

TERRITORY OF UTAH, }
SECRETARY'S OFFICE, } ss.

I, CHARLES C. RICHARDS, Secretary of the Territory of Utah, do hereby certify
that the foregoing is a full, true and correct copy of the Certified copy of
the Articles of Incorporation of the
American Falls Canal & Power
Company, filed in this office Feb'y
7th, 1895

as appears on file in my office.



IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the Great Seal of the
Territory of Utah, this Second
day of April, A. D. 1895

Charles C. Richards
Secretary of Utah Territory.

United States of America, }
TERRITORY OF UTAH, } ss.
SECRETARY'S OFFICE.

To American Falls Canal and
Power Company
I, Charles F. Richards Secretary of said Territory of Utah,
do hereby certify, that on the 7th day of February
1895, was filed in my office, a certificate of the Clerk of the Probate
Court of Weber County
to the effect that the agreement and oath or affirmation,
and oath of office and bonds, of the Officers of said Cor-
-poration had been filed in his office on the 28th
day of January 1895; and that there has also been filed in my office
with said certificate, a copy of the articles or agreement, and oath or affirmation,
certified by the said Clerk; that said articles contain the statement of facts re-
quired by law, and that said Corporation is hereby constituted a body corporate,
with right of succession as specified in its said articles of agreement, and is hereby
authorized to exercise all the functions, enjoy all the privileges of a corporation,
and to transact all business of said Corporation, as specified in its said articles of
agreement.

In Testimony Whereof, I have hereunto set my hand and
affixed the Great Seal of the Territory of Utah, at
Salt Lake City, this 7th day
of February A. D. 1895.



Charles F. Richards
Secretary of Utah Territory.

ARTICLES OF INCORPORATION

of the

AMERICAN FALLS CANAL AND POWER COMPANY.

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UNITED STATES OF AMERICA :

Territory of Utah, :ss.

County of Weber. :

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We, the undersigned residents of Utah Territory, being desirous of associating ourselves together and becoming a body corporate for the purpose of carrying on and conducting the business hereinafter mentioned, and doing all lawful things and acts necessary or convenient or beneficial in regard thereto, do agree and state;

I.- That we intend to establish our principal place of business in Ogden City, Weber County, Utah Territory.

II.- That the name of this association is THE AMERICAN FALLS CANAL AND POWER COMPANY.

III.- That the full name and place of residence of the subscribers is as follows:--

Names.	Residences.
Peter Wilson	Ogden, Utah,
A. E. Wilson	" "
Lyman Skeen	Plain City, Utah,
J. L. Skeen	" "
Marion Skeen, Jr.	Ogden, Utah.
David B. Tracy	" "
E. T. Malcomb	Harrisville, Utah.
Caleb Parry	Marriotts, "
W. L. Anderson	Ogden "
A. H. Moyes	" "

E. H. Nye	Ogden, Utah.
Levi B. Hammon	Hooper, "
J. J. Brummitt	Ogden, "
Samuel H. Head	" "
Moroni Skeen	" "
William M. Bostaph	" "

IV.- That the time of the duration of this corporation shall be fifty (50) years.

V.- That the business agreed upon by us is to build and operate canals and irrigation ditches, dams, flumes, and reservoirs, to buy water rights, rights of way, and lands necessary for rights of way, and necessary for other reasonable uses of this corporation and to be used in connection with said canals and ditches; to sell and lease water rights and to take mortgages with respect thereto and to own and hold water rights to be used for domestic, mining, milling and irrigation purposes, and to do all things necessary or convenient for an irrigation corporation to do in respect to the ownership, sale or lease of water rights, and in all other respects whatever.

VI.- That the place of the general business of this corporation is the Counties of Bingham and Logan, in the State of Idaho.

