

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78098
~~70084~~

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ * Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

78098

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78098
78098

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) TRINITY WELL USERS ASSOCIATION Phone 208-683-4110

Mailing address PO BOX 886, ATHOL, IDAHO 83801 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Michael B. Jones
Signature of Applicant or Authorized Representative

Michael B. Jones Secretary
Print Name and Title if applicable

4-19-12
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. See Memo To The File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	95-9944	0.07/6.8	IRRIGATION	3/15 to 11/15	GROUNDWATER
☒ ☐	95-9944	0.01/0.2	STOCKWATER	1/1 to 12/31	GROUNDWATER
☒ ☐	95-9944	0.12/5.4	DOMESTIC	1/1 to 12/31	GROUNDWATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.12 cfs and/or 12.4 ac-ft

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or 12.4 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	10					D		D	D	D								
							0.25		1.0	1.0	0.25								2.5
							S		S	S	S								

Total Acres (for irrigation use) 2.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Submersible pump connected to
2 85 gallon pressure tanks and connected to
pipe distribution lines to each lot.

- b. Who owns the property at the point(s) of diversion? Trinity Well Users Assoc.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Free & Clear

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

No affect

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 95-9944

Current Owner: TRINITY WELL USERS ASSN

Priority Date: 2/6/1992

Origin: Adjudication Claim

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.07 CFS	6.8 AF
STOCKWATER	1/01 to 12/31	0.01 CFS	0.2 AF
DOMESTIC	1/01 to 12/31	0.12 CFS	5.4 AF
	<u>Total Diversion</u>	0.12 CFS	12.4 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4 Sec. 10, Twp 53N, Rge 03W B.M.
KOOTENAI County

Place of Use

IRRIGATION Within KOOTENAI County

T53N R03W S10	SWNW	2.00	T53N R03W S10	SENW	0.50
Total Acres: 2.5					

STOCKWATER Within KOOTENAI County

T53N R03W S10	SWNW
---------------	------

DOMESTIC Within KOOTENAI County

T53N R03W S10	SWNW	T53N R03W S10	SENW
---------------	------	---------------	------

Conditions of Approval:

1. This claim was renumbered from claim 95-10533.
2. Domestic use is for 9 homes.
Stockwater use is for 15 range cattle.
3. This claim was amended to reflect the elements of license 95-9944.
4. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
5. R49 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

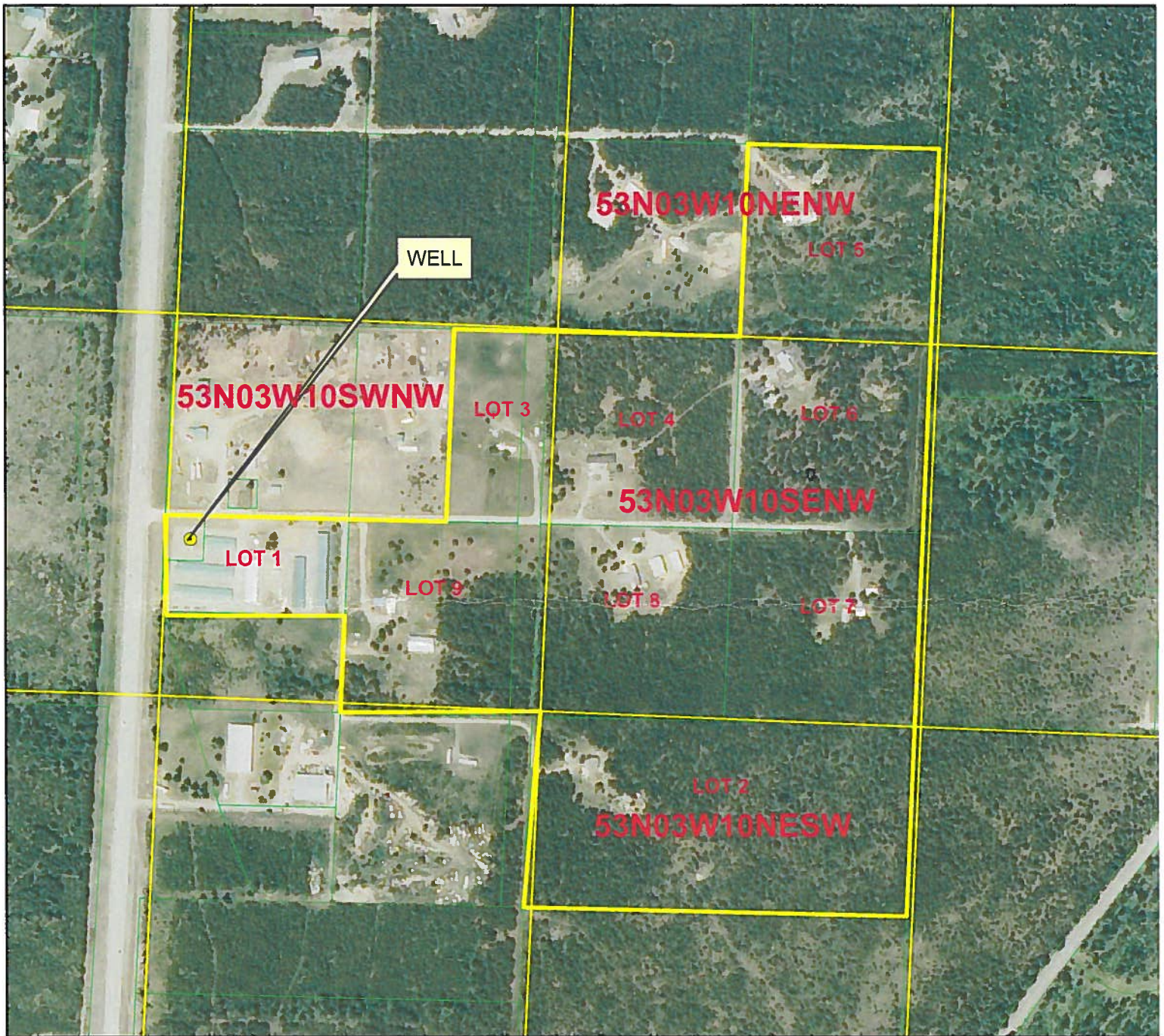
Transfer contains _____ pages and _____ attachments.

