



City Of Dayton

Dayton, Idaho 83232

October 23, 2007



Dennis Dunn
Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RECEIVED

OCT 25 2007

Department of Water Resources
Eastern Region

Re: Request for Modification to Water Right Nos. 13-4269 and 13-7512

Dear Mr. Dunn:

The City of Dayton has determined that corrections should be made in the water rights records for spring water right no. 13-4269 and groundwater right no. 13-7512. The following adjustments/corrections are requested.

1. Correct Water Right 13-4269 (Spring) Location:

- a. Water right record lists point of diversion location as:

SPRINGS	SENE	Sec. 07	Township 15S	Range 38E	FRANKLIN County
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Correct Location should be:

SPRINGS	NWSE	Sec. 07	Township 15S	Range 38E	FRANKLIN County
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- b. Beneficial use is listed as follows:

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	1 CFS	
Total Diversion			1 CFS	

The City requests that the beneficial use be changed to municipal as shown below:

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	1 CFS	
Total Diversion			1 CFS	

2. The City is also submitting priority date documentation because the basis of this water right is currently a Statutory Claim. IDWR recommends any of the following documentation be submitted to document the priority date:

- a. Official documentation in a council meeting.
- i. The attached minutes from city meetings held between 1914 and 1920 describe the incorporation of the Village of Dayton for the purpose of constructing a water system, the purchase of the north canyon spring, and construction of improvements to the water system.



- ii. The attached Option Agreement showing that the City purchased the spring from the irrigation company in 1915.
- b. Notarized statement from someone who witnessed the spring collection box installation or use of water from the spring

- i. NONE OBTAINED

- c. Pictures of the spring in use at that time

- i. NONE FOUND

3. Modify Water Right 13-7512 (Groundwater) as listed below

- a. Water right record lists the following Condition of Approval:

5		Place of use is within the city limits of Dayton. Domestic use is for 125 homes. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.
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The City requests striking the second sentence from the requirement:

5		Place of use is within the city limits of Dayton. ~~Domestic use is for 125 homes.~~ The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.
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- b. Water right record lists a single point of diversion location for this water right:

GROUND WATER	SWSWSE	Sec. 15	Township 15S	Range 38E	FRANKLIN County
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The City requests that a second point of diversion be added to allow water recovery from a second existing well. The updated Location of Point(s) of Diversion would be as follows:

GROUND WATER	SWSWSE	Sec. 15	Township 15S	Range 38E	FRANKLIN County
GROUND WATER	NESE	Sec. 15	Township 15S	Range 38E	FRANKLIN County

Sincerely,



Richard B. Reeder, Mayor

ea

Enclosures

n Dayton Idaho April 19, 1914.

✓ On April 19 1914 The folling committee was chosen by the Parents class of the Dayton ward Sunday School, to organize A village so we can bond the Village to build A water system. X

A. L. Jensen,
James Atkinson,
Paul Larsen,
J.P. Schow,
Paul Larsen Secy.

Dayton Idaho, April 21, 14,

Mass meeting held in the Dayton Meeting house to hear the report of Committee, It was reported by the Committee that there was 239 inhabitants, 54 tax payers, and 25 that will take shares in the Dayton water system, providing we can organize into A Village, X
It was ^{meets} and seconed that the committee proceed and consult an attorney as to organizeing into A Village, and the best method of securing the water those who care not to sell.

Paul Larsen Secy.

Dayton Idaho, April 28, 1914.

✓ Minutes of mass meeting held in the Dayton Meeting House to hear the report of Committee, on the organizeing of A Village. X
It was reported by chairman that everything looked favorable, to ward organizing, it was moved and seconed that the committee, continue and present our petition to the County Commissioners 5.
also get articles of incorporation, papers so we can report as to the rules of artificals on the Five Mile Creek. It was moved and seconed that the boundry lines east and west from 11/4 to 13/8 for the purpose of taking two more families in on the southwest corner of said Village.

A.L. Jensen

Chairman,

Paul Larsen Secy.

Dayton Idaho, May, 12, 14,

Meeting was to of been held but only three stock holders present/.
Meetingajourned for the lack of stock holders ,

A. L. Jensen Chairman

Paul Larsen Secy.

