

# Tri-State Consulting Engineers, LLC

3712 S. Stach Road, Coeur d'Alene, ID 83814  
(208) 819-0494

June 2, 2006

Idaho Department of Water Resources  
1910 Northwest Blvd, Suite 210  
Coeur d'Alene, ID 83814-2615

RECEIVED

JUN - 2 2006

IDWR/North

ATTN: Mr. Keith E. Franklin

RE: Application for Amendment of a Water Right Permit, 95-9258.

Dear Mr. Keith:

In response to your request for more information letter dated May 19, 2006, we have included within this attachment the following:

1. A copy of the Articles of incorporation as recorded by the Idaho Secretary of State are provided within as requested.
2. A list of the association's directors, titles, and contact information are shown below:

Denny Ryerson  
7250 N. 16<sup>th</sup> Street, Suite 410  
Phoenix, AZ 85020-5264

Dave Ellis  
208 W. Echo Lane  
Phoenix, AZ 85021

Diana Cooney  
1529 W. Vista Ave.  
Phoenix, AZ 85021

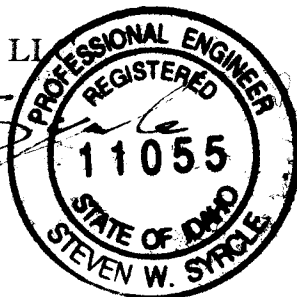
3. Our Public Water Supply (PWS) number from the Idaho State Department of Environmental Quality is 1280307.
4. A completed assignment of permit is included as requested.
5. The service area for the municipality will be the same as the property boundary defined within the original Permit No. 95-9258.

Upon completion of your review of the attached information, if you have any questions or need anything else, please feel free to contact me at your earliest convenience. Thank you in advance for your time and cooperation with our request.

Sincerely yours,  
Tri-State Consulting Engineers, LLC

Steven W. Syrcle, P.E.

Cc: Denny Ryerson  
Jim Magnuson  
File



**ARTICLES OF INCORPORATION OF  
MICA VIEW ESTATES HOMEOWNERS ASSOCIATION, INC.  
(A NONPROFIT CORPORATION)**

THE UNDERSIGNED, acting as incorporator of a nonprofit corporation under the Idaho Non-Profit Corporation Act, Idaho Code §30-3-1, et seq., adopts the following Articles of Incorporation.

**ARTICLE I**

The name of the corporation is Mica View Estates Homeowners Association, Inc. The corporation is a nonprofit corporation.

**ARTICLE II**

The period of the corporation's duration is perpetual.

**ARTICLE III**

The purposes for which the corporation is organized are to transact any and all lawful business for which corporations may be incorporated under the Idaho Non-Profit Corporation Act. An initial director, Denny Ryerson, is the owner of the following described real property located in Kootenai County, Idaho, to wit:

See Exhibit A attached hereto.

Denny Ryerson holds title in and to said property under Kootenai County Instrument No. 1860265. The entirety of the property as held in fee by Denny Ryerson, and as referenced by Kootenai County Instrument No. 1860265, is intended to be developed by Denny Ryerson under a uniform system of residential development subject to such Covenants, Conditions, and Restrictions as Denny Ryerson deems reasonable and appropriate, together with any subsequent amendments thereto. The purposes for which Mica View Estates Homeowners Association, Inc., is incorporated shall include, subject to the terms of such Covenants, Conditions, and Restrictions, and any amendments thereto, the management, oversight, and enforcement of such rules and regulations as arises thereunder, together with the assessment of all assessments described or provided therein. The affairs of the corporation shall be managed by its Board of Directors.