Received by [Signature] Date 7/19/12 Prelim. Check by _____ Date _____

Fee Paid \$300.00 Date 7/19/12 Received by Dianne Receipt # 2229354

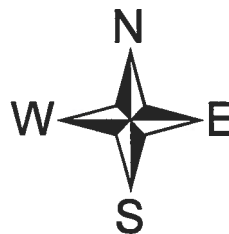
Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

CLAIM 95-9944



Legend

-  workingpod
-  workingpou
-  QQ
-  Taxlots



MEMO TO THE FILE:

The purpose of this transfer is to change the location of two lots that were previously licensed to be served by the Russell Water Assn., which is now called the Trinity Well Users Association LTD, and correct the location of a lot that was omitted from the original license. The point of diversion will remain the same.

The original license (96-8684) is for 9 homes domestic, irrigation of 2.5 acres and stockwater located within the SWNW and SENW of Section 10, T53n, 03W. The field examiner confirmed a lot (5) located within the NENW but it was not included on the license. The transfer will add this lot.

The settlement agreement, as the result of a law suit between the Trinity Well Users Association, LTD and William T Russell, removed two lots owned by Russell that were originally served by the water right license. The transfer will relocate these lots as a change in the place of use.

The Trinity Well Users Association, LLD filed a claim in the Northern Idaho Adjudication on how the water right will look after the transfer is complete.

TRINITY WELL USERS ASSOCIATIONS, LTD.
EXHIBIT "A"

Legal description of the premises under Trinity Well Users Associations, LTd is as follows:

PARCEL 1:

THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO.

PROPERTY ADDRESS KNOWN AS: 6827 E. TRINITY LANE, ATHOL, ID 83801
OWNERS: FREDERICK J. LENZ AND DENISE L. LENZ, HUSBAND AND WIFE
AND MARK CASTLE AND MARY CASTLE, HUSBAND AND WIFE

PARCEL 2:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO.

PROPERTY ADDRESS KNOWN AS: 6867 E. TRINITY LANE, ATHOL, ID 83801
OWNERS: MELODY ANN JONES

PARCEL 3:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 W.B.M., KOOTENAI COUNTY, IDAHO.

PROPERTY ADDRESS: 7150 E. JENSEN LANE, ATHOL, ID 83801
OWNERS: JAMES F. JENSEN AND KAREN JENSEN, HUSBAND AND WIFE

PARCEL 4:

THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 W.B.M., KOOTENAI COUNTY, STATE OF IDAHO.

THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 W.B.M., KOOTENAI COUNTY, STATE OF IDAHO.