Dayton Idaho, June 13, 1914.

✓ Meet ng of the stock holders held in the Dayton School House and
and ajournedfrom there to the meeting house for the lack of lights.
Meeting for the purpose of selling the North Canyon spring for A
water system,moved by D. W. Buttars that the stock holders sell
the main north canyon spring for \$14.40 seconed by A.L. Jensen , it
was agreed that the North canyon spring be sold for the above sum
mentioned.

Paul Larsen Secy.

Dayton Idaho June 30, 1914.

Mass Meeting held in the Dayton Meeting house ,for the purpose of
select ing A board of Village Trustees . It was moved by R. Jones
that we select five men whos names would go before the County
Commissionss, for their approvial , these consist of the
folling,Joseph Hansen, D. W. Buttars, J. P. Schow, James Page,
and Chas.Jones.

Paul Larsen Secy.

Dayton Idaho July 13, 1914,

✓ The County Comminssoners granted the tax payers of Dayton A
Village known as the Village of Dayton.

Paul Larsen Secy.

Dayton Idaho July 21, 1914,

Meeting of the Village board met for the purpose of organizing. Joseph Hansen was chosen chairman, and James P. Schow as temporary clerk. A motion was put and carried that A. D. Ericksen, J. Z. Stewart draw up A set of ordinances for the Village of Dayton. Meeting adjourned for one week.

James P. schow

Temp. Clerk.

Dayton Idaho July 31, 1914,

Specil meeting of the Village board for the purpose of taxes required to run the Village, be resolved by the Village board of Dayton Franklin County State of Idaho, that the estimated amount required for the running expense of said Village of Dayton, for the fissional year would be \$500.

Chas. Jones was chosen Village clerk, a letter from Richard R. Lyman Civil engineer was read, meeting adjourned until Aug. 4th 1914

Jas. P Schow

Temp. clerk.

Dayton Idaho, Aug. 4, 1914.

Meeting of Village Board, Pres. Jos. Hansen presiding. All members of the board present. Prayer by Jos. Hansen. Chairman Jos. Hansen read the rules for the village board drawn up by Attorney A. D. Ericksen, on motion of Jas. Page and seconded by Jas. P. Schow The rules were accepted. The ordinances for the village were partly read and then held over until next meeting.

Ordinance for calling an election for bonding the village for a water system was read by Jos. Hansen

On motion of D. W. Buttars and seconded by Chas. Jones it was decided that the village board meet with the Five Mile Irrg. directors to arrange for the north canyon spring. Geo Jones was chosen to act as village marshall. Meeting was adjourned subject to call of chairman.

Chas. Jones,
clerk.

Dayton Idaho Oct. 2, 1914 .

Village board met and all members were present, Prayer by James P . Schow. Joseph Hansen reported his call on L. M. Perkins and found that he had not posted notices that he had been asked to post. Joseph Hansen reported his meeting with Attorney A.D. Erickson, and J. Z. Stewart and of S. J. Callan seeing Attorney Nebiker, and the attorneys were of the opinion that notices of the Five Mile Irrigation Co. were not necessary and that we were safe in going ahead with our water system, the report was accepted, On a motion by J. P. Schow and seconded by Charles Jones, Joseph Hansen was to take up the matter of getting a plat of the Village of Dayton. J. P. Schow was chosen to fix the foot bridge by James Phillips , and to make all necessary repairs on bridge and roads for the present. D. W. Buttars was asked to phone to Humphreys and have him come up Meeting adjourned

Chas. Jones,

Village Clerk.

Dayton Idaho Oct. 8, 1914

Minutes of Village Board meeting all members of board present except Jas. Page . Engineer Humphreys was present , he gave an estimate of cost in running down two east laterals, which \$2500.00 to \$3,000 to the original cost of the system, which \$14795.00. The Engineer suggested we get the water of the spring analyzed. Cost of south east lateral \$1310.00 to cemetery \$600.00. North east lateral \$1800.00 4 inch pipe 2 inch pipe \$1300.00 total estimate cost of system including both lower laterals complete \$20,000.00.

Pres. Joseph Hansen was authorized to see an attorney relative to getting out notices for a bond election.

