

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04064  
Date Received: 9/02/1988  
Receipt No: E 002026  
Received By: ENC.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROBINSON WATER ASSN. INC. 208-522-4161  
Address: C/O ERMA P. THOMPSON  
7263 N. YELLOWSTONE HWY  
IDAHO FALLS, ID 83401

2. Date of Priority: JUN 01, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 03N      | 38E   | 26      | SW     | SW     | NW  |     | BONNEVILLE |

5. Description of diverting works:  
WELL, PUMP, PRESSURE SYSTEM & PIPELINES.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.100  |      |        |

7. Total Quantity Appropriated is:  
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/5 HOUSEHOLDS.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N      | 38E   | 26      | SW     | NW  |     | DOMEST |       |
|          |       |         | NW     | SW  |     | DOMEST |       |

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Date: 09/02/88

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 03N      | 38E   | 27      | SE         | NE  | DOMEST |       |
|          |       |         | NE         | SE  | DOMEST |       |

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
WATER RIGHT WAS ORIGINALLY FILED UNDER PERMIT 19310 BUT WAS  
CANCELED BECAUSE OF FAILURE TO SUBMIT PROOF OF BENEFICIAL USE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Sec of  
Title  
Robinson Water Ass., that I have signed the foregoing  
Organization  
document in the space below as Sec. of  
Title  
Robinson Water Ass. and that the statements contained in the  
Organization  
foregoing document are true and correct.  
Ernest P. Thompson  
Signature of Authorized Agent  
Sec. Robinson Water Ass.  
Title and Organization  
9-2-1988  
Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of Sept. 19 88

Ernest Carlson  
Notary Public

Seal

Residing at Alto Falls ID  
My Commission Expires 14 June 1994



## Department of State.

### CERTIFICATE OF INCORPORATION

I, GEO. H. CURTIS, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State of Idaho, do hereby certify that the original of the articles of incorporation of

ROBINSON WATER ASSOCIATION, INC.

was filed in the office of the Secretary of State on the Fourteenth day of March A. D. One Thousand Nine Hundred Forty-two and is duly recorded in Book A-38 of Record of Domestic Corporations, of the State of Idaho, and that the said articles contain the statement of facts required by Section 29-103 and Sections 29-1001 to 29-1005, inclusive, Idaho Code, Annotated.

I FURTHER CERTIFY, That the persons executing the articles and their associates and successors are hereby constituted a corporation, by the name hereinbefore stated, for fifty years from the date hereof, with its registered office in this State located at Idaho Falls in the County of Booneville, and as such are subject to the rights, privileges and limitations granted to Non-Profit Cooperative Associations, as provided in Chapter 10, Title 29, Idaho Code, Annotated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise City, the Capital of Idaho, this 14th day of March, in the year of our Lord one thousand nine hundred forty-two, and of the Independence of the United States of America the One Hundred sixty-sixth.

Secretary of State.

ARTICLES OF INCORPORATION

OF

Robinson WATER ASSOCIATION, INC.

We, the undersigned, all of whom are residents of Bonneville County, State of Idaho, do hereby voluntarily associate ourselves together for the purpose of forming a non-stock cooperative association under the provisions of Chapter 10, Title 29, Idaho Code Annotated, and amendments thereto.

ARTICLE I.

The name of this association shall be the Robinson Water Association, Inc.

ARTICLE II.

The nature of the business of the association and the objects and purposes for which, or for any of which, this association is formed are:

- a. To associate its members together for their mutual benefit and to further the rehabilitation of said members, and to that end to construct, maintain and operate a private water system for the supplying of water for domestic, livestock and garden purposes to its members, and for the sale of any surplus water remaining after the needs of its members have been satisfied, and to engage in any activity related thereto, including, but not limited to, the acquisition of water by appropriation, drilling, pumping and/or purchase, and the purchase, laying, installation, operation, maintenance and repair of wells, pumping equipment, water mains, pipe lines, valves, meters and all other equipment necessary to the construction, maintenance and operation of a water system.
- b. To borrow from any source, money, goods or services without limitation as to amount of corporate indebtedness or liability; and to pledge or mortgage any of its property as security therefor in any manner permitted by law.
- c. To acquire, and to hold, own and exercise all rights of ownership in, and to sell, transfer or pledge shares of capital stock or bonds, or become a member or a stockholder of any corporation or association engaged in any related activities.