PROPERTY ADDRESS: 7021 E. TRINITY LANE, ATHOL, ID 83801

OWNER: DANIEL ENRIQUEZ AND JEAN E. ENRIQUEZ, HUSBAND AND WIFE

PARCEL 5:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3
W.B.M., IN THE COUNTY OF KOOTENAI, STATE OF IDAHO.

PROPERTY ADDRESS: 7150 E. TRINITY LANE, ATHOL, ID 83801
OWNER: ROBERT E. GIFFORD

PARCEL 6:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3
WEST, BOISE MERIDIAN, KOOTENAI COUNTY, ID.

PROPERTY ADDRESS: 6888 E. TRINITY LANE, ATHOL, ID 83801
OWNER: HARRY H. HOENER AND LORENE B. HOENER, HUSBAND AND WIFE

PARCEL 7:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3
W.B.M., KOOTENAI COUNTY, IDAHO.

PROPERTY ADDRESS: E. TRINITY LANE, ATHOL, ID 83801
OWNER: BETTY L. EPPERS

PARCEL 8:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF SECTION 10, TOWNSHIP 53 NORTH, RANGE 3 W.B.M.,
KOOTENAI COUNTY, STATE OF IDAHO.

PROPERTY ADDRESS: 6626 E. TRINITY LANE, ATHOL, ID 83801
OWNER: VIRGINIA CHEW AND MICHAEL CHEW

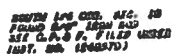
PARCEL 9:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 53
NORTH, RANGE 3 W.B.M., KOOTENAI COUNTY, IDAHO.

PROPERTY ADDRESS: 6522 E. TRINITY LANE, ATHOL, ID 83801
OWNER: RONALD E. HUGHES AND DEBRA L. HUGHES, HUSBAND & WIFE

53 N., R. 3 W., B. M.
RECORDER

RECORDER



TEL (208) 772-4433
FAX (208) 772-7220

RENCH

No. C 182807	Due no later than Apr 30, 2011 Annual Report Form		2. Registered Agent and Address (NO PO BOX)																								
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. TRINITY WELL USERS ASSOCIATION, LTD MICHAEL B JONES PO BOX 886 ATHOL ID 83801		MELODY JONES 6867 TRINITY LN ATHOL ID 83801																								
			3. <u>New</u> Registered Agent Signature:*																								
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). <table border="1" data-bbox="154 504 1442 598"><thead><tr><th>Office Held</th><th>Name</th><th>Street or PO Address</th><th>City</th><th>State</th><th>Country</th><th>Postal Code</th></tr></thead><tbody><tr><td>SECRETARY</td><td>MICHAEL B JONES</td><td>6867 E TRINITY AVE</td><td>ATHOL</td><td>ID</td><td>USA</td><td>83801</td></tr><tr><td>PRESIDENT</td><td>HARRY HOENER</td><td>6867 E TRINITY</td><td>ATHOL</td><td>ID</td><td>USA</td><td>83801</td></tr></tbody></table>							Office Held	Name	Street or PO Address	City	State	Country	Postal Code	SECRETARY	MICHAEL B JONES	6867 E TRINITY AVE	ATHOL	ID	USA	83801	PRESIDENT	HARRY HOENER	6867 E TRINITY	ATHOL	ID	USA	83801
Office Held	Name	Street or PO Address	City	State	Country	Postal Code																					
SECRETARY	MICHAEL B JONES	6867 E TRINITY AVE	ATHOL	ID	USA	83801																					
PRESIDENT	HARRY HOENER	6867 E TRINITY	ATHOL	ID	USA	83801																					
5. Organized Under the Laws of: ID C 182807	6. Annual Report must be signed.* <table border="0" data-bbox="479 672 1442 745"><tr><td>Signature: Michael B</td><td>Date: 02/12/2011</td></tr><tr><td>Name (type or print): Michael B</td><td>Title: Jones</td></tr></table>						Signature: Michael B	Date: 02/12/2011	Name (type or print): Michael B	Title: Jones																	
Signature: Michael B	Date: 02/12/2011																										
Name (type or print): Michael B	Title: Jones																										
Processed 02/12/2011		* Electronically provided signatures are accepted as original signatures.																									



