

# State of Idaho

## Department of State

### CERTIFICATE OF INCORPORATION OF

VANAL HEIGHTS WATER ASSOCIATION, INC.

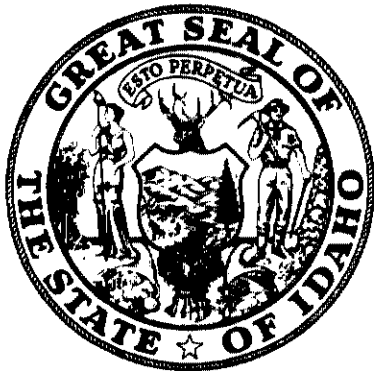
I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of \_\_\_\_\_

VANAL HEIGHTS WATER ASSOCIATION, INC.

duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated November 15, 19 90



*Pete T. Cenarrusa*

SECRETARY OF STATE

*Elizabeth M. Zabala*

Corporation Clerk

**ARTICLES OF INCORPORATION  
OF  
VANAL HEIGHTS WATER ASSOCIATION, INC.**

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SEC. OF STATE

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KNOW ALL MEN BY THESE PRESENTS:

THAT, WE, the undersigned, being natural persons of full age and citizens of the United States of America, have this day voluntarily associated ourselves together for the objective of forming a corporation under and pursuant to Idaho Non-Profit Corporation Act (30-301 et. seq. Idaho Code), and do hereby certify as follows:

ARTICLE I

The name of this corporation is "VANAL HEIGHTS WATER ASSOCIATION, INC."

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ARTICLE II

The purposes for which this corporation is formed are:

(A) To own and provide a community water system for domestic purposes and such other and additional uses as from time to time shall be necessary to provide and maintain a pumping plant or facilities, pipe lines, dig wells and all other necessary facilities to permit the utilization of domestic water and water for other uses to property owners and residents of

ALL OF THE LOTS located within Block 4 of VANAL HEIGHTS, a Subdivision, to Canyon County, Idaho, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 3 North, Range 3 West of Boise Meridian, Canyon County, Idaho, according to the official plat thereof filed in Book 6 of Plats at page 1, in the Office of the Canyon County Recorder, Canyon County, Idaho.

and to make other improvements of any kind and nature that may be determined from time to time to be for the benefit of the residents of the property owners of said above described

lands relating to said water system, and to permit other property owners in said Block 4 of Vanal Heights Subdivision to become members of the association.

(B) To borrow money, issue bonds, mortgages or other commitments as security for money, loaned or borrowed. To purchase, lease, hold, sell, develop, mortgage, convey or otherwise acquire or dispose of real and personal property necessary or proper for the carrying out of the purposes of this corporation.

(C) To levy and collect assessments upon its members for the purposes set forth above.

(D) There are no restrictions upon the ownership of property within the above-described lands.

### ARTICLE III

The term for which this corporation shall be organized shall be perpetual.

### ARTICLE IV

The street address of the corporation's initial office and the name of its initial registered agent at such address is Herbert W. Rettig, 1024 E. Belmont St., P. O. Box 729, Caldwell, ID 83605.

### ARTICLE V

This corporation shall be and remain an association wherein, pecuniary profit is not the object of the members of the corporation and is organized and shall exist under and pursuant to the Idaho Nonprofit Corporation Act (30-301 et. seq., Idaho Code), no part of the earnings of this corporation shall inure to the benefit of any member or members, but shall be devoted exclusively for the purposes of the said corporation.

### VI

There shall be no capital stock in this corporation, but the corporation shall issue to those entitled thereto, certificates of membership in the corporation, representing an interest in the corporation and its property.

There shall be a total of sixteen (16) membership certificates initially issued by the corporation with one such certificate to be issued for each lot described in Article II(a) of these Articles.

