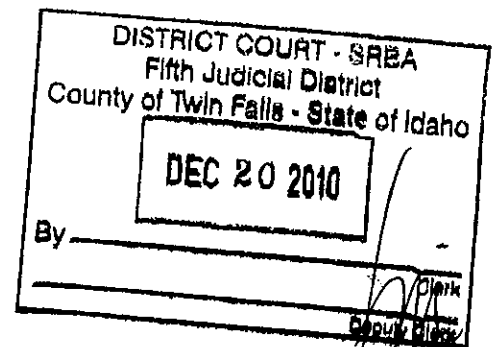




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 37-539D

Case No. 39576

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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 Basin 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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

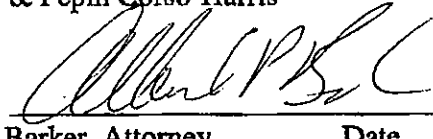
CLAIMANTS

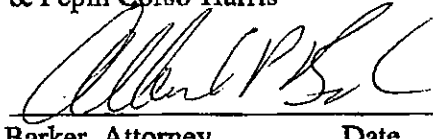
Thomas L. Matson
Shanon H. Matson
Thomas L. Matson Residence Trust No. 2
Shanon H. Matson Residence Trust No. 2

OBJECTORS

Tom O'Gara, John F. Stevenson, Bill
Molyneux, Pete Van Der Meulen, Grace
Eakin, Rocky Sherbine, Gerald Bashaw,
& Pepin Corso-Harris


Fritz Haemmerle, Attorney


Date Albert Barker, Attorney


Date

OBJECTOR:

STANDARD FORM 5 - 37-539D

Big Wood Canal Company

Craig Hobdey 12-2-10
Craig D. Hobdey, Attorney Date

IDWR Concurrence:

Kelly Christensen 12-8-10
Kelly Christensen Date
Sr. Water Resource Agent

Andrea Courtney 12/14/10
Andrea Courtney Date
Deputy Attorney General

11/09/2010

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

RIGHT NUMBER: 37-539D

NAME AND ADDRESS: THOMAS L MATSON
PO BOX E
AUBURN WA 98071

SHANON H MATSON
PO BOX E
AUBURN WA 98071

THOMAS L MATSON RESIDENCE TRUST NO 2
PO BOX E
AUBURN WA 98071

SHANON H MATSON RESIDENCE TRUST NO 2
PO BOX E
AUBURN WA 98071

SOURCE: EAST FORK WOOD RIVER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.260 CFS

The annual volume of water under this right shall not exceed 15.0 af/annum.

PRIORITY DATE: 06/03/1884

POINT OF
DIVERSION:

T03N R18E S3 NESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.260 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S03

NESW

3.20

T03N R18E S03

SESW

1.10

4.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37 & DISTRICT.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Place of use is located within Lots 23 and 25 of Hyndman Peak Subdivision.

This right is a split from former right 37-539C.

CERTIFICATE OF MAILING

I certify that on December 17, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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, Idaho 83303-2707

2. Copies to:

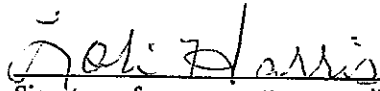
BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

BIG WOOD CANAL COMPANY
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330

SHANON H MATSON
SHANON H MATSON RESIDENCE TRUST NO 2
THOMAS L MATSON
THOMAS L MATSON RESIDENCE TRUST NO 2

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form