

74499
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
JAN 25 2008
IDWR/North

1. Name of Applicant FLYING W RANCH OWNERS ASSOCIATION INC Phone (208) 683-7483
Mailing address P.O. BOX 252, AINOL, ID 83801

2. Source of water supply RAVENS PRairie Aquifer which is a tributary of _____

3. Location of point of diversion is Township S3 Range 03 Sec. 12, in the ~~SE~~ SE 1/4, NW 1/4, _____ 1/4, Govt. Lot _____, B.M., Kpoteng County;

additional points of diversion if any:

4. Water will be used for the following purposes:

- Amount .2 for MUNICIPAL purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.2 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works: SUBMERSIBLE WELL PUMP

- a. Describe type and size of devices used to divert water from the source _____
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 8/7/98; Drilling firm Hand Well Service INC
Well was drilled for (well owner) Flying W. Ranch; Drilling Permit No. 0005086

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. FLYING W RANCH OWNERS ASSOCIATION
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S3	03	12					M	M	M	M									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? FLYING W. RANCH OWNERS ASSOCIATION
 b. Who owns the land to be irrigated or place of use? Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: PWS # 1200287

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

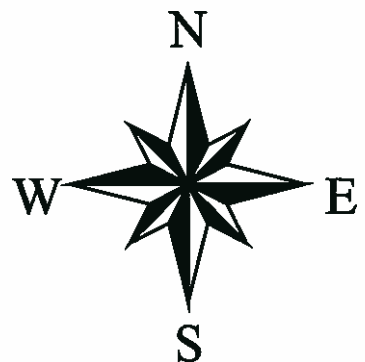
Andrea McDermott President FWORD
 Signature of Applicant (and title, if applicable)

Received by (signature) Date 1/25/08 Time 11:01a Preliminary check by _____
 Fee \$ 100.00 Received by (signature) # N019010 Date 1/25/08
 Publication prepared by (signature) Date 3/12/08 Published in CDA Prep 3/20 & 27/08
 Publication approved (signature) Date 3/28/08

95-9463

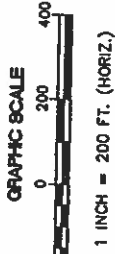


- Kootenai taxlots
- GCDB53N03W GCDB
- QQ
- QQ
- Recommendation POD
- Recommendation POU
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp



THE PLAT OF
FLYING "W" RANCH
 LOCATED IN THE NW 1/4 OF SECTION 12,
 T. 53 N., R. 3 W., B.M., KOOTENAI CO., IDAHO

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LEGEND

- SET 5/8" x 30" REBAR WITH A PLASTIC CAP, MKD. PLS 6803.
- SET 5/8" x 24" REBAR WITH A PLASTIC CAP, MKD. PLS 6603.
- (P) RECORD OF SURVEY, BOOK 13, PAGE 53.
- ⊙ WELL SITE

NOTES

- THIS SURVEY DOES NOT INTEND TO SHOW ALL EASEMENTS OR ALL PHYSICAL FEATURES OF THIS PROPERTY.
- 50' RIGHT-OF-WAY WIDTH ON HOWARD ROAD PER VIEWERS REPORT NO. 187 DATED 1905 PER RECORDS OF KOOTENAI COUNTY.
- A 10' UTILITY AND DRAINAGE EASEMENT EXISTS ALONG ALL PLATTED ROADS UNLESS OTHERWISE NOTED.