On motion of D. W. Buttars and seconded by Jas. P Schow which carried , it was decided to vote on \$20,000.00 bonds J. P. Schow and Jas. Page said they would get a bottle of water and have it analyzed. On motion of Chas. Jones and seconded by D. W. Buttars which carried , T. H. Humphreys is to be our engineer according to contract now on file . Meeting adjourned,

Chas. Jones Clerk

Dayton Ida. Oct. 5, 1915.

Regular Village Board Meeting. Pres. Joseph Hansen presiding.
All members present except James Page. Engineer T. H. Humphrys was present. The bill of Palmer and Sons for \$8.44 interest on his check was taken up, and we were instructed to refer him to the plans, and specifications. The engineer went over plans and specifications and as he estimated them, the board thought them satisfactory.

✓ The estimate of the Wheelright Con. Co. for Sept. 1915, for \$3500.00 according to our engineer the bill was allowed. the bill of T. H. Humphrys for \$150.00 was allowed. Meeting Adjourned,

Chas. Jones, Village Clerk.

Dayton Idaho Oct. 15, 1915.

Regular Village Board meeting held at the School House. All members present except James Page. Pres. Joseph Hansen presiding. Engineer T. H. Humphrys, George Wheelwright, and Marshal B. A. Johnson, were present. Prayer by Chas. Jones. A letter from R. F. Allen of Logan Utah, relative to right a way for pipe line over his land, was read. It was moved by J. P. Schow and seconded by D. W. Butters that Jos. Hansen see our attorney and fix out whether we pay R. F. Allen, or the state of Idaho for said right of way, and if we were to pay R. F. Allen we would pay him \$25.00 for said right of way. It was moved by Chas. Jones and seconded by D. W. Butters, that John W. Waite be water superintendant, and he make all collections for the use of the water, from the village water system. Motion carried. It was decided by the village board that we sell 3/4 inch pipe to J. Peterson for six cents per foot. It was moved by Chas. Jones and seconded by J. P. Schow, that all collections for the use of water from the village water system, on or before November 15, 1915, The bill of Tippetts Hdw. Co. for \$17.50 for revolver, was allowed. The bill of B. A. Johnson for \$5.25 was allowed for labor on roads and bridges. The bill of Andersons & Sons Lumber Co. for \$660 for lumber, was allowed. Marshal B. A. Johnson was given instructions as to his duties as marshal.

It was moved by Jos. Hansen and seconded by Chas. Jones, that we accept the back filling trenches, providing James Page signs a contract,

that he will complete the back filling next spring to the satisfaction of the Village Board, motion carried.

The cost of the construction and engineering and material is \$17003.56 according to our engineers figures.

It was moved by Chas. Jones and seconded by D. W. Buttar that the estimate as presented by our engineer, that in addition to the \$13500.00 already paid to the Wheelright Con. Co., that \$3300.00 be paid and the balance amounting to \$249.46 be paid on completion and acceptance of the system at the end of a 90 day period, providing the contract being Feb. 5, 1916. Motion carried.

The bill of T. H. Humphrys for \$202.49 final settlement for engineering on Village water system, was allowed. The bill of T. H. Humphrys for \$4.00 for surveying road and canal was allowed. The bill of Wheelwright Con. Co. for \$11.65 for T&L was allowed.

Meeting Adjourned

Chas. Jones Village Clerk.

Dayton Idaho Dec. 5, 1915.

Regular Village Board Meeting. All members present, Pres. Jos. Hansen Presiding. Prayer by James Page.

The bill of J. H. Page for \$9.00 for two days with team by bridge by old school house was allowed. The bill of J. P. Schow for the following selling pipe \$15.00. Recording deeds to spring \$1.25 Revenue

Stamps on deed \$1.50, Receipt book and note book \$.40, Total \$18.15

was allowed. Village clerk Chas. Jones and Trasuer J. W. Waite, were appointed to go to the bank at Preston and have account separated. James Page was asked to have the rocks cleared out of the road, from the home of A. L. Jensen to the south end of Village.

Meeting Adjourned,

Chas. Jones Village Clerk.

