

Alvin Hall
Alvin Hall Ranch
Highway 95
New Meadows, ID 83654

Idaho Department of Water Resources
Attn: Carter Fritschle
322 East Front St., PO Box 83720
Boise, ID 83720-0098

December 12, 2006

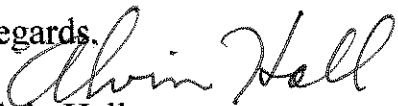
Re: Claim to a Water Right #78-12303

Dear Mr. Fritschle:

I have personally observed the use of water from Six Mile Creek during spring flood to irrigate the property now owned by Jerry and Patricia Harris. My earliest recollection of the use of that water was in the spring of 1945 when I helped Granddad irrigate. Floodwater was used to irrigate in the spring before the snow was off and we could turn the water into the ditch from Brown's Creek.

I also know that the ^{AHH}ditch carrying water from Six Mile Creek to those pastures was dug ⁱⁿ~~before~~ 1920 because the ditch was there when they started getting water from Browns' Creek.

Regards,


Alvin Hall

Jerry L. Harris & Patricia Harris
4300 Highway 95
New Meadows, ID 83654
(208) 347-4383

December 12, 2006

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322 East Front St., PO Box 83720
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Dear Mr. Fritschle:

Regarding the water right claim #78-12303 that was split from the former right #78-12303, I offer the following history to show evidence of the priority date of May 18, 1920.

The claim # 78-12303 actually runs with the claim # 78-2025D that was granted by license #14574 and has a confirmed priority date of May 10, 1920. Claim # 78-12303 for floodwater from Six Mile Creek that is used before the diversion from Brown's Creek (claim # 78-2025D) becomes available in the spring, sometime after the middle of June depending on the snowfall.

The ditch system to carry water from Six Mile Creek to the Frank D. Delbaere and W.H. Campbell ranches was constructed sometime between 1880 and 1920. Water from Six Mile Creek was the first water used to irrigate their pastures. In May 1920, Debaere and Campbell were granted a permit to divert water from Brown's Creek and unnamed tributaries into Six Mile Creek and re-divert it from Six Mile Creek to the existing ditch to their properties.

When Charles Harris filed the claim #A78-10213 pursuant to the present and on-going Snake River Basin Adjudication, he used the May 18, 1920 priority date to correspond to the priority date on right #78-2025. The use of Six Mile Creek water actually began prior to that date using existing ditches.

Providing proof of priority is not possible using the criteria set forth by the Idaho Department of Water Resources. At this time, 86 years later, there is no one living who has personal knowledge of water use in 1920. No

records, sales receipts, or electric bills exist. I could not find any Homestead documents for irrigation claims. I am, however, enclosing a letter from Alvin Hall, a long-time rancher and neighbor who has personal knowledge dating back to 1945.

I hope this evidence will be sufficient to establish a priority date for the claim #78-12303.

Sincerely, *Patricia A. Harris*

Patricia A. Harris