BASIS OF BEARING

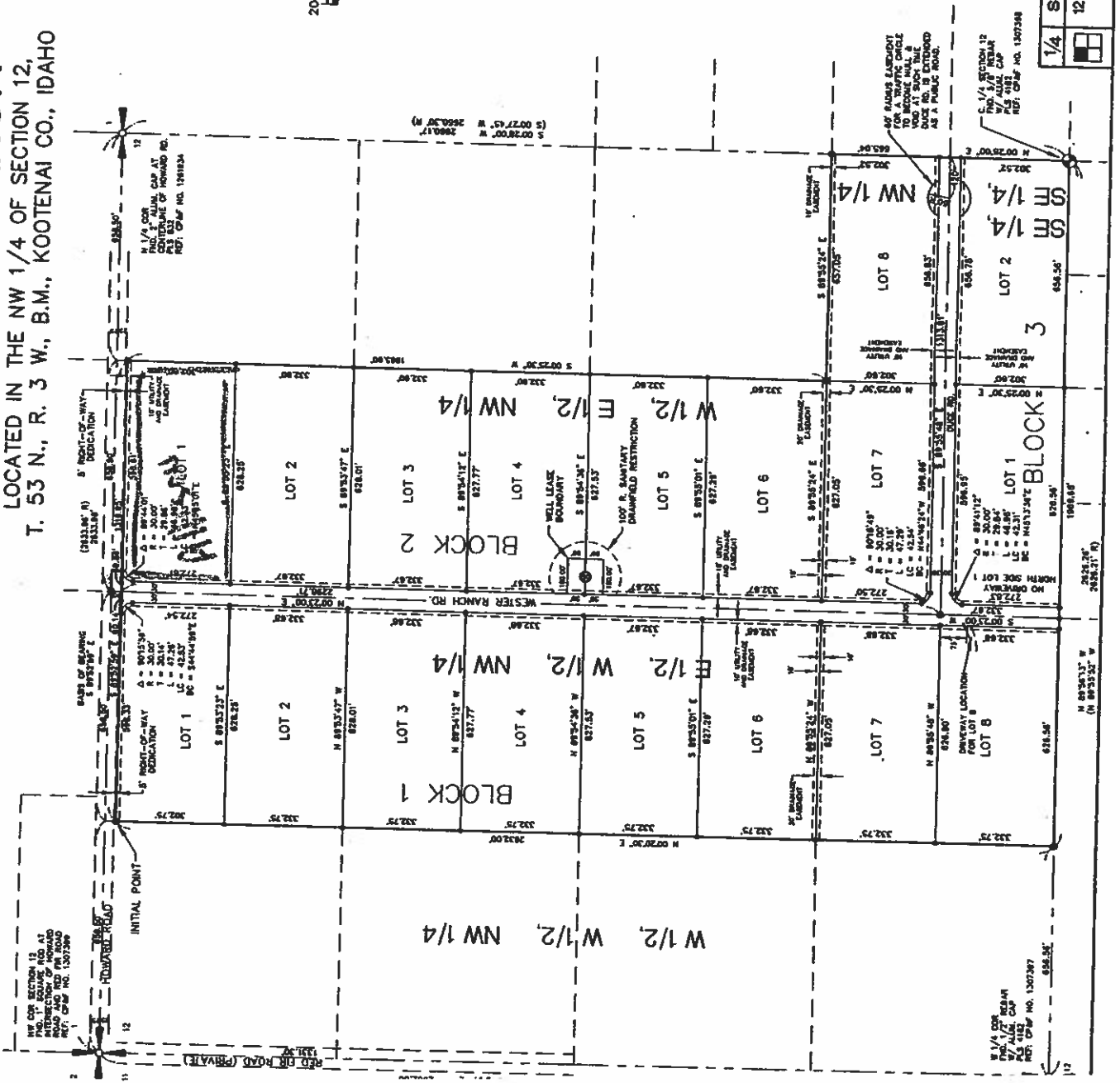
S 89°52'59" E ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 12, T. 53 N., R. 3 W., B.M., PER THE RECORDS OF SURVEY, KOOTENAI COUNTY, IDAHO.

SURVEYOR'S CERTIFICATE

I, SCOTT L. TOLMNESS, PLS NO. 6803, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, CERTIFY THAT THE PLAT OF "FLYING "W" RANCH WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.



