

KNOW ALL MEN BY THESE PRESENTS:

In Haskell County, South Dakota. Said lands comprising Desert Entry No. 41.

Said locator claims for the above purpose 320,000 cubic feet of water per second during the following described annual periods April 1st to October 1st inclusive, each year.

Said location was made on the 3rd day of October 1916
Witness my hand and seal this 3rd day of October 1916

Frank Bell Kemp Locust

STATE OF SOUTH DAKOTA }
COUNTY OF Harrison }

On the 30th day of October, 1912, before me

On this _____ day of _____, 19____, I, W. I. Martin, Jr. S. J., a Notary Public in and for the County and State aforesaid, personally appeared Mr. Belle Perry to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

Robert L. Austin Notary-Public.

Pierre, South Dakota, October 3rd 1911

This is to certify that the foregoing location notice was received at this office at 2 o'clock M.
upon the 3rd day of October 1910, and after examination it was filed
record

Obmudov State Engineer.

State of South Dakota

LOCATION NOTICE Water License No. 297-1

(1) Mrs. Belle Kemp
of Ashcroft, South Dakota located and filed Location Notice No. 297-1
State Application No. October 3, 1910 for a ^{right} ~~water permit~~ to appropriate
320 acre ~~cubic~~ feet per second of water from annually from a dry draw
Harding County, South Dakota for Irrigation purposes
Location Notice 297-1, with a priority date of October 3, 1910
was approved ^{the} ~~located & filed by~~ and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be~~ completed on or before _____ and for the application to beneficial use of said
water on or before _____.

Mrs. Belle Kemp originally located and filed Location Notice No. 297-1. On October 22, 1986, Location Notice No. 297-1 was transferred to Painters Inc.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.67 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1700'N and 2040'W of SE Corner of
Section 1, T20N-R2E

The Diversion Dam is capable of storing 24 acre feet of water

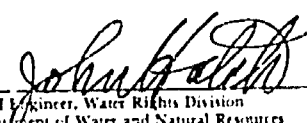
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land, all in T20N-R2E

Section 1	SE $\frac{1}{4}$ NW $\frac{1}{4}$	4 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	7 Acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	19 Acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	17 Acres
TOTAL		47 ACRES

(4) Pursuant to §46-5-30.1 Painters, Inc.
of Box 57, Buffalo, South Dakota 57720
the holder(s) and or owner(s) of Location Notice
Water Permit No. 297-1 is issued a license to appropriate water, the right to use
0.67 cubic feet per second of water from a dry draw with a priority date
of October 3, 1910 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Location Notice
Water Permit No. 297-1 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

DEC 5 1986

office copy

LH NO. 297-1

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10-15-86

This is to notify you that the title to the lands described as follows:

Portions of SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T20N-R2E

formerly owned by Mrs. Belle Kemp

has been transferred to Painters Inc., Box 59, Buffalo, South Dakota 57720

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by
Location Notice

~~Water Right Permit~~ No. 297-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Div. of Water Rights, Water Management Board as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees
as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Harding) ss.

I, Paul L. Painter being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Paul L. Painter, President
(Signed)

Subscribed and sworn to before me this 15 Day of October, 1986.

Cynthia Louise Schuch Painter
(Notary Public)

Location Notice Permit No. 297-1Little Missouri River Water District 10110201**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg, Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Painter Inc
Box 59 a Buffalo, S. Dak. 57720 holder of
 Permit No. LN# 297-1, bearing the priority of October 3 1980, authorizing
 the diversion of 320 Ac. ft per second of the waters of Dry Draw
 for Irrigation purposes, in Harding County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Diversion Dam, No Controls, Spillway Diverts Water
12 ft High, 300 ft long, 3.0 ft Freeboard. 4:1 SS 10' Top.
54 sec = 24 A.F.

