

TRINITY WELL USERS ASSOCIATION

P. O. BOX 886
ATHOL, ID 83801
208-683-4110

August 15, 2011

Ken Knoblock
State of Idaho Water Resource Dept.
Fax #762-2819

Re: 95-9944

Dear Ken,

Pursuant to our telephone conversation as of this date, enclosed please find the letter dated August 11, 2011 from Don Macdonald. In the 3rd paragraph, Don makes it very clear that when the Russell Water Association was formed and he quotes, **"IT WAS ALWAYS MY (DON MACDONALD) INTENTION THAT THE WELL ALWAYS BELONG TO A WELL ASSOCIATION NOT TO AN INDIVIDUAL."** William Russell can't claim this water right for himself that he is the owner. As we have indicated and shown by letters to you from property owners, Russell Water Association is defunct and doesn't exist anymore.

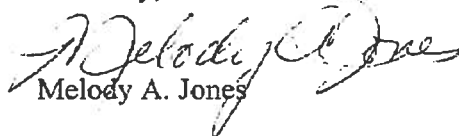
Before our road name was changed to Trinity Lane, it originally was named Russell Rd. So that's where ~~Russell Water Association~~ gets its name.

The well was originally owned by Jerry Mortensen and was drilled in 1990. We supplied all of the deeds from Mortensen to Trinity Well Users Association along with the signed Notice of Change of Water Right Ownership to you on Thursday, August 11, 2011.

Ken, I do appreciate all of your help.

Thank you for your consideration in this matter.

Sincerely,


Melody A. Jones

3498

Don Macdonald P.O. Box 2636 Hayden, Idaho 83835-2636	Phone – (208) 772-4433 Mobile– (208) 661-1919 FAX – (206) 902-4344 e-mail – DonMacID@Mac.com
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Thursday, August 11, 2011

TRINITY WELL USERS ASSOCIATION INC

c/o Melody Jones
6867 E. Trinity Lake
Athol, Idaho 83801

(208) 683-4110, Mbl 818-2009

Dear Melody

Thanks for letting me know about Russell's lawsuit claim of ownership in the Trinity well. It certainly would be very devastating effect on the well Trinity users property values if he were to prevail in ownership attempt. If I were you I would defend it will all you got and also file a counter claim to his lawsuit.

He can sure dream up some cockamamie claims. I have had several lawsuits with him and he has always lost. On my CV-1999-246 & CV-1997-5539 cases I was just paid off in July \$93,884.

Going back 19 years to 1992 I cannot recall a lot of information that would pertain to today's dispute. It was always my intention that the well always belong to a well association not to an individual. I have no ideal why now he claims ownership.

Glad to see that in April the Hoeners have deeded to TRINITY WELL USERS ASSOCIATION INC., Parcel Number 53N 03W 10 4465, AIN 183428.

I have 2" pile of documents. I don't know what is important to you. These are some of the file names I have on my computer. Maybe I should show you or Doug Marfice all the stuff I have and it can then be determined what is of value to you.

- 1) DM statement 8/4/92
- 2) AD-RWA QC Deed 8/6/92
- 3) Ltr to RWA members 8/7/92
- 4) Water Owners 8/13/92
- 5) Russell Water Bylaws 11/27/92
- 6) Bylaw SunHil 12/16/92

- 7) RWA Art of Inc 12/17/92
- 8) Russell D of T 4/20/99
- 9) Well ownership 5/10/2009
- 10) Wtr Rights Claim 5/10/2009
- 11) Water Well Users as July 1992 5/11/2009
- 12) Wtr Rights Claim Rev1 5/30/2009
- 13) Water Right 95-9944 6/16/2009
- 14) Water Rt 95-9944 6/16/2009
- 15) Ltr Poorman 7/24/2009
- 16) Ltr Dept of Wtr Res 8/12/2009
- 17) Russell water1 8/12/2009
- 18) Russell Stmt of Pmt 3/24/2011
- 19) Water Right Report 4/5/2011

On 12/16/1991, I submitted "Application for Permit to appropriate the public water of the State of Idaho". 6/26/1992 I paid \$100 on behalf of Russell Water Association for #96-08684 License fee. If this permit still has any validity I would be willing to assign all my interest to Trinity.

You have a clear picture on everything that has transpired so I can only offer you vague advise but if I were you I would have Russell explain how he acquired his ownership after deeding it way 8/7/1992 in Quit Claim Deed recording #1269309 (copy attached). I do not know how he acquired it from Michael C. Momb or Jerry Mortensen. Whether he (American Development Corp.) ever owned the well is a question but if he did he certainly divested any ownership in August 1992. How it got from Russell Water Association to Trinity I have no idea.

Please let me know if I can be of any further help.

Sincerely,

A handwritten signature in black ink, appearing to be 'DM' or similar initials, written in a cursive style.