

WESTWIND LANDING SUBDIVISION

A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 27, T. 16N., R. 3E., BOISE MERIDIAN
 VALLEY COUNTY, IDAHO 1883
 JOHNSON ENGINEERING EAGLE, IDAHO



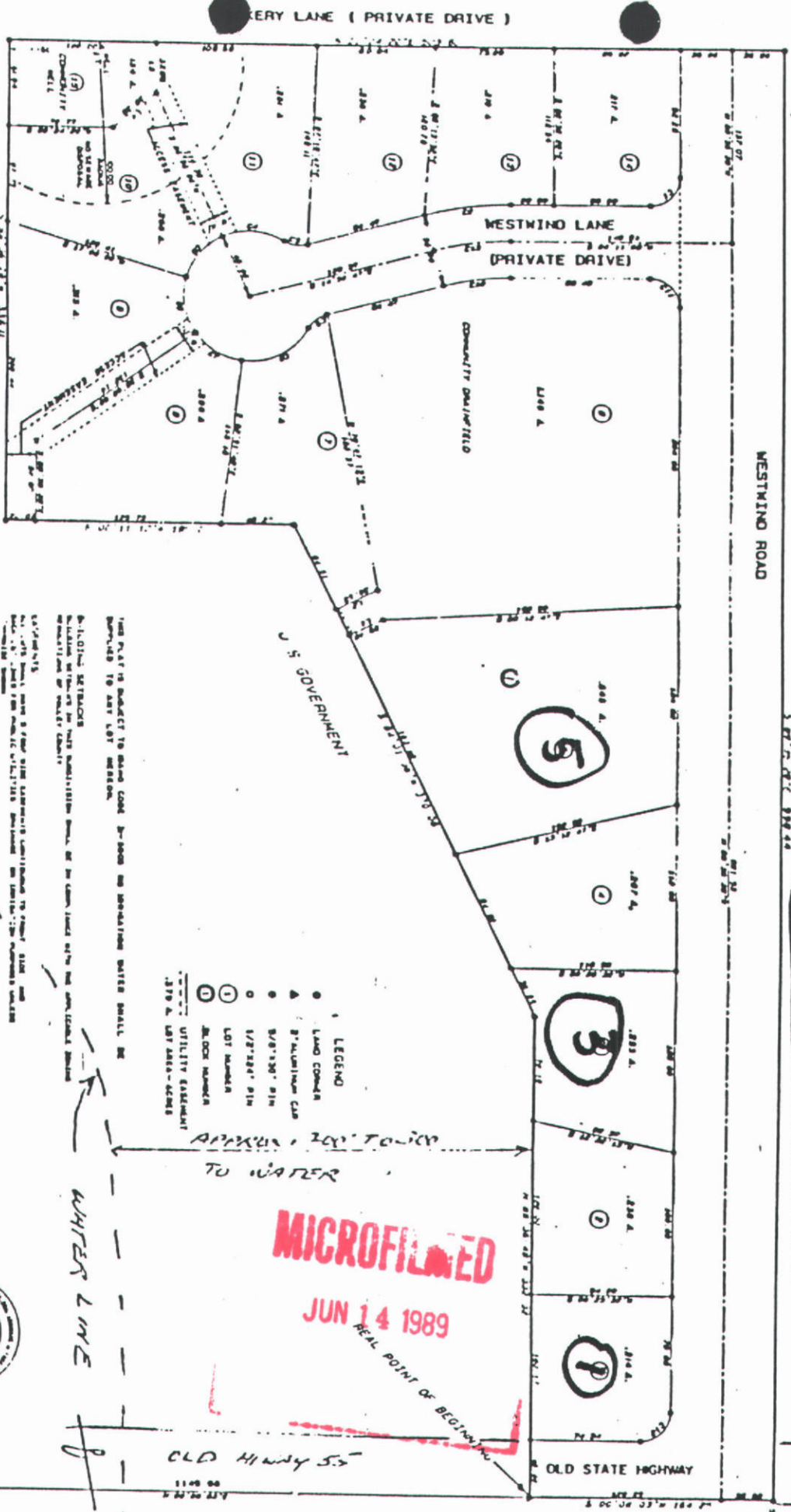
UNPLATTED

WESTWIND ROAD

Handwritten notes in a circle:
 \$6,500 ea.
 or \$12,500 cash
 \$6,500 Down
 \$13,362.9

RECORDED VALLEY
 COUNTY 1-23-84
 PLAT # 133627
 CUR # 133629
 REC'D 133625

OLD HIGHWAY 55
 TO DONNELLY



MICROFILMED
 JUN 14 1989
 REAL POINT OF BEGINNING

- LEGEND
- LAND CORNER
 - 8" ALUMINUM CAP
 - 5/8" 30" PIN
 - 1/2" 24" PIN
 - LOT NUMBER
 - BLOCK NUMBER
 - UTILITY EASEMENT
 - 370 A. LOT AREA - ACRES

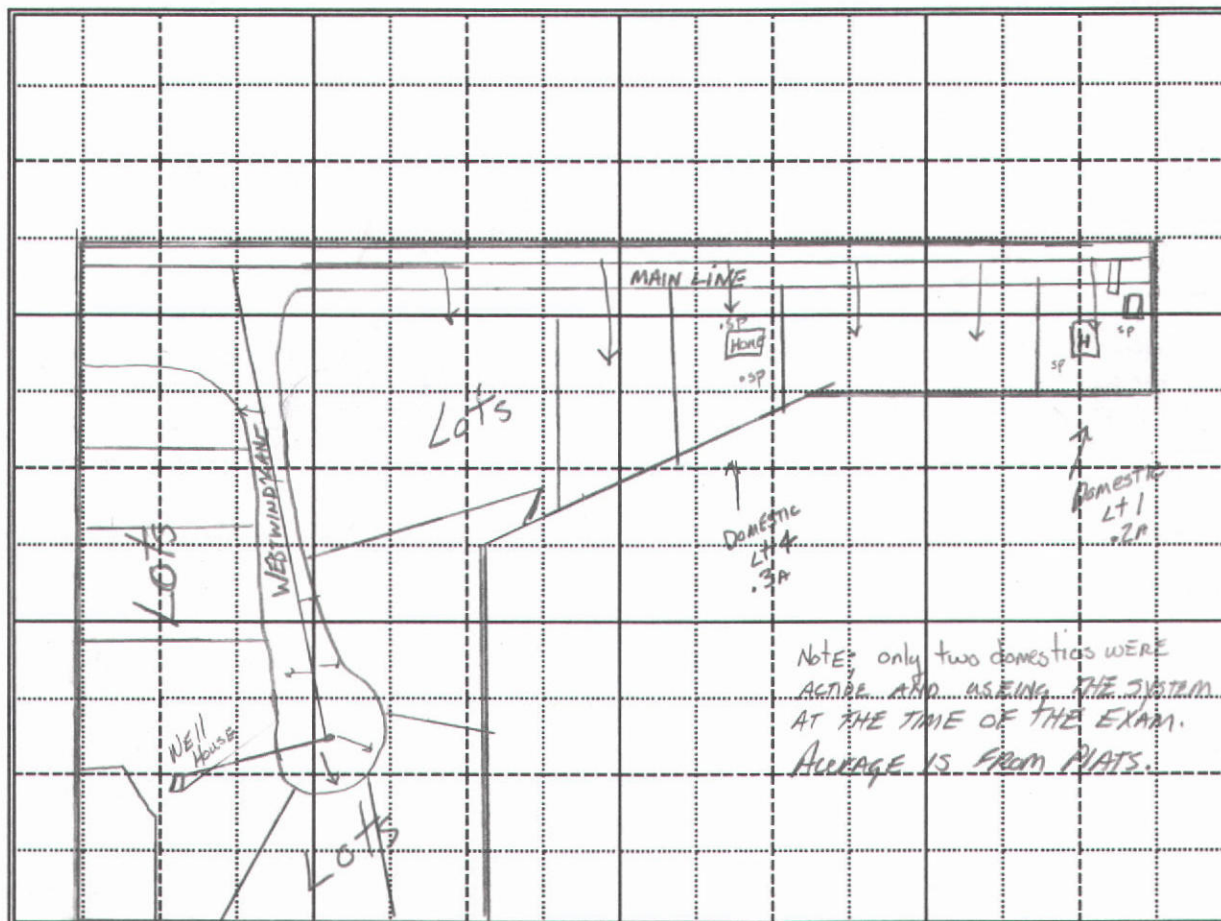
WATER LINE

OLD HIGHWAY 55



UNPLATTED

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☐ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
submersible	—	5	—	—	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

