

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 29 2010

By

Clerk
Clerk

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

ORDER OF PARTIAL DECREES

Subcases: 45-14214, 45-14215,
45-14291, 45-14299 & 45-14300
(Shoulder 3 Ranches, Inc. & Matthews)

On September 16, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED October 29, 2010.

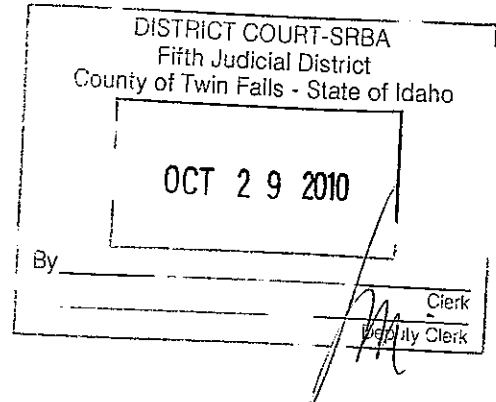


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14214



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: BOSTETTER SPRING TRIBUTARY: SINKS
CABIN SPRING NUMBER TWO TRIBUTARY: SINKS
HUDSON RIDGE SPRING TRIBUTARY: SINKS
WORM CORRAL SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

This right shall be used in conjunction with 45-12224, 45-12245,
45-12269, 45-12832, 45-12850, 45-12872, 45-14215, 45-14291,
45-14299 and 45-14300 and is limited to a total combined
diversion rate of 0.02 cfs and a total combined quantity of
13,000 gallons per day.

PRIORITY DATE: 04/30/1875

POINT OF DIVERSION: T14S R20E S19 NWSESW Within Cassia County
S28 NWNWNW
S29 SWNESW
S31 NWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Cassia County
	T14S R20E S19	SESW
	S28	NWNW
	S29	NESW
	S31	NWSE

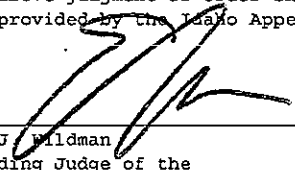
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



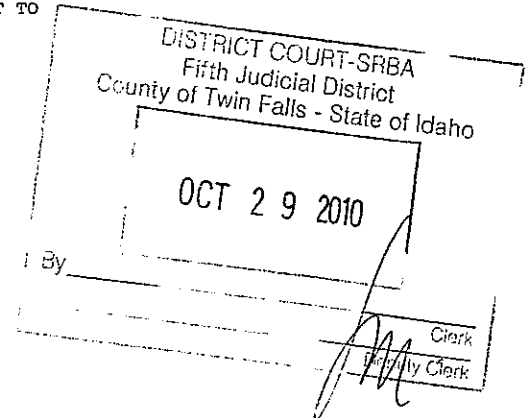
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-14215



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: COUNTING CHUTE SPRING TRIBUTARY: SINKS
UNNAMED SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

This right shall be used in conjunction with 45-12224, 45-12245,
45-12269, 45-12832, 45-12850, 45-12872, 45-14214, 45-14291,
45-14299 and 45-14300 and is limited to a total combined
diversion rate of 0.02 cfs and a total combined quantity of
13,000 gallons per day.

PRIORITY DATE: 12/10/1892

POINT OF DIVERSION: T14S R20E S29 NESWNW Within Cassia County
S32 NENWNW

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Cassia County
	T14S R20E S29 S32	SWNW NWNW

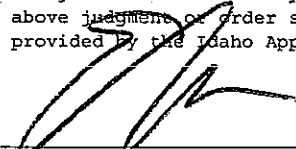
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

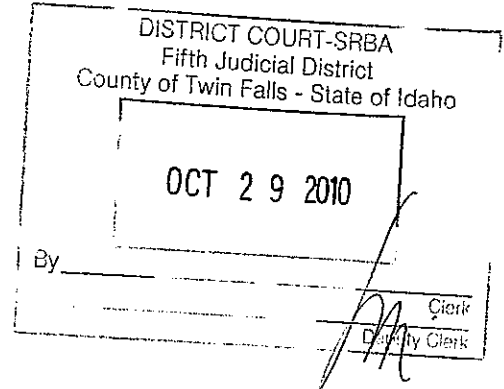
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 45-14291



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: UNNAMED SPRING TRIBUTARY: SINKS
UPPER SQUAW CREEK SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

This right shall be used in conjunction with 45-14214, 45-12132,
45-12867, and 45-14215 and is limited to a total combined
diversion rate of 0.02 cfs and a total combined quantity of
13,000 gallons per day.

