

Water Right No. 4564-3

1. Considered Nov. 19 1980
2. Name of Applicant WENDELL H. BISHOP
3. Post Office Address Box 26 - ELK POINT 57025
4. Amount of Water Claimed 1.14
5. Source of Water Supply 105' WELL - EXISTING UNDER 2344-3
6. Water to be used for IRR.
7. Acres to be irrigated 80 maximum acre feet
8. Water to be diverted and used in UNION County
about 1/2 S. 3 1/2 miles EAST of ELK POINT
9. PROOF OF PUBLICATION Received 11-4-80

Not Received _____

APPLICATION

Approved 11-19-80

Subject to WT-12 Permit also

Not Approved _____

Action deferred _____

Priority

Date

Received 3-17-80 Application Complete yes ☒ no ☐ FEE 225⁰⁰

3-17-80

Remarks adding acreage & CFS on Permit # 2344-3

held up for advertising as Permit 2344-3 was suspended
for a year because did not comply with water laws

Date information and/or
fee or corrected Application received _____

Period of Annual use APRIL THRU OCTOBER

WATER
QUALITY

Received yes 5/13/80 no ☐ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no ☐ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

APPROX. CENTER OF

NE⁴ SEC. 27-T9IN-R49W

Lands to be irrigated _____

W 1/2 NE⁴ SEC. 27-T9IN-R49W

Remarks _____

WELL
LOG

Driller Unknown well approved 1975 on Permit 2344-3 Licensed yes ☐ no ☐

Depth 105' deep

MAP

Map No. 3783-3 Map located in Water Right X Map file _____

Type of Map Aerial Prepared by Ernie DeArce

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 11-19-80

Betty Westlund
(Signed)

+++++

PROTESTS

Letters/Petitions In File - yes _____ no _____ Remarks _____

REMARKS

F.F. & C

OF LAW,

FINAL

DECISIONS

ETC.

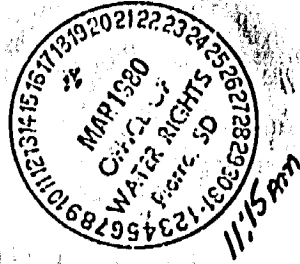
Date _____
Final Decision, including F.F. & C of Law, were adopted _____
Date _____
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 4564-3Map No. 3783-3 Water Division No. 3 BIG Sioux (District)
(Blanks to be filled by the Engineer for the W. R. C.)

10170203

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Wendell H. Bishop
 Postoffice address Box 26 Elk Point State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work (80 acre addition to 2344-3) BISHOP IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 1.14 cu. in.
5. Source of water supply Well presently under Permit 2344-3
6. Location of point of diversion Center of the NE 1/4 sec 27 T91N R49W

County Union

7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
9. For irrigation use, _____ Total number of acres to be irrigated 80

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>W 1/2 NE 1/4 Sec 27 T91N R49W</u>	<u>80</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Elk Point Leader Courier
12. Principal Features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source.

Well

B. Works proposed to transport water to place of use.

Pipe

C. Works proposed to apply water to beneficial use.

SprinklerEstimated Total Cost \$ 20,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Union

I, _____ the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

Wendell H. Bishop

Subscribed and sworn to before me this

14th

day of

March1980Janette Smith

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 4564-3
WENDELL H. BISHOP Box 26 ELK POINT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See also Permit No. 2344-3

Date of first receipt of application March 17 19 80
 Date of return to applicant for correction, amendments or changes required March 19 19 80
May 13 19 80
 Date of receipt of corrected application _____ 19 _____
 Approved November 19 19 80 Recorded in Book 21 Page 314

WATER RIGHT PERMIT NO. 4564-3
4564-3

The Water Resources Commission hereby grants and issues the Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application/Approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 17 19 80
May 19 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 19 19 81
3. The whole of said work is to be completed on or before November 19 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 19 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation hereby granted shall not exceed 1.14 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before November 19 19 82; said water to be used during the following described annual period April thru October