**ARTICLE IV**

The name and street address of the initial registered agent of the corporation is as follows:

IDAHO SECRETARY OF STATE  
06/28/2005 05:00  
CL: 17513 CT: 6160 IM: 018506  
1 0 30.00 = 30.00 INC NONP 2

C 161218

H. James Magnuson  
Attorney at Law  
P.O. Box 2288  
1250 Northwood Center Court, Suite A  
Coeur d'Alene, ID 83816

#### ARTICLE V

The number of directors constituting the initial Board of Directors of the corporation is three (3), and the names and addresses of the persons who are to serve as directors until the first annual meeting of the members or until their successors are elected and shall qualify are:

Denny Ryerson  
The Ryerson Company  
7250 N. 16th Street, Suite 410  
Phoenix, AZ 85020-5264

Dave Ellis  
208 W. Echo Lane  
Phoenix, AZ 85021

Diana Cooney  
1529 W. Vista Avenue  
Phoenix, AZ 85021

The name and address of the incorporator is as follows: H. James Magnuson, P. O. Box 2288, 1250 Northwood Center Court, Suite A, Coeur d'Alene, ID 83816.

#### ARTICLE VI

In the event the corporation is dissolved in conformity with both Idaho law (the Idaho Non-Profit Corporation Act, I.C. §30-3-1, et seq., as it now exists or is hereafter amended) and the provisions of such Covenants, Conditions and Restrictions as may pertain to the real properties described in Article III, then any assets of the corporation which remain after paying all corporate obligations and liabilities shall be liquidated and distributed to the corporation's members (to be determined as of such date as the corporation's board fixes in its discretion) pro rata.

#### ARTICLE VII

Membership in the Association shall be as defined in the "Declaration and Establishment of Covenants, Conditions, Restrictions and Reservations of Easements for Mica View Estates located in Kootenai County, Idaho," to be recorded with the Kootenai County Recorder, and any Voting Members.

subsequent amendments thereto. Proof of ownership of a lot described in, and subject to, the referenced Declaration shall constitute sufficient proof of membership in the corporation.

#### ARTICLE VIII

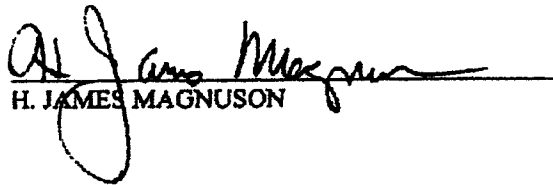
Authorization of assessments to be levied upon all members of the corporation is herein granted. The board of directors is herein authorized to fix the amount and collection of assessments by such methods as are provided in, and consistent with, the subject Declaration. Assessments are enforceable by legal action as provided in the subject Declaration. The board of directors is herein authorized to secure assessments by lien upon the real property to which membership rights are appurtenant.

#### ARTICLE IX

All voting members, as defined in the subject Declaration, shall enjoy the right of cumulative voting in any election for directors of the corporation.

DATED this 27 day of June, 2005.

INCORPORATOR:

  
H. JAMES MAGNUSON

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1860265

File No: 109912

## EXHIBIT A

## TRACT ONE

A parcel of land being portion of Tax No. 19552 being Kootenai County Parcel Number (49N04W-10-0900) in Government Lot 17 in the Northeast Quarter of Section 10, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:  
 \* and a portion of Government Lot 4

COMMENCING at a found 1 1/2" iron rod marking the North Quarter corner of Section 10; thence

South 00°25'17" West a distance of 1304.45 feet to a found 5/8" iron rod and P.L.S. 4194 cap marking the Northwest corner of Tax No. 7865 thence,

North 89°50'41" East along the North line of said Tax No. 7865 a distance of 250.00 feet to a found 5/8" iron rod and P.L.S. 4194 cap at the Northeast corner thereof, thence,

Along the East boundary of Tax No. 7865, South 00°25'17" West a distance of 761.11 feet to the TRUE POINT OF BEGINNING for this description;

Thence, continuing along the East boundary of Tax No. 7865, South 00°25'17" West a distance of 76.89 feet to a found 5/8" iron rod and P.L.S. 4194 cap at the intersection with the High water mark Lake Coeur d'Alene; thence