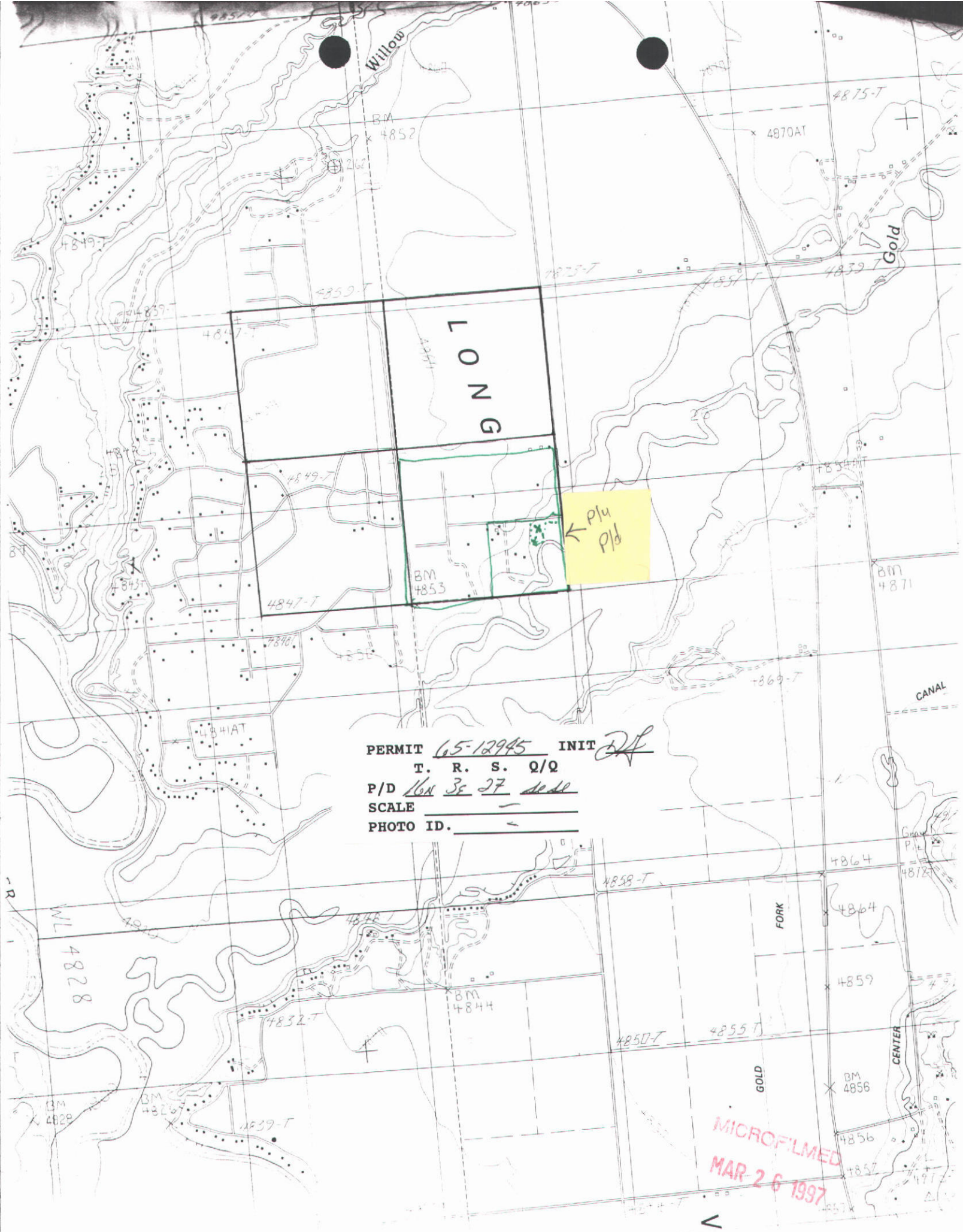
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: THEORETICAL: 5HP @ 45PSI 35 dynamic (est.)

DEC 0 1996
MAR 26 1997

RECEIVED



7-93

WESTWIND LANDING SUBDIVISION

A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 27, T.18N., R.36E., BOISE MERIDIAN
VALLEY COUNTY, IDAHO 1883
JOHNSON ENGINEERING EAGLE, IDAHO



CCR's #133629
Private Rd. Dec. #133628

UNPLATTED

S 29° 36' 20" E 998.44

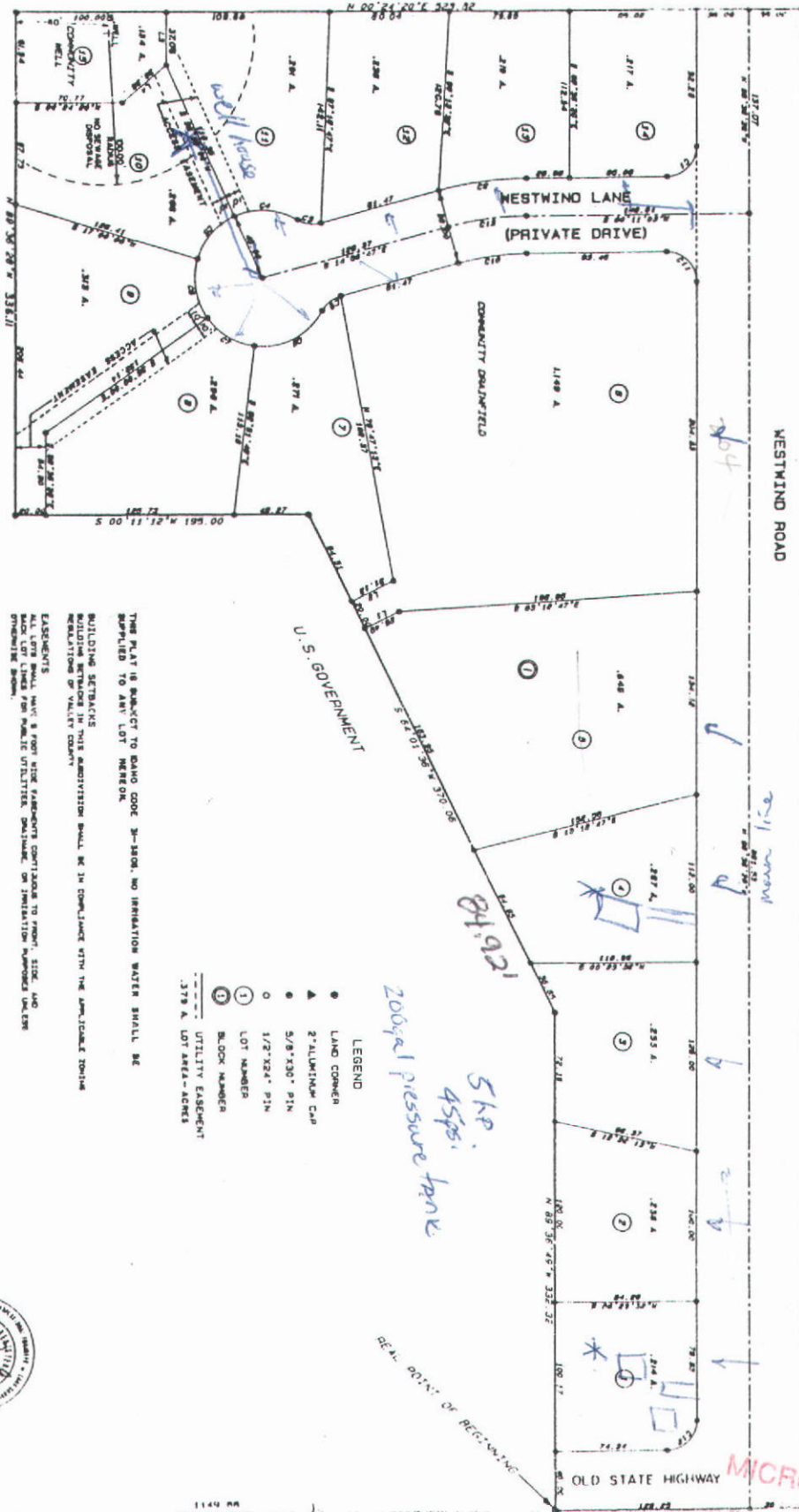
WESTWIND ROAD

OLD STATE HIGHWAY

REAL POINT OF BEGINNING

VICKERY LANE (PRIVATE DRIVE)

VICKERY SUBDIVISION



- LEGEND
- LAND CORNER
 - ▲ 2" ALUMINUM CAP
 - 5/8" X 30" PIN
 - 1/2" X 24" PIN
 - ① LOT NUMBER
 - ② BLOCK NUMBER
 - UTILITY EASEMENT
 - 375' A LOT AREA - ACRES

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LINE	BEARING	DISTANCE	CURVE	DELTA	CHORD	CHORD BEAR
1	S 89° 36' 20" E	998.44				
2	S 89° 36' 20" E	998.44				
3	S 89° 36' 20" E	998.44				
4	S 89° 36' 20" E	998.44				
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MAR 26 1997



View of well. Located
in the NE of the
subdivision.