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for TRINITY WELL USERS ASSOCIATION, LTD](#)]

TRINITY WELL USERS ASSOCIATION, LTD

PO BOX 886
ATHOL, ID 83801

Type of Business: CORPORATION, GENERAL NON PROFIT

Status: GOODSTANDING, ANREPT SENT 01 Feb 2011

State of Origin: IDAHO

Date of 20 Apr 2009

Origination/Authorization:

Initial Registered Agent: MELODY JONES
6867 TRINITY LN
ATHOL, ID 83801

Organizational ID / Filing C182807
Number:

Number of Authorized Stock
Shares:

Date of Last Annual Report: 12 Feb 2011

Original Filing:

[[Help Me Print/View TIFF](#)]

Filed 20 Apr 2009 INCORPORATION [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Annual Reports:

[[Help Me Print/View TIFF](#)]

Report for year 2011 ANNUAL REPORT [View Document Online](#)

Report for year 2011 CHNG [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)
OFF/DIR

Report for year 2010 ANNUAL REPORT [View Document Online](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

Russell Water Association

July 1992

1/9

William T. Russell
No 31500 Hwy. 95
P.O. Box 476
Athol, Idaho 83801
(208) 683-3316

10 acres
Northeast quarter
of the southwest quarter
of the northwest quarter
of Section 10, Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, State of Idaho

2/9

William T. Russell
No 31500 Hwy. 95
P.O. Box 476
Athol, Idaho 83801
(208) 683-3316

5 acres
West half
of the northeast quarter
of the southwest quarter
of the northwest quarter
of Section 10, Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, State of Idaho

3/9

William T. Russell
No 31500 Hwy. 95
P.O. Box 476
Athol, Idaho 83801
(208) 683-3316

5 acres
East half
of the northeast quarter
of the southwest quarter
of the northwest quarter
of Section 10, Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, State of Idaho

MICROFILMED

SEP 22 1992

4/9

Trust of Macdonald Family / Don Macdonald, Trustee

P.O. Box 2636

Hayden, Idaho 83835-2636

(208) 772-4433 FAX 772-7220

10 Acres

Northwest quarter

of the Southeast quarter

of the Northwest quarter

of Section 10, Township 53 North, Range 3 West of the Boise Meridian.,

Kootenai County, Idaho

5/9

James & Karen Jensen

P.O. Box 777

Hayden, Idaho 83835

(208) 683-3557

10 acres

Southeast quarter

of the Northeast quarter

of the Northwest quarter

of Section 10, Township 53 North, Range 3 West of the Boise Meridian.,

Kootenai County, Idaho

6/9

Michael A. & Amanda Wilson

7055 Trinity Lane

P.O. Box 25

Athol, Idaho 83801

208) 693-2646

10 acres

Northeast quarter

of the Southeast quarter

of the Northwest quarter

of Section 10 Township 53 North, Range 3

West of the Boise Meridian, Kootenai County, Idaho

RECORDED

SEP 22 1992

7/9

Neal I & Ella M. Stenerson
P.O. Box 458
Athol, Idaho 83801-0458
(208) 683-3526

10 acres
Southeast quarter
of the Southeast quarter
of the Northwest quarter
of Section 10 Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, Idaho

8/9

Trust of Macdonald Family / Don Macdonald, Trustee
P.O. Box 2636
Hayden, Idaho 83835-2636
(208) 772-4433 FAX 772-7220

10 acres
Southwest quarter
of the Southeast quarter
of the Northwest quarter
of Section 10 Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, Idaho

9/9

Russell E. Manchester
P.O. Box 252
Athol, Idaho 83801-0252
(208) _____

10 acres
Southwest quarter
of the Southwest quarter
of the Northwest quarter
of Section 10, Township 53 North, Range 3
West of the Boise Meridian, Kootenai County, Idaho

MICROFILMED

SEP 22 1992

AFFIDAVIT
OF
VIRGINIA CHEW

RECEIVED
MAR 21 2012
IDWR / NORTH

I, VIRGINIA CHEW, P. O. BOX ⁵⁶⁵~~652~~, ATHOL, ID 83801, request to be included in the Trinity Well Users Association, LTD, owners of the well and I want water supplied to me and my household.

Dated: X 3-5-2012 X Virginia Chew
VIRGINIA CHEW

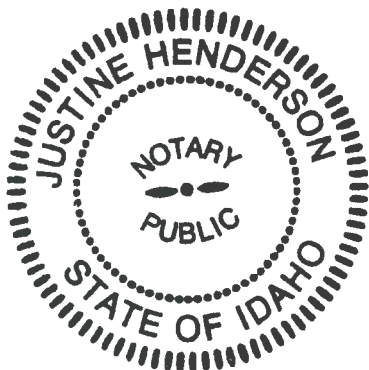
State of Idaho)

S.S.