Any person, persons, corporation or co-partnership who shall own one of the referred to lots shall be issued one certificate of ownership and have one voting share in the corporation. Voting shall be limited to those shares upon which improvements exist; provided that any one person, persons, corporation, corporations owning more than one lot shall be entitled to one vote for each lot owned.. For the purpose of this corporation, a purchaser under a valid and existing Contract of Sale shall be considered an owner of such property as he may be purchasing. Membership and voting shares in the association shall be appurtenant to each lot above described and no such membership or share shall be separated or severed from the land to which it is appurtenant or sold or transferred separate and apart from said land, and the ownership of a lot described herein shall be determinative of the right to exercise the powers of membership in this corporation, and such membership and voting rights shall pass and inure to the benefit of any person who shall become the owner of any lot described herein. The members shall not be personally assessable or liable for the obligations of the corporation. Meetings of the members shall be held at such times and places as set forth in the By-Laws of the corporation duly adopted by the members. There shall be no expulsion of members or cancellation of voting rights to members. Proxy voting shall be permitted as set forth in the By-Laws of the corporation.

## ARTICLE VII

The corporation is authorized to levy assessments upon its members for the purpose of operating and maintaining its corporate activities. The assessment shall be equal upon all members excepting that members who do not own improved lots shall not be subject to assessment. The Board of Directors shall fix the amount and the times at which the assessments shall be made. Assessment which have become delinquent shall be subject to enforcement by action or suspension of services, or both, as shall be set forth in the By-Laws of the corporation. No assessment or charge shall become a lien upon the land.

## ARTICLE VIII

The affairs of the corporation shall be managed by a Board of Directors which shall consist of three (3) Directors, to be elected by the members, all of whom shall be members in good standing of this corporation. The Directors shall manage the affairs of this corporation according to the By-Laws. The Board of Directors shall elect a President, one or more Vice Presidents, a Secretary and a Treasurer, which offices may be combined, any of which may be members of the Board of Directors, and may also provide for the appointment of such other officers and agents as they may deem necessary to conduct the business the corporation. This corporate association will be governed by a code of By-Laws not inconsistent with the laws of the State of Idaho, and amendments thereto, which said By-Laws shall be adopted and amended by the members of this corporation. The By-Laws shall fix and regulate, among other things, the conditions for the right, nature and extent of the use of the water. The initial Board of Directors are: Beverly Riley, 15905 Ellis Ave., Caldwell, ID; William W. Yoast, 15806 S. Kimball Ave., Caldwell, ID; Gene Greer, 15823 Ellis Ave., Caldwell, ID.

## IX

Amendment of these Articles may be made as prescribed by the laws of the State of Idaho relating to amendment of the Articles of Incorporation by corporations. No amendment shall be permitted within the first year of operation except with approval of two-thirds (2/3) majority of eligible voters.

## X

The names and post office addresses of each of the incorporators of this corporation are as follows:

NAME	ADDRESS
William W. and Fern Yoast	15801 S. Kimball Ave. Caldwell, ID 83605
Alvin and Grace Tietsort	15884 S. Kimball Ave. Caldwell, ID 83605
Gene R. and Geraldine E. Greer	15823 Ellis Avenue Caldwell, ID 83605

S. Verdell and Sharon Barnes	15865 Ellis Avenue Caldwell, ID 83605
Merle F. Hebbel and Norma Hebbel	15839 Ellis Avenue Caldwell, ID 83605
Fred C. and Roberta L. Hickman	15216 Vista Avenue Caldwell, ID 83605
Mervin R. and Charleen J. Stowe	15856 S. Kimball Ave. Caldwell, ID 83605
Fred D. and Ane Helen Sharp	2445 Wingate Lane Meridian, ID 83642
William B. and Joyce K. Chapman	15855 Ellis Avenue Caldwell, ID 83605
Bertha A. Olguin	15231 Devon Dr. Caldwell, ID 83605
Virginia L. Robuck	15803 Ellis Avenue Caldwell, ID 83605
Norman and Beverly Riley	15905 Ellis Avenue Caldwell, ID 83605
Robert and Vera Cummings	15885 Ellis Avenue Caldwell, ID 83605
John E. and Irene M. Way	2318 Lee Ann Way Meridian, ID 83642

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Idaho, we, the undersigned, constituting the incorporators of this corporation, have executed these Articles of Incorporation, this 5 day of October, 1990.

