

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA IRRIGATION PROJECT.

CONTRACT BETWEEN THE UNITED STATES AND THE IDAHO POWER COMPANY,
SUPPLEMENTARY TO CONTRACT OF JUNE 15, 1923.

THIS CONTRACT, made this 29th day of June, 1923, in pursuance of the act of June 17, 1903 (32 Stat., 388) and acts amendatory thereof or supplementary thereto, between the United States of America, hereinafter styled the United States, by E. C. Finney First Assistant, Secretary of the Interior, and the IDAHO POWER COMPANY, hereinafter styled the Company, a corporation organized and existing under the laws of the State of Maine, WITNESSETH:

2. WHEREAS, contract dated June 15, 1923, between the United States and the Idaho Power Company provides for payment by the Government to the Company of the sum of \$1,000,000. in four annual installments with the option to the United States of making earlier payment; and

3. WHEREAS the first installment of \$250,000. under said contract of June 15, 1923, became due and was paid to the Company by the Government of the United States on June 28th, 1923, and the second installment of \$250,000, due and payable under said contract on June 28, 1924, for a good and sufficient consideration as expressed in contract dated June 27th, 1923, between the United States and the

Company, was paid by the United States to the Company on June 28th, 1923; and

4. WHEREAS the Company is willing to allow the United States a discount of \$30,000. upon the third installment of \$250,000. due and payable on June 28th, 1925, under said contract of June 15th, 1923, the payment thereof to be made on June 30th, 1923;

5. NOW, THEREFORE, in consideration of said discount of \$30,000. the United States agrees to pay the Company on June 30th, 1923, the sum of \$220,000. and the Company agrees to accept the same in full payment of the third installment of \$250,000. due on June 28th, 1925, under said contract of June 15th, 1923. The fourth and final installment of \$250,000. under said contract of June 15th, 1923, will be due and payable on June 28th, 1926.

6. The said contract of June 15th, 1923, shall in all other respects remain the same.

7. No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified and during his continuance in office, and no officer, agent or employee of the Government shall be admitted to any share or part of this contract or agreement, or to any benefit to arise thereupon. Nothing, however, herein contained shall be construed to extend to any incorporated company, where such contract or agreement is made

for the general benefit of such incorporation or company, as provided in Section 116 of the Act of Congress approved March 4, 1909 (35 Stat., 1109).

IN WITNESS WHEREOF the parties have hereto signed their names the day and year first above written.

THE UNITED STATES OF AMERICA,

By (Sgd) E. C. Finney
First Assistant--Secretary of the Interior

IDAHO POWER COMPANY,

By (Sgd) D. F. McGee
Vice-President

ATTEST:

(Sgd) E. P. Summerson

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

On this 29th day of June, 1923, before me
Wm. F. Hoecker, Notary Public, personally appeared, D. F.
McGEE, known to me to be a Vice-President of IDAHO POWER
COMPANY, the corporation which executed the within instru-
ment, 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 in this
certificate first above written.

(Sgd) Wm. F. Hoecker
Notary Public New York County No. 164
New York County Register's No. 4027
Commission expires March 30, 1924.

I, E. P. SUMMERSON, Assistant Secretary of IDAHO
POWER COMPANY, a Maine corporation, hereby certify that the
following is a true copy of the resolution duly adopted by
a majority of all the Executive Committee of the Board of
Directors of said Company, at a meeting thereof held June
25th, 1923:

WHEREAS the United States desires to make pay-
ment of the third installment of \$250,000. due under
its contract with this Company, dated June 15th, 1923,
two years in advance of the date required in said con-
tract, at a discount of six per cent annually of said
installment;

NOW, THEREFORE, be it

RESOLVED that D. F. McGee
Vice-President of this Company, be and he hereby
is authorized and directed to accept such discount
and to accept \$220,000. in full payment of said
third installment, and to sign such contracts,
documents or papers as may be necessary to con-
summate said transaction.

WITNESS my hand and the seal of said corporation
this 29th day of June, 1923.