Dayton Idaho, April, 2, 1919

Regular Village Board meeting. All members present except D. W. Buttars. Prayer by James Page. Minutes of last meeting read and approved. The following bills presented and allowed, J. W. Waite \$3.75, J. H. Page \$42.75, J. P. Schow \$15.15. The following names were selected for Judges of election, S. H. Atkinson, J. W. Waite, & M. L. Phillips, J. A. Atkinson reported that himself J. P. Schow & J. W. Waite visited head of water system and decided to get figures on water cross spring, from T. H. Humphrys, engineer.

Meeting adjourned.

Dayton Idaho, April 21, 1919.

Special Village Board meeting. Those present of the old Board, J. P. Schow, D. W. Buttars, and Chas. Jones also Hyrum Page and S. J. Callan.

Prayer by D. W. Buttars. The following bills were allowed for, Soldiers parties, Anderson And Sons Co., \$5.10. J. P. Schow, \$41.55. The returns of the Village election were gone over and 27 ballots were cast and those elected were, S. J. Callan, D. W. Buttars, Chas. Jones, Jas. Page, and Hyrum Page.

Meeting Adjourned,

Chas. Jones Village Clerk.

Dayton Idaho May, 12, 1919,

Regular Village Board Meeting. The new members got together to organize. S. J. Callan administered the oath of office to Chas. Jones, and in turn Chas. Jones to S. J. Callan, D. W. Buttars, James Page, and J. H. Page. On motion of D. W. Buttars and seconded by James Page S. J. Callan was chosen chairman. and on motion of D. W. Buttars and seconded by James Page, Chas. Jones was chosen Village Clerk. J. W. Waite was appointed Village Treasurer. On motion of Chas. Jones and seconded by D. W. Buttars, J. H. Page was appointed road overseer. The application of Willis Mendenhall for license for Pool Hall was held over for next meeting.

The following bills were presented and allowed, J. W. Waite \$3.25. B. A. Johnson \$2.00. Franklin County Citizen \$4.75. The bill of

Dayton Idaho July 21, 1919,

Mass Meeting was called to order by S. J. Callan, and the matter of securing more water for Village water system was discussed by S. J. Callan, and he explained to the people what had been done by the Village Board and Engineer T. H. Humpherys in locating more water for water system, the matter was discussed by the people. On motion of A. L. Jensen and seconded by J. A. Atkinson that the Village board be authorized to put in an additional pipe line to take in all the springs in the north canyon, and put in water system. motion carried. On motion of J. W. Waite and seconded by William Phillips, that the Village Board take if legal \$2,000.00 now in sinking fund, and borrow the additional amount of about \$3,000.00. A levy be put on all taxable property in Village, and also a tax on all hydrants to meet the present and future expenses of the Village water system. Motion carried, Meeting Adjourned

Chas. Jones Village Clerk.

Dayton Idaho Aug. 10, 1919,

Regular Village Board meeting. It was moved by J. H. Page and seconded by D. W. Butters, that the water rate be from Nov. 5, 1919 be \$2.00 per month for house use and \$.50 per month extra for cattle or horses payable 6 months in advance. Vote was unanimous.

Meeting Adjourned.

Dayton Idaho Aug. 10, 1919

Regular Village board meeting. all members present. Prayer by Chas. Jones. The following road bills were presented and allowed, Roy Jones \$28.00. J. H. Page \$18.00. Paul Larsen \$23.50. Vernen Phillips \$4.00. Thomas Phillips \$20.00. The specification for the extension of water system was gone over. Meeting Adjourned,

Chas. Jones Village Clerk.

Dayton Idaho Sept. 2, 1919,

Regular Village Board Meeting .all members present. Prayer by D. W. Buttars. Ordinance No. 11, and 10 for calling a bond election for the purpose of raising funds with which to extend the present water system. Order to get an additional water supply was read and dissused and adopted by unanimous vote.

On motion of James Page and secohed by D. W. Buttars, it was decided to have all Village ordaninaces taken to Hart and Rich attorneys and have them check up all ordinances and see that they didnt conflict with state laws. William Phillips, L. M. Phillips, and Chas. Jones ,were appointed Judges of bend election.