Wm W Yoast  
WILLIAM F. YOAST

Fern Yoast  
FERN YOAST

Alvin Tietsort  
ALVIN TIETSORT

Grace Tietsort  
GRACE TIETSORT

Fred C. Hickman  
FRED C. HICKMAN

Roberta Hickman  
ROBERTA L. HICKMAN

Mervin R. Stowe  
MERVIN R. STOWE

Charleen J. Stowe  
CHARLEEN J. STOWE

*Gene R. Greer*  
\_\_\_\_\_  
GENE R. GREER

*Fred Dale Sharp*  
\_\_\_\_\_  
FRED D. SHARP

GERALDINE E. GREER  
*Geraldine E. Greer*  
\_\_\_\_\_

*Ane Helen Sharp*  
\_\_\_\_\_  
ANE HELEN SHARP

S. VERDELL BARNES  
*S. Verdeell Barnes*  
\_\_\_\_\_

WILLIAM B. CHAPMAN  
*William B. Chapman*  
\_\_\_\_\_

SHARON BARNES  
*Sharon Barnes*  
\_\_\_\_\_

BERTHA A. OLGUIN  
*Bertha A. Olguin*  
\_\_\_\_\_

MERLE F. HEBBEL  
*Merle F. Hebbel*  
\_\_\_\_\_

VIRGINIA L. ROBUCK  
*Virginia Robuck*  
\_\_\_\_\_

NORMA HEBBEL  
*Norma Hebbel*  
\_\_\_\_\_

ROBERT CUMMINGS  
*Robert Cummings*  
\_\_\_\_\_

NORMAN RILEY  
*Norman Riley*  
\_\_\_\_\_

VERA CUMMINGS  
*Vera Cummings*  
\_\_\_\_\_

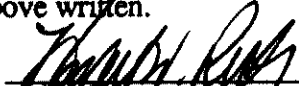
BEVERLY RILEY  
*Beverly Riley*  
*Jagret Chapman*  
\_\_\_\_\_

JOHN E. WAY  
*John E. Way*  
\_\_\_\_\_  
IRENE M. WAY  
*Irene M. Way*  
\_\_\_\_\_

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 8th day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared WILLIAM W. and FERN YOAST, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 7th day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared ALVIN and GRACE TIETSORT, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91



STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 22 day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared GENE R. ~~and GERALDINE E.~~ GREER, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Barbara M. Couell  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 3-1-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 17th day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared S. VERDELL and SHARON BARNES, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

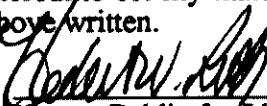
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Stephen W. Ray  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 27<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared MERLE F. HEBBEL and NORMA HEBBEL, husband and wife, known or identified to me to be the person, whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 27<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared FRED C. and ROBERTA L. HICKMAN, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 23~~rd~~ day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared MERVIN R. and CHARLEEN J. STOWE, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 22 day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared FRED D. and ANE HELEN SHARP, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 2-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 7<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared WILLIAM B. and JOYCE K. CHAPMAN, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

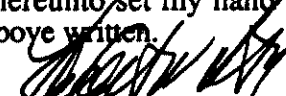
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 5<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared BERTHA A. OLGUIN, known or identified to me to be the person, whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

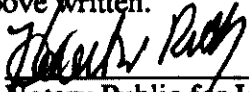
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 8<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared VIRGINIA L. ROBUCK, known or identified to me to be the person, whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 8<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared NORMAN and BEVERLY RILEY, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

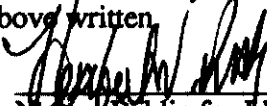
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 9<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared ROBERT and VERA CUMMINGS, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO )  
 ) SS:  
COUNTY OF CANYON )

On this 8<sup>th</sup> day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared JOHN E. and IRENE M WAY, husband and wife, known or identified to me to be the persons, whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 7-21-91

STATE OF IDAHO            )  
  ) SS:  
COUNTY OF CANYON        )

On this 23rd day of October, 1990, before me, the undersigned a Notary Public in and for said State, personally appeared GERALDINE E. GREER, known or identified to me to be the person, whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
Commission Expires: 3-11-91