SCALE	1" = 200'
DRAWN BY	RVA
DATE	DEC 1997
SHEET	1 OF 2
PROJECT	RUBIN-YALGER & ASSOCIATES, INC.
FILE NAME	PLS 6455-1
PLAT DATE	03-11-98
S T R	3
T	53
S	12
R	N
W	W



WELL DRILLER'S REPORT

Office Use Only		
Inspected by		
Twp. 1/4	Rge. 1/4	Sec. 1/4
Lat. : :	Long. : :	

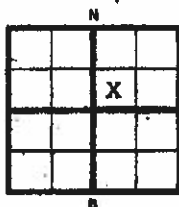
78055

1. WELL TAG NO. D5086
Drilling Permit No: 96-98-N-147
Other IDWR No. _____

2. OWNER FLYING "W" RANCH Well Number: 748
Name FLYING "W" RANCH
Address E 5685 SELTICE WAY

City POST FALLS State ID Zip 83854

3. LOCATION OF WELL by legal description
sketch map location must agree with written location



Twp. 53 North or South
Rge. 03 East or West
Sec. 12 1/4 SW 1/4 NE 1/4

Gov't Lot _____ County KOOTENAI

Lat: : : Long: : :

Address of Well Site _____
City ATHOL

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

Domestic Municipal Monitor Irrigation
 Thermal Injection Other _____

5. TYPE OF WORK check all that apply (Replacement, etc.)

New Well Modify Abandonment Other _____

6. DRILL METHOD

Air Rotary Cable Mud Rotary Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT	METHOD
Material	From	To	
BENTONITE	0	30	7/3 GEL/CRUMBLES

Was drive shoe used? Y N Shoe Depth(s) _____

Was drive shoe seal tested? Y N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Linear	Welded	Threaded
6	+1	424	.250	STEEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method _____

Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Linear

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

377 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

53 N 3W 12

11. WELL TESTS:

Pump Bailor Air Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
20+			

Water Temp. _____ Bottom Hole Temp _____

Water Quality test or comments: _____

Depth first Water encountered _____

12. LITHOLOGIC LOG:(Describe repairs or abandonment)

Bore Elev	From	To	Remarks: Lithology, Water Quality, Temperature	Water	
				V	N
10	0	30	Sands Gravels Boulders	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	30	40	Sands Gravels Boulders	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	40	280	Sands Gravels	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	280	320	Sands Gravels Boulders	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	320	380	Sands Gravels	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	380	410	Sands Gravels Boulders	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	410	427	Gravels	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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NORTHERN REGION
IDWR

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JAN 25 2008

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Completed Depth 427 (Measurable)

Date Started 7/31/98 Completed 8/7/98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the pg was removed.

Firm Name H2O Well Service, Inc. Firm No. 448

Firm Official [Signature] Date 8/7/98

and Supervisor or Operator [Signature] Date 8/7/98

(Sign Once If Firm Official and Operator)

(Mike Halterman)

No. C 126079

no later than October 31, 2007
Annual Report Form

Return to:
SECRETARY OF STATE
450 NORTH FOURTH STREET
PO BOX 83720
BOISE, ID 83720-0080

1. Mailing Address - Correct in this box, if applicable

FLYING "W" RANCH OWNERS ASSOCIATION
DANE ASH
31852 N WESTER RANCH RD
ATHOL, ID 83801

2. Registered Agent and Office NO PO BOX

ANDREA MCDERMOTT
31852 N WESTER RANCH RD
ATHOL, ID 83801

NO FILING FEE IF
RECEIVED BY DUE DATE

3. New Registered Agent Signature

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	ID	Zip
PRESIDENT	ANDREA MCDERMOTT	31852 N. WESTER RANCH RD	ATHOL	ID		83801
VICE PRESIDENT	RAY WINEINGER	31319 N. WESTER RANCH RD	ATHOL	ID		83801
SECRETARY	SUZANNE PATAFIO	2690 E. GRANDVIEW DR	COEUR D'ALENE	ID		83815
TREASURER	CLAUDIA COOGAN	31957 N. WESTER RANCH RD	ATHOL	ID		83801
DIRECTOR AT LARGE	CHUCK SELLIER	10075 E DULCE	ATHOL	ID		83801

5. Organized Under the Laws of:
IDAHO
C 126079

6. Signature Andrea McDermott

Date 9.29.07

Name Andrea McDermott

Title PRESIDENT

Issued 08/02/2007

To Print Type or Stamp

200710001862

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ARTICLES OF INCORPORATION

98 OCT 22 AM 10:30

FLYING "W" RANCH OWNERS ASSOCIATION, INC.

