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SECRETARY OF STATE
STATE OF IDAHO

ARTICLES OF INCORPORATION OF

E & R TRANSPORTATION, INC.

The undersigned, acting as incorporator of a corporation under the Idaho Business Corporation Act, adopts the following Articles of Incorporation for the corporation.

1. **NAME.** The name of the corporation is *E & R Transportation, Inc.*
2. **PURPOSES.** The corporation is organized to conduct any business a corporation may lawfully conduct in Idaho or in any other jurisdiction, which may include but is not limited to transporting goods either in intrastate or interstate commerce.
3. **CAPITAL STOCK.** The corporation's total authorized capital stock is 100,000 shares of common stock without par value.
4. **INITIAL REGISTERED OFFICE AND AGENT.** The corporation's initial registered office is: 2953 Lamb Weston Road, American Falls, Idaho. The initial registered agent at that office is Raymond D. Nulph.
5. **BOARD OF DIRECTORS.** All corporate powers must be exercised, and all corporate business must be managed, by or under the authority of its board of directors. The corporation must have at least one director, with the actual number to be prescribed in the bylaws. The number of directors may be increased or decreased from time to time by amendment of the Bylaws, but no decrease may shorten the term of any incumbent director.
6. **INITIAL DIRECTOR.** The name and address of the initial director is Raymond D. Nulph, 2953 Lamb Weston Road, American Falls, Idaho 83211.
7. **DIRECTOR LIABILITY.** No director may be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty except liability for: (i) the amount of a financial benefit received by a director to which he is not entitled; (ii) an intentional infliction of harm on the corporation or on the stockholders; (iii) a violation of Idaho Code § 30-1-833; or (iv) an intentional violation of criminal law. The corporation must indemnify its directors and officers to the fullest extent permitted by the Idaho Business Corporation Act, as that act now exists or may hereafter be amended, but in the case of any amendment, only to the extent that the amendment permits the corporation to provide broader indemnification rights than the act allowed prior to the amendment.

IDAHO SECRETARY OF STATE


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8. INCORPORATOR. The name and address of the incorporator is: Stephen D. Hall, 485 "E" Street, Idaho Falls, Idaho 83402.

IN WITNESS WHEREOF the incorporator has set his hand this 25th day of November, 1998.



Stephen D. Hall, Incorporator