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FEB 26 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT, SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 27 2008	
By _____	Clerk
_____	Deputy 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	)	Subcase 74-169A
	)	(Cockrell)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

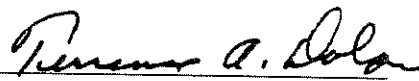
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended the claim to Beverly and Charles Cockrell, 32 Cockrell Road, Salmon, Idaho, 83467, for .92 cfs from Kirtley Creek to irrigate 115 acres in Lemhi County from March 15 to November 15 with a priority date of June 15, 1873, based on a decree.

The Cockrells were granted leave to file a late objection on October 31, 2007, objecting to quantity and place of use. On February 14, 2008, the Cockrells, with IDWR's concurrence, filed a *Standard Form 5* agreeing to 1 cfs to irrigate 94.2 acres.

Conclusions of Law

The Cockrells are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 74-169A*.

DATED February 27, 2008.


TERRENCE A. DOLAN
Special Master
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 74-00169A

NAME AND ADDRESS: BEVERLY COCKRELL
CHARLES R COCKRELL
32 COCKRELL RD
SALMON, ID 83467

SOURCE: KIRTLEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.00 CFS

PRIORITY DATE: 06/15/1873

POINT OF DIVERSION: T21N R22E S01 NENW Within Lemhi County

The point of diversion lies on private land, also described as
Placer Survey No. 990.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.00 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T21N R22E S01	NENW 0.8 LOT 4 (NWNW) 4.0
		SWNW 1.1
	S02	SWNE 26.0 SENE 13.0
		SENW 4.0 NESW 14.0
		SESW 4.0 NESE 3.3
		NWSE 24.0
	94.2 Acres Total	

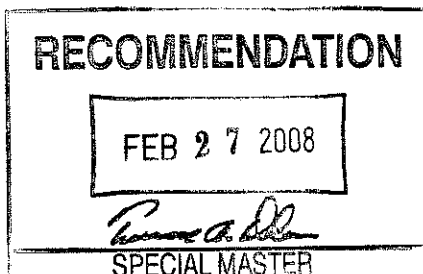
A portion of the place of use lies within placer survey no. 990
and embraces a portion of the NENW of Section one (1) in township
twenty-one (21) north of range twenty-two (22) east of the Boise
meridian.

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

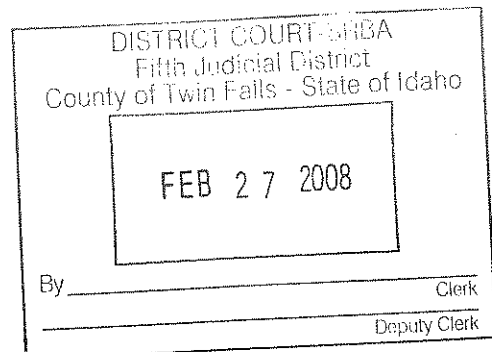
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



John M. Melanson
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)
_____)

CERTIFICATE OF MAILING

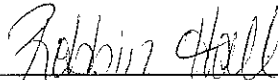
Water Right(s): 74-00169A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 27, 2008, with sufficient first-class postage prepaid to the following:

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

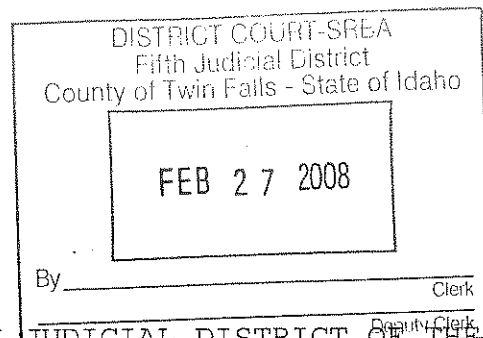
BEVERLY COCKRELL
CHARLES R COCKRELL
32 COCKRELL RD
SALMON, ID 83467
Phone: 208-756-3736



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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02/27/08



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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 74-00169A

On February 27, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 27, 2008.



ROBBIN HALL
Deputy Clerk