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POOR ORIGINAL

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- d. To buy, lease, hold and exercise all privileges of ownership in and to all real or personal property as may be necessary or convenient for the conduct and operation of the business of the association or incidental thereto.
- e. To establish reserves and to invest the funds thereof in stocks, bonds and other property as the board of directors may deem satisfactory.
- f. To levy assessments in such manner and in such amount as may be provided in the by-laws of this association.
- g. To have and exercise all powers, privileges and rights conferred on corporations by the laws of the State of Idaho and all powers and rights incidental in carrying out the purposes for which this association is formed, except such as are inconsistent with the express provisions of the act under which this association is incorporated.
- h. The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred on this association by the laws of the State of Idaho, all of which are hereby expressly claimed.

#### ARTICLE III

The place where the principal business of the association is to be transacted is the City (Village) of Idaho Falls County of Bonneville State of Idaho, but the association may maintain offices and places of business at such other places within the State of Idaho as the board of directors may determine.

#### ARTICLE IV

The period of existence of this association shall be fifty (50) years.

#### ARTICLE V

The private property of the members shall not be subject to payment of association debts to any extent whatsoever.

#### ARTICLE VI.

Section 1. This association shall not have capital stock, but its capital stock shall be represented by membership certificates.

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Idaho - 3.

Section 2. Under the terms and conditions prescribed by its by-laws, this association shall admit as members only such persons as are bona fide occupants of farmsteads <sup>and homesteads</sup> having a reasonable accessibility to the source of, and who are in need of having water supplied for domestic, livestock and garden purposes from, the water system constructed, maintained and operated by the association, but the association shall not be required to admit members if the capacity of its water system is exhausted by the needs of its existing members and all such other persons to whom it has been supplying water.

Section 3. The membership fee in this association shall be fixed and determined by its by-laws. The voting power and property rights and interest of each member whose fees are fully paid and who is in good standing shall be equal and each member shall be entitled to one vote only. There shall be no voting by proxy. New members upon their admission in this association shall be entitled to one vote and to share in the property of the association equally with the old members. When a member has paid his membership fee in full he shall receive a certificate of membership. Assessments against members and a determination of their liabilities shall be fixed by the by-laws of the association.

Section 4. This association is organized on a non-profit basis for the mutual benefit and rehabilitation of its members and consequently will not have profits from which to pay dividends on its capital. After all expenses of the association have been paid and reasonable reserves as determined by the board of directors set aside, the net earnings of the association shall be accumulated in a surplus fund for the purpose of replacing, enlarging, extending and repairing the system and property of the association and for such other purposes as the board of directors may determine to be for the best interests of the association. The said surplus fund or any portion thereof may from time to time at the discretion of the board of directors be distributed to the members as provided in the by-laws, on the basis of the assessments and charges made and levied against and paid by such members during the year.

#### ARTICLE VII.

The number of directors shall be four and the names and addresses of those who are to serve as incorporating directors for the first term and until their successors are elected and qualified are:

POOR ORIGINAL

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| <u>NAME</u>       | <u>ADDRESS</u>     |
|-------------------|--------------------|
| Echo Thornley     | Idaho Falls, Idaho |
| Lorna Y. Robinson | Idaho Falls, Idaho |
| Louie P. Phillips | Idaho Falls, Idaho |
| Ray S. Robinson   | Idaho Falls, Idaho |
|                   |                    |

IN WITNESS WHEREOF, we, the incorporators, and named herein as  
the first board of directors, have set our hands and seals this  
12th day of March, 1942.

Echo Thornley (SEAL)  
Lorna Y. Robinson (SEAL)  
Louie P. Phillips (SEAL)  
Ray S. Robinson (SEAL)  
\_\_\_\_\_  
(SEAL)

STATE OF IDAHO

COUNTY OF Bonneville

BE IT REMEMBERED, that on this 12th day of March,  
1942, personally appeared before me Charles F. Smith in and for the  
State of Idaho, all of the parties to the foregoing Articles of  
Incorporation, known to me personally to be such and severally acknow-  
ledged said Articles of Incorporation to be the act and deed of the  
signers, respectively, and that the facts therein stated are truly  
set forth.

