

State of Idaho



Department of State.

CERTIFICATE OF INCORPORATION

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State of Idaho, do hereby certify that the original of the articles of incorporation of

RIM ACRES MUTUAL WATER CO.

was filed in the office of the Secretary of State on the **sixth** day of **December** A.D., One Thousand Nine Hundred **seventy-three** and ~~will be~~ ~~duly recorded on film~~ ~~on microfilm~~ of Record of Domestic Corporations, of the State of Idaho, and that the said articles contain the statement of facts required by Section 30-103, Idaho Code.

I FURTHER CERTIFY, That the persons executing the articles and their associates and successors are hereby constituted a corporation, by the name hereinbefore stated, for **Perpetual Existence** from the date hereof, with its registered office in this State located at **Boise, Idaho** in the County of **Ada**

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the

ARTICLES OF INCORPORATION

OF

RIM ACRES MUTUAL WATER CO.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, full age citizens of the United States of America do hereby voluntarily associate ourselves together for the purpose of forming a non-profit corporation under the provisions of Idaho Code § 30-117A and amendments thereto.

ARTICLE I

The name of this corporation shall be RIM ACRES MUTUAL WATER CO.

ARTICLE II

The purpose or purposes for which this corporation is formed are:

(a) To associate its members together for their mutual benefit and to that end, to engage in the business of providing domestic water service by operating wells, pumps and a distribution system; or by any other means. To engage in the business of delivery of domestic water to its members who are the owners of separate tracts of property in the Rim Acre's tract, otherwise known as the Brown Subdivision, to wit:

Commencing at the Southwest corner of Sec. 30, T. 3 N., R. 2 E., B.M.; thence N. 0°57' W., 1034.20 feet to a point;

S. $0^{\circ}54'$ W. 49.00 feet to a point;
thence S. $89^{\circ}06'$ E., 16.25 feet to
a point; thence N. $0^{\circ}54'$ E., 45.59
feet to a point; thence N. $79^{\circ}02'$
W. 16.60 feet to the real point of
beginning. All of which property
has been subdivided under the name
of Brown Subdivision in an unrecorded
plat,

a copy of the unrecorded plat of Brown Subdivision to
remain on file at the office of this corporation.

(b) To own, operate and develop any property
necessary to accomplish the purposes of this corporation,
to borrow for the use and needs of the corporation and to
pledge and/or mortgage real, personal and intangible
property of the corporation as security therefor in any
manner permitted by law.

(c) To do any and all things that may be incident
or conducive to the aforesaid objects or any of them and
exercise the usual powers of corporate bodies.

(d) To appoint such officers and agents as the
business of the corporation shall require and to allow to
them suitable compensation.

(e) To make by-laws not inconsistent with these
articles, the laws of the United States or the laws of the
State of Idaho, which by-laws shall be for the regulation
and government of the affairs of the corporation and shall
provide for the means of certification and transfer of

distribution system for necessary operation and maintenance, as may be provided in the by-laws of this corporation, and for a method of collection, which shall include the right to refuse service, as may be provided in the by-laws of this corporation.

(g) To levy assessments on the members of the corporation for any necessary repairs or improvements to wells, pumps, and a distribution system should the rates and charges for operation and maintenance be inadequate to pay for such repairs and improvements, by any method as provided in the by-laws of this corporation.

(h) The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred upon this corporation by the laws of the State of Idaho, all of which are hereby expressly claimed.

ARTICLE III

The principal place of business of the corporation shall be located at Route 3 So. Cole Road, Ada County, Idaho.

ARTICLE IV

The affairs of the corporation shall be under the control of the Board of Directors consisting of not less than three nor more than five, as may be set by the by-laws.