SECRETARY OF STATE
STATE OF IDAHO

RECEIVED
JAN 25 2008
IDWR/North

KNOW ALL MEN BY THESE PRESENTS that, KEITH A. WESTER, being over the age of eighteen (18) years, and for the purposes of forming a corporation under the Idaho Nonprofit Corporation Act, hereby certifies and adopts the following Articles of Incorporation:

**ARTICLE 1
NAME**

The name of the Corporation (hereinafter called the "Association") is FLYING "W" RANCH OWNERS ASSOCIATION, INC., and it is a nonprofit corporation.

**ARTICLE 2
DURATION**

The Association shall exist perpetually.

**ARTICLE 3
PURPOSES AND POWERS OF THE ASSOCIATION**

This Association does not contemplate the distribution of gains, profits, or dividends to its Members. The specific primary purposes for which it is formed are to provide for the acquisition, construction, management, operation, administration, maintenance, repair, improvement, preservation, insurance, and architectural control of Association property within that certain residential subdivision located in Kootenai County Idaho, commonly known as the Flying "W" Ranch and to promote the health, safety, and welfare of all owners and tenants using the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for such purpose, all according to that certain Declaration of Covenants, Conditions, and Restrictions (the "Declaration") recorded or to be recorded with respect to said property in the Office of the Recorder of Kootenai County.

In furtherance of said purposes, and subject to the approval of Members as required by the Declaration and the remaining Project Documents, this Association shall have power to:

LEAD SECRETARY OF STATE

3.1 Perform all of the duties and obligations of the Association as set forth in the Declaration;
 10/25/98 \$500.00
CL: 18700 CT: 2011 IN: 15373

3.2 Fix, levy, collect, and enforce Assessments as set forth in the Declaration;
 10/25/98 \$500.00 UC 1000 12

C 126079

3.3 Pay all expenses and obligations incurred by the Association in the conduct of its business, including, without limitation, all licenses, taxes, or governmental charges levied or imposed against the Association property;

3.4 Acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, exchange, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

3.5 Make contracts and incur liabilities, borrow money and mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

3.6 Dedicate, sell, transfer, or grant easements over all or any part of the subject property to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the Members;

3.7 Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional property to the property managed by the Association;

3.8 Have and exercise any and all powers, rights, and privileges which a corporation organized under the Nonprofit Corporation Act of the State of Idaho by law may now or hereafter have or exercise.

ARTICLE 4 MEMBERS AND MEMBERSHIP

4.1 Non-stock Corporation. Participation in management and ownership of the Association shall be by membership only. The Association shall issue no stock and shall have no shareholders.

4.2 Membership. The Owner of a Lot shall automatically, upon becoming an Owner, be a Member of the Association, and shall remain a Member thereof until such time as its ownership ceases for any reason, at which time its membership in the Association shall automatically cease. Membership shall be in accordance with these Articles of Incorporation and the Bylaws of the Association.

4.3 Transferred Membership. Membership in the Association shall not be transferred, pledged, or alienated in any way, except upon the transfer of ownership of the Lot to which it is appurtenant, and then only to the new Owner. Any attempt to make a prohibited transfer is void. In the event the Owner of any Lot should fail or refuse to transfer the membership registered in its name to the purchaser of its Lot, the Association shall have the right to record the transfer upon its books and thereupon the

old membership outstanding in the name of the seller shall be null and void.

4.4 One Class of Membership. The Association shall have one class of voting membership, with each Lot, including Lots owned by the Declarant identified in the Declaration, having one (1) vote with respect to all matters upon which a vote is to be taken.

4.5 Voting Requirements. Except where otherwise expressly provided in the Declaration, these Articles of Incorporation, or the Bylaws, any action by the Association which must have the approval of the Association membership before being undertaken, shall require the vote or written assent of the prescribed percentage of a quorum of the total voting power of the Association.