Along the said High water mark Lake Coeur d'Alene North 82°33'52" East a distance of 28.18 feet to a point; thence

South 42°37'35" East a distance of 52.57 feet to the intersection with a 6" cyclone fence; thence

Leaving said high water mark along said fence line, North 59°07'03" East a distance of 144.18 feet to a point; thence

North 30°51'44" West a distance of 25.15 feet to a point; thence

North 58°51'21" East a distance of 124.46 feet to the Northwest corner of Tax No. 18781 said point also an angle point in the Southerly boundary of Tax 19552; thence

Along the Southerly boundary, South 32°12'48" East a distance of 509.78 feet to a point; thence

Continuing along said Southerly boundary, South 46°30'45" East a distance of 538.62 feet to a point; thence

South 43°37'11" West a distance of 71.69 feet to the intersection with the Westerly right-of-way Gould's Landing Road; thence

Along said Westerly Right-of-Way the following (13) thirteen corners.

1) North 64°22'47" East a distance of 7.60 feet, thence

2) Along a curve to the left having a radius of 159.25 feet an arc length of 257.58 feet and a delta of 32°40'24" with a chord bearing and distance of North 17°43'50" East a distance of 230.41 feet, thence

3) North 28°36'22" West a distance of 65.57 feet, thence

4) Along a curve to the left having a radius of 542.54 feet an arc length of 76.15 feet and a delta of 8°03'47" with a chord bearing and distance of North 32°38'15" West a distance of 76.29 feet, thence

5) North 36°40'09" West a distance of 215.83 feet, thence

6) Along a curve to the right having a radius of 294.24 feet an arc length of 255.79 feet and a delta of 49°48'31" with a chord bearing and distance of North 11°45'54" West a distance of 247.31 feet, thence

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File No.: 189912

7) North 13°08'22" East a distance of 313.50 feet, thence

8) Along a curve to the left having a radius of 431.80 feet an arc length of 112.79 feet and a delta of 14°57'58" with a chord bearing and distance of North 05°39'24" East a distance of 112.47 feet, thence

9) North 01°49'35" West a distance of 50.47 feet, thence

10) Along a curve to the right having a radius of 286.86 feet an arc length of 170.11 feet and a delta of 33°58'36" with a chord bearing and distance of North 15°09'43" East a distance of 167.63 feet, thence

11) North 32°09'01" East a distance of 70.55 feet, thence

12) Along a curve to the left having a radius of 269.41 feet an arc length of 125.78 feet and a delta of 26°44'59" with a chord bearing and distance of North 18°46'35" East a distance of 124.64 feet, thence

13) North 05°24'05" East a distance of 154.94 feet to the intersection with the Southeasterly line of the 20 foot private access road easement;

Thence, along a line parallel and Southeasterly of the centerline of the private access road the following (15) fifteen courses:

1) North 80°02'37" West a distance of 52.00 feet, thence

2) North 51°22'21" West a distance of 57.70 feet, thence

3) North 50°56'17" West a distance of 79.96 feet, thence

4) North 58°58'08" West a distance of 36.44 feet, thence

5) North 73°31'27" West a distance of 15.85 feet, thence

6) North 83°20'04" West a distance of 21.70 feet, thence

7) South 76°21'36" West a distance of 72.35 feet, thence

8) South 68°46'08" West a distance of 27.05 feet, thence

9) South 36°31'12" West a distance of 28.29 feet, thence

10) South 26°33'14" West a distance of 19.50 feet, thence

11) South 24°09'04" West a distance of 637.25 feet, thence

12) South 28°41'27" West a distance of 93.34 feet, thence

13) South 32°27'04" West a distance of 116.13 feet, thence

14) South 54°16'03" West a distance of 192.93 feet, thence

15) South 58°16'57" West a distance of 117.17 feet, to the intersection with the East boundary of Tax No. 7865 and the TRUE POINT OF BEGINNING.**TRACT 2:**

