

1525.

APPROVAL—CONTRACT BY AND BETWEEN STATE OF OHIO AND THE HINDE AND DAUCH PAPER COMPANY, SANDUSKY, OHIO, YEARLY RENTAL \$319.20, TO TAKE AVERAGE OF 79,800,000 GALLONS OF WATER PER ANNUM FOR FIVE-YEAR TERM FROM LEVEL MIAMI AND ERIE CANAL AT DELPHOS, OHIO.

COLUMBUS, OHIO, November 23, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a written memorandum of an agreement made and entered into by and between the State of Ohio, through you as Superintendent of Public Works, and The Hinde and Dauch Paper Company of Sandusky, Ohio, by which, in consideration of the rentals therein provided for, said company is granted the right to take water from the level of the Miami and Erie Canal between Locks 23 and 24 at Delphos, Ohio, in an average amount of 79,800,000 gallons per annum for a term of five years from the first day of November, 1937.

In consideration of the water rights thus granted to it, The Hinde and Dauch Paper Company by this instrument contracts and agrees to pay to the State of Ohio a yearly rental of \$319.20 in semi-annual installments of \$159.20 each, it being stated in said contract that this annual rental is based upon an annual average consumption of 79,800,000 gallons at the rate of \$0.004 per thousand gallons.

An examination of the contract shows that the same has been properly executed by you as Superintendent of Public Works, acting for and in the name of the State of Ohio, and by The Hinde and Dauch Paper Company, acting by the hand of its President pursuant to the authority of a resolution duly adopted by the Board of Directors of said company.

The provisions of this lease and the conditions and restrictions therein contained are in conformity with the provisions of Section 14009, General Code, under the authority of which this contract is executed. I am, accordingly, approving this contract and agreement as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*