

ARTICLES OF INCORPORATION

OF

ABERDEEN-SPRINGFIELD CANAL COMPANY.

KNOW ALL MEN BY THESE PRESENTS, That we whose names are hereunto subscribed, do under and pursuant to the general incorporation laws of the State of Idaho, associate ourselves together, for the purpose of becoming a body corporate and carrying on and conducting the business hereinafter mentioned, and doing all lawful things and acts necessary, convenient, or beneficial in regard thereto, we do hereby execute these Articles of Incorporation of the Aberdeen-Springfield Canal Company.

ARTICLE I.

The name of this corporation shall be the
ABERDEEN-SPRINGFIELD CANAL COMPANY.

ARTICLE II.

The purpose of this corporation and the pursuit and business which it may carry on is and shall be, to take over, hold, own, manage and control, all that part or portion of that certain canal system constructed by the American Falls Canal and Power Company, a corporation, lying and being in the Counties of Blaine and Bingham, State of Idaho, and having its point of diversion or headgate on the right or west bank of Snake River, at or near where the main channel of said river intersects Section 34, Township 1 South, Range 36 East, Boise Meridian, said canal thence continuing in a Southwesterly direction about Sixty-seven miles, parallel with said river to its terminal in Township 8 South, Range 30 East, Boise Meridian, said canal among other things, having been constructed for the purpose of reclaiming certain public arid lands under the provisions

of the Acts of Congress, and the laws of the State of Idaho, accepting the same, commonly termed the Carey Act, together with the laterals, headgates, flumes, water rights, rights of way, easements, franchises and all other property of every character whatsoever appertaining to that part or portion of said system that has been or may hereafter be conveyed to the purchasers of water rights thereunder, as provided by law and as set forth in the certain several contracts of purchase, which convey or agree to convey to each several purchaser, a proportionate interest in such system, based upon the number of shares of water rights finally sold therein, a share representing a carrying capacity of one-eightieth of one second foot per acre in the main canal, and one-fiftieth of one second foot per acre in the main laterals. The object and purpose hereof being to create a holding corporation to take over, acquire, hold, control, manage and maintain all of that part or portion of said system belonging to or in any wise necessary or appurtenant to the interests of said purchasers and water users, and to issue stock of this corporation to such persons or their assigns, in amounts equivalent to their several interests in said works; and this corporation, in addition to all the powers conferred upon it by virtue of the general incorporation laws, shall have the right to take over, own, hold, control, manage and maintain said system, to acquire by purchase, gift or any other lawful manner, any and all kinds of property, whether real, personal or mixed, that may in any wise be necessary or convenient to enable it to carry out the purposes for which it is organized; to extend said system and acquire additional water rights, rights of way, franchises and easements, to construct telephone or telegraph lines necessary or incident to its operation, to fix charges, rentals and tolls, to regulate and distribute water to the

several users under said system according to their respective rights to construct, maintain and operate storage reservoirs, and for the purpose of defraying the cost of maintenance, operation and extension of said system and carrying out the purpose of this corporation in supplying to its users the water required and appurtenant to said lands in the most practical and economical manner and to do any and all things that may be needful to protect the users of water under this system and secure the greatest beneficial use of said water to said lands, and it shall have power to levy fixed charges and assessments ratably and according to the benefits derived, against said lands, and to collect from its stockholders and all persons entitled to use water through said system, the expense of delivering the water upon such lands, to collect tolls, rentals, assessments and maintenance charges, based upon the number of shares of each stockholder, and the right to defray any and all lawful expenses incident to the maintenance or operating of said Canal System and for necessary and proper betterments, and for these and all other necessary or proper purposes, it may borrow money, execute corporate obligations and secure the same by proper Deeds of Trust.

ARTICLE III.

The principal place of business of this corporation shall be at the town of Aberdeen, Bingham County, Idaho.

ARTICLE IV.

The term for which this corporation is to exist is Fifty Years from and after the filing of these Articles of Incorporation, unless sooner disincorporated according to law.

ARTICLE V.

The corporate powers, business and property, of this corporation must be exercised, conducted and controlled by a Board of nine Directors; provided that said Board shall not take over the management or control of the American Falls Canal & Power Company's Canal System, or receive said canal system as completed in accordance with the specifications of the contract between said company and the State of Idaho, or waive any rights under said contract, without a majority vote of the stock at a stockholders meeting. The names and residences of those who are appointed as Directors until the first annual meeting and until their successors are elected and qualified, are as follows:

A. H. Thompson	Residing at	Logan, Utah.
J. D. Skeen	Residing at	Ordan, Utah.
R. E. McConaughy	Residing at	Salt Lake City, Utah.
J. M. Latimer	Residing at	Aberdeen, Idaho.
J. P. Wedel	Residing at	Aberdeen, Idaho.
John R. Foulks	Residing at	Aberdeen, Idaho.
D. H. Blossom	Residing at	Aberdeen, Idaho.
A. J. Snyder	Residing at	Springfield, Idaho.
C. W. Spalding	Residing at	American Falls, Idaho.

ARTICLE VI.

The amount of authorized Capital Stock in this corporation shall be Sixty-Five Thousand (65,000) Dollars divided into Sixty-Five Thousand (65,000) Shares of the par value of One (1) Dollar each.

ARTICLE VII.

The amount of Capital Stock of this Corporation that has been actually subscribed and the number of shares subscribed by each subscriber and the par value thereof, are as follows:

NAME OF SUBSCRIBER.	NUMBER OF SHARES.	PAR VALUE.
M. D. Fugate	40	\$ 40.00
John R. Foulke	160	\$ 160.00
M. L. Haines	160	\$ 160.00

ARTICLE VIII.

This corporation is not formed for profit but for the mutual operation of the canal, laterals and irrigation system hereinbefore mentioned, and no dividends shall at any time be declared upon the stock of any of the users, and any surplus arising from assessments, tolls or water rents during any year shall be applied to the maintenance and operation of said canal and system during the ensuing year.

IN WITNESS WHEREOF WE have hereunto set our hands and seals this the 4th day of May 1910;

M. D. Fugate

John R. Foulke

M. L. Haines

State of Idaho.

County of Bingham

ss.

On this 4th day of May in the year 1910, before me, Nora M. Jones, a Notary Public in and for said County, personally appeared,

M. D. Fugate, Aberdeen, Idaho
John R. Foulke, Aberdeen, Idaho
M. L. Haines, Aberdeen, Idaho

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

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this day and year first above written.

Nora M. Jones
Notary Public.

State of Idaho

County of Bingham

ss.

I, John R. Foulke, being first duly sworn, upon oath say that I am one of the persons who signed and acknowledged the foregoing Articles of Incorporation, and that I was at the time of doing so and now am a bona fide resident of said County and State.

Subscribed and sworn to before me this the 4th day of May 1910,

Nora M. Jones
Notary Public.