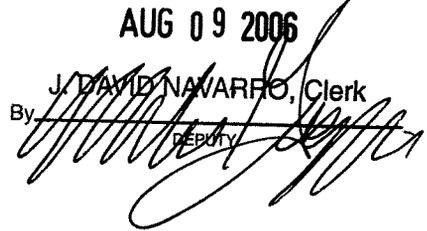


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A.M. \_\_\_\_\_ P.M. 2:50

AUG 09 2006  
J. DAVID NAVARRO, Clerk  
By:  DEPUTY

Attorneys for the Owyhee Sewer District

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE DISSOLUTION OF  
THE OWYHEE SEWER DISTRICT

Case No. 57764

**ORDER APPROVING TRANSFER  
AND ESTABLISHING A DATE OF  
DISSOLUTION**

This matter having regularly come before the Court pursuant to Section 42-3239, Idaho Code, on the Application of Owyhee Sewer District ("District") for an order approving the transfer of certain assets to the City of Boise City ("City") and establishing a date upon which the District shall be dissolved, and the City having filed its Joinder in the Application, the Court makes the following findings and determinations:

1. The District's Application and the exhibits attached thereto along with the City's Joinder and exhibit are in compliance with the requirements of Section 42-3239, Idaho Code.
2. (a) The City of Boise City, Idaho is a "municipality" as that term is used in Section 42-3239, Idaho Code and is capable of providing all the essential functions of the District;
- (b) The City has agreed to assume and perform the essential functions of the District;
- (c) The City has sufficient assets, infrastructure, and other resources to perform the essential operations of the District;
- (d) Provisions have been made for the retirement, payment or assumption of any debt, bonds, and other liabilities and obligations of the District;

- (e) Provisions have been made for the liquidation and disbursement of District assets and infrastructure not intended to be transferred to the City;
- (f) Notice of the proposed transfer was published once a week for two (2) consecutive weeks prior to a public hearing in a newspaper of general circulation in the District, including information on a petition for an election on the proposed transfer; and
- (g) No petitions requiring an election were presented and therefore no election was necessary.

NOW, THEREFORE, IT IS HEREBY ORDERED

The District's Application is hereby granted; the transfer of assets as described in the Application is approved; and, the District shall be dissolved on September 30, 2006.

DATED this 10<sup>th</sup> day of August, 2006.



~~Joel D. Horton~~, District Judge