PHOTO ONE-

>

View of one of the
two domestics.



PHOTO TWO-

MAR 26 1997

FILED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12945

Priority: November 16, 1988

Maximum Diversion Rate:

0.24 CFS

Maximum Diversion Volume:

15.8 AF

This is to certify, that WESTWIND LANDING SUBDIVISION OWNERS
8310 CRESTWOOD DR
BOISE ID 83704

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 16, 1988; and has submitted Proof of Beneficial Use on March 22, 1994. An examination indicates that the works have a diversion capacity of 0.24 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	8.0 AF
DOMESTIC	01/01 to 12/31	0.16 CFS	7.8 AF
	Totals	0.24 CFS	15.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 27, Township 16N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16N	03E	27	SESE	2.8		2.8

Total number of acres irrigated: 2.8

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12945

CONDITIONS OF APPROVAL AND REMARKS

6. Point of diversion is located within Lot 15, Blk. 1, Westwind Landing Subdivision.
7. Places of use are located within Lots 1-5, & 7-14, Blk. 1, Westwind Landing Subdivision.
8. Irrigation use under this right shall occur only on those subdivision lots upon which a home has been constructed.
9. Domestic use is for 13 homes.
10. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28TH
day of FEBRUARY, 1997.


KARL J. DREHER, Director
Acting for

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MAR 22 1994
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 3-23-94
Receipt No CO 29864
Receipt by gwy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-12945 Telephone No. 208 376-8847
2. Name(s) of Permit Holder(s) WESTWIND LANDING SUB DIVISION (BUD FOSBURG)
3. Mailing Address. 8310 CRESTWOOD DRIVE BOISE ID 83704
4. Source of Water: WELL

If GROUNDWATER, Well Driller's Name: Bols Date Drilled: 1984

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 2 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

Flow Measurement Port: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

BUD FOSBURG 208 376-8847
Name Telephone No.

8310 CRESTWOOD DRIVE BOISE ID. 83704
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

RECEIVED

3-17-94
Date

Bud Fosburg
Signature (and title, if on behalf of a company or organization)

APR 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Westwind Landing Subdivision Phone 322-2700
Owners' Association, Inc.
 Post office address 40 Realty One, Frontier Realty, 7310 Potomac Dr., Boise, ID
83704
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is ~~SW~~* $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
 Sec. 27 Township 16N Range 3E B.M. Valley County, additional
 points of diversion if any: _____
4. Water will be used for the following purposes
 Amount .16 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .12 for Irrigation purposes from 4-15 to 10-15 (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) .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well, pipelines,
hydrants
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total
 reservoir capacity _____ acre-feet, period of year when water will be diverted to storage:
 _____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.*
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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* per telephone conv. with W. Narver, President, 11/29/88, 82 JUN 14 1989

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 _____
- d. Domestic, show number of households. 13
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	3E	27																<u>D</u> <u>4</u>	4

Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above. None

- 11 a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Owners of individual lots
- 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: * 5 years is requested on an existing well so the rector can fill the 13 lots with cabins or other domestic uses

P/L AKA Westwind Landing Subdiv., Block 1, Lots 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

* as per telephone conversation with representative at Frontier Realty

MICROFILMED 11/29/88, per attached info.

11-1081889

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JUN 14 1989

Subdiv. Owners Assoc., Inc. :

William A. Harvey
(Applicant) pres.

Pat Lewis, Sec'y - Treas.
addresses c/o Frontier Realty (only connection is
thru F Realty " Pres's S-T place of work).

per telephone conv. with W. A. N., 11/29/88 SC

Proposed Priority 11/16/88 ^{11-22-88 9:00}
Received by RF Date 11-16-88 Time 11:12am Preliminary check by FK
Fee \$ 30- Receipted by RF # C003304 Date RF 11-16-88
Publication prepared by GG Date 12-28-88 Published in The Advocate
Publication approved JS Date 2/6/89 ^{1/4 & 1/11/89}

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 65-12945, and said application is hereby APPROVED

1 Approval of said application is subject to the following limitations and conditions

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 94.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 22nd day of May, 1989.

J. Shu-Saxon

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JUN 14 1989

BY-LAWS OF

Department of Water Resources
Water Regional Office

WESTWIND LANDING SUBDIVISION OWNERS' ASSOCIATION, INC.

Article I

Directors

Section 1. The corporate powers, business and property of this Corporation shall be exercised, conducted and controlled by a Board of three (3) directors, who shall be elected by the stockholders. A majority of the Board of Directors shall constitute a quorum for the transaction of business.

Section 2. The Board of Directors of this corporation shall be elected by ballot of the stockholders of the Corporation and shall be elected for a term of one (1) year, or until their successors are elected and qualified.

The term of all Directors shall begin immediately after their election.

Section 3. Vacancies in the Board of Directors shall be filled by the Board of Directors.

Article II

Officers

Section 1. The officers of this Corporation shall consist of a President, one or more Vice-Presidents, a Secretary, a Treasurer, and such other officers as the Board of Directors may determine, which said officers shall be elected by the Board of Directors and shall hold office until their successors are elected and qualified. Two or more offices may be held by the same person. Any officer may be removed from office with or without cause by a majority vote of the Board of Directors. The compensation, duties and powers of the officers of the Corporation, in addition to those herein provided, shall be fixed and determined by the Board of Directors.

Article III

Rights and Duties

Section 1. The Association shall own and shall be responsible for the repair, maintenance and any improvements to the community water system, including wells, pumps, motors, pipes, fittings and related equipment situated in any easements or common areas as shown on said plat, and all portions of the common sewage disposal system, as described in the "WESTWIND LANDING OPERATING AND MAINTENANCE MANUAL", including the maintenance of individual septic tanks and individual pump stations, as shown on said plat as common

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JUN 14 1989

area or specifically conveyed or deeded to the Association and the Association shall levy uniform assessments against the owners of property in Westwind Landing Subdivision for the costs and expense of the maintenance, repair and/or improvement of the community water system and community sewage disposal system, located or proposed on the said Westwind Landing Subdivision. The Association shall also be empowered to promulgate rules and regulations governing the use of the community water system and community sewage disposal system, provided that such rules and regulations are not in conflict with or contrary to any law, statute or ordinance of the State of Idaho or any political subdivision thereof.

Section 2. The Association shall be responsible for the maintenance, repair and/or improvements of all common area and green belt on or across Westwind Landing Subdivision as shown on said plat and shall levy uniform assessments against the owners of property in Westwind Landing Subdivision for the cost of the maintenance, repair and/or improvements of the common areas so identified, located or proposed on the said Westwind Landing Subdivision, including any and all common areas which may later be transferred or deeded to the Association. The Association shall also be entitled to promulgate rules and regulations governing the use of common areas shown on the above described Westwind Landing Subdivision, provided such rules and regulations are not in conflict with or contrary to any law, statute or ordinance of the State of Idaho or any political subdivision thereof.

Section 3. The Association shall also be responsible for maintaining and developing a budget for the estimated construction costs of replacing major pieces of equipment or appurtenances to the community water system and community sewage disposal system and shall thereafter set up and maintain an escrow account into which the Grantor shall deposit a pro-rata share of said estimated construction costs into said account as an escrow account with the accrual to be based upon lot sales. There shall be deposited in the escrow account by the Grantor an accrued sum for each lot sale equal to the pro-rata share of such estimated construction cost developed by the Association. Said funds shall become a part of the reserve funds of the Association to be used and disbursed by the Association according to the Articles of Incorporation and these By-laws.

Section 4. The Association shall have the power and authority to establish monthly user charges to be administered by the Association according to the Articles of Incorporation and these By-laws, such charges to be fair and equitably imposed to meet the operation and maintenance expenses of the community water system and community sewage disposal system.

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JUN 14 1989

Section 5. The Association shall retain the services of a qualified operator to perform routine inspections and maintenance on the community water system and community sewage disposal system using a service contract with a licensed plumber, or a corporation licensed by the Public Utilities Commission for such purposes.

Section 6. The Association shall also require an audit to be performed of the escrow account and the operation and maintenance account, if separate, which audit shall be conducted annually and the audit reports thereof shall be sent to the Valley County Engineer and the Idaho State Department of Health.

Article IV

Duties of Officers

Section 1. The President shall be the chief executive officer of the Corporation; he shall preside over all meetings of the stockholders and directors. He shall sign, as president, all certificates of stock and all contracts, deeds, conveyances and other instruments necessary to the transaction of the business of the Corporation authorized by the Board of Directors; provided, the Board of Directors, by resolution, may authorize some person other than the President to execute instruments on behalf of the corporation.

He shall call special meetings of the Board of Directors when he may deem it necessary, and must call a special meeting of said directors upon the request of a majority of the members thereof; and said President shall have, subject to the control of the Board of Directors, general direction of the affairs of the corporation and shall discharge such other and further duties as may be required of him by the Board of Directors in the proper conduct of the business of the Corporation.