The following ordinance No. 11 creating levies on all taxable property, 8 mills for bond intrest, and sinking fund, 2 mills for road, and 1 mill for current expenses. Meeting Adjourned,

Chas. Jones Village Clerk.

Dayton Idaho Oct. 7, 1919,

Regular Village Board Meeting .All members present. Prayer by Chas. Jones. The follawing bills were presented and allowed, J. W. Waite \$6.50. Anderson and Sons Lumber Co. \$18.60. James Cragun \$8.00. B. A. Johnson \$16.00. B. A. Johnson \$29.95. Anderson Sons Lumber Co. \$37.50. John Kemp \$9.00. J. H. Page \$16.00. John Mickelson \$4.00. Franklin County Citizen \$58.41. Chas. Jones \$3.32. Ezra Wickham \$54.00. Meeting Adjourned,

Chas. Jones Village Clerk.

Dayton Idaho Oct 20, 1919,

Special Village Board Meeting .Those present D. W. Buttars ,James Page, and J. H. Page, Chairman S. J. Callan being absent D. W. Buttars was chosen tempory chairman. Mr. Owen of the Utah Power and Light Co. was present.

Dayton Idaho Nev. 4, 1919,

Regular Village Board Meeting. All members present. Prayer by J. H. Page. Minutes of last meeting read and approved. The bill of F. H. Atkinson feed bill on horse was held over for further information. The bill of L. Iorn Werks for \$9.00 was allowed. The following committee to arrange float for soldiers welcome reception was chosen, J. H. Page, Paul Larsen, John Mickelson, Martha Waite, and Elvria Mendenhall. On motion of Jas. Page and seconded by D. W. Buttars \$36.00, was appropriated to help pay expenses of Soldier's welcome home party. The Judges and clerk of Bond election were ordered paid in the sum of \$4.00 each. The bill of J. P. Schow for \$5.00 for digging grave of J. G. Jensen was allowed.

Dayton Idaho, Nev. 28, 1919.

Village Board met to consider bids for sale of Village Water Works Bonds. Those present were S. J. Callan, Chas. Jones and D. W. Buttars. Mr. Price of Salt Lake City, representing The Palmer Bond and Mortgage Co. was present and submitted his bid for the \$5700 Water Works Bond which was Par value at 6%, Village to pay \$135 for completing proceedings and printing Bonds & Ect. It being the only bid it was accepted.

Dayton Idaho, Jan 20, 1920.

Regular Board meeting. Prayer by J. H. Page. Those present was S. J. Callan, Chas. Jones, and J. H. Page, and also James Phillips and J. W. Waite. The following bill were presented and allowed, F. Thompson \$3.85. Franklin County Citizen \$20.50. Amalgamated Sugar Co. \$75.00. J. W. Waite \$3.85. J. H. Page \$22.85. Irvin Page \$2.00.

After going over statements of treasurer, on motion of J. H. Page and seconded by CHAS. Jones Treasurer was ordered to place \$1,000.00 in bond redemption. in sinking fund. \$267.00 in road fund, \$205.83 in current expence fund. The bill of ^{Phillips} James for Ext. work on water works extension for \$1570.00 was allowed. The bill of The Five Mile Irrigation Co. for \$72.00 for balance of springs in North Canyon for Village Water Works & Extension was ordered paid, when proper deed was furnished. The bill of Jas. Phillips for \$60.00 on contract was allowed.

Dayton Idaho, April 6, 1920.

Regular Village Board meeting. Prayer by Jas. Phillips. All members present except Jas. Page who was excused on account of sickness. A letter was read from Idaho State & Savings Bank asking settlement of Note for \$5700. The following bills were presented and allowed, Syms York & Co. \$13.25, Franklin County Citizen \$41.40,, Read bills- J. H. Page \$20.50, Paul Larsen \$8.00, Ray Archibald \$6.50 Irvin Page \$10.50, Alma Jensen \$8.00,. The bill of B. A. Johnson for quarrrtine services 151 calls at 20¢ per call, \$30.20. The bill of Jas. Phillips, final settlement on Water Works Extension Contract according to Engineer estimate and according to his bid and extra work, in the sum of \$438.57, was allowed. On the motion of D. W. Buttars and seconded by J. H. Page an appropriation of \$40.00 for the Boy Scout Organization was made to Scout Treas. The bill of T. H. Humphreys was presented and held over until bond money is received. The bill of J. W. Waite for \$6.00 on Water Works. Paid. On motion of D. W. Buttars and seconded by J. H. Page, it was decided that The Village Board meet at the Cemetery, April 11, at 4 P. M. to decide on improvement of Cemetery. The bill of Jas. Call for Janitor for Feb. and March \$2.00 paid.