Witness my hand this 8th day of December 19 80

WATER RESOURCES COMMISSION

By

John Hatch
 Chief Engineer, Executive Officer
 JOHN HATCH

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

Form 2A Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates Information on file under irrigation permit #234

- (1) Drill Hole, Diameter 30", Depth 105'
(2) Casing, Type TRANSITE (wood, concrete, steel, etc) Diameter 16" ID Thickness 3/4"
(3) Perforated Screen.
Type 1/8" SLOTTED, Diameter 16", Length 20'
(4) Gravel Pack, Thickness 6-9", Length of gravel pack 20 Ft

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of water bearing materials water bearing gravel

Depth to top of water bearing material 30'
Depth to bottom of water bearing material 105'
Thickness of water bearing material 75'
Depth to water (ground surface to water level) 14' drawdown

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property None rds. On property owned by others 115' rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Wendell H. Beshy
Signature of Applicant

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submittal No. 100211 H. H. H. H.

Analysis Date 10/15

Sample Point, Box 57025

Location, Box 57025

WATER ANALYSIS

Calcium (Ca)	170	ppm	4.50	me/l
Magnesium (Mg)	69	ppm	2.66	me/l
Sodium (Na)	69	ppm	3.00	me/l
Potassium (K)	15	ppm	0.26	me/l
Sulfate (SO ₄)	335	ppm	6.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.13	me/l
Bicarbonate (HCO ₃)	493	ppm	8.08	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.
Alkalinity (Methyl Orange)	404	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1351	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.13			
Sodium	17.22	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.13			
Others:				

* ppm = parts per million

** me/l = milliequivalents per liter

*** g.p.g. = grains per gallon

COMMENTS: Total cations 17.42 me/l
 Total anions 15.16 me/l

By: Shirley Mittan

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: Woodell H. Bishop OWNERS ADDRESS: Box 24
COUNTY LAND LOCATED IN: Linn PHONE: 214 Farm 212 5200
LEASANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)
WELL LOCATION OR DIVERSION POINT: Well presently under permit No. 2344-3
SURFACE WATER SOURCE: _____
LOCATION OF AREA TO BE IRRIGATED: W 1/2 of NE 1/4 Sec 27 T9N R49W
INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY _____ TOW LINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____
CROPS TO BE IRRIGATED: Corn & Alfalfa
SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1975
LAND: E 1/2 of NE 1/4 Sec 27 T9N R49W
IN WHAT NAME: Woodell H. Bishop

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)
SAMPLE NUMBER: 75-744
SALINITY (EC X 10⁶): 1351
SODIUM (SAR) 1.13 ADJUSTED (SAR) 3.24 (1) 2.21



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M., on N/A, 19____, at the following location: _____

(Individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.
I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information as been acquired from _____ Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.
I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
1st DAY OF March, 1980

James H. Smith
(NOTARY PUBLIC)

x Woodell H. Bishop
APPLICANT'S SIGNATURE

Watt I. Smith
Director, Division of Conservation

APPROVED _____
DISAPPROVED _____
X CONDITIONALLY APPROVED _____

RECEIVED
MAR 2 1980

No. 4564-3

Publish first publication, on or before October 30, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 16, 1980

Notice is hereby given that Wendell H Bishop whose post office address is Elk Point, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.14 cubic feet of water per second of time from ground water

(one existing well) through the Bishop Irrigation Project, the point of diversion of which is ~~to be~~ to be located in the approximate center of the NE 1/4

of Section 27, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land:
W 1/2 NE 1/4, Section 27, T91N, R49W

This Application No. 4564-3 will be considered by the Water Management Board at Carl Mundt Library, Dakota State College, Madison, South Dakota upon the 19th day of November, 1980

at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Jor Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist

cc: Wendell H Bishop
Box 26, Elk Point, SD 57025

No. 4564-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Leader-Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Town Elk Point