Section 2. In the absence of the President, or in case of his inability, or refusal to act, the Vice-President, in order of seniority, shall have the same power and authority as, and shall perform the duties of, the President.

Section 3. It shall be the duty of the Secretary to keep a record of the proceedings of the Board of Directors and of all meetings of the stockholders; he shall keep the corporate seal and the book of blank certificates of stock, and shall fill out the stock certificates issued and countersign the same, and make the corresponding entries on the margin of said stock book of such issue; he shall affix the corporate seal and countersign all contracts, deeds, conveyances and all other instruments and obligations in writing, of whatever kind or nature, authorized by the Board of Directors, to be entered into and executed by the Corporation; he shall keep

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transfer book and a stock ledger showing the number of shares issued to and transferred by each stockholder, and the date of such issuance and transfer; and shall further do and perform each and every duty pertaining to his office as required by law or by the by-laws of this Corporation, and in case of his absence, inability or refusal to act, then all duties shall be performed by an assistant secretary, or by a secretary pro-tem, to be appointed by the president, or vice-president, when performing the duties of the President.

Section 4. It shall be the duty of the Treasurer to receive and safely keep all monies belonging to the Corporation, and to pay, or cause the same to be paid out, under the direction of the Board of Directors, except as to contract bills which may be paid without specific direction of the Board and he shall discharge such other duties pertaining to his office as shall be prescribed by the Board of Directors.

Article V

Certificates of Stock

Section 1. The certificates for shares of the capital stock of the Corporation shall be in such form, not inconsistent with the Articles of Incorporation, as shall be prepared or approved by the Board of Directors. The certificates shall be signed by the President or Vice-President and also by the Secretary, and sealed with the corporate seal and shall indicate on its face that such stock is assessable.

Section 2. Ownership of shares of stock in this corporation shall be limited to the owners of the parcels of land, or fractions thereof, identified as WESTWIND LANDING SUBDIVISION PLAT recorded as Instrument No. _____ in the records of the Valley County Recorder, Valley County, Idaho. One (1) share of stock shall be allocated to each parcel identified on the aforesaid WESTWIND LAND SUBDIVISION PLAT and said share of stock shall be appurtenant to said parcels and shall not be transferable separately from said parcels, and any conveyance of any of the parcels above described by owners of said parcels shall carry with it the shares of stock originally issued.

All certificates evidencing ownership of stock in the Corporation shall have the following legend prominently displayed thereon:

The shares of stock represented by this certificate are issued pursuant to Article IV of the Bylaws of the Corporation and shall not be transferred except in conjunction with the transfer of lots in the WESTWIND LANDING

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JUN 14 1989

SUBDIVISION PLAT recorded
in the records of Valley County Recorder,
Valley County, Idaho, or as otherwise
provided in the By-laws of the corporation.

Section 3. The shares of stock of this company may be transferred by the owner thereof in person, or by attorney legally constituted or by legal representative, by endorsement on the certificate of stock and upon tender of proof of the transfer of the parcel with respect to which said stock is issued. No transfer shall be valid as against the Corporation until surrender of the certificate of stock and the entry of such transfer on the books of the Corporation; no transfer shall be made while the holder thereof is indebted to the corporation, on any account whatever, without the consent of the Board of Directors. No certificate shall be issued until the certificate in lieu of which it is issued shall have been surrendered to the Secretary and cancelled, and the Secretary shall hold the cancelled certificate as a voucher, provided no transfer of stock shall be made by the Secretary, without the consent of the Board of Directors, for a period of twenty (20) days immediately preceding any annual meeting of the stockholders.

Article VI

Seal

This Corporation shall have a seal consisting of a circle, the center containing the words "CORPORATE SEAL" and the circumference the words "WESTWIND LANDING SUBDIVISION OWNERS' ASSOCIATION, INC.."

Article VII

Dividends

The Corporation is organized as a non-profit corporation under the laws of the State of Idaho and the corporation may not and shall not pay any dividends to the shareholders.

Article VIII

Meetings

Section 1. Annual Meeting. The annual meeting of the shareholders for the election of directors and the transaction of such other business as may properly come before it shall be held at the principal office of the Corporation in the City of Boise, State of Idaho, or at such place within or without the State of Idaho as shall be set forth in the notice of meeting.

The meeting shall be held on the first Monday in the month of October of each and every year. The secretary shall give personally or by mail, not less than ten (10), nor more than fifty (50) days before the date of the meeting to each shareholder entitled to vote at such meeting, written notice stating the place, date, and hour of the meeting. If mailed, the notice shall be addressed to the shareholder at his address as it appears on the record of shareholders of the Corporation unless he shall have filed with the secretary of the Corporation a written request that notices intended for him be mailed to the address designated in the request. Any notice of meetings may be waived by a shareholder by submitting a signed waiver either before or after the meeting, or by attendance at the meeting.

Section 2. Special Meeting. Special meetings of shareholders, other than those regulated by statute, may be called at any time by a majority of the directors or the president, and must be called by the president upon written request of the holders of ten percent (10%) of the outstanding shares entitled to vote at such special meeting. Written notice of such meetings stating the place within or without the State of Idaho, the date and hour of the meeting, the purpose or purposes for which it was called, and the name of the person by whom or at whose direction the meeting is called shall be given not less than ten (10) nor more than fifty (50) days before the date set for the meeting. The notice shall be given to each shareholder of record in the same manner as notice of the annual meeting. No business other than that specified in the notice of meeting shall be transacted at any such special meeting. Notice of special meeting may be waived by submitting a signed waiver or by attendance at the meeting.

Section 3. Quorum. The presence, in person or by proxy, of the holders of at least ten percent (10%) of the outstanding shares entitled to vote thereat shall be necessary to constitute a quorum for the transaction of business at all meetings of shareholders. If, however, such quorum shall not be present or represented at any meeting of the shareholders, the shareholders entitled to vote thereat, present in person or represented by proxy, shall have the power to adjourn the meeting to a future date at which a quorum shall be presented or represented. At such adjourned meeting, any business may be transacted which might have been transacted at the meeting as originally called.

Section 4. Record Date. The directors may fix in advance a date not less than ten (10) nor more than fifty (50) days, prior to the date of any meeting of the shareholders or prior to the last day on which the consent or dissent of or action by the shareholders may be effectively expressed for any purpose without a meeting, as the record date for the determination of shareholders.

JUN 14 1989

Section 5. Voting. A shareholder entitled to vote at a meeting may vote at such meeting in person or by proxy. Except as otherwise provided by law or the Certificate of Incorporation, every shareholder shall be entitled to one (1) vote for each share outstanding in his name on the record of shareholders. Except as herein or in the Certificate of Incorporation otherwise provided, all corporate action shall be determined by vote of a majority of the votes cast at a meeting of shareholders by the holders of shares entitled to vote thereon.

Section 6. Proxies. Every proxy must be dated and signed by the shareholder or by his attorney-in-fact. No proxy shall be valid after the expiration of eleven (11) months from the date of its execution, unless otherwise provided therein. Every proxy shall be revocable at the pleasure of the shareholder executing it, except where an irrevocable proxy is permitted by statute.

Section 7. Consents. Whenever by a provision of statute or of the Certificate of Incorporation or by these By-laws the vote of shareholders is required or permitted to be taken at a meeting thereof in connection with any corporate action, the meeting and the vote of shareholders may be dispensed with, if all the shareholders who would have been entitled to vote upon the action if such meeting were held shall consent in writing to such corporate action being taken.

Article IX

Directors' Meeting

Section 1. Meetings. The Board of Directors shall meet for the election or appointment of officers and for the transaction of any other business as soon as practicable after the adjournment of the annual meeting of the shareholders, and other regular meetings of the Board shall be held at such times as the Board may from time to time determine.

Special meetings of the Board of Directors may be called by the President at any time; and he must, upon the written request of any two (2) directors, call a special meeting to be held not more than seven (7) days after the receipt of such request.

Section 2. Notice of Meetings. No notice need be given of any regular meeting of the Board. Notice of special meetings shall be served upon each director in person or by mail addressed to him at his last known post office address, at least two (2) days prior to the date of such meeting, specifying the time and place of the meeting and the business to be transacted thereat. At any meeting at which all of the directors shall be

JUN 14 1954

present, although held without notice, any business may be transacted which might have been transacted if the meeting had been duly called.

Section 3. Place of Meeting. The Board of Directors may hold its meeting either within or without the State of Idaho, at such place as may be designated in the notice of any such meeting.

Section 4. Quorum. At any meeting of the Board of Directors, the presence of a majority of the Board shall be necessary to constitute a quorum for the transaction of business. However, should a quorum not be present, a lesser number may adjourn the meeting to some further time, not more than seven (7) days later.