Dayton Idaho, May 4, 1920

Regular Village Board meeting. Prayer by D. W. Buttars. Those present were, Chairman S. J. Callan, Chas. Jones, D. W. Buttars and J. H. Page. A letter from The Idaho State & Savings Bank dated May 1st. was read, acknowledging receipt of money from sale of \$5700, Bonds plus \$113.03 accrued intrest. Said amount was applied to take up Village note and also charge our account with \$152.00 intrest on note. The following bills were allowed for, J. W. Waite \$10.15 Water Works services, J. W. Waite \$35.00 for cleaning sage brush, fixing road and moving fence at Cemetery, A. P. Nelson \$5.00 for painting sign for float for Armistices Day, T. H. Humphreys for \$257.80 for engineering Water Works Extension. Minutes approved.

Dayton Idaho, July 12, 1920.

Adjourned from July 6th. Regular adjourned Willage Boarding meeting. Prayer by J. H. Page. Those present were Clerk Chas. Jones, D. W. Buttars and J. H. Page. D. W. Buttars was appointed temporary Chairman. The following bills were presented and allowed, P. Jones \$1.35, J. H. Page \$8.00, Irvin Page \$12.00, Andersons \$1.74; .

shall have been fully paid, satisfied and discharged as herein provided.

Section 7- This ordinance shall be in force and take effect on and after its passage, approval and publication.

Passed this 20th day of January, 1920.

Approved this 20th day of January, 1920.

ATTEST: S. J. Callan,
Chairman of the Board of Trustees of the
Village of Dayton, Idaho.
Chas. Jones, Clerk.
(SEAL)

It was then moved by Trustee J. H. Page, and seconded by Trustee D. W. Butters, that the rules be suspended and that said Ordinance be read the second and third time by title only, and placed upon its final passage.

Said question on being put to a vote, was unanimously carried by the affirmative vote of all Trustees present, the vote being as follows:

Chairman,	S. J. Callan	"Aye"
Trustee	Charles Jones	"Aye"
Trustee	D. W. Butters	"Aye"
Trustee	James Page	"Aye"
Trustee	J. H. Page	"Aye"

Those voting nay, None.

Absent and not voting. None.

The Chairman thereupon ordered the second and third readings of said Ordinance by title only which was forthwith done.

WHEREUPON, Trustee, James Page moved that said Ordinance be placed upon its final passage which motion was seconded by Trustee J. H. Page.

Said question, upon being put to a vote, was unanimously carried by the affirmative vote of all Trustees present, the vote being as follows:

Chairman	S. J. Callan,	"Aye"
Trustee	Charles Jones	"Aye"
Trustee	D. W. Butters	"Aye"
Trustee	James Page	"Aye"
Trustee	J. H. Page	"Aye"

The motion was declared carried and the Ordinance was placed upon its final passage.

WHEREUPON Trustee D. W. Butters, moved that said Ordinance entitled, "AN ORDINANCE PROVIDING FOR THE CONTRACTING OF AN IMPROVEMENT BY THE VILLAGE OF DAYTON, FRANKLIN COUNTY, IDAHO, BY THE ISSUANCE OF MUNICIPAL COUPON BONDS TO THE AMOUNT OF FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$5,700.00) TO PROVIDE THE MONEY

(over)

WITH WHICH TO PAY FOR AN ADDITION TO AND AN EXTENSION OF THE PRESENT WATER WORKS SYSTEM AND TO PURCHASE AN ADDITIONAL WATER SUPPLY; PRESCRIBING THE FORM AND DETAILS OF THE ISSUANCE OF SAID BONDS, AND PROVIDING FOR THE LEVY OF A TAX SUFFICIENT TO PAY BOTH PRINCIPAL AND INTEREST OF SAID BONDS, PURSUANT TO ORDINANCE NO. 11 OF SAID VILLAGE OF DAYTON, and the AUTHORITY OF THE ELECTION ORDERED BY THE SAID ORDINANCE AND HELD OCTOBER 14TH, 1919" be passed as read, which motion was duly seconded by Trustee James Page.

