

State of Idaho



Department of State.

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

PETE T. CENARRUSA

I, **ARNOLD WILLIAMS**, 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

THE DEEP CREEK IRRIGATION COMPANY

a corporation organized and existing under and by virtue of the laws of the State of Idaho, filed in this office on the **5th** day of **May**, 19**71**,

original articles of amendment, as provided by Sections 30-146 and 30-147, Idaho Code, amending the articles of incorporation, including the increase of authorized capital and extending to perpetual existence

and that the said articles of amendment contain the statement of facts required by law, and are to be recorded on **microfilm** of Record of Domestic Corporations of the State of Idaho.

I THEREFORE FURTHER CERTIFY, That the Articles of Incorporation have been amended accordingly.

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 **5th** day of **May**, A. D., 19**71**.

Secretary of State

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
THE DEEP CREEK IRRIGATION COMPANY

KNOW ALL MEN BY THESE PRESENTS, that on December 8, 1888, Henry Peck, James E. Jones, Geo. Stuart, D. L. Evans, J. N. Ireland, W. H. Jones, W. E. Jones, L. L. Evans and other farmers and ranchers of Malad Valley in Oneida County, Idaho Territory, associated together and formed a corporation known as THE DEEP CREEK IRRIGATION COMPANY and filed Articles of Incorporation with the Territorial Secretary's office, and

WHEREAS it has been determined convenient and expedient that said Articles of Incorporation be amended and restated to more properly exhibit the basic organization of the Company to meet present demands;

NOW, THEREFORE, BE IT KNOWN BY ALL MEN, that we, Oren J. Jones, President and J. A. Servoss, Secretary, do hereby certify that on April 20, 1971, at 8:00 P.M. of that day, the stockholders of THE DEEP CREEK IRRIGATION COMPANY, at a special meeting of the stockholders duly called for that purpose and held at the Courtroom of the Oneida County Courthouse at Malad City, Idaho, at which 3213 shares of the outstanding capital stock of said corporation were represented, and by the affirmative vote of 3213 shares, being more than two-thirds of the outstanding capital stock, the Articles of Incorporation of THE DEEP CREEK IRRIGATION COMPANY were amended and restated to read as follows:

ARTICLE I

The name of this corporation is "THE DEEP CREEK IRRIGATION COMPANY".

ARTICLE II

The purposes for which this corporation is formed are:

1. To purchase, build, own and possess dams, ditches, canals,

flumes, gates and all other irrigation structures necessary to take out and appropriate the waters of Deep Creek.

2. To build, own, operate and control dams and reservoirs on said creek in Oneida County, Idaho, for irrigation purposes in Malad Valley.
3. To appropriate the waters of said Deep Creek by use, and to purchase and own all rights to the use of the waters of said Deep Creek.
4. To carry on and manage, conduct and control the business of distributing water for irrigation purposes in said Malad Valley, and to own, operate, maintain and improve a distribution system of ditches and canals for the primary purpose of providing irrigation water for the use and benefit of the stockholders of the company and the lands controlled by them.
5. To acquire, own, hold by purchase or otherwise, such other water and water rights as may be deemed beneficial to the stockholders of the Company, and to do such other business as may be deemed necessary or expedient for the benefit of the Company.
6. To buy, own, sell, mortgage and otherwise deal in real estate and to borrow money and to pledge as security for the repayment of the same, the real estate and water rights belonging to the company.

ARTICLE III

That its principal place of business shall be in Malad City, Oneida County, Idaho.

ARTICLE IV

That the time of its existence shall be perpetual.

ARTICLE V

That the capital stock of this corporation shall be 6,000 shares of the par value of \$50.00 for each share. Each share of stock issued and outstanding shall represent the right to share equally with every other share of stock issued and outstanding in

the delivery and use of irrigation water available to the company.

The capital stock of this corporation shall be assessable to defray costs of operation and other corporate indebtedness lawfully incurred.

ARTICLE VI

The affairs of this corporation shall be managed by a board of five directors, who shall elect a president, a vice president, a secretary and a treasurer and such other officers from among their number as they may see fit or as may be provided for by the By-Laws of this Corporation.

ARTICLE VII

That all provisions of the Articles of Incorporation of said THE DEEP CREEK IRRIGATION COMPANY as amended in conflict herewith are hereby amended to read as herein provided.

IN WITNESS WHEREOF we have hereunto set our hands and affixed the seal of said Corporation this 20th day of April, 1971.

(Corporate Seal)

Oren J. Jones
President

J. A. Servoss
Secretary

State of Idaho
County of Oneida, ss

Oren J. Jones and J. A. Servoss being each first duly and severally sworn each for himself says that he has read the foregoing amended and restated ARTICLES OF INCORPORATION of The Deep Creek Irrigation Company, and that the facts stated therein are true as he verily believes.

Oren J. Jones
J. A. Servoss

Subscribed and sworn to before me this 20th day of April, 1971.

E. H. Scott
Notary Public
P. O. Address: Malad City, Idaho

(Seal of Notary)