County of Union and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

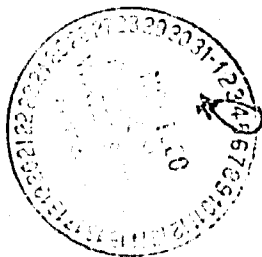
Thursday, October 23, 1980

Thursday, October 30, 1980

Lester E. Emerson
(Signature)

Publisher
(Title)

October 31 - 1980
(Date Signed)



NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
October 16, 1980
Notice is hereby given that
Wendell H. Bishop, whose post
office address is, Elk Point,
South Dakota, has made an ap-
plication in accordance with the
provisions of SDCL 46-1-1 thru
46-1-9, 46-1-14, 46-2-9 thru 46-2-
11, 46-2-13, 46-5-1 thru 46-5-8,
46-5-10 thru 46-5-22, 46-5-41, 46-
6-3, 46-6-3.1, 46-6-5, 46-6-6.1,
46-6-10, 46-6-14 and Board Rules
ARSD 52:01.01.01 thru 52:01.
01.13, for a permit to appropri-
ate for beneficial use 1.14 cubic
feet of water per second of time
from ground water (on existing
well) through the Bishop Irriga-
tion Project, the point of diver-
sion of which is to be located in
the approximate center of the
NE 1/4 of Section 27, Twp. 91N,
Range 49W. Said water to be
used for the purpose of provid-
ing irrigation on portions of the
following described land: W 1/2
NE 1/4, Section 27, T91N, R49W.
This Application No. 4564-3
will be considered by the Water
Management Board at Carl
Mundt Library, Dakota State
College, Madison, South Dakota
upon the 19th day of November,
1980 at 10 A.M. The Board is
authorized to make a determina-
tion on this application at the
hearing. All interested persons
may appear and be heard by any
person who may be affected by a
Board decision who desires to
present evidence for cross-ex-
amine witnesses according to
SDCL 1-26 may notify the Board
in writing prior to the hearing or
orally at the hearing.
This hearing is an adversary
proceeding. Any person has the
right to be present or to be re-
presented by a lawyer. These
and other due process rights will
be forfeited if they are not ex-
ercised at the hearing. Decisions
of the Board may be appealed to
the Courts as provided by law.
Any handicapped person wish-
ing to attend this hearing, can
contact the Water Rights Divi-
sion, DWNR, Joe Foss Building,
Pierre, S.D. Prior to the hear-
ing date for assistance to assure
access to the hearing.

Water Management Board
Betty Westlund
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7400

March 18

80

PIERRE, 19

RECEIVED OF Wendell H. Bishop, 4241 Lincoln Way, Sioux City SDwa 51106

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

Fee for Application for Permit to Appropriate Water No. <u>4564-3</u> (examination, processing, recording and filing) -----	225	00
Fee for Inspecting Construction, and issuing Cert. of Construction No. -----		
Fee for Inspecting Beneficial Use, and issuing Water License No. -----		
Fee for Issuing Location Certificate-Dry Draw, No. -----		
Fee for fill -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	225	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH kw

April 11, 1979

Mr. W. H. Bishop
Box 26
Hik Point, SD 57025

Dear Mr. Bishop:

This will acknowledge your letter dated April 4, 1979 concerning a Water Right Permit for the W $\frac{1}{2}$ NE $\frac{1}{4}$ 27-91-49. When your Permit No. 2344-3 was approved in 1975, the application submitted to our office was for 80 acres in the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 27-T01N-R49W. An inspection by our office found that you were irrigating, by center pivot, the entire NE $\frac{1}{4}$ of Section 27. Since you do not, at the present time, have a permit to irrigate the 80 acres in the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27; if you plan on irrigating the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 27 during 1979 a permit for the additional lands must be obtained.

