



Department of State.

CERTIFICATE OF INCORPORATION

JAS. H. YOUNG
I, ~~XXXXXXXXXXXX~~, 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 original of the articles of incorporation of

GRANT CANAL COMPANY

was filed in the office of the Secretary of State on the **10th** day
of **April** A.D. One Thousand Nine Hundred **Fifty-seven** and
duly recorded on Film No. **98** of Record of Domestic Corporations, of the State of Idaho,
and that the said articles contain the statement of facts required by Section 30-103/Idaho Code, **and 30-804**

I FURTHER CERTIFY, That the persons executing the articles and their associates and
successors are hereby constituted a corporation, by the name hereinbefore stated, for
perpetual existence from the date hereof, with its registered office in this State located at

Idaho Falls

in the County of

Bonneville

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

10th day of **April**

A.D., 19 **57** .

Secretary of State.

ARTICLES OF INCORPORATION

OF

GRANT CANAL COMPANY

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned citizens of the United States and of the State of Idaho, of full age and residents as hereinafter designated, in order to form a corporation for the purposes hereinafter stated, and to that end have, and by these presents do adopt, declare, and publish the following Articles of Incorporation.

ARTICLE I

That the name of said corporation shall be the "GRANT CANAL COMPANY."

ARTICLE II

That said corporation shall be formed for the purposes hereinafter enumerated, but shall not be authorized to furnish water to persons other than its stockholders.

ARTICLE III

That the purposes for which said corporation is formed are:

(a) To divert under rights owned by its stockholders, water from the Burgess Canal & Irrigating Company at the existing place of diversion, or as at that place of diversion may be relocated from time to time, when and as required; to carry such water through the canal to the terminus of said canal to the diversion of the company's respective stockholders.

(b) To carry the water to which each stockholder is entitled to their respective point of diversion, but not beyond the terminus of said canal.

(c) To construct and operate and maintain said canal and works as are necessary or proper in carrying out the objects and purposes enumerated in (a) and (b) in this article, and for carrying water for its stockholders.

(d) To fix and collect from its stockholders such assessments, tolls or other charges as are required to finance the Company's authorized activities. Such assessments, tolls or other charges shall be assessed equally among the outstanding shares of stock, but the Company may provide, from time to time, by action of its Board of Directors, for a minimum charge for each such share with additional charges per share per irrigation season in proportion to the total volume of water carried per share.

(e) To receive, acquire, hold, purchase, dispose of, convey, mortgage and/or lease, real or personal property; to dispose of, sell, lease, assign, transfer, mortgage and/or convey any rights, privileges, franchises, real or personal property of the corporation other than its franchise of being a corporation, and to acquire, purchase, guaranty, hold, mortgage, own, vote, sell, pledge and/or otherwise dispose of and deal in shares, bonds, securities and debentures, and other evidences of indebtedness of other corporations domestic or foreign.

(f) To enter into contracts or obligations of any type or kind necessary or proper to the transaction of the ordinary affairs, and for the purposes of the corporation.

(g) To acquire by purchase or otherwise, and hold, sell, convey, encumber, or transfer all kinds of real and personal property of every kind and description required in connection with the conduct of the business of this company.

(h) To borrow money, and otherwise incur indebtedness not to exceed One Thousand (\$1,000.00) Dollars; and to draw, make, accept, endorse, transfer, assign, guaranty, execute, and issue bonds, debentures, notes, checks, drafts, bills of exchange, negotiable instruments, and all other instruments for the payment of money, negotiable or nonnegotiable, and whether secured or unsecured.

(i) To have, exercise and enjoy all the powers now or hereafter granted to the corporations organized under the laws of the State of Idaho, and particularly those applicable to the powers and

privileges granted to corporations by Chapter 1 of Title 30 of the Idaho Code, and Chapter 24 of Title 42 of the Idaho Code, and any present and/or future amendements thereto, and to do any act or thing necessary or convenient for the transaction of the aforesaid business and/or carrying into effect any and all of the aforesaid objects and purposes.

(j) All of the foregoing provisions of this Article III are to be construed both as objects and powers, and it is expressly provided that the enumeration herein of specific objects and powers shall not be held to limit or restrict in any manner the general powers and powers of the corporation; provided, however, that nothing herein contained shall be deemed to authorize or permit the corporation to carry on any business or to exercise any power or do any act which corporations formed under the laws of the State of Idaho nor or hereafter existing may not, at the time, lawfully carry on or do. It is the intention that the purposes, objects, and powers specified in each of the paragraphs of this Article III of these Articles of Incorporation shall, except as otherwise provided, in nowise be limited or restricted by reference to, or inference from, the terms of any other clause or paragraph in this paragraph contained, or of any other provisions of these Articles of Incorporation, and it is the intention that the purposes, objects and powers specified in these Articles of Incorporation shall be regarded as independent purposes, objects and powers.

ARTICLE IV

(a) The amount of the capital stock of this corporation shall be \$3,000.00, divided into 3,000 shares of the par value of \$1.00 per share.

(b) Each share of stock shall entitle the holder to a carrying right in the company's system of one inch of water per share for each share of stock.

(c) Each stockholder in the corporation owning and carrying water in the corporate irrigation system shall be held responsible

for, and shall at his own expense purchase, his pump, in the event such stockholder elects to have his water placed in a sump and thereafter pump the same into his lateral ditch; otherwise, the corporation at its own expense shall install and maintain the canal, headgates and structures for the diversion of waters from the main canal into the respective ditches of the stockholders. The Board of Directors may, from time to time, establish rules and regulations with respect to, and actually supervise, such diversions of water and the installation and maintenance of facilities therefor.

