

No. C 155883 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than August 31, 2006 Annual Report Form 1. Mailing Address - Correct in this box, if applicable TEN PLUS INC. 16967 HWY 95 S GRANGEVILLE, ID 83530	2. Registered Agent and Office NO PO BOX RICHARD A BAINES 16967 HWY 95 S GRANGEVILLE, ID 83530 3. <u>New</u> Registered Agent Signature
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4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
President	Richard A. Baines	16967 Hwy 95 South;	Grangeville,	ID	83530
Secretary	Joyce E. Baines	16967 Hwy 95 South;	Grangeville,	ID	83530
Director	Richard A. Baines	16967 Hwy 95 South;	Grangeville,	ID	83530

5. Organized Under the Laws of: NEVADA C 155883	6. Signature <u>Joyce E Baines</u> Date <u>6/12/06</u> Name (Typed or Printed) <u>Joyce E. Baines</u> Title <u>Secretary</u>
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Issued 06/01/2006

Do Not Tape or Staple

200608004446

MEMORANDUM

TO: File 79-14186

FROM: Sharla Curtis

DATE: January 24, 2007

RE: Basin 79 Processing

This application for permit requests a total of 0.08 cfs from ground water for domestic use and irrigation of 1 acre yards associated with 8 homes in Summer Breeze Subdivision. Because the irrigation component exceeds the exemption under 42-111, Idaho Code, this filing falls under the Wild & Scenic processing category.

The Dept. of Fish & Game signed off on this one 1/5/07 per a telephone conversation with Steve Lester.

IDEQ will be contacted via a comment letter at the time of advertising.

I made contact with Erin Retelle at the State Office for parallel processing on 1/23/07. She asked that a comment letter also be sent to the county; she had no further comments on this filing. It will be sent for advertising.

CONVERSATION MEMORANDUM

Date 1/5/07

File 79-14188

NAME OF PARTY AGENCY CONTACTS & INFO/COMMENTS

EMPLOYEE FZ

RE: PARALLEL PROCESSING PREP

① IDEQ - per 12/11/06 conversation with Shelly Keen
at SO: IDEQ generally provides generic info, OK
to send regular comment letter when process

② IDEQ - same conv. as above - referred to
Ray Hennekey at Lewiston:
12/11/06 email to Ray for comments

1/5/07 discussed with Ray - no IDEQ concerns
on this Appl. - continued development on
Camas Prairie might need closer look re
wetlands/other habitat issues.

OK to proceed with parallel processing with
caution that IDEQ comments post advertising might
change outcome of process (probably won't).

PROGRESSIVE ENGINEERING GROUP, INC.

1208 Idaho Street
Lewiston, Idaho 83501

Phone (208) 748-5406
FAX (208) 746-9732

December 13, 2006

Mr. Steve Lester, Water Rights Supervisor
State of Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

DEC 18 2006

WATER RESOURCES
WESTERN REGION

RE: Application for Permit No. 79-14186
Summer Breeze Subdivision

Dear Steve:

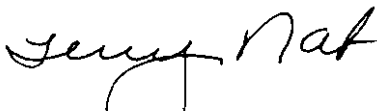
As per our recent telephone conversation of this morning, I have changed the amount of water used for irrigation in item no. 4 on the enclosed Application for Permit to appropriate the public waters of the State of Idaho for the above referenced project from 0.04 cfs to 0.08 cfs.

Mr. Baines has endorsed the amended application as requested.

I hope this provides you with the information you need to complete the processing of this application. If you have any questions, or need any additional information, please do not hesitate to call me. Thanks again for your time and help concerning this matter.

Sincerely,

PROGRESSIVE ENGINEERING GROUP, INC.



Terry W. Nab, P.E.
Principal Engineer

Enclosures (2)

cc: Mr. Richard Baines, Owner
File No. 06-005

Lester, Steve

From: Lester, Steve
Sent: Monday, December 11, 2006 2:23 PM
To: 'rhennekey@idfg.idaho.gov'
Subject: Comments for Application for Water Permit - near Grangeville

Ray:

We discussed this community well proposal near Grangeville earlier today. It's near Whitetail Drive & Short Road according to the application map.

A copy of the application is attached for your comments. The applicant c/o engineer consultant Terry Nab is in the process of amending it again to list either 0.06 cfs or 0.08 cfs for irrigation per IDWR standards. But total use will not exceed 0.08 cfs (individual uses do not have to be additive so can list 0.04 cfs + 0.08 cfs = 0.08 cfs total).