Your statement that we "are charging only for the permit and not the amount of acres involved" is not correct. The fees for filing and examining an application for a permit to appropriate water are based on the actual acres and acre-feet of water as follows:

1. \$150.00 for the first 120 acre-feet per year (or 0-60 acres) = \$150.00
2. \$75.00 for the second 120 acre-feet per year (or 61-120 acres) = \$225.00
3. \$25.00 for each subsequent 120 acre-foot per year (or 121 to 180 acres), etc....

Consequently, the fee for the additional 80 acres not covered under Permit No. 2344-3, based upon the acreage (allows up to two feet of water per acre) is \$225.00. (§ 46-2-13)

Regarding the water quality, since you have the water analysis for Permit No. 2344-3, for the 80 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 27; filling out the WI-1 form for the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 27 and sending it to the State Conservation Commission with the copy of the water analysis should take care of acquiring the approval of their office, which is required before we can advertise for hearing by the Water Rights Commission. The WI-1 form can be obtained from your County Agent or the State Conservation Commission, Anderson Building, Pierre, South Dakota.

Mr. W. H. Bishop
Page 2
April 11, 1979

If you expect to irrigate the W. NE 1/4 of Section 27 during the 1979 irrigation season, you should have the required fee and Water Quality approval in this office by May 3, 1979. Otherwise your application cannot be advertised for the May 24 and 25, 1979 Water Rights Commission meeting. The next meeting after the May meeting that your application could be considered will be sometime during July 1979.

A review of our records indicates you were first notified of this matter June 6, 1977 with subsequent letters dated July 14, 1977; September 8, 1978; and January 10, 1979.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bt

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4564-3
2344-3

December 12, 1980

Wendell H. Bishop
Box 26
Elk Point SD 57025

Dear Mr. Bishop:

This is to notify you that the Water Management Board, on November 19, 1980, reminded the suspension of your Water Permit No. 2344-3.

Your application No. 4564-3 to cover the W NE 1/4, Section 27-T91N-R49W was approved by the Board on November 19, 1980 also. You will be receiving Permit No. 4564-3 as soon as it has been written up and signed.

If you have any questions please feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:BW:kw

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

January 29, 1988

WENDELL H BISHOP
PO BOX 26
ELK POINT, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 4611-3, 4564-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 4611-3, 4564-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4611-3, 4564-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 4611-3, 4564-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

**Dakota Department of
Water & Natural Resources**

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: WENDELL H. BISHOP
PO BOX 26
ELK POINT, SD 57025

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 4611-3,
4564-3

Pursuant to the provisions of the notice dated January 29, 1988,
and following the hearing of March 2, 1988, the Water Management
Board has ordered:

That Water Permit No(s). 4611-3, 4564-3 be **SUSPENDED** until
December 31, 1988.

Suspension of a permit means water may not be pumped during the
1988 irrigation season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional service(s) requested, check box(es) 1, 2, or 3. Postmaster for fees and check box(es) for additional address. 1. ☒ Show to whom delivered, date and addressee's address. 2. ☐ Restricted Delivery. 3. ☐ Registered Mail (Extra charge).

WENDELL H BISHOP
PO BOX 26
ELK POINT, SD 57025

4. Article Number **P501738939**

Type of Service:
☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED:**

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Addressee
X *W H Bishop*
6. Signature - Agent
X

7. Date of Delivery **MAR 30 1988**

DOMESTIC RETURN RECEIPT

PS Form 3811, Mar. 1987

★ U.S.G.P.O. 1987-176-286

Dept of Water & Natural Resources:

R.E. Water permits in Colorado Springs: 2/22/88

I am in Arizona and have
been out last two mths. The
quarantines are @ my home city
Alphus. I will be home to
Sign City on 3/2/88. I will
fill out 2 Quarantine as soon
as I return and forward them to
your office.