VII.- That the amount of the capital stock subscribed by each party is as follows:--

Samuel H. Head.	1667 Shares.
Moroni Skeen	1660 "
William Bostaph.	1660 "
Peter Wilson.	1 Share.
A. H. Wilson	1 "
Lyman Skeen	1 "
J. B. Skeen	1 "
Moroni Skeen, Jr.	1 "
David S. Tracy	1 "

E. T. Malcomb.	1 share.
Caleb Parry.	1 "
W. E. Anderson.	1 "
A. H. Moyes	1 "
E. H. Nye	1 "
Levi B. Hammond.	1 "
J. J. Drummitt.	1 "

VIII.- That the amount of each share is One Hundred Dollars (\$100.00) and the limit of the capital stock agreed upon is Five Hundred Thousand Dollars (\$500000.00).

IX.- That the number and kind of officers for the association are as follows: A President, a Vice-President, a Treasurer, and a Secretary, and said officers shall be directors of the Company Ex Officio; and there shall be five additional directors to the said Ex officio directors, making a Board of Directors of Nine (9) members, all of whom shall be stockholders of the Company and shall hold their offices for one year and until their successors shall be elected and qualified.

X.- That the said officers shall be elected the 2nd Tuesday of January in each year at the office of the company at its principal place of business aforesaid, by ballot; the election to be held between the hours of two and four o'clock P. M.

XI.- That any officer may be removed from the office by a majority vote of the members voting, according to their shares of stock, at any meeting of the stockholders; and any officer may resign his office in writing to the Board of Directors, or President; and the Board of Directors shall have power to fill all vacancies, and the officers appointed to fill vacancies shall hold their offices until the next annual election and until their successors shall be elected and qualified.

XII.- That the private property of the stockholders of the corporation shall not be liable for its obligations, or debts, or for any claim or demands against it.

XIII.- That until the 2nd Tuesday in January, A. D., 1900, and until their successors shall be chosen and qualified, the following named persons shall be the Board of Directors and officers of this corporation:--

Names.	Offices.
Lyman Skeen	President and Director.
Chas Parry	Vice-President and Director.
J. J. Brammitt	Secretary and Director.
Samuel H. Hand	Treasurer and Director.
W. M. Bestock	Director.
Levi B. Hampton	Director.
David S. Truay	Director.
Herbert Green, Sr.	Director.
Peter Wilson	Director.

XIV.- That the President, the Board of Directors or any three Directors, or stockholders representing 20% of the Capital Stock paid in, may call a meeting of the stockholders at any time on ten days notice, sent by mail, post-paid, to each stockholder at his post-office address as the same may appear on the books of the company or can be ascertained; and said notice may be published, also, in a newspaper if so desired by the person calling the meeting.

XV.- That it is bona fide the intention of the parties hereto to commence and carry on the business mentioned herein, and we verily believe that each party hereto is able to and will pay the amount of his stock subscribed for, and each party hereto promises to make such payment, and all of the stock subscribed for by each shareholder aforesaid has been paid in; thus- The amount of the Capital Stock of this Corporation consists of the aggregate valuation of property for the working, development management, use, sale, and exchange of which said corporation is formed, and therefore no actual subscription in money to the Capital Stock of this corporation is made, but this corporation hereby accepts a conveyance of said property as a payment of its entire capital stock of Five Hundred Thousand Dollars in full.

The kind of property with a description thereof conveyed as aforesaid to this Corporation, is as follows:--

The water rights of William M. Bestaph and Samuel H. Head, as shown by a notice of appropriation recorded July 13th, 1894, in record of water locations of Bingham County, State of Idaho, in Book "D", page 166, said water rights being One Hundred Thousand Inches of water, under a four inch pressure of the waters of Snake River, to be diverted from the said River at a point on the westside of said River 500 feet south and 200 feet east of the corner, to Sections 4 and 5 (on the Township line) Township 2, South Range 36 east S. M., Bingham County, Idaho. Said waters hereby appropriated to be conveyed from said point of diversion in ditches and flumes 60 feet wide, and 3 feet deep, to be constructed commencing at the point of diversion; thence in a western and south-western direction across sections 4, 5, 6 and 7, Township 2, South Range 26 east, and sections 8, 9, 10, 11, 12 and 13, in Township 2, South Range 35 east; thence southwest to a point about fifty miles from the point of diversion to a point near American Falls, Idaho; the same being the water appropriated by said William M. Bestaph and Samuel H. Head, on the 13th day of July, 1894.