Please send your comments to me when your time allows. An email reply is fine if you prefer it. Let me know if you need any more information on this one. Thanks for taking time for this.

I'm including my complete contact info in case you need it.

Steve Lester
Water Rights Supervisor
IDWR Western Region
tel 208.334.2190
fax 208.334.2348
steve.lester@idwr.idaho.gov



79-14186.pdf



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

**JAMES E. RISCH, Governor
KARL J. DREHER, Director**

December 8, 2006

TERRY W NAB PE
PROGRESSIVE ENGINEERING GROUP INC
1208 IDAHO ST
LEWISTON ID 83501

Re: Application for Permit No. 79-14186

Dear Mr. Nab:

Thank you for the return of the above referenced application that has been amended. Unfortunately the application needs additional attention before it can be processed.

Irrigation of eight acres for yards was added to the application by your last action. The amount of water for irrigation will not provide a beneficial use as outlined in the attached notes. The application should be further amended to list at least 0.06 cfs for irrigation. Similar scenarios like this one suggest that 0.08 cfs for irrigation could be requested.

The application is enclosed. The change can be made on the application and endorsed by the applicant in the same manner as the prior endorsement. The application will be processed when it is corrected and returned.

Your receipt for the well drilling permit fee upgrade is also enclosed.

Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water

Enclosure: Application for Permit
Application Notes

APPLICATION 79-14186 NOTES

SL 12/8/2006

RATE/VOLUME ANALYSIS

Per application information & IDWR standards

Domestic use, internal use, 8 homes at 0.6 acre-feet per annum (afa)

Irrigation 8 acres, standard season is 4/1-10/31 (214 days), volume required per acre is 3 afa

V_r = volume required for beneficial use

V_d = volume diverted for use per application & standards = rate x days x conversion factor

Beneficial use if system can produce required volume = $V_r < V_d$

Domestic

$$V_r = 8 \times 0.6 = 4.8 \text{ af}$$

$$V_d = 0.04 \times 365 \times 1.9835 = 29 \text{ af}$$

$V_r < V_d$ = beneficial use

Irrigation

$$V_r = 8 \times 3 = 24 \text{ af}$$

$$V_d = 0.04 \times 214 \times 1.9835 = 17 \text{ af}$$

$V_r > V_d$ = not beneficial use, need higher rate

Generally about $\frac{1}{2}$ "/acre (0.01 cfs) needed to yield required volume

Water right flow rates generally recorded to 1/100 cfs

0.05 cfs yields 21.2 af, 0.06 cfs yields 25 af, apply for at least 0.06 cfs irrigation use

Alternate: Apply for 0.08 cfs irrigation, total rate for application also 0.08 cfs since individual flow rates not required to be additive; total rate 0.08 cfs can produce total volume for proposed uses.

PROGRESSIVE ENGINEERING GROUP, INC.

1208 Idaho Street
Lewiston, Idaho 83501

Phone (208) 746-5406
FAX (208) 746-9732

December 5, 2006

RECEIVED

DEC 07 2006

WATER RESOURCES
WESTERN REGION

Mr. Steve Lester, Water Rights Supervisor
State of Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Application for Permit No. 79-14186
Summer Breeze Subdivision

Dear Steve:

As per our recent telephone conversation and your letter dated November 14, 2006, the enclosed Application for Permit to appropriate the public waters of the State of Idaho for the above referenced project has been revised as follows:

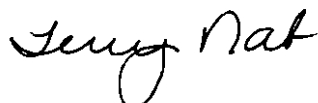
1. A second line for yard irrigation has been added to Item #4. Since the well will only produce approximately 35 gallons per minute, the total amount requested of 0.08 cfs did not need to be changed.
2. Based on the preceding, the total rate in #5a does not need to be adjusted. Item #5b has been deleted since it is not applicable.
3. A check for the additional \$125.00 as requested is attached to the revised application.
4. Item #9 has been revised to reflect 8 acres of irrigated area plus domestic use as well.

Mr. Baines has endorsed the amended application as requested.

I hope this provides you with the information you need to complete the processing of this application. If you have any questions, or need any additional information, please do not hesitate to call me. Thanks again for your time and help concerning this matter.

Sincerely,

PROGRESSIVE ENGINEERING GROUP, INC.