Section 5. Voting. At all meetings of the Board of Directors, each director shall have one (1) vote irrespective of the number of shares that he may hold.

Section 6. Compensation. The directors shall not be entitled to any compensation for their services as directors.

Section 7. Vacancies. Any vacancy occurring in the Board of Directors by death, resignation, or otherwise shall be filled promptly by a majority vote of the remaining directors at a special meeting which shall be called for that purpose within thirty (30) days after the occurrence of the vacancy. The director thus chosen shall hold office for the unexpired term of his predecessor and the election and qualification of his successor.

Section 8. Removal of Directors. Any director may be removed either with or without cause, at any time, by a vote of the shareholder holding a majority of the shares then issued and outstanding and who were entitled to vote for the election of the director sought to be removed, at any special meeting called for that purpose, or at the annual meeting. Except as otherwise prescribed by statute, a director may be removed for cause by vote of a majority of the entire board.

Section 9. Resignation. Any director may resign his office at any time, such resignation to be made in writing and to take effect immediately without acceptance.

Article X

Bills, Notes, Etc.

Execution. All bills payable, notes, checks, drafts, warrants or other negotiable instruments of the corporation shall

be made in the name of the corporation and shall be signed by such officer or officers as the Board of Directors shall from time to time by resolution direct.

No officer or agent of the Corporation, either singly or jointly with others, shall have the power to make any bill payable, note, check, draft, or warrant, or other negotiable instrument, or endorse the same in the name of the Corporation, or contract or cause to be contracted any debt or liability in the name and on behalf of the Corporation except as herein expressly prescribed and provided.

Article XI

Fiscal Year

The Board of Directors shall have power to fix, and from time to time change, the fiscal year of the Corporation. Unless otherwise fixed by the Board, the calendar year shall be the fiscal year.

Article XII

Consent in Lieu of Meeting

Unless otherwise required by the Articles of Incorporation, these By-Laws, or the laws of the State of Idaho, any action required or permitted to be taken at any meeting of the Board of Directors or of any committee thereof, or at any meeting of the shareholders, may be taken without a meeting if, prior to such action, a written consent thereto signed by all members of the Board of Directors or of such committee, or all of the shareholders, be filed with the minutes of the proceedings of the Board of Directors or of such committee, or of the shareholders.

Article XIII

Repayment of Disallowed Compensation

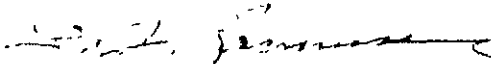
Any payments made to an officer or director of this corporation on account of salaries, commission, bonuses, interest, rent, or expenses incurred by such officer or directors, which shall be disallowed in full or in part as a deductible expense by the Internal Revenue Service, shall be reimbursed by such officer or director to the Corporation to the full extent of such disallowance. It shall be the duty of the Board of Directors to enforce payment of such amount disallowed. In lieu of payment by the officer or director, subject to the determination of the Board, proportionate amounts may be withheld from future compensation payments until the amount owed to the corporation has been recovered.

Article XIV

Amendments

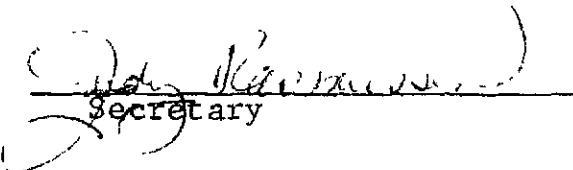
The stockholders may alter or repeal any provision of these By-Laws by the vote of a majority of the stockholders at any meeting, provided that a statement of the proposed action shall have been included in the notice or waiver of notice of such meeting of stockholders.

IN WITNESS WHEREOF, I, L. J. RASMUSSEN, President of WESTWIND LANDING SUBDIVISION OWNERS' ASSOCIATION, INC., do hereby certify that the foregoing By-Laws were duly adopted by said corporation by action of its Incorporator and by resolution of its Board of Directors as of the 20th day of January 1984.



President

ATTEST:



Secretary

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JUN 14 1989

COMPUTER ASSISTED APPRAISAL

NAME AND ADDRESS
'CAB11'

DATE: 3/09/88
PAGE: 1
PARCEL MASTER

PARCEL KEY **
TYPE PARCEL NO. STATUS
CODE OLD PARCEL NO.

Frontier Realty Services, Inc.
7310 Potomac

RE 00362000016A A
5-00
RASMUSSEN, L. JAMES & JUDY
4255 NORTH LITTLE ROAD
WESTPORT, ID 83642

WESTWIND LANDING SUBDIVISION
BALANCE UNPAID LOTS
LOTS 3, 4 & 5
BLOCK 1 (UNPAID)

REMARKS:

RE 003620010020 A
5-00
WOLF, JACK D.
& WOLF, LOIS I.
2615 SOUTH LIBERTY ROAD
BOISE, ID 83709

WESTWIND LANDING SUBDIVISION
LOT 2 BLOCK 1

REMARKS:

RE 003620010070 A
5-00
MM CORP., INSULATION
BOX 45240
BOISE, ID 83711

WESTWIND LANDING SUBDIVISION
LOT 7 BLOCK 1

REMARKS:

RE 003620010080 A
5-00
LEWIS, RAY
& LEWIS, PATRICIA J.
4020 NORTH ASH PARK LANE
BOISE, ID 83704

WESTWIND LANDING SUBDIVISION
LOT 8 BLOCK 1

REMARKS:

RE 003620010090 A
5-00
WOLF, JACK D.
& WOLF, LOIS I.
2615 SOUTH LIBERTY ROAD
BOISE, ID 83709

WESTWIND LANDING SUBDIVISION
LOT 9 BLOCK 1

REMARKS:

RE 003620010100 A
5-00
WOLF, JACK D.
& WOLF, LOIS I.
2615 SOUTH LIBERTY ROAD
BOISE, ID 83709

WESTWIND LANDING SUBDIVISION
LOT 10 BLOCK 1

REMARKS:

RE 003620010110 A
5-00
HOLMLUND, MARK W.
234 SOUTH FIGUEROA #1134
LOS ANGELES, CA 90012

WESTWIND LANDING SUBDIVISION
LOT 11 BLOCK 1

REMARKS:

RE 003620010120 A
5-00
HOLMLUND, MARK W.
234 SOUTH FIGUEROA #1134
LOS ANGELES, CA 90012

WESTWIND LANDING SUBDIVISION
LOT 12 BLOCK 1

REMARKS:

RE 003620010130 A
5-00
HOLMLUND, STEPHEN R.
3351 ALMA #204
PALO ALTO, CA 94304

WESTWIND LANDING SUBDIVISION
LOT 13 BLOCK 1

REMARKS:

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JUN 14 1989

COMPUTER ASSISTED APPRAISAL

NAME AND ADDRESS
'CABILL'

DATE: 3/09/88
PAGE: 2
PARCEL MASTER

**	PARCEL NO.	STATUS	NAME AND ADDRESS	LEGAL DESCRIPTION	REMARKS:
CODE	OLD PARCEL NO.				

RP 003620010140 A HOLMUND, STEPHEN R.
5-00 75 OLIVE COURT
MOUNTAIN VIEW, CA 94041

WESTWIND LANDING SUPERVISION
LOT 14 BLOCK 1

NUMBER OF PARCELS: 10 FROM PARCEL N:0036200001600 TO PARCEL R:0036200101400

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JUN 14 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

MARCH 3rd, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WESTWIND LANDING SUBDIVISION OWNERS
8310 CRESTWOOD DR
BOISE IDAHO 83704

RE: WATER RIGHT NO. 65-12945

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Western Region

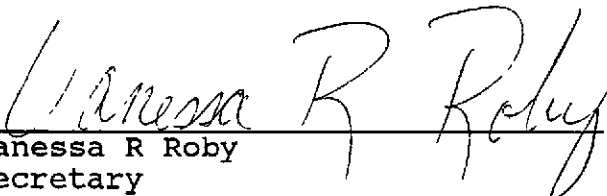
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **MARCH, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-12945

