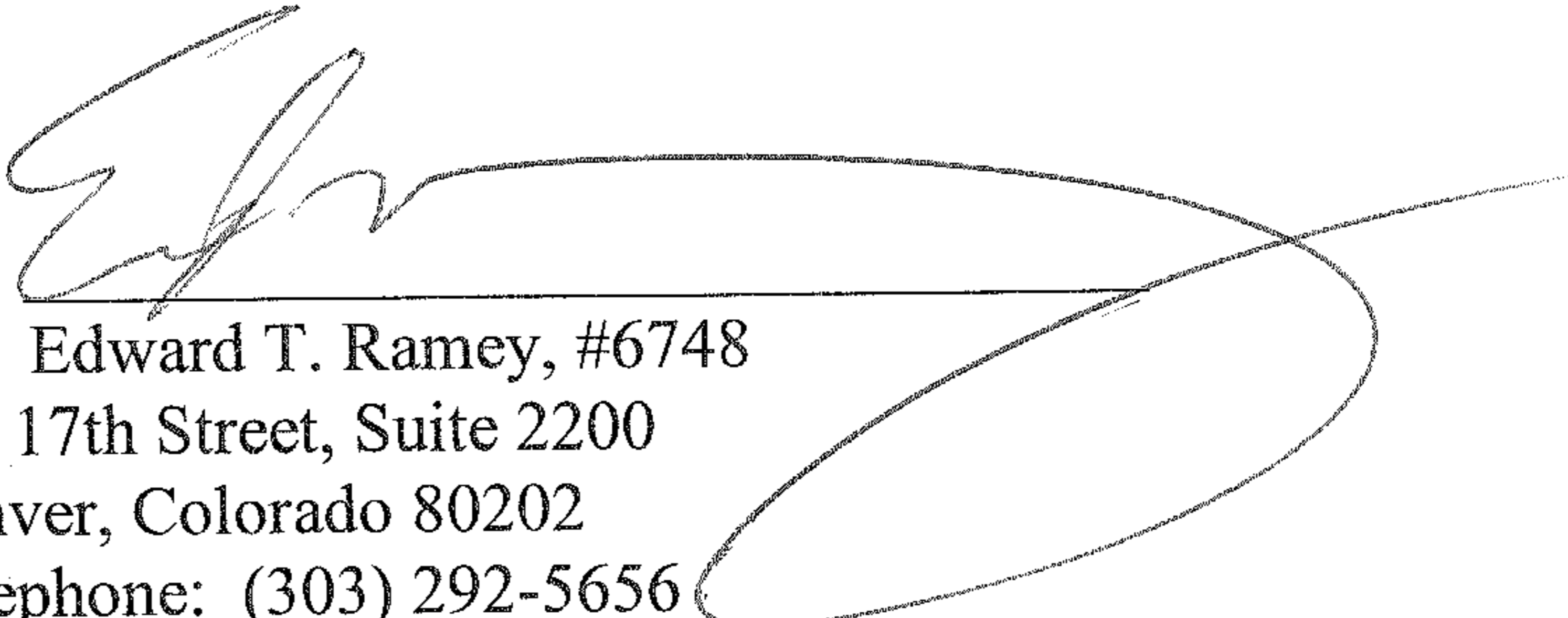
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Stuart A. Sanderson and James T. Cooper ("Petitioners"), being registered electors of the State of Colorado, through their undersigned counsel, respectfully submit the following Motion for Rehearing, pursuant to C.R.S. §1-40-107(1), concerning the actions of the Title Board at the hearing on May 17, 2006 regarding Proposed Initiative 2005-2006 #125 ("Damages for Mineral Extraction"). Petitioners submit that the title does not fairly express the true meaning and intent of the initiative in the following respects:

1. The title is misleading in that it does not clearly disclose what the effect of a "yes" or "no" vote will be notwithstanding its repetition of the language contained in the text of the measure. Aisenberg v. Campbell, 987 P.2d 249, 259-60 (Colo. 1999).
2. The title is misleading in that it does not clearly reflect the specific inclusion of oil and gas as specified in the text of the measure.
3. The title incorporates an improper catch phrase by use of the term "fair value."

Respectfully submitted this 24th day of May, 2006.

ISAACSON ROSENBAUM P.C.

By:   
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ATTORNEYS FOR PETITIONERS

Petitioners' Addresses:

Stuart A. Sanderson  
9234 Ptarmigan Trail  
Lone Tree, CO 80214

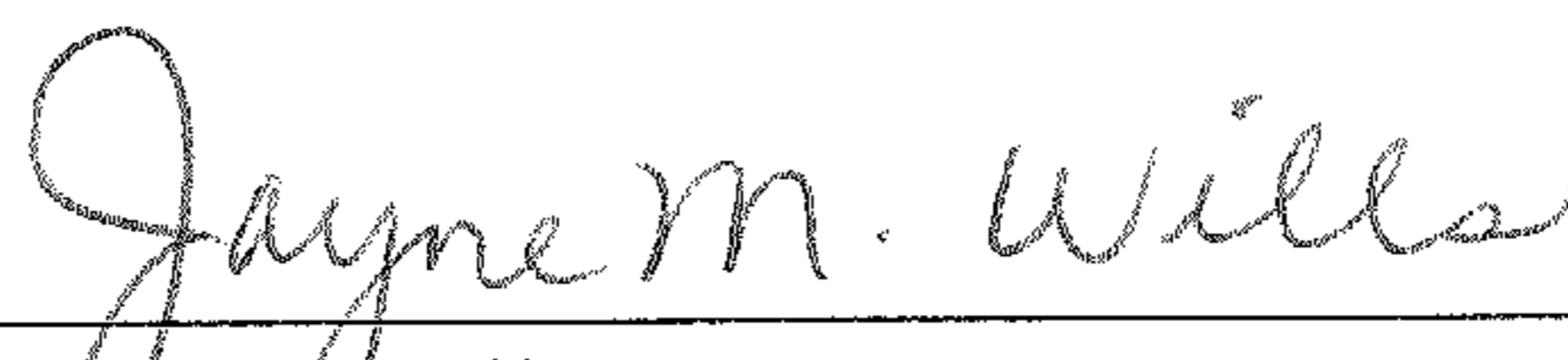
James T. Cooper  
305 Grand Street  
Paonia, CO 81428

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of May, 2006, a true and correct copy of the foregoing **MOTION FOR REHEARING** was placed in the United States mail, postage prepaid, to the following:

John Gorman  
Post Office Box 3361  
Glenwood Springs, CO 81602

Jack Real  
55 Hideaway Lane  
Glenwood Springs, CO 81601

  
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Jayne M. Wills