Terry W. Nab, P.E.
Principal Engineer

Enclosures (2)

cc: Mr. Richard Baines, Owner
File No. 06-005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

TERRY W NAB PE
PROGRESSIVE ENGINEERING GROUP INC
1208 IDAHO ST
LEWISTON ID 83501

Re: Application for Permit No. 79-14186 for Summer Breeze Subdivision

Dear Mr. Nab:

We discussed amending the enclosed original application yesterday. The following points were covered:

- ✓ 1. Item #4: Add irrigation for yard etc. use – limited to a maximum of 0.03 cfs/acre for up to 5 acres or 0.02 cfs/acre if more than 5 acres
- ✓ 2. Item #5: Adjust the total rate in 5a if necessary, delete the entry in 5b since n/a.
- ✓ 3. Item #6e: Remit an additional \$125 to upgrade the drilling permit from a \$75 single-family domestic category to a \$200 multiple home category. This can be done now or can be postponed until a later as yet unspecified date.
- ✓ 4. Item 9: List the acres to be irrigated by $\frac{1}{4}$ $\frac{1}{4}$.

Please make the revisions on the original application. Mr. Baines should endorse the amended application with his initials and date near the “amended” stamp.

The amended application can be processed for legal notices in the last two weeks of December if received by December 11. Please contact me at 208-334-2190 if you need more information or have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water Rights Supervisor

Enclosure – Original Application

CONVERSATION MEMORANDUM

Date 10/3/08
File 79-14186

NAME OF PARTY Applicant c/o consultant
EMPLOYEE RZ

RE: REQUEST TO EXPEDITE

WESTERN RECEIVED REPEATED CALLS TO EXPEDITE.

Re. 79 ground ~~water~~ WATER Apps:

1) 79-14182 filed 2-13-06 being reviewed
for processing

2) 79-14186 filed 8-3-06

↓
Should not be any harm to
process this one now

OK TO EXPEDITE

PROGRESSIVE ENGINEERING GROUP, INC.

1208 Idaho Street
Lewiston, Idaho 83501

RECEIVED

Phone (208) 748-5406
FAX (208) 746-9732

August 1, 2006

AUG 07 2006

WATER RESOURCES
WESTERN REGION

Mr. Kenneth Knoblock
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814

RECEIVED
AUG 03 2006
IDWR/North

RE: Summer Breeze Subdivision
Idaho County, Idaho

Dear Ken:

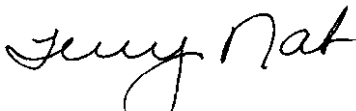
Please find enclosed the following items for the above referenced project:

1. Completed and signed Application for Permit to appropriate the public waters of the State of Idaho.
2. 8½" x 11" map identifying the location of the well.
3. Check for \$100.00.

If you have any questions, or need any additional information, please do not hesitate to call me. Thanks for your time and help concerning this matter. I look forward to talking with you again sometime in the near future.

Sincerely,

PROGRESSIVE ENGINEERING GROUP, INC.



Terry W. Nab, P.E.
Principal Engineer

Enclosures (3)

cc: Mr. Richard Baines, Developer
File No. 06-005

ARTICLES OF INCORPORATION
OF
SUMMER BREEZE HOMEOWNERS ASSOCIATION, INC.

In compliance with the requirements of the laws of Idaho relating to non-profit corporations and non amendatory and supplemental thereto, including particularly Chapter 3, Title 30, Idaho Code, the undersigned natural persons, each of whom is of full age and a resident of the United States, in order to form a non-profit corporation for the purposes hereinafter stated, do hereby, as incorporators, adopt the following Articles of Incorporation and certify:

ARTICLE I
NAME

The name of the corporation is Summer Breeze Homeowners Association, Inc, hereinafter called the "Corporation."

ARTICLE II
NON-PROFIT CORPORATION

This corporation is and shall be a non profit corporation organized and existing under the laws of the State of Idaho.

ARTICLE III
DURATION

The duration of this corporation shall be perpetual.

