

LEE O. HOWARD

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February 27, 2006

Ms. Victoria Whitney  
Division Chief  
State Water Resources Control Board  
Division of Water Rights  
1001-I Street, 14<sup>th</sup> Floor  
Sacramento, CA 95812-2000

Re: Statement No. 000272  
Thomas Hill

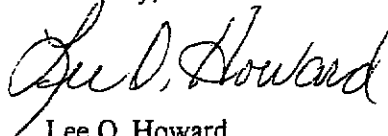
Dear Ms. Whitney:

I would like to file a formal complaint against the subject statement of use. This statement indicates that it is a Pre-1914 Water Right. The individual from whom this alleged water right was purchased, Robert Wood, had always contended publicly that there was no longer any water right. He is the individual who sold the property to Messrs. Gomes and Hill and his basis of fact was that he had not used the water continuously since 1914. In addition, Mr. Wood indicated the water had been used for irrigation and had been used on riparian lands only. Also, it had not been used by him for more than five years prior to selling the property.

This Pre-1914 statement also indicates the diversion point was relocated 400' to the south. The original point of diversion was on the West Fork of the Russian River as stated in the description of water rights recorded in the Mendocino County Records of Water Rights, Volume 3, Page 17, on March 24, 1914 (see attached). The point of diversion is now shown on the East Fork Russian River.

In addition to the above, the water from this alleged Pre-1914 right is presently being used to supply water to a Subdivision with 350 homes and sold to these individuals by the Millview County Water District. It is my contention that the Pre-1914 no longer exists and the individuals, as well as the Millview County Water District, have no basis of proof that this water has been used in like amounts, and in like manner, since 1914.

Sincerely,



Lee O. Howard

cc: Mr. John O'Hagan, Chief  
Enforcement and Compliance Division

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