Thank you

W H Bishop



Department of Water & Natural Resources

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

March 30, 1988

4564-3
4611-3

Wendell Bishop
PO Box 26
Elk Point SD 57025

Dear Mr. Bishop:

I am writing to acknowledge receipt of your 1987 irrigation questionnaires. The Water Management Board took action to suspend your water permits at their March 2, 1988 meeting. This action was taken since the questionnaire data was not in our office prior to the hearing.

The questionnaires have been received, however, it does not change the Board's action to suspend your permits. If you want to petition the Water Management Board to rescind the suspensions, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board Meeting to be held May 11, 1988 in Pierre. The letter should include your reasons for not returning your irrigation questionnaires prior to the March Board Meeting.

If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

South Dakota
Department of
Water & Natural Resources

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

April 14, 1988

NOTICE

TO: Wendell H Bishop, 4241 Lincoln Way, Sioux City, IA 51100

FROM: JOHN HATCH, Chief Engineer
Water Rights Division
606 773-3352 *John Hatch*

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Permit Nos. 4564-3
and 4611-3

The hearing on your April 1, 1988 request to the Water Management Board to reconsider suspension of Water Permit Nos. 4564-3 and 4611-3 has been scheduled for 9:15 am, May 11, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated January 29, 1988, the hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or taken no action. The hearing is an adversary proceeding and any party has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General

CERTIFICATION

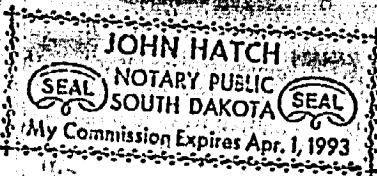
I hereby certify that on April 14, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Hearing to Consider Request for Reconsideration of Suspended Permit addressed as follows:

Wendell H Bishop
4241 Lincoln Way
Sioux City IA 51100

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 15th day of April, 1988.

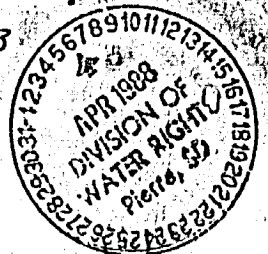


John Hatch
Notary Public

4/1/88

RE. Water permit suspension:
4611-3 + 4544-3

John Watuk:



On or about Feb 25th 1988, I sent a letter to your office advising you that I could not make the 3/1/88 deadline to submit ^{the} water usage forms for year 1987.

I went to Arizona on 12/17/87 and somehow forgot to take the required forms with me. I received your letter about 2/25/88 requesting they be sent immediately. I could not get home to get them so I advised your office I would fill them out when I got home, which was Friday March 11th 1988. I sent them to your office about 2 days after I got home.

I request that you lift the suspension because of the circumstances. I never intentionally meant to disregard them. The farming business is tough enough, believe me.

Wendell Bishop
Water Permit Nos. 4564-3 and 4611-3

GENERAL

Water Permit No. 4561-3 submitted by: Wendell H Bishop
Box 26
Elk Point, SD 57025

Permit Approved: November 19, 1980

Permit was approved with the "irrigation questionnaire" qualification.

Water Permit No. 4611-3 submitted by: Wendell H Bishop
PO Box 26
Elk Point, SD 57025

Permit Approved: January 29, 1981

Permit was approved with the "irrigation questionnaire" qualification.

Water Permit Nos. 2344-3 and 3659-3 are also listed in the above name. (They were amended March 2, 1988 to include the Irrigation Questionnaire Qualification for violation of the requirement to submit 1987 questionnaires)

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

Year	Date Request Mailed	Date Irrigation Questionnaire Returned	Date of Any Board Action
1983	November, 1983	December 1, 1983	none
1984	October, 1984	November 19, 1984	none
1985	November, 1985	January 28, 1986	none
1986	November, 1986	December 30, 1986	none
1987	October, 1987	March 24, 1988	March 2, 1988

Letters in the file indicate two different addresses:
4241 Lincoln Way, Sioux City, IA 51105
PO Box 26, Elk Point, SD 57025

In 1983 questionnaires were mailed to the Elk Point address; in 1984, the address was changed and the questionnaires were mailed to Sioux City; in 1986, the address was changed back to PO Box 26, Elk Point. In each case, Mr. Bishop did receive the questionnaires.

