



Waukewan Watershed Association

July 16, 2012

Mr. Edward J. Engler, Editor & Publisher
The Laconia Daily Sun
1127 Union Avenue
Laconia, NH 03246

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Mary Walker
Robert Wenstrup, Jr.

Mailing Address

PO Box 91
Meredith, NH 03253

Web Site

waukewan.org/wwa

Email

wwa-president@waukewan.org
wwa-support@waukewan.org
webmaster@waukewan.org

The name Waukewan Watershed Association™ (WWA) is the Business name of the Waukewan Shore Owners Association, a tax exempt charitable organization within the meaning of Section 501(c)(3) of the Internal Revenue Code.

Dear Mr. Engler:

We were disappointed to see that your publication “consumed the Kool-Aid” of the erroneous communications by the Friends of Waukewan & Winona Association’s (“Friends”). I trust that this will complete the story accurately.

First, we request correction of a statement in the Friday July 13, 2012 issue regarding our Association’s position on the water level in Lake Waukewan. We support the reasoned decision of the New Hampshire Department of Environmental Services (DES), whatever that may be, unfettered by second-guessing. Over the past year, Friends spent its time and treasure second-guessing DES. The DES staff is a dedicated group of professionals that has superior technical and scientific knowledge to balance all of the factors involved in setting the level.

As regards our trade name, we are aware that “Friends” registered our trade name with the Secretary of State. In New Hampshire trade names can arise in one of two ways: (1) registration with the Secretary of State, or (2) through a pattern of use creating a common law right to the name.

Our trade name first appeared in board minutes on our website in the spring of 2011 and was also publicly used in the notice of our annual meeting last year. In fact, it was not until after our annual meeting on July 9, 2011, which members of Friends attended where our members ratified the board actions, that Friends rushed to the Secretary of State to apply for the name in what can only be viewed as an entirely disingenuous action.

When we learned of Friends’ registration, our legal advisors investigated whether or not we should stop using the name. That investigation revealed that our common law use of the name pre-dated their filings.

Based upon that information we considered whether we should bring an action in Superior Court to reaffirm our right to use the name. We elected not to since we believe that our resources are better spent protecting the watershed.

Our Association has a track record of conservation projects to protect the Waukewan watershed. Our latest collaboration with the Town of New Hampton just reached agreement to conserve the 8.1 acre Elizabeth Clingan Baird property with 1,480 ft. on the Snake River that feeds Lake Waukewan.

Also our Association has also been awarded a \$10,000 grant from the New Hampshire Electric Cooperative Foundation to kick off our agreement to provide \$30,000 in matching funds and services to create educational facilities on the conserved lands on the Snake River. [See enclosed Press Release].

Except for Friends' attempts to conduct self-serving conversations with itself through "trial by newspaper" and other media, we are unaware of any confusion among watershed residents with respect to our name. In light of our precedent use of the name we ask Friends to relinquish their registration to us. We will be happy to prepare the documents to do so.

Going forward, we trust that your publication will focus on the newsworthy, substantive developments in the Waukewan watershed that can have meaningful, long-term impact for future generations rather than on what Kurt Vonnegut called "a pack of foma" others seem intent on putting forth as news.

Warm Regards,

Waukewan Watershed Association



Chuck Braxton, President