**BEGINNING** at a found 1/2 inch iron rod marking the intersection of the Southeasterly line of Tax No. 4886 with the high water line of Lake Cour d'Alene, said point bears South 16°39'56" East, a distance of 3238.67 feet from the North Quarter corner of Section 18; thence

Along the Southeasterly line of Tax No. 4886, North 44°39'42" East, a distance of 160.06 feet to the intersection with the Westerly right-of-way line of Gould's Landing Road; thence

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File No.: 109912

Along the West and Southwesterly line of Gould's Landing Road, the following four courses:

1. Along the arc of a curve left, concave to the Southeast, having a radius of 137.81 feet through a central angle of  $54^{\circ}26'21''$ , an arc distance of 130.94 feet, whose chord bears South  $64^{\circ}29'42''$  West, 126.07 feet to a point of tangency; thence
2. South  $22^{\circ}43'28''$  East, a distance of 39.13 feet; thence
3. Along the arc of a curve left, concave to the Northeast, having a radius of 128.74 feet through a central angle of  $21^{\circ}49'31''$ , an arc distance of 49.04 feet, whose chord bears South  $33^{\circ}38'14''$  East, 48.74 feet to a point of tangency; thence
4. South  $44^{\circ}32'59''$  East, a distance of 131.11 feet to a set iron rod and PLS 4194 cap at the intersection with Lake Cocur d'Alene; thence

Along the shoreline of Lake Cocur d'Alene, the following eight courses:

1. South  $62^{\circ}37'30''$  West, a distance of 36.91 feet; thence
2. South  $59^{\circ}37'39''$  West, a distance of 31.20 feet; thence
3. North  $71^{\circ}42'16''$  West, a distance of 19.74 feet; thence
4. North  $49^{\circ}06'41''$  West, a distance of 42.75 feet; thence
5. North  $30^{\circ}12'46''$  West, a distance of 65.76 feet; thence
6. North  $33^{\circ}31'49''$  West, a distance of 55.49 feet; thence
7. North  $55^{\circ}31'09''$  West, a distance of 23.88 feet; thence
8. North  $31^{\circ}11'46''$  West, a distance of 61.55 feet to the POINT OF BEGINNING

TOGETHER WITH all that shore land of Cocur d'Alene Lake lying between the lakefront sidelines of said tract produced to the shore of the lake.

TRACT 2A:COMMENCING at a found 1/2 inch iron pipe in concrete and a 9 inch by 12 inch stone marking the most Easterly corner of Tax No. 4886, said pipe bears South  $80^{\circ}41'09''$  West, a distance of 1473.48 feet from the East Quarter corner of Section 10; thenceAlong the Southeasterly line of Tax No. 4886, South  $44^{\circ}45'16''$  West, a distance of 60.16 feet to the intersection with the Northwesterly right-of-way line of Gould's Landing Road; thence

Along said right-of-way line, the following two courses:

1. South  $64^{\circ}04'03''$  West, a distance of 62.44 feet; thence
2. Along the arc of a curve left, concave to the Southeast, having a radius of 137.81 feet; through a central angle of  $62^{\circ}31'35''$ , an arc distance of 6.09 feet, whose chord bears South  $62^{\circ}48'06''$  West, 6.09 feet to the POINT OF BEGINNING; thence

Continuing along said right-of-way line, along the arc of a curve left, concave to the Southeast, having a radius of 137.81 feet, through a central angle of  $83^{\circ}15'37''$ , an arc distance of 9.45 feet, whose chord bears South  $59^{\circ}34'20''$  West, a distance of 9.44 feet; thenceLeaving said right-of-way, North  $44^{\circ}39'42''$  East, a distance of 9.11 feet; thenceSouth  $45^{\circ}37'34''$  East, a distance of 2.43 feet to the TRUE POINT OF BEGINNING.