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S:\CLIENTS\6018\1\Motion for Summary Judgment.DOC

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DEPARTMENT OF
WATER RESOURCES

Attorneys for East Hills Development LLC
and Lexington Hills, Inc.

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

Case No. 39576

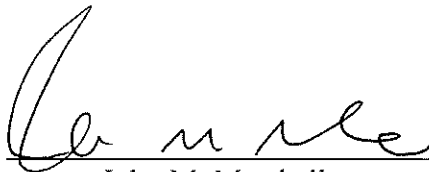
Subcase Nos. 63-00123D and 63-00123F

**MOTION FOR SUMMARY
JUDGMENT**

East Hills Development LLC and Lexington Hills, Inc., pursuant to Idaho Rule of Civil Procedure 56, move for summary judgment dismissing the objections filed by Lexington Hills Homeowners Association (the "Association") to the recommendations for water rights 63-00123D and 63-00123F.

This Motion is supported by the contemporaneously filed Memorandum in Support.

DATED this 26th day of February, 2007.



John M. Marshall

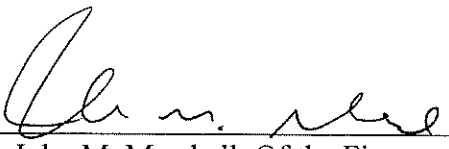
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was mailed on February 24, 2007, with sufficient first-class postage to the following:

Lexington Hills Homeowners Association
2354 N. Stonecrest Place
Eagle, ID 83616
Phone: 208-364-8624

Lexington Hills Homeowners
John K. Simpson
1010 W. Jefferson Street, Ste. 102
PO Box 2139
Boise, Idaho 83701-2139
Phone: 208-336-0700

Director of IDWR
PO Box 83720
Boise, Idaho 83720-0098

By: 
John M. Marshall, Of the Firm