

PETITION FOR INCLUSION OF REAL PROPERTY INTO THE  
BOISE WARM SPRINGS WATER DISTRICT

R 571 376 0080

I/We, the undersigned, Z. Reed Miller and Edna S. Miller  
(type or print full name(s))

125

warrant that I/We are the owner(s) of the following described real property situated in Ada County, Idaho according to the records of the County Tax Assessor:

Legal Description

Tax Parcel Number

~~lots 1 and 3 and NW 1/4 of Lot 4 and 5  
Block Z R. Miller Sub~~

~~R 5713760080-01~~  
R 5713760120

the property being known as 431 Mabley Ave. We hereby petition  
(street address)

the Board of Directors of the Boise Warm Springs Water District for inclusion of the above-described real property into the District, subject to all the rights, obligations conditions and restrictions appearing in the Idaho Code, the by-laws, rules, regulation and tariffs of the District, all as presently existing or hereafter promulgated or amended.

Z. Reed Miller  
Signature

Edna S. Miller  
Signature

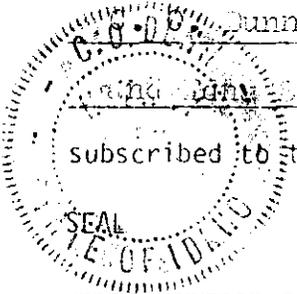
CERTIFICATE OF ACKNOWLEDGMENT

State of Idaho, County of Ada, ss.

On this 21st day of August, in the year of 1975, before me \_\_\_\_\_  
C. O. Dunn, a notary public, personally appeared Z. Reed Miller

and Edna S. Miller, known to me to be the person(s) whose name(s) is/are subscribed to this Petition, and acknowledged to me that he/they executed the same.

C. O. Dunn  
Notary Public



Filing Fee Received: Yes. \$25.00. + 150 on Bank of Idaho. dated 8/29/75 mg

Dates of Newspaper Publication:

TERMS AND CONDITIONS FOR INCLUSION IMPOSED BY THE DISTRICT

RECEIVED

OCT 22 2013

Date \_\_\_\_\_ TECHNICAL SUPPORT Secretary to the Board

ACCEPTANCE OF TERMS AND CONDITIONS

The terms and conditions for inclusion imposed by the Board of Directors of the District are accepted.

Date \_\_\_\_\_

BEFORE THE BOARD OF DIRECTORS  
OF THE  
BOISE WARM SPRINGS WATER DISTRICT  
OF ADA COUNTY, IDAHO

IN THE MATTER OF THE INCLUSION OF CERTAIN ) PROPERTY IN THE BOISE WARM SPRINGS WATER ) DISTRICT OF ADA COUNTY, IDAHO, owned by ) Z. Reed and Edna G. Millar )	ORDER OF INCLUSION AND
ANNEXATION	
Organized under the laws of the State of Idaho	

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THIS MATTER came to be heard before the Board of Directors of the Boise Warm Springs Water District at a regularly called and convened meeting the 17th day of January 1979, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by Z. Reed and Edna G. Millar organized under the laws of the State of Idaho, Petitioners and Owners of said property, a copy of which Petition marked Exhibit "A" is attached herein and made a part hereof by reference and attachment, and to a Notice of Hearing, said Petition for Annexation at this time and place published in The Idaho Statesman, a newspaper published in Boise, Idaho, and of general circulation in the District, on the dates of January 22 1979, January 29 1979, and February 5 1979 the proof of which more fully appears in the Affidavit of Publication marked Exhibit "B" being attached hereto and incorporated herein and made a part hereof by incorporation and attachment. No person appeared to protest or object to the annexation (inclusion) of the property owned by the Petitioners.

Upon examining the Petition of Annexation (inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted to the Board's consideration, the Board found and concluded that (i) the said Petition of Annexation (inclusion) of Property was in substantial compliance with law and executed by the Petitioners and acknowledged in the manner required by law; (ii) it would be in the best interest of the District and the Property affected to annex and include the property of the Petitioners, subject to all conditions enumerated in the said Petition and as hereinafter specified; (iii) the Notice of Hearing of said Petition was given in the manner required by law; and (iv) there is not good cause to deny the Petition for Annexation.

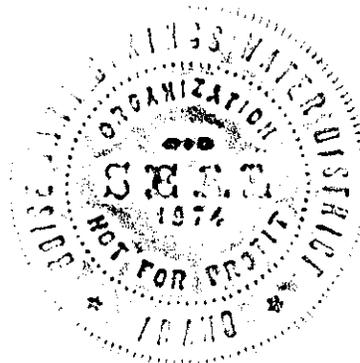
NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Boise Warm Springs Water District of Ada County, Idaho, that the property particularly and specifically described by Exhibit "A", attached hereto and incorporated herein by attachment, be, and the same hereby is, annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all of the (i) limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code; (ii) all conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment; and (iii) subject to all conditions specified in the motion for annexation as passed at the Board meeting of February 14<sup>th</sup> 1979

ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 14<sup>th</sup> day of August 2013

APPROVED:

  
Patrick Frischmuth, Chairman

ATTEST:

  
Brenda Hines, Secretary



**BOISE WARM SPRINGS WATER DISTRICT**  
2440 Old Penitentiary Road  
Boise, Idaho 83712

P. Frischmuth, Chairman  
M. Aucutt, Board Member  
E. Graugnard, Board Member

E. Kreipl, Vice Chairman  
M. Baughman, Board Member  
J. McCollum, Treasurer

**RESOLUTION NO.3630HD**

**BY THE BOARD OF DIRECTORS: FRISCHMUTH, KREIPL, AUCUTT, BAUGHMAN;  
GRAUGNARD**

**A RESOLUTION INCLUDING (ANNEXING) CERTAIN PROPERTY WITHIN THE  
BOUNDARY OF THE BOISE WARM SPRINGS WATER DISTRICT OF ADA COUNTY,  
IDAHO; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, pursuant to provision of Section 42-3218, Idaho Code, the boundaries of any  
water district may be changed upon application for inclusion of property by the owners  
paying fees thereof, meeting conditions imposed and after due and lawful notice of a public  
hearing upon said application; and**

**WHEREAS, a Petition for Annexation (inclusion) of property to the Boise Warm Springs  
Water District of Ada County, Idaho, was filed and presented by Z. Reed and Edna G Millar  
and**

**WHEREAS, at a regularly and duly called and convened meeting held January 17<sup>th</sup> 1979  
the Board of Directors of said district approved and granted Petition of Annexation  
(inclusion), subject to all conditions specified in said Petition and subject to the limitations  
and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code, the Board  
specifically finding that: (i) the Petition for Annexation (inclusion) was in substantial  
compliance with law and executed and acknowledged by the true and lawful property  
owners in the manner and form by law; (ii) it would be in the best interest of the District and  
the properties affected to annex and include the property of the Petitioners; and (iii) notice  
of this hearing was given in the manner required by law.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE  
BOISE WARM SPRINGS WATER DISTRICT OF ADA COUNTY, IDAHO,**

**Section 1. That the Petition for Annexation (inclusion) to the Boise Warm Springs Water  
District submitted by the owners, a copy of which is marked Exhibit "A" being attached  
hereto and incorporated herein by attachment and reference, be, and the same hereby is,  
approved and granted, and that from and after an Order of Inclusion by the Boise Warm**

Springs Water District, the property described in said Petition be, and the same shall be annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all conditions enumerated and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code.

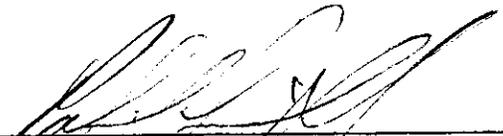
Section 2. That the Chairman of the Board of Directors and the Secretary be, and that they hereby are, directed to execute and attest an order in the substantial form and content of a proposed Order marked Exhibit "B", being attached hereto and incorporated herein by attachment and reference, to be filed with the Clerk of the District Court for Annexation (inclusion) of the property described in the aforesaid petition.

Section 3. That this Resolution shall be in full force and effect from and after its adoption and approval hereof.

ADOPTED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho, whose signature is attested to by the Secretary under the seal of said District as directed by the Board of Directors of said District pursuant to a motion duly made, seconded and carried at a regular meeting held on the 14 day of August 2013.

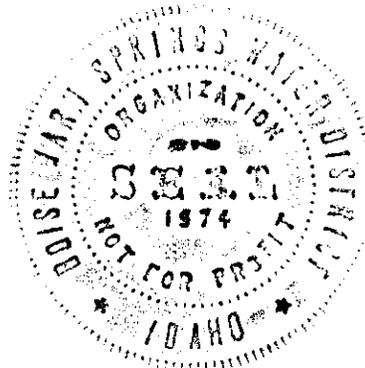
EXECUTED:

By

  
Patrick Frischmuth, Chairman

ATTEST:

  
Brenda Hines, Secretary





I, O.T. Hansen, a registered professional engineer in the State of Idaho, do hereby certify that this PLAT of Z. R. MILLAR SUBDIVISION as described in the certificate of owners, was drawn from an actual survey made by me and accurately represents the points plotted herein and in conformity with the State of Idaho Code relative to Plat and Surveys



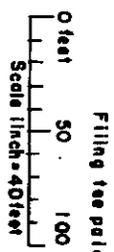
APPROVAL OF CITY ENGINEER  
 James L. Morris, City Engineer in and for Boise City, Ada County, Idaho, do hereby approve this plat of Z. R. MILLAR SUBDIVISION as to its conformity with adjacent and contiguous plating.  
 Date 24 May 1955  
 City Engineer, Boise City

CERTIFICATE OF CITY CLERK  
 Fred R. Boller, City Clerk in and for Boise City, Ada County, Idaho, do hereby certify that at a regular meeting of the council held on the 23rd day of May, 1955, this plat of Z. R. MILLAR SUBDIVISION was duly accepted and approved.

CERTIFICATE OF COUNTY SURVEYOR  
 Gordon C. Smith, County Surveyor for Ada County, Idaho do hereby certify that I have checked this plat of Z. R. MILLAR SUBDIVISION and find that it conforms with the State of Idaho Code relative to plats and surveys.  
 Date 24 May 1955  
 Ada County Surveyor

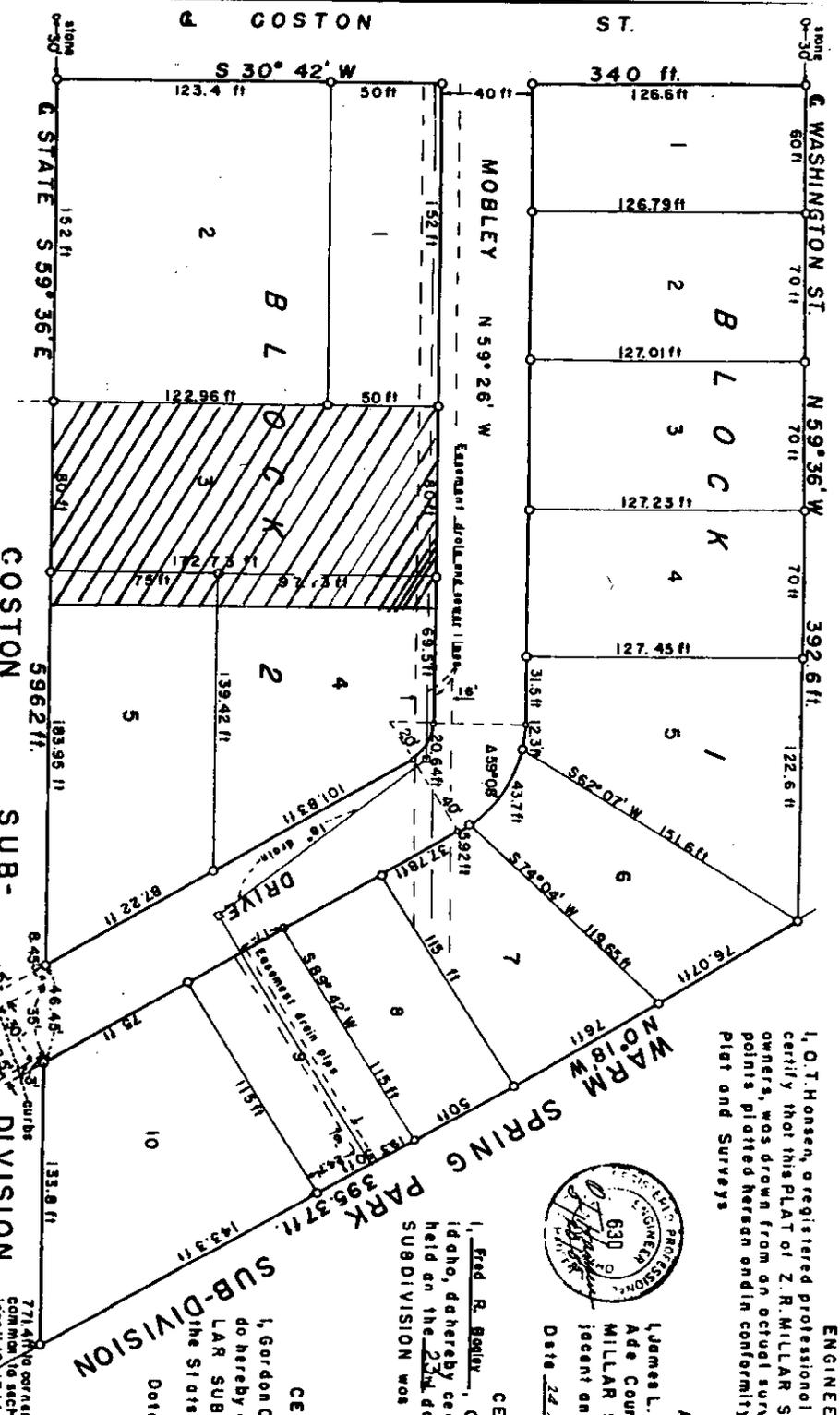
APPROVAL OF COUNTY COMMISSIONERS  
 Accepted and approved this 24 day of May 1955, by the Board of County Commissioners of Ada County, Idaho  
 Commissioners  
 Chairman

State of Idaho se  
 I hereby certify that this instrument was filed for record at the request of Z. R. MILLAR at 12:15 minutes past 3 o'clock P.M. on the 7 day of June 1955 and duly recorded in Book 10 of Plats at page 931  
 Filing fee paid \$25.00  
 Ee-official Recorder  
 Deputy



Z. R. MILLAR SUBDIVISION  
 A PORTION OF SE 1/4 SECTION 11  
 T. 3N. R. 2E. B.M.  
 ADA COUNTY IDAHO

O.T. Hansen, CONSULTING ENGINEER, BOISE, ID



CERTIFICATES OF OWNERSHIPS & DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Z. Reed and Edno S. Miller, husband and wife, Charles O. and Greta H. Dunn husband and wife, Wilke E. and Helene Autroy Myers Jr. husband and wife, A. T. and Ruth E. Sorensen husband and wife, are the owners of a certain tract of land, as shown on this plat, described as follows: Beginning at the intersection of G. State Street extended and the line common to sections 11-12, N 0° 18' W 771.4 feet from the corner common to sections 11, 12, 13, 14 T. 3N. R. 2E. B.M. thence N 0° 18' W 395.37 ft. thence N 59° 36' W 392.6 ft. thence S 30° 42' W 340 ft. thence S 59° 36' E 596.2 ft. to the place of beginning. AND do hereby donate and dedicate to public use the street as shown on this plat. AND they do hereby plat the aforesaid tract into lots as shown hereon, and Z. R. MILLAR SUBDIVISION. IN WITNESS WHEREOF Z. Reed and Edno S. Miller husband and wife owners of all the land shown above excepting that portion deeded to others as indicated below, hereunto set their hands and seals this 24 day of May 1955

Z. Reed Seal  
Edno S. Miller Seal

IN WITNESS WHEREOF Charles O. and Greta H. Dunn husband and wife owners of lots 9, 10 shown above hereunto set their hands and seals this 24 day of May 1955

Charles O. Dunn Seal  
Greta H. Dunn Seal

IN WITNESS WHEREOF Wilke E. Jr. and Helene Autroy Myers husband and wife owners of lots 7, 8 as shown above hereunto set their hands and seals this 24 day of May 1955

Wilke E. Myers Jr. Seal  
Helene Autroy Myers Seal

IN WITNESS WHEREOF A. T. and Ruth E. Sorensen husband and wife owners of lot 4 as shown above hereunto set their hands and seals this 24 day of May 1955

A. T. Sorensen Seal  
Ruth E. Sorensen Seal

State of Idaho se  
 County of Ada se  
 On this 23 day of May 1955 before me, a Notary Public in and for the said County and State personally appeared Z. Reed and Edno S. Miller, husband and wife, Charles O. and Greta H. Dunn husband and wife, Wilke E. Jr. and Helene Autroy Myers husband and wife, A. T. and Ruth E. Sorensen husband and wife, known 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 set my hand and affixed my Official Seal, on the date above written.

My Commission expires July 1957  
Notary Public for Idaho  
 Residing at Boise, Idaho