County of Kootenai)

On this 5th day of March, in the year of 2012, before me
Justine Henderson, Notary Public

Proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is Virginia Chew is (are) subscribed to the within instrument, and acknowledged to me that he (she) (they) executed the same.



[Signature]
Notary Public

My Commission Expires on 06/27/2017

AFFIDAVIT
OF
RON HUGHES

RECEIVED
MAR 21 2012
IDWR / NORTH

I, Ron Hughes, owner of the Farragut Mini Storage, request to be included in the Trinity Well Users Association, LTD, owners of the well and I want water supplied to me.

Dated: 3/1/12 Ronald E Hughes
Ron Hughes

State of Washington)

S.S.

County of Spokane)

On this 1st day of March, in the year of 2012, before me
Jennifer Kurtz

Proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is Ronald E Hughes is (~~are~~) subscribed to the within instrument, and acknowledged to me that he (~~she~~) (~~they~~) executed the same.



Jennifer Kurtz
Notary Public

My Commission Expires on 7-17-2012

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.

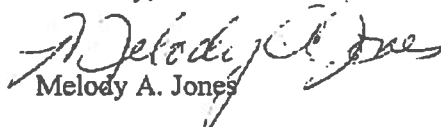
Before our road name was changed to Trinity Lane, it originally was named Russell Rd. So that's where Russell Water Association gets its name.

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

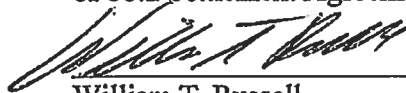
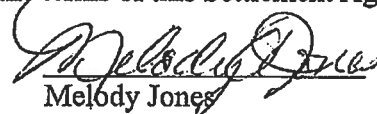
3498

SETTLEMENT AGREEMENT AND RELEASE OF LIABILITY

This settlement agreement is entered into between William T. Russell and Melody Jones, for the purpose of resolving their disputes concerning the defamation issues raised in Kootenai County District Court Case No. CV11-6274.

The parties hereby agree to a dismissal of all claims and counter-claims asserted in that case, or which could have been asserted, regarding alleged defamatory statements made against each other.

The parties further agree that, as a part of this settlement, a stipulation to dismiss Case No. CV11-6273, with prejudice, will be executed by the attorneys for the parties promptly after the execution of this agreement and the execution of the Trinity Well Users Settlement Agreement, a copy of which is attached hereto. That is, the execution of both Settlement Agreements is a condition of the terms of this Settlement Agreement.

	<u>10-17-11</u>		<u>10-10-11</u>
William T. Russell	Date	Melody Jones	Date

TRINITY WELL USERS SETTLEMENT AGREEMENT AND RELEASE OF
LIABILITY

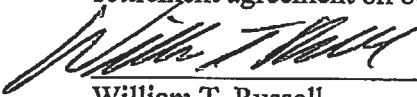
This settlement agreement is entered into between William T. Russell and the Trinity Well Users Association, Ltd (hereinafter TWUA), for the purpose of resolving their disputes concerning the water rights, trespass, damages and other issues raised in Kootenai County District Court Case No. CV11-6273.

The parties hereby agree to a dismissal of all claims and counter-claims asserted in that case, or which could have been asserted, regarding water rights. William T. Russell hereby withdraws any claim to a water right made in the North Idaho adjudication with regard to License 95-9944. Both William T. Russell and TWUA agree to release each other from any claims for past water use, failure to provide water, handling of water revenue, and any other well or water issue alleged in the claims and counterclaims in Case No. CV11-6273.

William T. Russell further agrees that 10-15-11, will be his last day of service from TWUA's well.

The parties further agree that, as a part of this settlement, a stipulation to dismiss Case No. CV11-6273, with prejudice, will be executed by the attorneys for the parties promptly after the execution of this agreement and the execution of the Settlement Agreement in the defamation suit (Case No. CV11-6274), a copy of which is attached hereto. That is, the execution of both Settlement Agreements is a condition of the terms of this Settlement Agreement.

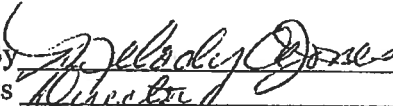
Melody A. Jones warrants that (he)(she) has the authority to enter into this settlement agreement on behalf of Trinity Well Users Association, Ltd.


William T. Russell

10-17-11
Date

Trinity Well Users Association, Ltd.

By
Its


Melody A. Jones
Director