**WESTWIND LANDING SUBDIVISION OWNERS
8310 CRESTWOOD DR
BOISE IDAHO 83704**



Vanessa R Roby
Secretary

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 65-12945 Name: Westwind Landing Date: 2/11/97 7/12/96 ✓ Lots ✓
 Chng Same Subd. Owners Assn. line.
 NAME ✓ Or Address Change?
 SOURCE ✓ Clarify source
 Prelim. Order to Void - Source change.
 P/D ✓ Amendment Needed? P39
 Overlap(s) none
 P/U ✓ Amendment Needed? per subd. plat 2.8 ac. irrigated P41
 Overlap(s) none
 (Gov't special #'s) *P/D & P/U Amend? P37
 RATE ✓ Permit/fee limits: 6.2 / 0.20
 ✓ Measured Q = cfs / Theoretical Q = 0.22 cfs
 $(irr = 8.8 \text{ ac} \times 0.03 \text{ cfs/ac} = 0.26 \text{ cfs}) + (\text{dom. in house} \times 13.6 \text{ cfs} = 0.16 \text{ cfs}) = 0.42 \text{ cfs}$
 (HP) $8.8 \times 0.70 \times 5 = 30.8$
 $0.2235 + (2.31 \times 45) = 138.95$ = 0.22 cfs. * allow credit for stub-in
 Recommended capacity 0.24 cfs
 Recommended rate 0.24 cfs
 $\text{Oper. Wck inspection form, static level} = 12' \text{; add } 10' \text{ for dynamic lift.}$
 VOLUME ✓ Season: (3 / 3.0) 4/15 - 10/15 = 184 days
 Calculations:
 a) $irr = 8.8 \text{ ac} \times 3.0 \text{ AF/ac} = 26.4 \text{ AF}$
 b) $\text{dom. in house} = 13 \times 0.6 = 7.8 \text{ AF}$
 $a+b = 1.5 + 7.8 = 9.3 \text{ AF}$
 Flow limit: 0.16 x 365 x 1.9835 = 115.8 AF
 Recommended volume 9.3 AF
 USES ✓ Same Nature of Use? P46
 Amendment Needed?
 REMARKS Multiple p/d's in $\frac{1}{4}$? W32
 ✓ ① W85/13 ② PU/LTS 2-5, 7-14^B, Westwind Landing Subd ③ P/O Lt 15, B1
 CONDITIONS Measuring (R01)/Locking (R02) Devices
 Watermaster Control (R04) - WD #
 Irrigation rate/volume overlap
 GW irrigation replaces surface water (050)
 GW irrigation supplements surface water (065)
 Water Quality/Other
 PRIORITY App Rcd 11/16/88 Due 5/1/94 Rc'd 3/23/94
 Receipt# 6029864 Fee OK? (Yes)/No
 Order to Reinstate Needed? Yes/No Done?
 If Yes, Advanced? Yes/No to:
 Priority 11/16/88 Examined 6/24/94

COMMENTS:

USE	CFS	DIV VOL	SRBA Overlap
<u>irr</u>	<u>0.08</u>	<u>158.0</u>	<u>none</u>
<u>Dom</u>	<u>0.16</u>	<u>7.8</u>	<u>Adjustment Memo</u> ✓
<u>TOTAL</u>	<u>0.24</u>	<u>9.3</u> 15.8	LICENSE LTR: <u>P49</u>
			#1 AMEND LTR: <u> </u> /P38
			#2 AMEND LTR: <u>P42/P47</u>

Per Shelley, license for full domestic & irr uses 2/12/97 cty.

MEMORANDUM

DATE: February 11, 1997
 TO: File No. 65-12945
 FROM: Cindy Zimmerman
 SUBJECT: Review of Beneficial Use Field Report

The examiner found the delivery system is stubbed in to all lots but that only two lots, Lots 1 & 4, had homes with lawns on them. Per department policy, stubbed in subdivision lots are recognized as development completed under the permit. Domestic use is allocated rate of flow per table, Exhibit 12, Field Examiners Handbook. Annual volume for domestic use is calculated for in-house rate at 0.6 AF per lot

Irrigation use is calculated as total acres, $3.756 \approx 3.8$, minus non-irrigated areas, e.g., homes, driveways and sidewalks. For purposes of calculation, the non-irrigated area is approximated using an average 1800 square foot home, 30'x30' driveway, and 5' sidewalk on street side of the lot. Per subdivision plat, 1275' of street borders the 13 lots covered under this permit. Total non-irrigated area equals 0.952 acre, per department standards rounded up to 1.0 acre. Total irrigation of subdivision lots, therefore, is 3.8 acres minus 1.0 acre equaling 2.8 acres

The following adjustments¹ were made on the field report to reflect my licensing recommendations:

C. Diversion and Delivery System.
 2. Place of use

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	03E	27																<u>2.8</u>	<u>2.8</u>

F Flow Calculations

1. Irrigation = acres x cfs/acre = $2.8 \times 0.03 = \underline{0.08}$ cfs.
2. Domestic use, 13 lots, in-house use = 0.16 cfs.
3. Maximum rate = $0.08 + 0.16 = \underline{0.24}$ cfs.

G. Volume Calculations.

1. Irrigation = acres x AF/acre = $2.8 \times 3.0 = \underline{8.0}$ AF.
2. Domestic = homes x AF/home = $13 \times 0.6 = \underline{7.8}$ AF.
3. Maximum annual volume = $8.0 + 7.8 = \underline{15.8}$ AF.

H. Recommendations

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	4/15-10/15	<u>0.08</u> cfs	<u>8.0</u> AF
Domestic	1/1-12/31	<u>0.16</u> cfs	<u>7.8</u> AF
	Totals:	<u>0.24</u> cfs	<u>15.8</u> AF

Examiner: Dave Gray
 Examined: June 24, 1994

¹Adjustments made are bolded and underlined

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 06 1994

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 65-127451. Owner: WESTWIND LANDING SUBDIVISION Phone No. 325-4017Current Address: 8310 CRESTWOOD DR, BOSE ID 837042. Accompanied by: Bud Fosbury EXAM DATE: 6-24-94Address: SAME Phone No. SAMERelationship to Permit Holder: SAME3. Source: GROUNDWATER tributary to -NA-**B. OVERLAP REVIEW**1. Other water rights with the same place of use: NONE2. Other water rights with the same point of diversion: NONE**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	27	16N	3E	VALLEY	QUADS - SUB PLAT - JUNIOR ID

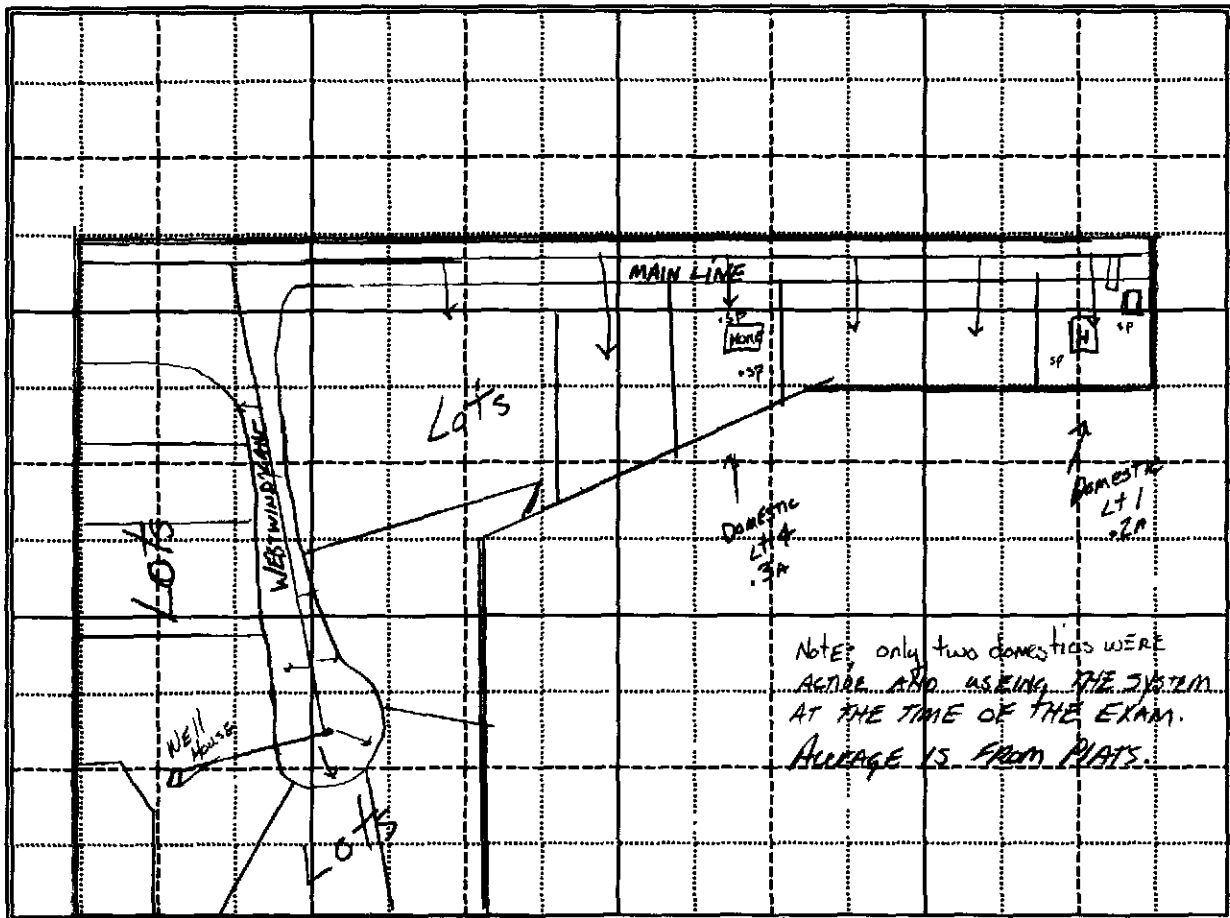
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	3E	27																1/2	1/2
		27																5	.5 ACRES

7 7 7 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

NA Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
submersible	—	5	—	—	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: THEORETICAL: 5 HP @ 45 PSI 35 dynamic (EST.)

