

OCT 20 2008

DEPARTMENT OF
WATER RESOURCES

John M. Marshall (ISB #5628)
Michael P. Lawrence (ISB #7288)
Givens Pursley LLP.

601 W. Bannock

P.O. Box 2720

Boise, ID 83701

Telephone: (208) 388-1200

Facsimile: (208) 388-1300

S:\CLIENTS\6018\1\Proposed Findings of Fact and Conclusions of Law.DOC

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

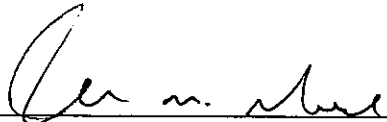
Subcase Nos. 63-00123D, 63-00123F, and 63-00123G

**LEXINGTON HILLS INC.'S PROPOSED
FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Lexington Hills, Inc. ("Lexington Hills") files the attached Proposed Findings of Fact and Conclusions of Law consistent with the Court's oral order at the trial in this matter on September 3, 2008. These Proposed Findings and Fact and Conclusions of Law are supported by Lexington Hills' Post-Trial Brief.

DATED this 17 day of October, 2008.

GIVENS PURSLEY LLP

By: 

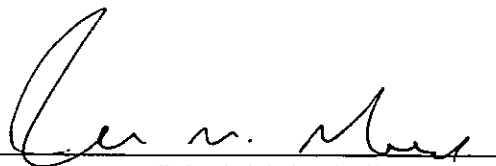
John M. Marshall

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was mailed on October 17, 2008, with sufficient first-class postage to the following:

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