(d) The company and its officers, agents and employees will use their best efforts and best judgment to make available to each stockholder in the main natural channel of the canal, the water to which it is entitled to have carried by the Company; should any stockholder feel aggrieved because of an alleged mistake or inaccuracy in the amount of water being carried, the company will correct the error as early as possible; however, no liability shall accrue against the company or its officers, agents or employees by reason of shortage in the quantity of water being carried by reason of drought, inaccuracy in distribution, hostile diversions by third parties, prior or superior claims, acts of God or other factors beyond the control of the Company, and its officers, agents and employees, but nothing in this sub article shall alter the rights of any stockholder to have carried for it through the Company's system, water to which it is entitled as a stockholder of the Company.

ARTICLE V

That said corporation shall have perpetual existence.

ARTICLE VI

That the registered office of the Grant Canal Company shall be the home of the secretary treasurer of the association, and the post office address shall be Route 2, Idaho Falls, Idaho.

ARTICLE VII

That there shall be no other class of stock in said company other than the capital stock in the amount of 3,000 shares.

ARTICLE VIII

That the officers of this company shall be a president, vice president, and a secretary-treasurer, and the number of directors shall be three (3). The Board of Directors shall consist of the president and vice president and one other stockholder so elected. The secretary-treasurer shall be appointed by the Board of Directors and need not be one of the Directors. Officers and directors shall hold office for one year and until their successors in office are elected. That said officers and Board of Directors shall, as prescribed by the By-Laws, have full power and authority to manage and control the affairs of said corporation as provided by law.

ARTICLE IX

That the names, post office addresses, and number of shares subscribed of each of the incorporators is as follows:

NAME	POST OFFICE ADDRESS	NO. OF SHARES
Monte Thornton	<u>Route 2, -Idaho Falls, Idaho</u>	100 shares
Mrs. Seth Fife	<u>Route 2, Idaho Falls, Idaho</u>	100 shares
Wells Taylor	<u>Route 2, Idaho Falls, Idaho</u>	3 shares
Brent Walquist	<u>Route 2, Idaho Falls, Idaho</u>	205 shares
George C.Christensen	<u>Route 2, Idaho Falls, Idaho</u>	580 shares
Ivan Ashment	<u>Route 2, Idaho Falls, Idaho</u>	208 shares
R. H. Johnson	<u>Route 2, Idaho Falls, Idaho</u>	151 shares
Verna Johnson	<u>Route 2, Idaho Falls, Idaho</u>	170 shares
Lloyd Randall	<u>Route 2, Idaho Falls, Idaho</u>	234 shares
OTGEORGE XXX	ROUTE 2, IDAHO FALLS, IDAHO	168 shares
Elvin H. Field	<u>Route 1, Righy, Idaho</u>	10 shares
Susie Field	<u>Route 2, Idaho Falls, Idaho</u>	87 shares
Lowell Hix	<u>Route 2, Idaho Falls, Idaho</u>	100 shares
Ellis Field	<u>Route 2, Idaho Falls, Idaho</u>	87 shares
Central Cemetary		
Maintinance District	<u>Route 2, Idaho Falls, Idaho</u>	20 shares
No. 2.		

IN WITNESS WHEREOF, We have hereunto set our hands and seals
this 23rd day of March, 1957.

Monte Thornton
Monte Thornton

Mrs. Seth Fife
Mrs. Seth Fife

Wells D Taylor
Wells Taylor

Brent L. Walquist
Brent Walquist

George Christensen
George C. Christensen

Ivan R. Ashment
Ivan Ashment

R. H. Johnson
R. H. Johnson

Verma M. Johnson
Verma Johnson

Lloyd F. Randall
Lloyd Randall

~~Robert L. Johnson~~
~~Robert L. Johnson~~

Elvin H. Field
Elvin H. Field

Susie E. Field
Susie Field

Lowell R. Hix
Lowell Hix

Ellis J. Field
Ellis Field

ATTEST:

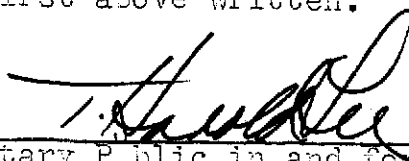
Norma Weber
Secretary

Central Cemetery Maintenance
District No. 2, a political sub-
division of the State of Idaho
By Jacob Budd
Chairman (Title)

STATE OF IDAHO)
County of Jefferson) ss

On this 23rd day of March, 1957, before me, T. Harold Lee, a Notary Public in and for said county and state, personally appeared Monte Thornton, Mrs. Seth Fife, Wells Taylor, Brent Walquist, George C. Christensen, Ivan Ashment, R. H. Johnson, Verna Johnson, Lloyd Randall, ~~XXXXXXXXXX~~, Elvin E. Field, Susie Field, Lowell Hix and Ellis Field, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

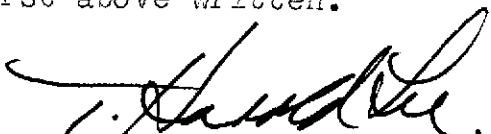


Notary Public in and for the State
of Idaho; Residing at Rigby, Idaho,
My Commission Expires: 3-26-58

STATE OF IDAHO)
County of Jefferson) ss

On this 23rd day of March, 1957, before me, T. Harold Lee, a Notary Public in and for said county and state, personally appeared Jacob Judd and Norma Weber the Chairman and Secretary respectively of the corporation that executed the foregoing instrument, or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Notary Public in and for the State
of Idaho, Residing at Rigby, Idaho
My Commission Expires: 3-26-58