E. NARRATIVE/REMARKS/COMMENTS

THIS SUBDIVISION IS HOOKED UP TO 13 LOTS, BUT AT THE TIME OF THE EXAMINATION, ONLY TWO LOTS WERE ACTIVELY USING THE SYSTEM. THE WELL IS A 5 1/2" WITH AN 8" CASING. WELL LOGS COULD NOT BE FOUND, BUT THE CURTIN 'GUESS' FOR THE AREA IS @ 12' THEREFORE A DEPTH OF 35' WOULD BE CONFIDENTLY ESTIMATED. THE LINES BRANCH TO THE VARIOUS LOTS AS SHOWN IN THE SUBDIVISIONS MAP. THE LOTS ARE HOOKED UP TO SPIGOTS FOR IRRIGATION AND HAVE LINES TO THE HOMES FOR DOMESTIC USE. THE SYSTEM RUNS AT 45 PSI. HAS A CENTRAL PRESSURE TANK. THE OWNERS USE HOSES & RAINBOWS TO IRRIGATE. THE TWO LOTS COVER .5 ACRES COMBINED.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\text{THEORETICAL; } \frac{5 \text{ HP} \times 8.8 \times .70}{(2.3 \times 45 \text{ psi}) + 35 \text{ dyn}} = \frac{30.8}{138.5} = .22 \text{ CFS}$$

$$\text{NEED; } 2 \text{ dom} \times .04 \text{ CFS} = .08 \text{ CFS}$$

$$\text{IRRIGATION; } .5 \times .03 = .02 \text{ CFS}$$

$$\text{PERMIT; } 13 \text{ dom} @ .20$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .02 \times 3.0 = .1 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .08 \times 184 \times 1.9835 = 29 \text{ AFA}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = .1 \text{ AFA}$$

2. Volume Calculations for Other Uses:

$$2 \text{ DOMESTICS @ } .6 \text{ AFA/LT} - (\text{IRRIGATION COMPONENT COVERS LAWN})$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1-1	12-31	.08 CFS *	.6 AFA *
IRRIGATION	4-15	10-15	.02 CFS *	.1 AFA *
Totals:			.10 CFS *	.7 AFA *

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

Dave Gray

Date

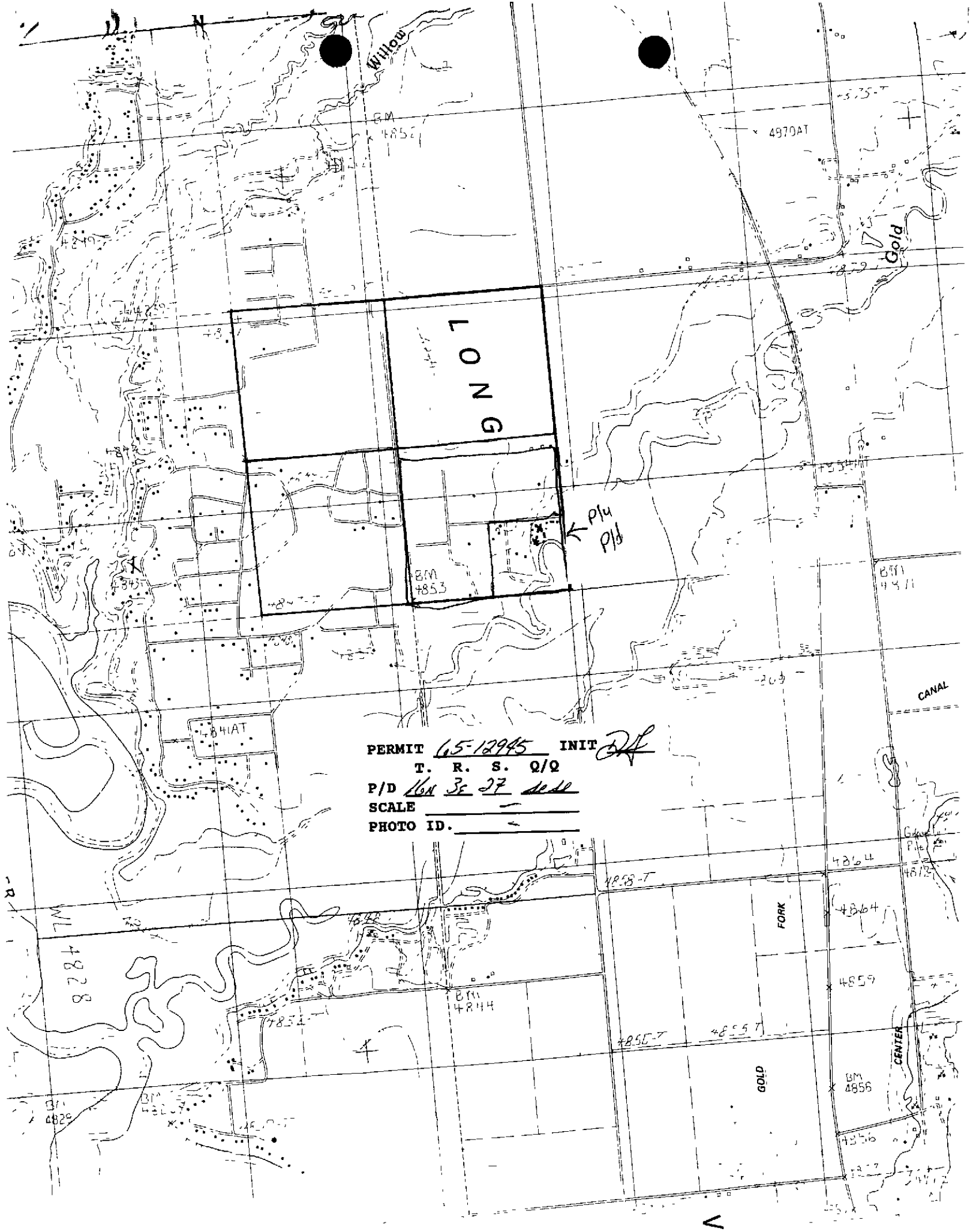
7-15-94

Reviewer

Date

SEAL

* Adjustments made during review of this right for license approval
See Memo for additional information. 2/12/97 cjs



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: Unavailable OTHER APPLICABLE NO: 65-12945
2. OWNER: WESTWIND LANDING SUBD. Phone: 376-8847
Address: 8310 CUSTWOOD DR. BOISE IDA 83704
3. WELL LOCATION. Twp 16N, Rge. 3E, Sec. 27, Se 1/4 Se 1/4
County Valley (Provide sketch map and photo on reverse.)
4. DRILLER: Bols Lic. No. Unavailable
When Drilled? 1984
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION: well logs on file
Depth to Static Water 12 ft. same Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

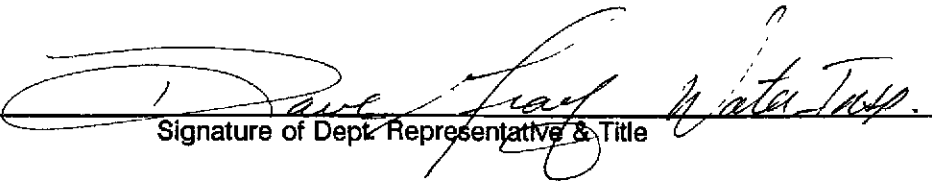
If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