4.6 Limitation of Payment to Dissenting Member. Membership in the Association is appurtenant to and cannot be segregated from ownership of a Lot within the Jurisdiction of the Association. Except upon dissolution of the Association, a dissenting Member shall not be entitled to any return of any contribution or other interest in the Association.

ARTICLE 5

INITIAL REGISTERED OFFICE AND AGENT

The initial registered office of the Association shall be at the offices of Coldwell Banker/Schneidmiller Realty, Inc., 1924 Northwest Blvd., Coeur d'Alene, Idaho 83814, and the registered agent at such address shall be Scott Kelly.

ARTICLE 6

BOARD OF DIRECTORS; INCORPORATOR

The affairs of this Association shall initially be managed by a Board of three (3) Directors, who shall be Members of the Association, or agents of a corporate Member. The number of Directors may be changed by the amendment of the Bylaws of the Association. The names and addresses of the initial three (3) Directors of the Association until the selection of their successors, are:

Keith A. Wester	4146 Bellingham Ave. Studio City, California 91604
Lavon F. Duce	965 West Willow Kanab, Utah 84741
William P. Dougherty	Dougherty & Associates 802 Lincoln Street Post Falls, Idaho 83854

The name and address of the incorporator of this Association is as follows:

Keith A. Wester 4146 Bellingham Ave.
Studio City, California 91604

ARTICLE 7
INDEMNIFICATION

A Director of the Association shall not be personally liable to the Association for monetary damages arising from any conduct as a Director, except this limitation on liability shall not apply to (i) acts or omissions involving intentional misconduct by the Director or a knowing violation of law by the Director; or (ii) any transaction from which the Director will personally receive a benefit in money, property, or services to which the Director is not legally entitled. If the Idaho Business Corporation Act and/or the Idaho Nonprofit Corporation Act is amended to authorize corporate action further eliminating or limiting the personal liability of corporate Directors, then the liability of a Director of this Association shall be eliminated or limited to the fullest extent permitted by such law or laws, as so amended.

Any repeal or modification of the foregoing paragraph shall not adversely affect any right or protection of a Director of the Association existing at the time of such repeal or modification.

The Association has the power to indemnify, and to purchase and maintain insurance for, its Directors, officers, trustees, employees, and other persons and agents. Without limiting the generality of the foregoing, the Association shall indemnify its Directors against all liability, damages, and costs or expenses (including attorneys fees) arising from or in any way connected with service for, employment by, or other affiliation with this Association to the maximum extent and under all circumstances permitted by law.

ARTICLE 8
DISSOLUTION

In the event of the dissolution, liquidation, or winding up of the Association, after paying or adequately providing for the debts and obligations of the Association, the Directors or person in charge of the liquidation shall divide the remaining assets among the Members in accordance with their respective rights thereto as established in the Declaration.

ARTICLE 9
AMENDMENT OF ARTICLES

These Articles may be amended at any time and in any manner by the vote of sixty-seven percent (67%) of the total voting power of the Association, or by the unanimous consent of the

Members; provided, however, that the percentage of the voting power necessary to amend a specific clause or provision herein shall not be less than the percentage of affirmative votes prescribed for action to be taken under said clause or provision; and provided further, that any such amendment shall not be inconsistent with the law.

For the purpose of forming this Association under the laws of the State of Idaho, the undersigned, being the incorporator of this Association, has executed these Articles of Incorporation on October 21, 1998.


KEITH A. WESTER

CONSENT TO SERVE AS REGISTERED AGENT

I, Scott Kelly, hereby consent to serve as registered agent in the State of Idaho, for the corporation known as FLYING "W" RANCH OWNERS ASSOCIATION, INC. I understand that as agent for the Association, it will be my responsibility to receive service of process in the name of the Association; to forward all mail to the Association; and to immediately notify the office of the Secretary of State in the event of my resignation, or of any changes in the registered office address of the Association for which I am agent.

DATED: October 21, 1998.


SCOTT KELLY