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MAR 02 2007

**DEPARTMENT OF
WATER RESOURCES**

Attorneys for Lexington Home Owners' Association

**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

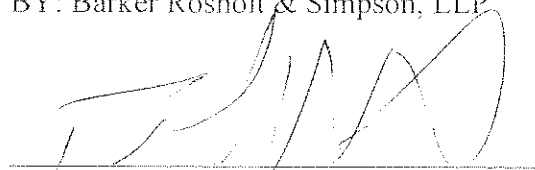
)
) Subcase Nos. 63-00123D, 63-00123F &
) 63-00123G
)
) **LEXINGTON HILLS HOME**
) **OWNERS' ASSOCIATION'S**
) **MOTION FOR SUMMARY**
) **JUDGMENT**
)
)

COMES NOW, Lexington Hills Home Owners' Association ("Lexington HOA"), by and through its counsel of record, BARKER ROSHOLT & SIMPSON, LLP, and hereby moves this Court for an Order granting summary judgment in favor of Lexington HOA on all objections made by Lexington HOA to the recommendations made by the Department of Water Resources ("Department") in the subcases listed above. This motion is made pursuant to AOl 6(f) and Civil Rule 56.

The basis for this Motion and request for relief is explained more fully in the accompanying Memorandum in Support of Motion for Summary Judgment and Affidavit of Paul L. Arrington in Support of Motion for Summary Judgment.

DATED this 21st day of February, 2007.

BY: Barker Rosholt & Simpson, LLP



Paul L. Arrington

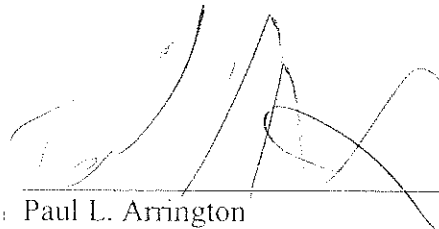
Attorney for Lexington Hills Home Owners' Association

CERTIFICATE OF SERVICES

I, hereby, certify that a true and correct copy of the foregoing MEMORANDUM IN SUPPORT OF LEXINGTON HILLS HOME OWNERS' ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT was served on the following via first class mail:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

John M. Marshall
Givens Pursley, LLP
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