Given under my hand and seal of office the day and year aforesaid.

Olga E. Chittip  
\_\_\_\_\_  
Notary Public in and for the  
State of Idaho  
My Commission expires;

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APR 12 1994

21050

ARTICLES OF  
INCORPORATION OF  
ROBINSON WATER ASSOCIATION,  
INC.

STATE OF IDAHO  
DEPARTMENT OF STATE  
Secretary's Office  
Boise, Idaho

Approved, filed, and admitted to  
the records of Articles of Incorpor-  
ation of the State of Idaho and  
certificate issued

this Fourteenth day of  
March, 1942  
at 9:45 o'clock A.M.  
FEES PAID

Filing \$ 5.00

Recording 2.60

Certificate \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TOTAL \$ 7.60

GEO. H. CURTIS

SECRETARY OF STATE

BY Agnes Dunn  
CORPORATION CLERK

INDEXED

Recorded on file of all  
#1  
of Domestic Corporations

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APR 12 1954

AMENDMENT  
ARTICLES OF ~~INCORPORATION~~

OF

Robinson

WATER ASSOCIATION, INC.

POOR ORIGINAL

We, the undersigned, all of whom are residents of Bonneville County, State of Idaho, do hereby voluntarily associate ourselves together for the purpose of forming a non-stock cooperative association under the provisions of Chapter 10, Title 29, Idaho Code Annotated, and amendments thereto.

ARTICLE I.

The name of this association shall be the Robinson Water Association, Inc.

ARTICLE II.

The nature of the business of the association and the objects and purposes for which, or for any of which, this association is formed are:

- a. To associate its members together for their mutual benefit and to further the rehabilitation of said members, and to that end to construct, maintain and operate a private water system for the supplying of water for domestic, livestock and garden purposes to its members, and for the sale of any surplus water remaining after the needs of its members have been satisfied, and to engage in any activity related thereto, including, but not limited to, the acquisition of water by appropriation, drilling, pumping and/or purchase, and the purchase, laying, installation, operation, maintenance and repair of wells, pumping equipment, water mains, pipe lines, valves, motors and all other equipment necessary to the construction, maintenance and operation of a water system.
- b. To borrow from any source, money, goods or services without limitation as to amount of corporate indebtedness or liability; and to pledge or mortgage any of its property as security therefor in any manner permitted by law.
- c. To acquire, and to hold, own and exercise all rights of ownership in, and to sell, transfer or pledge shares of capital stock or bonds, or become a member or a stockholder of any corporation or association engaged in any related activities.

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POOR ORIGINAL

- d. To buy, lease, hold and exercise all privileges of ownership in and to real or personal property as may be necessary or convenient for the conduct and operation of the business of the association or incidental thereto.
- e. To establish reserves and to invest the funds thereof in stocks, bonds and other property as the board of directors may deem satisfactory.
- f. To levy assessments in such manner and in such amount as may be provided in the by-laws of this association.
- g. To have and exercise all powers, privileges and rights conferred on corporations by the laws of the State of Idaho and all powers and rights incidental in carrying out the purposes for which this association is formed, except such as are inconsistent with the express provisions of the act under which this association is incorporated.
- h. The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred on this association by the laws of the State of Idaho, all of which are hereby expressly claimed.

#### ARTICLE III

The place where the principal business of the association is to be transacted is the City (Village) of Idaho Falls County of Bonneville State of Idaho, but the association may maintain offices and places of business at such other places within the State of Idaho as the board of directors may determine.

#### ARTICLE IV

The period of existence of this association shall be fifty (50) years.

#### ARTICLE V

The private property of the members shall not be subject to payment of association debts to any extent whatsoever.

#### ARTICLE VI.

Section 1. This association shall not have capital stock, but its capital stock shall be represented by membership certificates.

