

ARTICLES OF INCORPORATION

OF THE

PORTRNEUF-MARSH VALLEY CANAL COMPANY, LIMITED.

KNOW ALL MEN BY THESE PRESENTS: That, whereas the Portneuf-Marsh Valley ~~Irrigation~~ Irrigation Company, Limited, a corporation organized and existing under and by virtue of the laws of the State of Idaho, under the provisions of an act of Congress, approved August 16, 1894, commonly known as the "Carey Act", as amended, and pursuant to the laws of the State of Idaho, and of the rules and regulations of the State Board of Land Commissioners of the State of Idaho, did enter into a contract with the State of Idaho bearing date of June 3, 1908, for the reclamation of certain lands in said contract described situated in the County of Bannock in said State:

AND WHEREAS, it is now proposed to organize a corporation for the operation and management of the irrigation system to be constructed under said contract of June 3, 1908;

THEREFORE, the undersigned have voluntarily associated themselves together to form a corporation under the laws of the State of Idaho and do hereby certify:

-1-

That the name of the said corporation is the Portneuf-Marsh Valley Canal Company, Limited.

-2-

That the purpose for which said corporation is formed is the management and operation of the irrigation system, as such, to be constructed by the Portneuf-Marsh Valley ~~Irrigation~~ Irrigation Company, Limited, under said agreement of June 3, 1908, when and as the same may be turned over to it for operation by said Portneuf-Marsh Valley ~~Irrigation~~ Irrigation Company, Limited, and for that purpose and to the extent therefor required:

(a) To provide a convenient method of transferring the owner-

therewith, constructed or to be constructed by said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited, pursuant to said agreement of June 3, 1908, as the same shall be completed and turned over by said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited, to this corporation, representing and comprising the purchasers of shares and water rights in said irrigation system; to determine the rights of said purchasers of said shares and water rights as between themselves and between said purchasers and the said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited; to operate and maintain said irrigation system and works as the same shall be completed and turned over to it during the period of construction and subsequent thereto; to levy and collect tolls, charges and assessments for the carrying on and maintaining of said irrigation system and management and operation thereof.

(b) When and as the same may be completed and turned over to it by the said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited, to acquire the management, ownership and control, and to operate and maintain: (1) said irrigation and reservoir system; (2) those certain water rights and appropriations made and secured to said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited, under and by virtue of Permit number 3317, of record in the office of the State Engineer of the State of Idaho, appropriating water from Portneuf River in said State; and (3) rights of way for dams, reservoir, main and distributing laterals acquired, owned or held by said Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited by virtue of said contract of June 3, 1908.

(c) When and as such irrigation system may be turned over to it by the Portneuf-Marsh Valley ~~Irrigation~~ Company, Limited, for operation, to distribute the waters diverted by and a part of the said irrigation system and to which this company may be entitled, among the

all users of water from its said irrigation system, tolls, rentals, assessments and maintenance charges based upon the number of shares of stock held by each person or proportioned to the amount of water used, or owned, or the number of acres irrigated by each person or by any one or more or by all of such methods, and to impose and collect fines and penalties for the failure of its stockholders or water users to pay the tolls, rentals, assessments or maintenance charges when the same become due.

(d) To take, purchase, lease, hire, or otherwise acquire, own and hold such real and personal property or any interests or rights therein as may be required in the business of this corporation, namely, the management and operation of said irrigation system when and as it is turned over to it; and, to enter into such contracts and agreements as the directors may deem necessary or proper in conducting the business for which this corporation is formed, as above set forth.

The place where the principal office of the company shall be located, and where its principal place of business shall be transacted is Downey, Bannock County, Idaho.

That the term for which it is to exist is fifty years from and after the date of incorporation.

That the number of directors of the company shall be five (5).

That the amount of the authorized capital stock of the corporation shall be twenty thousand dollars (\$20,000.00) divided into twenty thousand shares of the par value of one dollar (\$1.00) each.

That the amount of said capital stock actually subscribed, the

NAME	RESIDENCE	NUMBER OF SHARES.
E. C. Crocker	Downey, Idaho,	40
Edwin Snow	Boise, Idaho	40
T. M. Edwards	Downey, Idaho,	40
L. W. Johnson	Downey, Idaho,	40
George T. Hyde,	Downey, Idaho,	40.

IN WITNESS WHEREOF, we have hereunto set our hands and seals
this 17th day of September, 1908.

E. C. Crocker (SEAL)

Edwin Snow (SEAL)

George T. Hyde (SEAL)

L. W. Johnson (SEAL)

T. M. Edwards (SEAL)

State of Idaho
County of Ada ss.

On this 15th day of September, 1908, before me, J. H. Peterson
a Notary Public in and for said County and State, personally appear-
ed Edwin Snow to me known and known to me to be the person whose
name is subscribed to the within instrument, and acknowledged to me
that he executed the same.

In witness whereof I have hereunto set my hand and affixed my
notarial seal on the day and year in this certificate above written.

J. H. Peterson
Notary Public.

State of Idaho,
County of Bannock, ss.

On this 17 day of September, 1908, before me William Lamerson
a Notary Public in and for said county and State, personally appear-
ed E. C. Crocker George T. Hyde L. W. Johnson
and T. M. Edwards, to me known and known to me to be the

persons whose names are subscribed to the within instrument, and they
severally acknowledged to me that they executed the same.

In witness whereof I have hereunto set my hand and official seal
the day and year in this certificate first above written.

William Lamerson Notary Public.
Commission Expires December 11th, 1912

STATE OF IDAHO,
County of Bannock. } ss.

I, E. G. Gallet, Clerk of the District Court, Ex-Officio Auditor and Recorder of Bannock
County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy
of the original Articles of Incorporation of the Portneuf Marsh
Valley Canal Company Limited as shown by the records of my office.

Witness my hand and official seal this 18th day of September, 1908.

E. G. Gallet
Clerk District Court, Ex-Officio Auditor and Recorder.

By Mac Hyde, Deputy.