

ARTICLES OF INCORPORATION

of the

BIG WOOD RIVER RESERVOIR AND CANAL COMPANY, LIMITED.

KNOW ALL MEN BY THESE PRESENTS: That, whereas the Idaho 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 August 21, 1907, for the reclamation of certain lands in said contract described, situated in the counties of Blaine and Lincoln 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 August 21, 1907;

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

First.

That the name of said corporation is BIG WOOD RIVER RESERVOIR AND CANAL COMPANY, LIMITED.

SECOND.

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 Idaho Irrigation Company, Lim-

ited, under said agreement of August 21, 1907, when and as the same may be turned over to it for operation by the said Idaho Irrigation Company, Limited,- and for that purpose and to the extent therefor required:

(a) To provide a convenient method of transferring the ownership and control of the dams, reservoir, canals, irrigation system and all rights, franchises and privileges pertaining thereto and connected therewith, constructed or to be constructed by said Idaho Irrigation Company, Limited, pursuant to said agreement of August 21, 1907, as the same shall be completed and turned over by said Idaho 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 shares and water rights as between themselves and between said purchasers and the said Idaho 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 the management and operation thereof.

(b) When and as the same may be completed and turned over to it by the said Idaho 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 Idaho Irrigation Company, Limited, under and by virtue of permits numbered respectively, 1817 and 2844, of record in the office of the State Engineer of the State of Idaho, appropriating water from Big Wood and Little Wood

Rivers and Malad River in said State, being those upon which said system is based; and (3) rights of way for the dams, reservoir, main and distributing canals and laterals acquired, owned or held by said Idaho Irrigation Company, Limited, by virtue of said contract of August 31, 1907.

(c) When and as such irrigation system may be turned over to it by the Idaho 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 stockholders hereof; to maintain, operate and keep in repair said irrigation system; to fix, charge and collect from its stockholders and 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.

### THIRD.

That the place where the principal office of the Company

shall be located, and where its principal business is to be transacted is Richfield (formerly Alberta), Lincoln County, Idaho.

FOURTH.

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

FIFTH.

That the number of Directors of the Company shall be five (5).

SIXTH.

That the amount of the authorized capital stock of the corporation shall be One Hundred and Fifty Thousand Dollars (\$150,000), divided into One Hundred and Fifty Thousand (150,000) shares of the par value of One Dollar (\$1.00) each.

SEVENTH.

That the amount of said capital stock actually subscribed, the names of the persons by whom the same has been subscribed, and their residences, are as follows:

NAME.	RESIDENCE.	NUMBER OF SHARES.
George W. Bunnell,	New York City, N. Y.	40
Norman M. Ruick,	Boise, Idaho,	40
James A. Green,	Richfield, Idaho.	80
Warren F. Day,	Richfield, Idaho.	80
Herbert D. Mason,	New York City, N. Y.	40

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 9th day of September, 1908.

GEORGE W. BUNNELL (Seal)

NORMAN M. RUICK (Seal)

JAS. A. GREEN (Seal)

WARREN F. DAY (Seal)

HERBERT D. MASON (Seal)

STATE OF IDAHO,       )  
                          )  
COUNTY OF ADA,       )       ss.

On this 9th day of September, 1908, before me, B. W. Oppenheim, a Notary Public in and for said State and County, personally appeared George W. Bunnell, Norman M. Ruick, James A. Green and Herbert D. Mason, 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 affixed my notarial seal on the day and year in this certificate above written.

(Notarial Seal Affixed.)

--- B. W. OPPENHEIM, ---  
Notary Public.

STATE OF IDAHO,       )  
                          )  
COUNTY OF BLAINE,    )       ss.

On this 10th day of September, 1908, before me, ---  
*Leon Fuld* ---, a Notary Public in and for said State and County, personally appeared Warren P. Day, 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.

(Notarial Seal Attached.)

--- *Leon Fuld* ---  
Notary Public.

STATE OF IDAHO,         )  
                              :         ss.  
COUNTY OF LINCOLN,    )

I, Harry W. Anderson, Recorder of Lincoln County, Idaho, do hereby certify that foregoing is a full, true and correct copy of the Articles of Incorporation of the Big Wood River Reservoir and Canal Company, Limited, filed in my office on the 11<sup>th</sup> day of September, 1908, at 9<sup>30</sup> o'clock P. M.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the 11<sup>th</sup> day of September, 1908.

Harry W. Anderson  
County Recorder.