XVI.-- That five members of the Board of Directors shall be necessary to form a quorum and as such authorized to transact the business and exercise the corporate powers of this corporation.

XVII.-- That Samuel H. Head, Marcus Shoen and William M. Bestaph HEREBY SURRENDER TO THE CORPORATION Four Thousand Nine Hundred and Fifty-three shares of the paid up stock to be sold or otherwise disposed of by the Board of Directors for the benefit of the Corporation, and if so desired the same may be distributed pro rata among the stockholders.

I N W I T N E S S W H E R E O F, we have hereunto set our hands this 9th day of January, One thousand eight hundred and ninety-five

Peter Wilson

W. M. Bestaph

A. E. Wilson

Marcus Shoen

Samuel H. Head

J. J. Brannitt

Lyman Sisson

J. L. Egan

David S. Tracy

Chas. Purdy

Levi B. Hannon

W. L. Anderson

Harold Egan, Jr.

E. T. Nelson

E. H. Wye

A. H. Hannon

Territory of Utah, |
County of Weber. | ss.

I, Joseph P. Ledridge, Clerk of the Probate Court in and for the aforesaid County of Weber, do hereby certify that the foregoing is a full, true and correct copy of the original "Articles of Incorporation of THE AMERICAN FALLS CANAL AND POWER COMPANY" deposited, filed and recorded in my office January 24th, 1895, as the same appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Probate Court, this 25th day of January, A. D., 1895.

J. P. Ledridge,

Clerk of the Probate Court.

UNITED STATES OF AMERICA,:

Territory of Utah, : ss.

County of Weber. :

On this 18th day of January, A. D., 1895, before me
Achilles Perrin, The Probate Judge in and for said County of Weber; per-
sonally appeared Lyman Stoen, Chas. Perry and J. J. Duganitt, personally
known to me to be the persons described in and who executed the foregoing
instrument, who acknowledged to me that they executed the same freely and
voluntarily and for the uses and purposes therein mentioned.

I N W I T N E S S W H E R E O F, I have hereunto set my
(Probate Court) hand and affixed the seal of the said Probate Court
(Seal) of said County, the day and year in this certificate
above written.

Achilles Perrin,

Probate Judge, Weber County.

Attest:

J. P. Ludwidge, Clerk.

By W. M. Hanson, Deputy.

UNITED STATES OF AMERICA, :
: Territory of Utah, : ss.
: County of Weber. :
:.....:

Before me, the undersigned authority, personally appeared
Lyman Skene, Gileb Parry and J. J. Brummitt, who, being duly sworn,
depone and say, that they have signed the foregoing agreement and Arti-
cles of Incorporation with the others whose names appear thereon as
signers; that it is the bona fide their intention to commence and carry
on the business mentioned in said agreement, and that the affiants verily
believe, that party to the agreement is able to and will pay the amount
of his stock subscribed for; affiants further depone and say that all of
the stock subscribed for by each shareholder has been paid in, by the
conveyance to the Company of the water rights, described and specified in
the above Articles of agreement, to which reference is made as a part
hereof.

(Probate Court)
(Seal)

Lyman Skene
Gileb Parry
J. J. Brummitt.

Subscribed and sworn to before me
this 10th day of Jan. A. D., 1898.

Achilles Perrin,
Probate Judge.

Attest:

J. P. Ledridge, Clerk
By W. M. Hanson, Deputy.

UNITED STATES OF AMERICA, :

Territory of Utah : ss.

County of Weber. :

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I, Joseph P. Ledwidge, Clerk of the Probate Court in and for the aforesaid County of Weber, do hereby certify that the incorporators of the "AMERICAN FALLS CANAL AND POWER COMPANY," have duly filed in my office the Agreement of incorporation, duly acknowledged, together with the oath of the incorporators and oath of office and bond of each officer, as required by the acts of the Governor and Legislative Assembly of the Territory of Utah, entitled, "An Act Compiling and Amending the Laws Relating to Private Corporations," Approved March 13th, A. D., 1894 and amendments thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Probate Court of said County, this 28th day of January, A. D. 1895.

J. P. Ledwidge,

Clerk of the Probate Court.