(Sgd) E. P. Summerson (LS)

(SEAL)

Minnesota

THIS SUPPLEMENT to that certain agreement made and entered into the 15th day of June, 1923, by and between the United States of America, acting for that purpose by Hubert Work, Secretary of the Interior, and Idaho Power Company, a corporation organized under the laws of the State of Maine and authorized to do business in the State of Idaho, WITNESSETH that:

WHEREAS, Paragraph 34, lines 809 to 818, inclusive, of the aforementioned contract, provides that the said agreement is to become effective immediately upon its approval or signature by the Secretary of the Interior, with a proviso that it shall be of no further force or effect unless signed by the said Secretary within ninety days after its execution by the Company and authorization by the Board of Directors of the Company; and

WHEREAS, the following resolution was passed unanimously at a special meeting of the Board of Directors of said Company held April 3, 1923:

"VOTED that the President of the Company be, and he hereby is, authorized, in his discretion, to extend the time for the execution by the Secretary of the Interior on behalf of the United States of America of that certain proposed contract between this Company and the United States of America, in connection with the construction by the United States of a reservoir at American Falls, for such time as in his judgment is in accordance with the best interests of this

Company, not longer, however, than July 12, 1923, the date of the regular meeting of this Board, and to report at the regular meeting of this Board on July 12, 1923 of any action taken in connection with this authorization; and

FURTHER RESOLVED that the President of the Company be, and he hereby is, authorized and directed to, in case any extension of time is granted in accordance with this authorization, recommend to the Corporate Trustees under this Company's mortgages and deeds of trust that such extension be approved by such Trustees."

and

WHEREAS, a duly certified copy of the said resolution is hereto attached, marked Exhibit "A" and made a part of this supplement;

NOW, THEREFORE, I. F. F. Johnson, President of the said Company, pursuant to the authority vested in me by the said resolution, do by these presents extend to the 12th day of July, 1923 the time within which the aforementioned contract may be executed by the Secretary of the Interior on behalf of the United States of America, and agree that Paragraph 34 of the said contract be modified to provide that said contract shall be in full force and effect if signed by the Secretary of the Interior at any time prior to July 12, 1923, said signature to have the same force and

effect as if it had been duly affixed to the said contract within
the time limited in said Paragraph 34 thereof.

WITNESS my hand and seal this 26th day of May, 1923,

Done at Boise, Idaho.

IDAHO POWER COMPANY,

By F. F. JOHNSON
President

(SEAL)

STATE OF IDAHO)
)
COUNTY OF ADA) SS

On this 23rd day of June, in the year 1923,
before me, E. C. Kiersted, Notary Public, personally appeared
F. F. Johnson, known to me to be the President of the corpora-
tion that executed the within instrument 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 in this
certificate first above written.

E. C. Kiersted
Notary Public

(SEAL)

Residing at Boise, Idaho.

My Commission expires April 22, 1924.

EXHIBIT "A"

IDAHO POWER COMPANY

Minutes of Special Meeting

Of Board of Directors

April 3, 1923.

A special meeting of the Board of Directors of the Idaho Power Company was held at the office of the Company in the Electric Building, on Tuesday, April 3, 1923, at 10 o'clock A. M., pursuant to a call of the Chairman of the Board and to a notice of the meeting duly given in writing more than five days prior to the date of the meeting.

There being a quorum present, the following business was considered and acted upon:

The matter of the proposed contract between this Company and the United States Government, covering the construction by the Government of a reservoir at American Falls, and the necessary extension of time for the execution of such contract by the Secretary of the Interior on behalf of the United States of America, was then discussed, and, it having been moved by Mr. Ostrander, seconded by Mr. Bremer, it was unanimously

"VOTED that the President of the Company be, and he hereby is, authorized, in his discretion, to extend the time for the execution by the Secretary of the

Interior on behalf of the United States of America
of that certain proposed contract between this Company
and the United States of America, in connection with
the construction by the United States of a reservoir
at American Falls, for such time as in his judgment is
in accordance with the best interests of this Company,
not longer, however, than July 12, 1923, the date of
the regular meeting of this Board, and to report at
the regular meeting of this Board on July 12, 1923 of
any action taken in connection with this authorization;
and

FURTHER RESOLVED that the President of the Company
be, and he hereby is, authorized and directed to, in
case any extension of time is granted in accordance
with this authorization, recommend to the Corporate
Trustees under this Company's mortgages and deeds of
trust that such extension be approved by such Trustees."

* * * * *

There being no further business to come before the meeting,
it was, upon motion duly made, seconded and carried, declared
adjourned.

(Sgd.) A. J. Priest

Secretary

STATE OF IDAHO)
)
COUNTY OF ADA.) ss.

I, A. J. Priest, Secretary of the Idaho Power Company,
hereby certify:

The foregoing is a true and correct copy of a portion
of the minutes of a special meeting of the Board of
Directors of the Idaho Power Company held on April 3, 1923.

IN WITNESS WHEREOF, I have hereunto subscribed my
name and affixed the corporate seal of said Company this
26th day of May, 1923.

A. J. Priest
Secretary

(CORPORATE SEAL)