



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

MINK CREEK UTILITIES ASSOCIATION, INC.

was filed in the office of the Secretary of State on the **25th** day
of **November** A. D. One Thousand Nine Hundred **Seventy-seven** and
~~is~~ **will be** duly recorded on ~~film~~ **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 and
Sections 30-1001 to 30-1005, inclusive, 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
Pocatello, Idaho in the County of **Bannock**
and as such are subject to the rights, privileges and limitations granted to Non-Profit Coopera-
tive Associations as provided in Chapter 10, Title 30, Idaho Code.

IN TESTIMONY WHEREOF, I have hereunto
set my hand and affixed the Great Seal of the
State. Done at Boise City, the Capital of Idaho,
this **25th** day of **November**
A.D., 19**77** .

Secretary of State.

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ARTICLES OF INCORPORATION 7 AM 9 08

OF
MINK CREEK UTILITIES ASSOCIATION, INC. OF
STATE STATE

KNOW ALL MEN BY THESE PRESENTS:

We, the undersigned, natural persons of the age of majority, do hereby voluntarily associate ourselves and act as incorporators of a corporation, NOT FOR PROFIT, pursuant to the laws of the State of Idaho, and do hereby certify:

Article I.

The name of the corporation shall be MINK CREEK UTILITIES ASSOCIATION, INC.

Article II.

The principal office of the association is located at 269 Fairway Drive, Pocatello, Idaho.

Article III.

The corporation is to have perpetual existence.

Article IV.

The purposes for which the corporation is organized and formed are:

- a. To provide, develop and to supply water for domestic and culinary use to the members of the association.
- b. To provide, develop and maintain a sewage collection and disposal system for the benefit of the members of the association.
- c. To construct, build, maintain and operate lines and mains for the transportation and delivery of water or sewage, and to own and possess such personal property, lands, easements, or otherwise, as may be required to supply water and to transport sewage as may be necessary in conducting the business of the association as an owner.
- d. Without in any manner limiting any of the objects and powers of the association, it is hereby expressly declared and provided that the association shall have power to issue bonds and other obligations in payment for property purchased or acquired by it, or for any other object in or about its business; to grant a security interest in or pledge any shares, bonds, or other obligations, or any property which may be acquired by it; to secure any bonds or other obligations by it issued or incurred; to guarantee any dividends or bonds or contracts of any kind and description; to purchase, lease, own, and use lands for any purpose of the association, and in carrying on its business, or for the purpose of attaining or furthering any of its objects, to do any and all other acts and things, and to exercise any and all other powers which a co-partnership or natural person could do and exercise, and which may now or hereafter be authorized by law.

- e. The provisions of this Article shall be construed both as purposes and powers. The association may not engage in any activity except as may be necessary to further the functions and services of the association, nor may any funds held by the association and collected by way of assessment, dues or service charges be disbursed except in payment of expenses of the water and sewage systems or for personal services rendered on the behalf of the water and sewage systems.

Article V.

The number, qualifications, terms of office, manner of election, and powers and duties of directors shall be fixed, and may be altered from time to time, as may be provided in the By-Laws.

Article VI.

Every person who is the owner of a lot or of equitable title, when purchasing under a contract, in a lot which is served by the association, shall be a member of the association. The corporation is to be organized upon a non-stock certificate of membership basis, and the voting power and property rights of each member shall be equal. If two or more persons jointly acquire an interest in a property entitling them to membership, only one of such persons shall be entitled to membership as may be designated by the joint owners. Voting rights for each certificate of membership become effective and are limited to those memberships which represent improved properties served by the system and owned by the member, and such voting rights once acquired may not be cancelled. The right to membership is declared to be appurtenant to the property served and shall be transferred by the member to his successor in interest. The total voting rights in the association shall be directly proportionate to the number of improved properties served by the system and owned by the members. Voting of memberships may be made by proxy under such rules as are provided from time to time in the By-Laws of the association; however, proxies shall in no event be valid for a term in excess of eleven (11) months, nor shall any proxy be binding upon the purchaser of property from the grantor of the proxy.

Article VII.

The memberships herein shall be subject to such assessments, dues or fees as may be determined by the Board of Directors as required for the operation of the association.

Notwithstanding that the memberships or voting rights in the association may not be cancelled or members expelled from the association, the Board of Directors is empowered to suspend the services provided by the association to any member for nonpayment of assessments, dues or fees, and each person does, by accepting membership in the association, agree to subject his property to a lien for nonpayment of the charges herein described. Each member to whom services are suspended pursuant to this Article is entitled to prompt restoration of service upon payment, and every member who maintains himself on a current account status with the association is entitled to receive such services as are provided by the association equally with that of any other member of the association.

Article VIII.

The affairs of the corporation shall be managed by a Board of Directors in such number as may hereafter be fixed pursuant to the By-Laws of the corporation, which shall in no event be less than three (3), who need not be members of the association. The initial Board of Directors, who shall hold office until the election of their successors, are: Jack T. Christopherson, Thomas C. Schiers, and Janet A. Christopherson.

Article IX.

The corporation reserves the right to amend, alter, change or repeal any provision contained in these Articles of Incorporation in the manner now or hereafter provided by law, and all rights conferred on members are granted subject to the reservation provided that modifications shall require not less than a two-thirds (2/3) majority of all eligible voters.

IN WITNESS WHEREOF, we have signed these Articles of Incorporation this 16th day of November, 1977.

269 Fairway Drive
Pocatello, Idaho 83201

110 Canyon Drive
Pocatello, Idaho 83201

30 Cedar Hill Drive
Pocatello, Idaho 83201

225 Thurston Avenue
Pocatello, Idaho 83201

205 Park Avenue
Pocatello, Idaho 83201


JACK T. CHRISTOPHERSON


STEVE J. PINSON


ROGER McGEARY

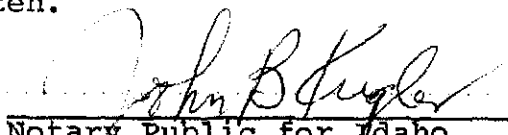

THOMAS C. SCHIERS


MILES S. ENGLAND

STATE OF IDAHO)
County of Bannock) ss.

On this 16th day of November, 1977, before the undersigned, a Notary Public in and for said County and State, personally appeared JACK T. CHRISTOPHERSON, STEVE J. PINSON, ROGER McGEARY, THOMAS C. SCHIERS, and MILES S. ENGLAND, known to me to be the persons who executed the foregoing instrument and 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 this certificate first above written.



Notary Public for Idaho
Residing at: Pocatello, Idaho