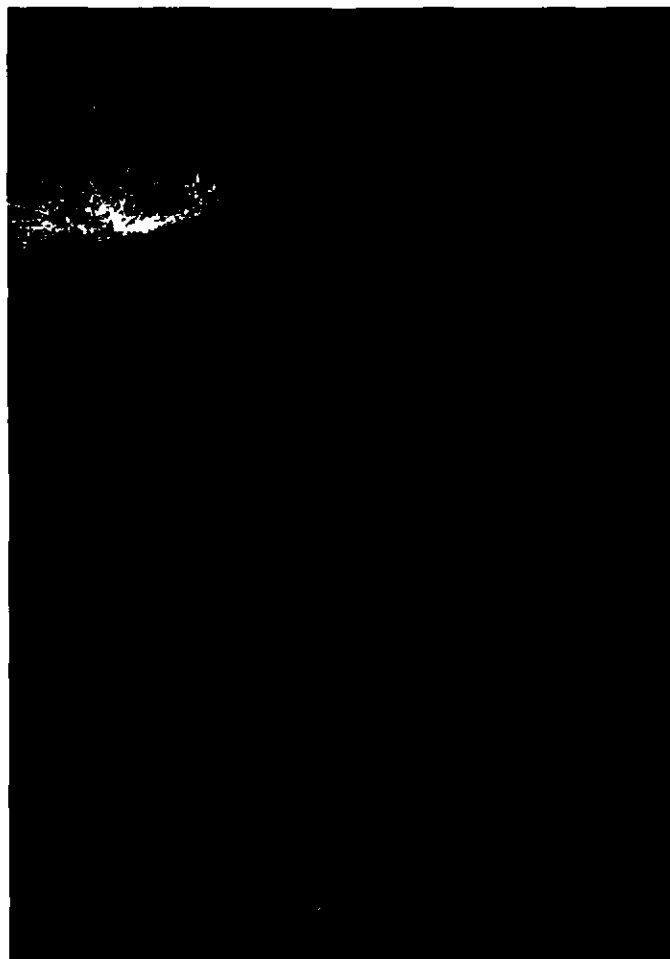
How far away from the well is this source? _____

9. REMARKS:


Signature of Dept. Representative & Title

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



VIEW OF WELL. LOCATED
IN THE NE OF THE
SUBDIVISION.

PHOTO ONE-

>

VIEW OF ONE OF THE
TWO DOMESTICS.

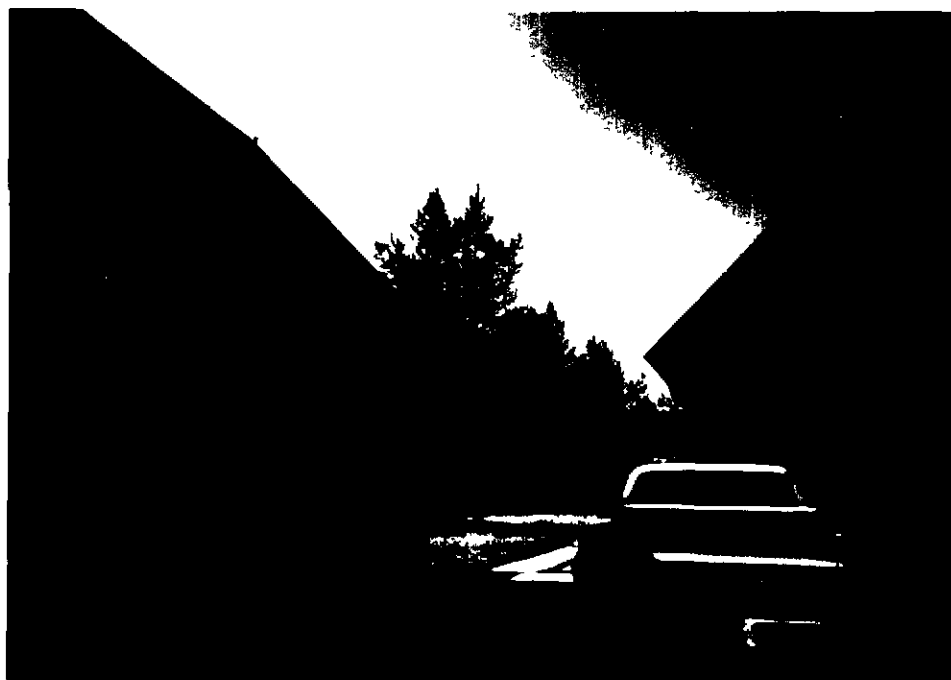


PHOTO TWO-

March 25, 1994

WESTWIND LANDING SUB
BUD FOSBERG
8310 CRESTWOOD DR
BOISE ID 83704

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-12945

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
APR 19 1994

February 28, 1994

WESTWIND LANDING SUBDIVISION OWNERS
C/O REALTY ONE
FRONTIER REALTY
7310 POTOMAC DR.
BOISE ID 83704

PROOF DUE NOTICE

RE: PERMIT NO. 65-12945

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

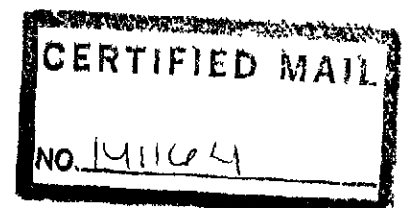
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 10 1994



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 23, 1989

WESTWIND LANDING SUBD. OWNERS ASSN. INC.
C/O REALTY ONE
FRONTIER REALTY
7310 POTOMAC DR.
BOISE, ID 83704

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 65-12945

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

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JUN 14 1989

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

WATER RIGHTS DIVISION

JUN 14 1983

PLACE
STAMP
HERE

MICROFILMED

JUN 14 1989

IDAHOO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



NOV 23 1988

Department of Water Resources
Western Regional Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 65-12945

Name(s) of Permit Holder(s): Westwind Landing Subd Owners' Assn, Inc

Post Office Address: % Realty One, Frontier Realty, 7310 Potomac
Dr. Boise, ID 83704 Tel. No. 322-2700

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1984 (date). I understand that I must continue to develop the water system with due diligence and maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason

11-16-88
Date

[Signature]
Signature of Permit Holder

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-12941

STEINER, HAROLD A.

P.O. BOX 2260

MURPHY, ID 83650

Source: SPRING

Tributary: SINKS

Diversion Pt: SENENW Sec 19 T 16N R 03E

Use: DOMESTIC (.040 CFS)

Date Filed: 10/31/1988

In: T16N R03E S19 NENW

65-12942

SEITZ, DONALD K.

1331 TETONIA DR.

BOISE, ID 83705

Source: CAMPBELL CREEK

Tributary: CASCADE RESERVOIR

Diversion Pt: NWSESE Sec 33 T 14N R 03E

Use: IRRIGATION (.030 CFS)

Date Filed: 11/10/1988

In: T14N R03E S33 SESE

1.0 ACRES TOTAL

65-12943

FLATLANDERS WATER USERS ASSN.

RT. 4 BOX 4218

NAMPA, ID 83651

Source: GROUNDWATER

Diversion Pt: NENW Sec 28 T 16N R 03E

Use: DOMESTIC (.110 CFS)

Date Filed: 11/15/1988

In: T16N R03E S28 NENW

65-12944

NICKELS, CARL D.

NICKELS, VICKI L.

P.O. BOX 351

CASCADE, ID., 83611

Source: SPRING

Tributary: SINKS

Diversion Pt: NENESE Sec 4 T 12N R 04E

Use: STOCKWATER (.020 CFS)

Date Filed: 11/16/1988

In: T12N R04E S04 SENE

65-12945

WESTWINDLANDINGSUBD.OWNERS ASSN. INC.

C/O REALTY ONE

FRONTIER REALTY

7310 POTOMAC DR.

BOISE, ID 83704

Source: GROUNDWATER

Diversion Pt: SESE Sec 27 T 16N R 03E

Use: IRRIGATION (.120 CFS)

DOMESTIC (.160 CFS)

D1: Filed: 11/16/1988

In: T16N R03E S27 SESE

4.0 ACRES Total

65-12946

GORRONG, LOUIE

GORRONG, RANDY

P.O. BOX 637

EMMETT, ID 83617

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSESE Sec 1 T 11N R 03E

Use: DOMESTIC (.020 CFS)

Date Filed: 11/16/1988

In: T11N R03E S01 SESE

65-2948

BARTON, DAVID M.

BARTON, DOROTHY L.

115 E HIGHLAND VIEW DR.

BOISE, ID 83702

Source: CASCADE RESERVOIR

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NWSE Sec 4 T 15N R 03E

Use: DOMESTIC (.040 CFS)

Date Filed: 11/29/1988

In: T15N R04E S14 NWSE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho, 83705 on or before

JANUARY 23, 1989.

R KEITH HIGGINSON, Director

Published 1/04/1989 & 1/11/1989

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The *Notice of Application for Water Right* a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

1 - 4, 19 89

and ended 1 - 11, 19 89

Fred K. O'Brien
Subscribed and sworn before me, this the

13th day of Jan, 1989

On this 13th day of Jan, 19 89

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Rayola L. Jarvis
Rayola Jarvis, Notary Public residing at Cascade, Idaho

MICROFILMED

JUN 14 1989

65-12945

WESTWIND LANDING SUBD. OWNERS ASSN. INC.
C/O REALTY ONE
FRONTIER REALTY
7310 POTOMAC DR.
BOISE, ID 83704

Source: GROUNDWATER

Diversion Pt: SESE Sec 27 T 16N R 03E

Use: IRRIGATION (.120 CFS)
 DOMESTIC (.160 CFS)

Date Filed: 11/16/1988

In: T16N R03E S27 SESE

4.0 ACRES TOTAL

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JUN 14 1989