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POOR ORIGINAL

Section 2. Under the terms and conditions prescribed by its by-laws, this association shall admit as members only such persons as are bona fide occupants of farmsteads and homesteads having a reasonable accessibility to the source of, and who are in need of having water supplied for domestic, livestock and garden purposes from, the water system constructed, maintained and operated by the association, but the association shall not be required to admit members if the capacity of its water system is exhausted by the needs of its existing members and all such other persons to whom it has been supplying water.

Section 3. The membership fee in this association shall be fixed and determined by its by-laws. The voting power and property rights and interest of each member whose fees are fully paid and who is in good standing shall be equal and each member shall be entitled to one vote only. There shall be no voting by proxy. New members upon their admission in this association shall be entitled to one vote and to share in the property of the association equally with the old members. When a member has paid his membership fee in full he shall receive a certificate of membership. Assessments against members and a determination of their liabilities shall be fixed by the by-laws of the association.

Section 4. This association is organized on a non-profit basis for the mutual benefit and rehabilitation of its members and consequently will not have profits from which to pay dividends on its capital. After all expenses of the association have been paid and reasonable reserves as determined by the board of directors set aside, the net earnings of the association shall be accumulated in a surplus fund for the purpose of replacing, enlarging, extending and repairing the system and property of the association and for such other purposes as the board of directors may determine to be for the best interests of the association. The said surplus fund or any portion thereof may from time to time at the discretion of the board of directors be distributed to the members as provided in the by-laws, on the basis of the assessments and charges made and levied against and paid by such members during the year.

#### ARTICLE VII.

The number of directors shall be five and the names and addresses of those who are to serve as incorporating directors for the first term and until their successors are elected and qualified are:

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POOR ORIGINAL

| NAME                      | ADDRESS                   |
|---------------------------|---------------------------|
| <u>Echo Thornley</u>      | <u>Idaho Falls, Idaho</u> |
| <u>Lorna Y. Robinson</u>  | <u>Idaho Falls, Idaho</u> |
| <u>Louis F. Phillips</u>  | <u>Idaho Falls, Idaho</u> |
| <u>Ray S. Robinson</u>    | <u>Idaho Falls, Idaho</u> |
| <u>J. Milton Phillips</u> | <u>Idaho Falls, Idaho</u> |

IN WITNESS WHEREOF, we, the incorporators, ~~and named herein as~~  
~~the first board of directors~~, have set our hands and seals this  
24th day of April, 1942.

Echo Thornley (SEAL)  
Lorna Y. Robinson (SEAL)  
Louis F. Phillips (SEAL)  
Ray S. Robinson (SEAL)  
J. Milton Phillips (SEAL)

STATE OF IDAHO

ss.

COUNTY OF Bonneville

BE IT REMEMBERED, that on this 24th day of April,  
 1942, personally appeared before me, a Notary Public in and for the  
 State of Idaho, all of the parties to the foregoing Articles of  
 Incorporation, known to me personally to be such and severally acknow-  
 lodged said Articles of Incorporation to be the act and deed of the  
 signers, respectively, and that the facts therein stated are truly  
 set forth.

Given under my hand and seal of office the day and year aforesaid.

[Signature] Notary Public in and for the  
 State of Idaho  
 My Commission expires;

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 APR 12 1994

POOR ORIGINAL

ARTICLES OF  
AMENDMENT OF  
ROBINSON WATER  
ASSOCIATION, INC.

Amended articles.

STATE OF IDAHO  
DEPARTMENT OF STATE  
SACRAMENTO OFFICE  
SACRAMENTO, CALIF.