ARTICLE IV
PURPOSE AND POWERS OF THE CORPORATION

The purpose of this Corporation shall be to provide for maintenance, preservation and control of the Common Area within Summer Breeze Subdivision, Idaho County, Idaho, and additions thereto as may hereafter be brought within the jurisdiction of this Corporation by annexation as provided in Covenants referred to below, and to promote the recreation, health, safety and welfare of the members hereof, and for this purpose to:

- (a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereafter and other restrictions and covenants applicable to the property known as Summer Breeze Subdivision, Grangeville, Idaho, and recorded as to be recorded in the Office of the County Recorder of Idaho County, Idaho, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;
- (b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the

business of the Corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the Corporation;

- (e) acquire (by gift, purchase or otherwise), own, sell, hold, improve, build upon, operate, maintain, convey, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Corporation;
- (d) borrow money, mortgage, pledge, deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject to those restrictions contained in the Declaration and any amendments thereto;
- (c) dedicate, sell or transfer all or any part of the Common Area, to any public agency, authority, utility for such purposes and subject to such conditions as may be agreed to by the members, subject to those restrictions contained in the Declaration and any amendments thereto;
- (f) participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and the Common Area, subject to those restrictions contained in the Declaration or any amendments thereto; and
- (g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Idaho by law may now or hereafter have or exercise.

ARTICLE V BOARD OF DIRECTORS

The affairs of the Corporation may be managed by a Board of three (3) Directors, who need not be members of the Corporation, at meetings duly held pursuant to the By-Laws and at which a quorum is present in person or by proxy. A quorum shall consist of a majority of the Directors. The Board, by majority vote, may remove an officer of the Corporation.

The names and addresses of the Board of Directors of the Corporation are:

Richard Baines	16867 Highway 95 Grangeville, Idaho 83520
Joyce Baines	16867 Highway 95 Grangeville, Idaho 83530
Joyce Wellborn	96 Twin Pines Lane Grangeville, Idaho 83530

At the first regular meeting, the members shall elect one director for a term of one year, one director for a term of two years, and one director for a term of three years; and at each annual meeting thereafter, the members shall elect one director for the term of three years. Vacancies during the terms shall be filled by the remaining directors.

ARTICLE VI **INITIAL REGISTERED OFFICE**

The initial registered office of the corporation is located at, 16967 U. S. Highway 95 S., Grangeville, Idaho 83530. Richard Baines, whose address is 16967 U. S. Highway 95 S., Grangeville, Idaho 83530, is hereby appointed the initial registered agent of this corporation.

ARTICLE VII **INCORPORATORS**

The names and addresses of each of the incorporators are:

Ten Plus, Inc.	16967 U. S. Highway 95 S.
A Nevada Corporation	Grangeville, Idaho 83530

ARTICLE VIII **DISSOLUTION**

The Corporation may be dissolved with the assent given in writing and signed by all of the members, or a vote of all the members at any regular meeting of the membership. Upon dissolution of the Corporation, other than incident to a merger or consolidation, the assets of the Corporation shall be dedicated to an appropriate public agency to be used for purposes similar to those for which the Corporation was created. In the event that such dedication is refused or accepted, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes. No part of the assets of such disposition shall inure to the benefit of any member.

ARTICLE IX **MEMBERSHIP**

Every person or entity who is a record owner of a fee or which is subject by covenants or record to assessment by the Corporation shall be a member of the Corporation. The foregoing is not intended to include persons or entities who hold an interest in a lot merely as security for the performance of any obligation. Membership shall be appurtenant to and shall not be separated from ownership of any lot which is subject to assessment by the Corporation. Each member shall enjoy those property rights defined in Article IV of the Declaration of amendments thereto.

1
2 **ARTICLE X**
3 **VOTING RIGHTS**

4 The Corporation shall have one class of voting membership. Each member shall be
5 entitled to one vote for each lot in which he holds the interest required for membership by the
6 Declaration; when more than one person holds such interest in any lot, all such persons shall be
7 members, and the vote for such lot shall be exercised as they among themselves determine, but in
8 no event shall more than one vote be cast with respect to any lot.

9 **ARTICLE XI**
10 **AMENDMENT**

11 Amendments to the Articles shall require the assent of those members casting two thirds
12 (2/3) of the votes of the Corporation at any regular members' meeting, called specifically for that
13 purpose. The By-Laws may be amended by a majority of the Directors or by the members in
14 accordance with Idaho law.

15
16
17 IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the
18 State of Idaho as aforementioned, the undersigned, constituting the incorporators of this corporation,
19 have executed these Articles of Incorporation this 7th day of April, 2006.

20
21
22 **TEN PLUS, INC.**
23 **A Nevada Corporation**

24
25
26 BY: 
27 **RICHARD BAINES, President**
28