The Question being upon the passage of said Ordinance, the roll was called with the following result:

Chairman	S. J. Callan,	"Aye"
Trustee	Charles Jones	"Aye"
Trustee	D. W. Butters	"Aye"
Trustee	James Page	"Aye"
Trustee	J.H. Page	"Aye"

Those voting "Nay" none.

The Chairman declared the said motion carried and said Ordinance duly passed and adopted, and said Chairman forthwith approved said Ordinance by signing the same, which was thereupon attested by the Clerk.

On motion duly made and carried, said Ordinance was numbered 12 and ordered published in the "Franklin County Citizen", a weekly newspaper printed and published in Preston, Idaho, and of general circulation in said Dayton, Idaho, (there being no newspaper printed or published in said Village of Dayton) according to law, and to be recorded in the Ordinance book and records of said Village of Dayton.

ATTEST:

(SEAL) Chas. Jones,
Clerk.

S. J. Callan,
Chairman of the Board of Trustees of the
Village of Dayton, Idaho.

STATE OF IDAHO

COUNTY OF FRANKLIN-- SS

I, Charles Jones, the duly chosen, qualified and acting Clerk of the Board of Trustees of the Village of Dayton, Franklin County, Idaho, do hereby certify that the foregoing constitutes a full true and correct copy of the minutes of a special meeting of the Board of Trustees of said Village of Dayton, held pursuant to due, legal and timely notice served upon all members, as required by law and the rules and ordinances of said Village, at the regular meeting place of said Board on Tuesday the 20th day of January, 1920, in so far as they refer to or concern the Five Thousand Seven Hundred Dollars Water Works Bonds, Series of 1920, of said Village of Dayton, Idaho, as the same appears of record in my

OPTION AGREEMENT.

THIS AGREEMENT MADE AND ENTERED INTO this 28th day of April, 1915, by and between Five Mile Creek Irrigation Company, corporation, first party, and Village of Dayton, a municipal corporation of Franklin County, State of Idaho, second party, Witnesseth:

That for and in consideration of the sum of \$ 10⁰⁰ paid by the Village of Dayton, second party, to the first party herein, receipt of which is acknowledged by the first party, the first party does hereby give and grant unto the second party an option and privilege of purchasing from the first party a certain spring known as the main spring of the north canyon, located near the mouth of the north canyon of Five Mile Creek Canyon, for the sum of \$ 1440⁰⁰, and agree that if the second party shall pay to the first party the said sum of \$ 1440⁰⁰ at any time up to and including the 1st day of June, 1916, the first party will execute and deliver to the second party and good and sufficient warranty deed conveying the said spring to the second party, with a right of way to enter upon the premises where the said spring is located and conduct therefrom the waters of said spring to the Village of Dayton for the use of the inhabitants of said Village.

The second party agrees, in consideration of the said option to purchase said spring, to pay to the said first party the sum of \$ 1440⁰⁰ within the time above specified or forfeit the consideration above mentioned as paid for this option.

In witness whereof, the parties hereto have caused this agreement to be executed this 28th day of April, 1915.

Five Mile Creek Irrigation Company,
Attest: Richard Wickham By Lorenza Perkins
Clerk. President.
Village of Dayton, Idaho,
Attest: Chas. Jones By Jos. Hansen
Clerk. Chairman.

State of Idaho, .
County of Franklin..SS.

On this 24th day of April, 1915, before me J. B. Erickson,
a notary public in and for said county, personally appeared _____
Foreman Perkins, known to me to be the president of Five Mile
Creek Irrigation Company, corporation, and Joseph Hansen, known to me
to be the Chairman of the Board of Trustees of the Village of Dayton,
Idaho, the corporations that executed the within instrument, and
acknowledged to me that such corporations executed the same.

In witness whereof, I have hereunto set my hand and official
seal the day and year in this certificate first written.

J. B. Erickson
Notary Public.