B. Works used to transport water to place of use:

Ditch

C. Works used to apply water to beneficial use:

Dikes and ditches to spread water.The system is in the following condition Fair

The point of diversion is located 1700 ft N and 2040' W of SE Cor of Sec. 1,
T 20 N R 2 E

The works are capable of diverting and conveying to the place of use 10+
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Sec. 1, T20N R2ESE 1/4 NW 1/4 - 4 Ac.SW 1/4 NE 1/4 - 7 Ac.NE 1/4 SW 1/4 - 19 AcNW 1/4 SE 1/4 - 17 Accomprising a total of 47 acres of land and the license should be issued for 0.67 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date July 17, 1984

LeRoy J. Mernaugh
 (Signature)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410601

Pierre, October 22, 1986.

RECEIVED OF Painters Incorporated, Box 59, Buffalo, SD 57720

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>LN 297-15</u>		2 50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hatch
Chief Engineer

JOHN HATCH

ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

December 6, 1984

Location
Notices No.
297-1 & 403-1

Painter Inc.
Box 57
Buffalo SD 57720

Dear Sirs:

On July 17, 1984, Mr. LeRoy Mernaugh of this office made a final inspection of the water use system under Location Notices No. 297-1, 403-1 and 404-1. You were informed you would need to submit a Vested Right Application for the areas you were irrigating. Since that time, after discussion with staff and further interpretation of the South Dakota Water Laws, it was concluded a Vested Right Application would not have to be filed.

In order to update your location notices, a notice of transfer should be filed with our office to transfer ownership to Painter Inc. When the transfers are completed, water licenses will be issued for the lands you are actually irrigating. A water license will be issued for Location Notices No. 297-1 and 403-1 (Location Notice No. 404-1 will be incorporated into 403-1). This will bring your location notices up-to-date.

Enclosed are partially completed transfer forms for transferring each location notice. Please check over, date, sign before a notary public, and return them to this office with a \$2.50 filing fee for each one (total \$7.50).

South Dakota Water Law 46-5-30.3 now requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions concerning this procedure, please contact us.

Sincerely,

GENNY KCMATH
Natural Resources Analyst

GH:ks

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

September 17, 1985

Location Notice Nos.
297-1 and 403-1

Painter Inc.
Box 57
Buffalo SD 57720

Dear Sirs:

December 6, 1984 you were wrote to concerning updating of Location Notice Nos. 297-1 and 403-1. To date, we have not heard from you on this matter.

In order to update your location notices, a notice of transfer should be filed with our office to transfer ownership to Painter, Inc. When the transfers are completed, water licenses will be issued for the lands you are actually irrigating. A water license will be issued for Location Notices Nos. 297-1 and 403-1 (Location Notice No. 404-1 will be incorporated into 403-1). This will bring your location notices up-to-date.

Enclosed are partially completed transfer forms for transferring each location notice. Please check over, date, sign before a notary public, and return them to this office with a \$2.50 filing fee for each one (total \$7.50).

South Dakota Water Law 46-5-30.3, now requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions concerning this procedure, please contact us.

Sincerely,

GEMMY MCNATH
Natural Resources Analyst

GM:ks

enclosures

Equal Opportunity Employer

LN Nos. 297-1
403-1

WATER RIGHTS DIVISION
(605) 773-3352

September 25, 1986

Paul Painter
Painter, Inc.
Box 59
Buffalo, South Dakota 57720

Dear Mr. Painter:

In reference to our September 25, 1986 telephone conversation, enclosed are partially completed transfer forms for use in transferring Location Notice Nos. 297-1, 403-1 and 404-1 to your name. Please check over the forms, date, and sign them in the presence of a notary. A \$2.50 filing fee is required for each (total of \$7.50).

Upon receipt of the completed forms and filing fees, Water Licenses will be issued for Location Notice Nos. 297-1 and 403-1. (Location Notice No. 404-1 will be incorporated into 403-1).

If you have any questions, please contact me.

Sincerely,

Gemy McHath
Natural Resources Analyst

Gil:ms
Enc.

NOTE: I have also enclosed copies of the Location Notices for your files.



**Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

No. 297-1

DEC 5 1986

Falnters Incorporated
Box 59
Buffalo, South Dakota 57720

Dear Sir:

Enclosed is Location Notice Water License No. 297-1. As long as the water is used beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure