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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)	ORDER OF
DISTRICT OF ADA COUNTY, IDAHO, owned by)	INCLUSION AND
John and Beverly Goertzen	ANNEXATION
Organized under the laws of the State of Idaho	

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 11th day of September 2013, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by John and Beverley Goertzen 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 September 23, 2013, September 30, 2013, and October 7 2013 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.

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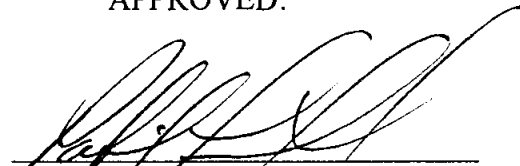
MAR 21 2014

TECHNICAL SUPPORT


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 14th 1979

ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 16th day of. October 2013

APPROVED:


Patrick Frischmuth, Chairman

ATTEST:


Brenda Hines, Secretary

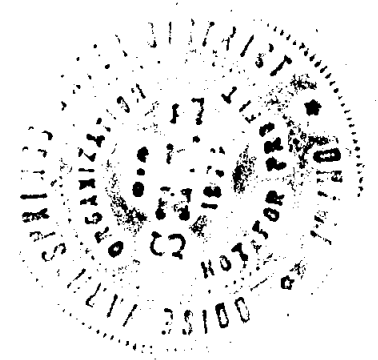


EXHIBIT "A"

BEFORE THE
BOARD OF DIRECTORS OF THE
BOISE WARM SPRINGS WATER DISTRICT

IN THE MATTER OF THE ANNEXATION) PETITION
OF PROPERTY TO THE) TO
BOISE WARM SPRINGS WATER DISTRICT,) ANNEX
a political subdivision of the STATE OF IDAHO.) No.5204H

THE UNDERSIGNED PROPERTY OWNERS: Beverly and John Goertzen

Account No. 5204H
Tax Parcel No. R9227502150
Legal Description: All of Lot 21 in Block 8 of Warm Springs Park
Property Address: 204 Hot Springs Drive.
Boise, Idaho 83712

Do hereby petition the Board of Directors of the Boise Warm Springs Water District (hereinafter "District") to annex to, and include within, the boundaries of the District the following described real property, together with (1) all improvements and appurtenances appertaining thereto and (2) all public streets, roads and alleys, abutting, adjoining and touching the hereinafter described property:

ALL OF LOT 21, IN BLOCK 8 OF WARM SPRINGS PARK, ACCORING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 11 OF PLATS AT PAGE O597, RECORDS OF ADA COUNTY, IDAHO LOCATED IN SECTION 12 TOWNSHIPS 3 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN.

In support of this Petition to Annex, the Petitioners covenant and agree as follows:

(1) That the undersigned are the lawful owners of record of the above described real property (or are the purchasers by an unrecorded contract of sale with the authority to petition for annexation).

(2) That the undersigned have paid, at the time of filing this petition with the District, the Annexation Fee of \$ (WAIVED) fixed and established by the pertinent Resolution of the District, the receipt of which is hereby acknowledged. It is further acknowledged that, upon inclusion (annexation), a fee of \$350 will be charged to cover the costs incurred in the administrative process of annexing the above described property.

(3) That the undersigned have contracted, at their cost and expense, a main line and a service line from a building or structure to the District's water line, together with all the necessary appurtenances and machinery, in a manner and at the place designated and directed by the District, and in accordance with the plans, specifications and drawings approved by the District, its officers, agents and employees.

(4) That the undersigned hereby assign, transfer and set over to the District all rights, title, and interest in and to that portion of the main line and service line extending from the Petitioner's property line to the District's water line together with all necessary appurtenances and machinery thereto.

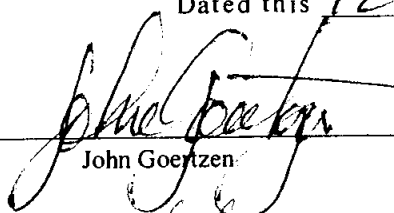
(5) The above described property is improved. It is now being used as:

A Single Family Residence

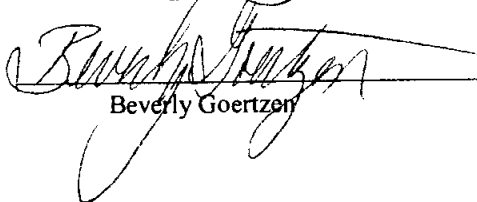
(6) It is understood by the undersigned that this petition is made pursuant to Section 42-3218, Idaho Code, as amended, and that the setting of a time and place for hearing of said petition and publication of notice of said hearing pursuant to law does not construe acceptance of said petition by the District. Pursuant to the aforesaid statute, the Board of Directors may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, however, to be announced prior to the hearing. After said announcement, petitioners may have the right to withdraw said petition, but shall have the right to reimbursement of the annexation fee or additional charges as above set forth.

WHEREFORE, your petitioners pray that the said Board of Directors of the Boise Warm Springs Water District accept this Petition and set a time for the hearing and publish notice thereof in accordance with law, and upon hearing, order the inclusion of the above described property within the boundaries of the Boise Warm Springs Water District in accordance with the terms of this Petition.

Dated this 12 day of Aug, 2013.



John Goertzen



Beverly Goertzen

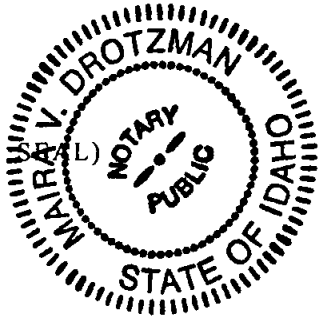
STATE OF IDAHO)

) SS.

COUNTY OF ADA

On this 12 day of August, 2013, before me a Notary Public in and for the State of Idaho, personally appeared known to me to be the persons whose names are subscribed to the within instrument, 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 the certificate first above written.



Maira V. Drotzman

Notary Public for Boise, Idaho / Ada County

Residing at Boise, Idaho

My Commission expires: August 5, 2014

WARM SPRINGS PARK

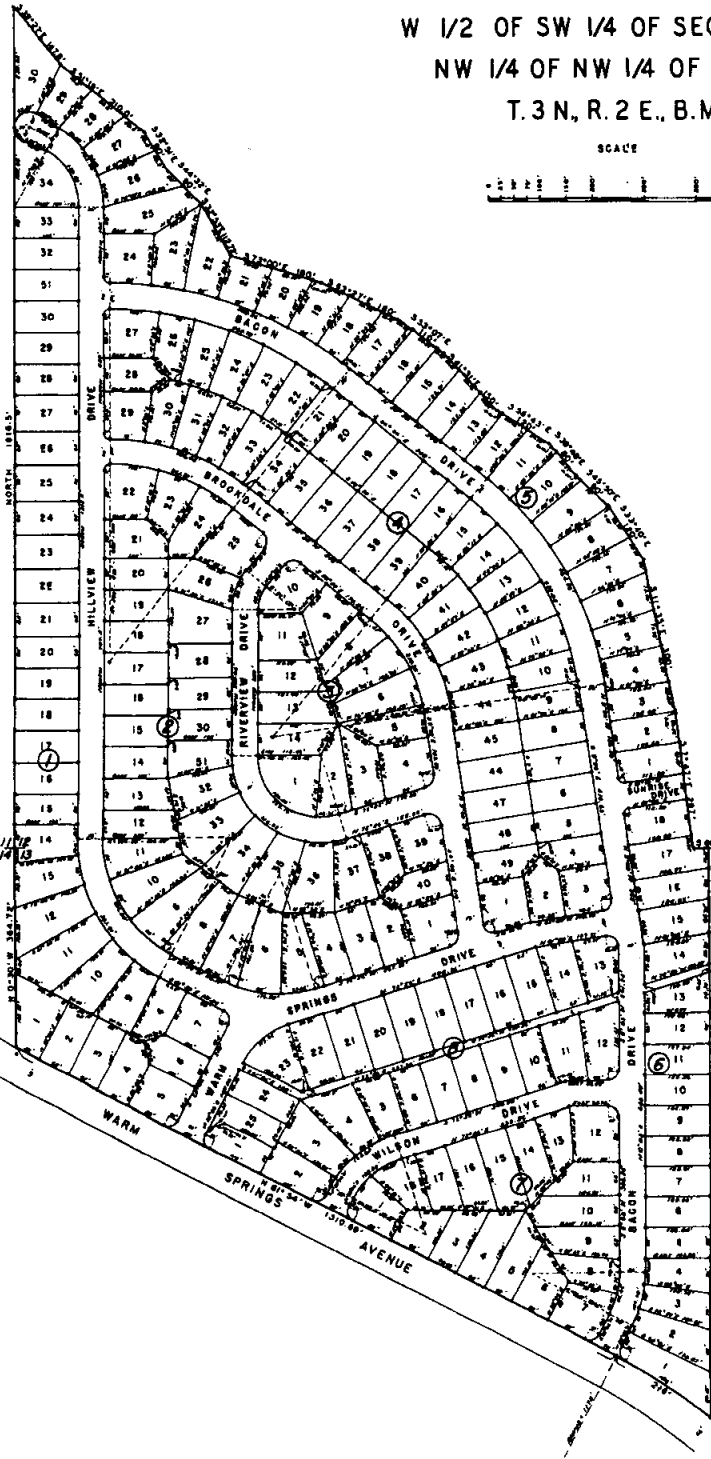
LYING WITHIN

W 1/2 OF SW 1/4 OF SEC. 12 AND

NW 1/4 OF NW 1/4 OF SEC. 13,

T. 3 N., R. 2 E., B.M.

SCALE



CERTIFICATE OF OWNER

KNOW ALL MEN BY THESE PRESENTS, that Louis D. Wilson, a widow, is the owner of the following described tract of land, to-wit:

That portion (to the west line) of the Southeast quarter (320 1/2) of Section 12 of the Township of ... and part of the ...

From the corners of section 12, to and including ...

And she hereby puts and does put into the public record, and they have by contract to the use of the public, however, she already so done on the 21st day of June 1926.

Louis D. Wilson

STATE OF IOWA }
COUNTY OF ADA }

On this 27th day of June, 1926, before me, Betty W. Wright, a Notary Public in and for the State of Iowa, personally appeared Louis D. Wilson, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in witness whereof, I have hereunto set my hand and affixed my official seal this 27th day of June 1926.

Betty W. Wright
Notary Public, State of Iowa

STATE OF IOWA }
COUNTY OF ADA } 253947

I hereby certify that this instrument was filed for record of the register of Louis D. Wilson as above mentioned and is a true and correct copy of the original as recorded in my office and duly recorded in Book 11 of Page 297.

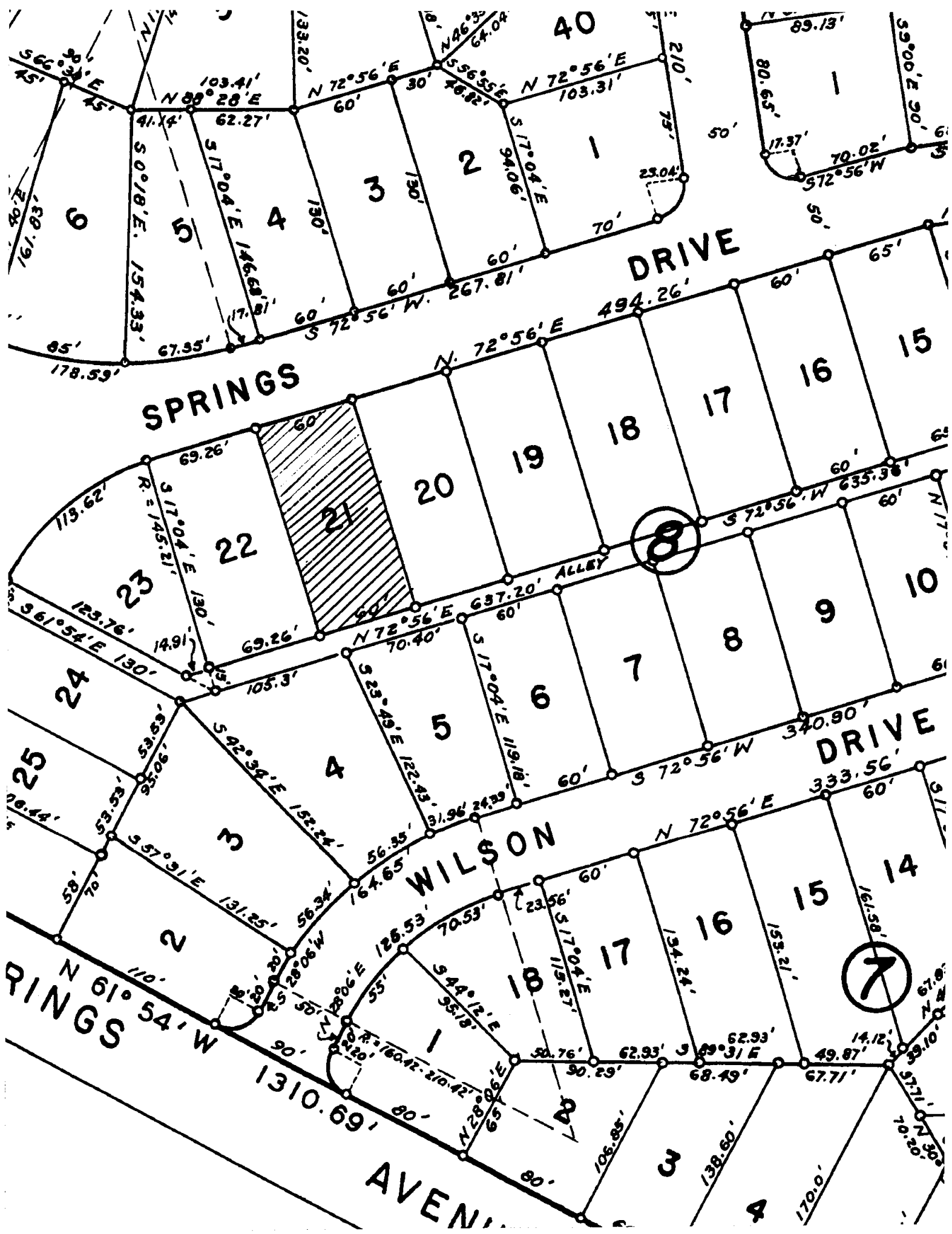
Anna M. Peterson
Deputy

Anna M. Peterson
Deputy Recorder

CERTIFICATE OF ENGINEER

I, Gordon C. Smith, a licensed civil engineer, do hereby certify that the attached plat of Warm Springs Park was made from actual surveys made during June 1926, and is correct.

Gordon C. Smith
Licensed Iowa C.E. No. 21





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

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

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

RESOLUTION No.5204H

**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 John and Beverley
Goertzen**

**WHEREAS, at a regularly and duly called and convened meeting held September 11th 2013
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 16th day of October 2013


EXECUTED:

By



Patrick Frischmuth, Chairman

ATTEST:



Brenda Hines, Secretary

