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DEPARTMENT OF
WATER RESOURCES

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. 45-10353
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	AMENDED CLAIM
	)	FOR DOMESTIC & STOCKWATER RIGHTS

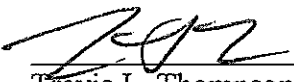
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

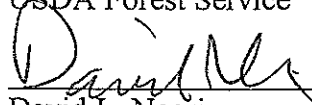
CLAIMANTS:

Eugene Matthews
Shoulder 3 Ranches Inc

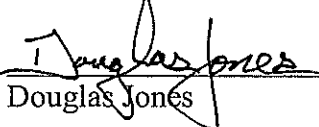
 3/17/08
Travis L. Thompson Date
Attorney for Claimants

OBJECTOR:

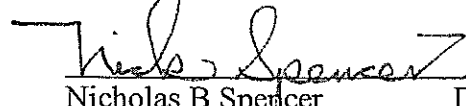
United States on behalf of the
USDA Forest Service

 3/13/08
David L. Negri Date
Attorney for the United States

IDWR CONCURRENCE:

 3/24/08
Douglas Jones Date

ATTORNEY FOR IDWR:

 3-28-08
Nicholas B Spencer Date
Deputy Attorney General

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 45-10353

Name and Address: EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

Source: BIRCH SPRING Tributary: SINKS
DRY FORK SPRING Tributary: SINKS
SOUTH COTTONWOOD CREEK Tributary: TRAPPER CREEK
TRAPPER CREEK Tributary: GOOSE CREEK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 4512127C, 45-12167,
45-12851 AND 45-12870 AND IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER
DAY.

Priority Date: ~~06-11-1905~~
04-30-1879

Diversion Point:

T14S R20E S25 SESENW Begin of Stream Flow Within Cassia County
S36 NENENE Within Cassia County
SENESE Within Cassia County

T15S R21E S04 LOT 2 (SNNWNE) End of Stream Flow Within Cassia County
LOT 2 (NENWNE) End of Stream Flow Within Cassia County
S06 NESWSE Begin of Stream Flow Within Cassia County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-01 TO ~~11-30~~ 10-31	.02 CFS

Place of Use:	Stockwater	Within Cassia County
	T14S R20E S25	SWNE LOT 2 (SENE)
		SENW LOT 3 (NESE)
	R21E S29	SWSW
	S30	NESW LOT 3 (NWSW)
		SWSE SESE
	S32	NWNE SWNE
		SENE NENW
		NWNW NESE
	S33	NWSW SWSW
		SESW

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T15S R21E S04 LOT 2	(NWNE)	LOT 3	(NENW)
	LOT 4		SWNW
S05	SWNE		SENE
	SENW		NESW
	NWSW		NWSE
S06	NESE		NWSE

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO
SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT
MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29,
2002 BETWEEN THE UNITED STATES OF AMERICA AND SHOULDER THREE RANCHES
INC., KEITH WARR, EUGENE LAYTON, LUTHER GARDNER AND BILL J. MATTHEWS
FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON
JUNE 6, 2003 AS INSTRUMENT NO: 289179;

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 421412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim- Beneficial Use

STOCKWATER, 700 RANGE CATTLE.

CERTIFICATE OF MAILING

I certify that on March 31, 2008, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

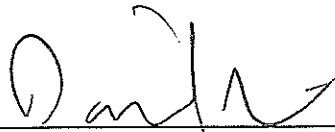
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Eugene Matthews
Shoulder 3 Ranches Inc
C/O Travis Thompson
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83303-0485

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing documents