Approved by the Board of Directors of the Robinson Water Association, Incorporated, of the State of Idaho ~~and~~  
\*\*\*\*\*

this 27th day of  
April 1942  
at 9:45 o'clock A. M.  
SACRAMENTO

Fee \$ 5.00

Recording 2.40

\*\*\*\*\*

\*\*\*\*\*

TOTAL \$ 7.40

GEO. H. CURTIS

CLERK OF STATE

BY

*Agnes Dunn*  
CORPORATION CLERK

INDEXED

Recorded on Film Roll #1  
of Domestic Corporations  
\*\*\*\*\*

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#21050-b

CERTIFICATE OF APPOINTMENT  
REGISTERED AGENT

POOR ORIGINAL

That Robinson Water Association Inc.  
(Name of Corporation)  
an Idaho corporation, pursuant to section 30-1-12, Idaho Code, and by authority of its Board of Directors, does  
hereby appoint Myrna Robinson  
(Name of Registered Agent)  
of RT #8 Box 153 Idaho Falls Idaho as its  
(Street address) (city)  
Registered Agent in the State of Idaho, upon whom process issued by authority of or under any law of the State of  
Idaho may be served.

IN WITNESS WHEREOF the corporation has caused this certificate to be executed and verified by its  
President (or Vice-President) on this 7th day of June, 1977

Robinson Water Association Inc.  
(Name of Corporation)  
By [Signature]  
(President or Vice-President)  
President.  
(Title)

STATE OF Idaho }  
County of Bonneville } ss.

Subscribed and sworn to before me this 7th day of June, 1977.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my seal.

[Signature]  
Notary Public - State of Idaho  
(Title)

ARA 4-79

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AMENDMENT TO ARTICLES OF INCORPORATION  
OF ROBINSON WATER ASSOCIATION, INC.

This amendment hereby modifies the Articles of Incorporation of Robinson Water Association, Inc. filed with the Secretary of State of Idaho on March 14, 1942, and the amendment filed with the Secretary of State on April 27, 1942, under ARTICLE IV, to provide that Robinson Water Association, Inc. shall hereinafter have perpetual duration rather than a limited or fixed 50 year life in order for the Robinson Water Association, Inc. to continue indefinitely, carry out its corporation charter and provide service to its members.

IN WITNESS WHEREOF, we, the members have set our hands and seals this \_\_\_\_ day of November, 1993.

Herb Shurtliff  
Herb Shurtliff  
President/Member  
7252 N. Yellowstone  
Idaho Falls, ID 83401

Polly Jorgenson  
Polly Jorgenson  
Member  
7327 N. Yellowstone  
Idaho Falls, ID 83401

Georgia Shurtliff  
Georgia Shurtliff  
Vice President/Member  
7252 N. Yellowstone  
Idaho Falls, ID 83401

Gary Thompson  
Gary Thompson  
Member  
7293 N. Yellowstone  
Idaho Falls, ID 83401

Erma Thompson  
Erma Thompson  
Secretary/Member  
7293 N. Yellowstone  
Idaho Falls, ID 83401

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STATE OF IDAHO                    )  
                                      ) ss.  
County of Bonneville            )

On this \_\_\_\_ day of November, 1993, before me a Notary Public, personally appeared Herb Shurtliff, Georgia Shurtliff, Erma Thompson, Polly Jorgenson, and Gary Thompson, known to me to be the secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Residing in Idaho Falls  
My commission expires:

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AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-25-1997

PAGE: A-23

RIGHT NUMBER: 25-04064

NAME & ADDRESS: ROBINSON WATER ASSN INC  
C/O ERMA P THOMPSON  
7263 N YELLOWSTONE HWY  
IDAHO FALLS ID 83401

SOURCE: GROUNDWATER

QUANTITY: 0.1 CFS

PRIORITY DATE: 06/01/1942

POINT OF DIVERSION: T03N R38E S26 SWSNW Within BONNEVILLE County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE           | PERIOD OF USE | QUANTITY |
|----------------|--------------------------|---------------|----------|
|                | DOMESTIC D/5 HOUSEHOLDS. | 01-01 12-31   | 0.1 CFS  |

| PLACE OF USE: | DOMESTIC      | Within BONNEVILLE County |
|---------------|---------------|--------------------------|
|               | T03N R38E S26 | SWNW NWSW                |
|               | S27           | SENE NESE                |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WATER RIGHT WAS ORIGINALLY FILED UNDER PERMIT 19310 BUT WAS  
CANCELED BECAUSE OF FAILURE TO SUBMIT PROOF OF BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

Verified by \_\_\_\_\_ Date: \_\_\_\_\_

Verification Source: \_\_\_\_\_