PRIORITY DATE: 04/30/1879

POINT OF DIVERSION: T14S R20E S21 NENWSE Within Cassia County
S28 SESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Cassia County
	T14S R20E S21 S28	NWSE SESW

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

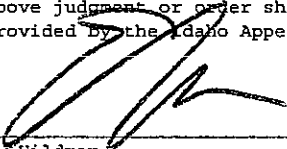
The operation, use, and administration of this water right is also subject to the terms and conditions of the stipulation and joint motion for order approving stipulation entered into on August 29, 2002 between the United States of America and Shoulder Three Ranches Inc., Keith Warr, Eugene Layton, Luther Gardner and Bill J. Matthews filed in the office of the Cassia County Recorder and recorded on June 6, 2003 as Instrument No: 289179.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

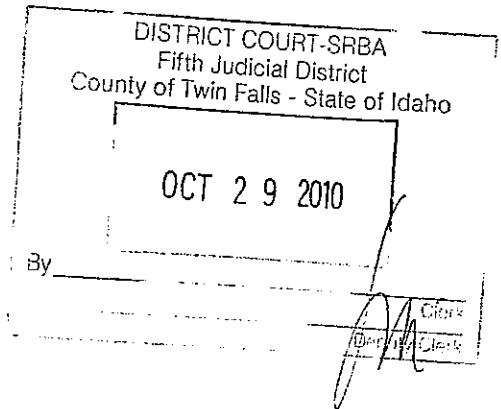


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14299



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: BIG COTTONWOOD CREEK TRIBUTARY: DRY CREEK
ECKLUND CREEK TRIBUTARY: BIG COTTONWOOD CREEK

QUANTITY: 0.02 CFS

This right shall be used in conjunction with 45-12224, 45-12245,
45-12269, 45-12832, 45-12850, 45-12872, 45-14215, 45-14291,
45-14214 and 45-14300 and is limited to a total combined
diversion rate of 0.02 cfs and a total combined quantity of
13,000 gallons per day.

PRIORITY DATE: 04/30/1875

POINT OF DIVERSION:	T14S R20E S16	NWSWN (Instream Ending Point)	Within Cassia County
	S19	SESENE (Instream Ending Point)	
		SWSWNW (Instream Beginning Point)	
	S31	SENWNW (Instream Beginning Point)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Cassia County
	T14S R20E S16	SWNW	NWSW
	S17	SESW	NESE
		SWSE	SESE
	S19	SWNE	SENE
	LOT 2	(SWNW)	SENW
		NESE	SESE
	S20	NWNW	SWNW
	S29	NWNW	SWNW
		NWSW	
	S30	NENE	NESE
		SWSE	SESE
	S31	NENW	LOT 1 (NWNW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR 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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

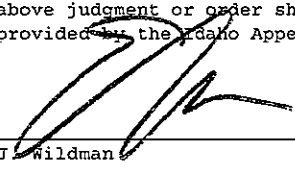
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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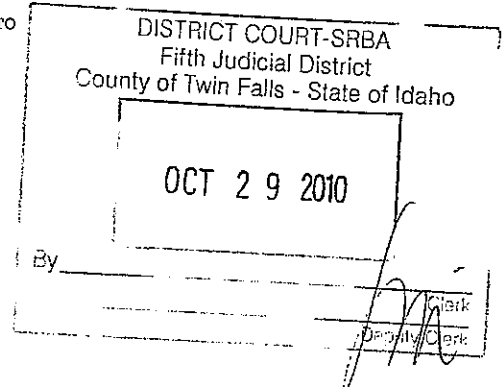
Eric J. Wildman
Presiding Judge of the
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-14300



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY, ID 83346

SOURCE: CABIN SPRING CREEK TRIBUTARY: EKLUND CREEK
WHITE STUMP CREEK TRIBUTARY: BIG COTTONWOOD CREEK
WORM CORRAL CREEK TRIBUTARY: BIG COTTONWOOD CREEK

QUANTITY: 0.02 CFS

This right shall be used in conjunction with 45-12224, 45-12245,
45-12269, 45-12832, 45-12850, 45-12872, 45-14214, 45-14291,
45-14299 and 45-14215 and is limited to a total combined
diversion rate of 0.02 cfs and a total combined quantity of
13,000 gallons per day.

PRIORITY DATE: 12/10/1892

POINT OF DIVERSION:	T14S R19E S17	NESWSE (Instream Ending Point)	Within Cassia County
	S24	SESESE (Instream Beginning Point)	
	R20E S19	NESWNE (Instream Ending Point)	
	S21	SWSWSW (Instream Beginning Point)	
	S30	NWNWSW (Instream Beginning Point)	
		SWSWSE (Instream Ending Point)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Cassia County
	T14S R19E S24	SESE
	R20E S17	SWSE
	S19	SWNE LOT 4 (SWSW)
		SESW NWSE
	S20	NENE NWNE
		SENE NESE
	S21	NWSW SWSW
	S30	NESW LOT 3 (NWSW)
		NWSE SWSE

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

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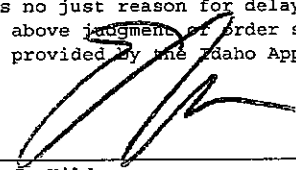
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on October 29, 2010, with sufficient first-class postage to the following:

E EUGENE MATTHEWS
SHOULDER 3 RANCHES INC
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

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

ORDER

Page 1 10/29/10

FILE COPY FOR 00232

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line that serves as a signature line.