

State of Idaho



Department of State

CERTIFICATE OF INCORPORATION

LOUIS E. CLAPP

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 original of the articles of incorporation of

PACK SARGE WATER CORPORATION

was filed in the office of the Secretary of State on the **Twenty-seventh** day of **June** A. D. One Thousand Nine Hundred **Sixty-six** and ~~is~~ **will be** duly recorded on ~~Film No.~~ **Microfilm** 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 and Sections 30-1001 to 30-1005, inclusive, Idaho Code.

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

Driggs, in the County of **Teton,**

and as such are subject to the rights, privileges and limitations granted to Non-Profit Cooperative Associations as provided in Chapter 10, Title 30, Idaho Code.

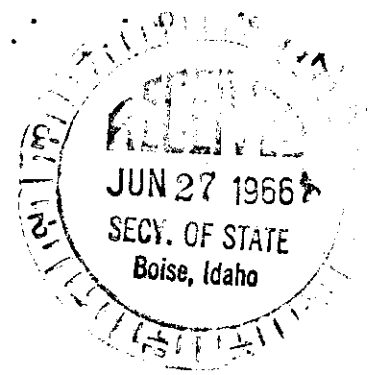
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise City, the Capital of Idaho, this **27th** day of **June**, A.D., 19 **66**.

Secretary of State.

ARTICLES OF INCORPORATION

of

PACK SADDLE WATER CORPORATION



KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, all citizens of the United States of America of legal age, have this day voluntarily associated ourselves together for the purpose of forming a non-profit, mutual canal and irrigation corporation under the laws of the State of Idaho, and

WE HEREBY CERTIFY:

FIRST

The name of this corporation is PACK SADDLE WATER CORPORATION.

SECOND

This corporation is not formed for profit, but as a mutual canal and irrigation company.

THIRD

That the nature of the business and the objects and purposes for which this corporation is formed are:

1. To own, acquire, lease, hold, manage, control, operate and maintain an irrigation pipeline system for the purpose of more efficiently conducting any water owned or to be acquired by the corporation and/or the stockholders of this corporation, and particularly the water owned by the stockholders decreed and otherwise, from a point or points of delivery to be established from time to time and more particularly from a point or points of delivery on Pack Saddle Creek in the SW $\frac{1}{4}$ of Sec. 8, Twp. N., R. 44, E.B.M., into a main pipeline and by gravity flow through said main pipeline into branch mainlines leading to each shareholders' property, and from said mainline or branch mainlines to points of delivery into lateral pipelines provided by the stockholders hereof.

2. To own, acquire, hold, manage, control, operate and maintain irrigation systems now existing, or to be constructed and established in the Cache area of Teton County, Idaho; also, for the purposes of acquiring water rights, water permits, water licenses and franchises now owned and held by other individuals or entities; also, for the purpose of acquiring in the name of the corporation, water rights, water permits, water licenses and franchises; also, for the purpose of carrying water owned by the stockholders hereof to their respective lands, all for the purpose of the irrigation of lands under said irrigation system; to acquire, have, own, maintain and control irrigation wells and water therefrom, and to distribute the same; to fix, charge and collect from its stockholders assessments and maintenance charges based upon the number of shares of stock held by each person, or in proportion to the amount of water used or owned, or by both the said methods, or by assessment upon the capital stock, levied in accordance with the laws of the State of Idaho, or by such other method as may be prescribed in the By-Laws of said corporation; to construct and own dams and reservoirs, and to construct, drill, operate and maintain wells for irrigation pumps, power lines, canals, ditches, and any and all other diversion works for the development and diversion of water for irrigation and domestic purposes, and generally to do any and all things necessary or proper to be done in conducting the business of supplying its stockholders with water or carrying water for its stockholders for irrigation and domestic use, and other useful and beneficial purposes.

3. To take, own, hold, deal in, mortgage, lease, sell, exchange, transfer or in any manner dispose of real property, lease holds, and any other interests, estates and rights in real property; to purchase or acquire in any lawful manner, and to hold, own, mortgage, pledge, lease, sell, assign, exchange, transfer, and in any manner dispose of, to deal and trade in and with any and every class of personal property and/or mixed property, and any franchises, water rights, water permits, water licenses, or privileges necessary, convenient or appropriate for any of the purposes herein expressed.

4. To borrow money and to make and issue notes, bonds, debentures, obligations and evidences of indebtedness of all kinds, whether secured by mortgage, pledge or otherwise, without limit as to amount, and to secure same by mortgage, pledge or otherwise, and generally to make and perform agreements and contracts of every kind and nature.

5. To do all and everything necessary, suitable and proper for the accomplishment of any of the purposes or attainment of

any of the objects or the furtherance of any of the powers hereinbefore set forth, either alone or in association with other corporations, firms or other individuals, and to do every other act or acts, thing or things, incidental or appurtenant to or growing out of or connected with the aforesaid business or powers, or any part thereof; provided the same be not inconsistent with the laws under which this corporation is organized.

FOURTH

The existence of this corporation is to be perpetual.

FIFTH

The place where the principal business of this corporation is to be transacted shall be at Driggs, County of Teton, State of Idaho.

SIXTH

The total number of shares which may be issued by the corporation is 745, representing one share for each acre of land within the corporation's system, all of which stock is for no nominal or par value. Each share of stock shall be entitled to one vote and all stock shall have equal rights. The ownership of said stock shall be limited and shall be held and transferred as provided for in the By-Laws. The land to be included within the corporation's system shall be specified also in the By-Laws. At all meetings of the stockholders, each stockholder may vote by written proxy.

SEVENTH

The total number of shares of the capital stock of this corporation which have been actually subscribed and paid for is the sum of 745, and following are the names of the persons or entities, their mailing addresses and the number of shares each has subscribed for, to-wit:

<u>Name of Subscriber</u>	<u>Mailing Address</u>	<u>No. of Shares</u>
Don Jardine	Tetonia, Idaho	320
Leon Rammell	Victor, Idaho	80
Vernal Kay	Tetonia, Idaho	180
Arthur Caldwell	Tetonia, Idaho	50
Harold Lerwill	Tetonia, Idaho	<u>115</u>

TOTAL ----- 745

EIGHTH

The management of this corporation shall be vested in a board of not less than three nor more than five directors, as may be fixed by the By-Laws. The directors shall be elected at the annual meeting of the stockholders, to be held at the general office of this corporation in the said Village of Driggs, Idaho, on the first Monday in March in each year at 2 o'clock p.m., and until the first election of directors to be held within three months of the filing of these Articles, the directors of said corporation shall be: Vernal Kay, President and Director; Harold Lerwill, Vice-President and Director; Don Jardine, Secretary-Treasurer and Director; Leon Rammell, Director, and Arthur Caldwell, Director.

IN WITNESS WHEREOF, We, the incorporators, have hereunto set our hands and seals this 23rd day of June, 1966.

Vernal E. Kay
Harold Lerwill
Don Jardine
Leon Rammell
Arthur Caldwell

STATE OF IDAHO,)
 SS.
COUNTY OF MADISON.)

On this 23rd day of June, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared VERNAL KAY, DON JARDINE, ARTHUR CALDWELL, HAROLD LERWILL and LEON RAMMELL, 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 official seal the day and year in this certificate first above written.

Lay W. Legby
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: 1-26-67