ARTICLE V

The corporation shall have authority to originally issue 18 certificates of membership, there at the present

3, 4, west part of 5, east part of 5, 6, 7, 8, 9, 10, 11, 12 and 13. A certificate of membership will be issued to the owners of each of the above tracts. If the owners own more than one tract, they will receive only one membership certificate. Upon the sale of a tract to a new owner not a member of the corporation, a certificate of membership will be issued to such new owner. The certificates will be fully assessable as provided by these articles, the by-laws of the corporation and the statutes of the State of Idaho. The right to obtain a membership certificate shall be in consideration of the present owners conveying any interest in the well, pump, land upon which the well is located and the distribution system, to the corporation; and complying with the conditions of membership contained in this corporation's articles.

ARTICLE VI

There shall be two classes of membership certificates, Class A and Class B. All membership certificates shall be entitled to one vote.

ARTICLE VII

Class A membership certificates shall be issued to the owners of Tracts A, B, C, 1, 2, 3, 4, west part of 5, east part of 5, 6 and 12. The members owning these tracts shall be entitled to water service, after complying with these articles, from the existing well located on the following described premises:

Commencing at the Southwest corner of Sec. 30, T. 3 N., R. 2 E., B.M.; thence N. $0^{\circ}57'$ W., 1034.20 feet to a point; thence S. $88^{\circ}33'$ E., 437.25 feet to a point; thence S. $79^{\circ}02'$ E., 50.90 feet to the real point of beginning; thence S. $0^{\circ}54'$ W., 49.00 feet to a point; thence S. $89^{\circ}06'$ E., 16.25 feet to a point; thence N. $0^{\circ}54'$ E., 45.59 feet to a point; thence N. $79^{\circ}02'$ W., 16.60 feet to the real point of beginning.

ARTICLE VIII

Class B membership certificates shall be issued to owners of Tracts D, 7, 8, 9, 10, 11, and 13, after complying with these articles, and upon the installation of a well and pump, approved by appropriate health authorities, and construction of a distribution system. The corporation shall not be required to install said well, or construct said distribution system. It will be the responsibility of the owner or owners of those tracts desiring to become members of this corporation, to install the well, pump, and distribution system and convey it to the corporation free of all liens.

ARTICLE IX

Should any owners of a membership certificate further subdivide their tract of land located in the Rim Acres Subdivision, Ada County, Idaho, the original owner's membership certificate will be recalled and new membership certificates will be issued to each of the owners of a part of the land which has been subdivided, and the voting power of such certificates will be provided in Article XI.

of its affairs shall be adopted by the stockholders of the corporation and said stockholders will be empowered to adopt, amend or repeal said by-laws by a majority of the total vote outstanding.

ARTICLE XI

Certificates of membership issued as a result of the subdivision of an original owners tract of land shall have a percentage of one vote, obtained by dividing the original vote by the number of lots created by the subdivision.

ARTICLE XII

All certificates of membership and the right to vote said certificates shall be appurtenant to the ownership of a tract of land within the Brown Subdivision, Ada County, Idaho.

ARTICLE XIII

The term for which this corporation shall exist is perpetual.

ARTICLE XIV

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

<u>NAME</u>	<u>POST OFFICE ADDRESSES</u>
Charles Q. Miner	Route 3, Boise, Idaho
W. C. Doolin	Route 3, Boise, Idaho
Karl Jeppesen	Route 3, Boise, Idaho

ARTICLE XV

The address of the initial registered office of

Boise, Idaho.

IN WITNESS WHEREOF we have hereunto set our hands this 9th day of March, 1972, at Boise, Idaho.

Charles Q. Miner
Karl Jeppesen
W. C. Doolin

STATE OF IDAHO)
) ss.
County of Ada)

On this 9th day of March, 1972, before me the undersigned Notary Public personally appeared before me, Charles Q. Miner, W. C. Doolin and Karl Jeppesen, known to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same and that he is a citizen of the United States and a resident of Ada County, State of Idaho, and that the facts stated therein are true.

Caroline Vogel
Notary Public for Idaho
Residing at Boise, Idaho