

State of Idaho

Department of State

CERTIFICATE OF AMENDMENT OF

HIGHLAND FLATS WATER ASSOCIATION, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho hereby, certify that duplicate originals of Articles of Amendment to the Articles of Incorporation of _____
HIGHLAND FLATS WATER ASSOCIATION, INC.

duly signed and verified 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 Amendment to the Articles of Incorporation and attach hereto a duplicate original of the Articles of Amendment.

Dated April 30, 19 20.



Pete T. Cenarrusa

SECRETARY OF STATE

Corporation Clerk

ARTICLES OF AMENDMENT
OF
ARTICLES OF INCORPORATION
OF
HIGHLAND FLATS WATER ASSOCIATION, INC.

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This amendment of HIGHLAND FLATS WATER ASSOCIATION, INC. was adopted on the 25th day of April, 1990, at a meeting called to consider a resolution to change the Articles of Incorporation as hereinafter set forth. A quorum of members was present and a majority voted in person or by proxy to approve changing the Articles of Incorporation as follows:

Article II, Sections 6 and 8, of the Articles of Incorporation are amended as follows:

II.

PURPOSES

6. To have power to establish schedules of rates for the delivery of water, and to levy assessments upon its members, and to collect such water charges and assessments from its members. In the event of delinquency in the payment of such water charges and assessments, the corporation shall have the power to enforce the collection thereof by either, or by any combination, of the following remedies, upon giving notice to the delinquent member in the manner provided by statute, or in the absence of applicable statutes, in the manner provided in the Bylaws:

A. By personal action of debt brought against the delinquent member in a court of competent jurisdiction;

B. By recording and enforcing a lien for nonpayment against the property;

C. By suspension of services provided by, or use of facilities of, the association for the period of time bills due the association are not paid, subject to a provision for prompt restoration of service or use of association facilities as set forth in the Bylaws.

8. The purposes herein enumerated shall be construed both as purpose and powers and shall be in no wise limited or restricted by reference to, or inference from, the terms of any other clause in this or any other article, but the purposes and powers specified in each of the clauses herein shall be regarded as independent purposes and powers, and the enumeration of specific purposes and powers shall not be construed to limit or restrict in any manner

the meaning of general terms or of the general powers of the corporation, nor shall the expression of one thing be deemed to exclude another, although it be of like nature unexpressed. Provided, however, that the purposes of the association are limited to the performance of all necessary functions and services to be provided by the Association, and the Board of Directors shall have authority to disburse funds collected for domestic water, dues, or service charges only in payment for expenses of the system or systems operated by the Association.

Article V. is amended as follows:

V.

MEMBERSHIP

Membership in this corporation shall be evidenced by a membership certificate; and the cost thereof shall be as provided in the Bylaws. Each person or entity presently holding a membership certificate for property that is served or to be served by the system owned and operated by the corporation shall be entitled to one membership in the association for each membership owned.

Voting rights are restricted to owners of property with improvements only. Voting rights in the association shall be proportionate to the number of improved properties served by the system and owned by the members. The definition of improved property shall be as set forth in the Bylaws of the Corporation. No expulsion of members or cancellation of voting rights is permitted.

Members with voting rights shall be allowed to vote in person or by proxy, provided that no proxy shall be valid beyond eleven months, and no proxy shall be binding upon the purchaser of the property from the grantor of the proxy.

Article XI is amended to read as follows:

XI.

There shall be an annual meeting of the members of the corporation to be held at such time and place as provided in the Bylaws.

2. ARTICLES OF AMENDMENT OF ARTICLES OF INCORPORATION

These Amendments were adopted, executed in duplicate, and signed by the Corporation President and by its Secretary.

Ronald E Marcy
President

Bettie L. Preston
Secretary

STATE OF IDAHO)
) ss.
County of Boundary)

Bettie L. Preston, being first duly sworn, states as follows:

I am the duly elected, qualified and acting Secretary of HIGHLAND FLATS WATER ASSOCIATION, INC., an Idaho non-profit corporation, that the foregoing is the true and complete Articles of Amendment adopted by said Corporation at a meeting duly held on the 25th day of April, 1990.

Bettie L. Preston
Lynnda G. Ekstrom

SUBSCRIBED AND SWORN to before me this 26th day of April, 1990.

Lynnda G. Ekstrom
Notary Public for Idaho
Residing at Bonnars Ferry, Id
My Commission Expires: 3-9-93

3. ARTICLES OF AMENDMENT OF ARTICLES OF INCORPORATION