PAST VIOLATIONS

Mr. Bishop has had no prior irrigation questionnaire violations.

1 1987 Irrigation Questionnaire Violation

January 29, 1988, Mr. Bishop was given notice of permit violation for non-return of his 1987 irrigation questionnaires and of the hearings scheduled before the Water Management Board to be held March 2, 1988.

February 25, 1988, a letter was received from Mr. Bishop stating he was in Arizona for the past two months and the questionnaires were at his Sioux City address. He indicated he would mail them upon returning home March 2, 1988.

*(letter was mailed from 1517 Riverside Drive, Bullhead City, Arizona)

March 2, 1988, The Water Management Board suspended Water Permit Nos. 4564-3 and 4611-3 until December 31, 1988.

March 14, 1988, Mr. Bishop was notified of the Board action suspending his permits. (This notice was sent by certified mail to PO Box 26, Elk Point, SD - Mr. Bishop signed the return-receipt card)

March 24, 1988, the 1987 irrigation questionnaires were received from Mr. Bishop (from his address of 4241 Lincoln Way, Sioux City, IA)

March 30, 1988, Mr. Bishop was given notice that his questionnaires were received but that receipt of the forms did not change the Board's decision to suspend his permits. He would have to petition the Board to rescind the suspensions by submitting a letter to the office requesting time on the May 11, 1988 Board Meeting agenda.

April 6, 1988, a letter was received from Mr. Bishop requesting time on the May 11, 1988 Board Meeting agenda for reconsideration of the suspension of Water Permit Nos. 4564-3 and 4611-3. (letter received from him at 4241 Lincoln Way, Sioux City, IA, address)

April 14, 1988, Mr. Bishop was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Permit Nos. 4564-3 and 4611-3. (Notice was sent First Class Mail with the mailing certified, to his Sioux City address)



4564-3

Department of Water & Natural Resources

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

May 13, 1988

NOTICE

TO: Wendell Bishop
4241 Lincoln Way
Sioux City IA 51106

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

John Hatch

SUBJECT: Reinstatement of Suspended Water Permits and Notice of One Year Suspension Without Reinstatement for Future Irrigation Questionnaire Violations

The Water Management Board, following the May 11, 1988, hearing passed the following motion:

"That the owners of Water Permits No. 1372-2 (Earl Sonnenschein & Sons); 11731-2 (Buckles Ranch); 235-3 (Russell Doolittle); 2171-3, 2497-3, 3229-3 (Harlan Stadheim); 2174-3, 2175-3, 2413-3, 3223-3, 4353-3, 5026-3, 5038-3 (Poinsett Hutterian Brethern); 3264-3 (John Heber); 3479-3, 4237-3 (Bob Kohnen); 3825-3 (Rod Page, operator); 4017-3 (Martin Ronning); 4257-3 (Patricia Ronning & Jeanette Hurrell); 4521-3 (Tom/William Maher & Harvey Buhl); 4564-3, 4611-3, (Wendell Bishop); 4660-3 (Dihl Grohs); 4732-3 (Gerald Benjamin); 4741-3 (Lois J. Elsinger); 4827-3 (Gary Smith); 4844-3 (Gerald Goetsch); 4966-3 (Delano Hofer); 4985-3, 4992-3, 5043-3, 5044-3 (Ray & David Hanson); 4754-3 (Richard Beare); and 375-2 (Rhea Brill), have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board



CERTIFICATION

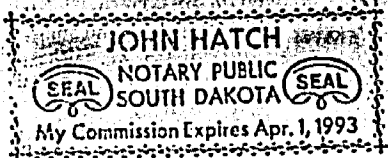
I hereby certify that on May 13, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Reinstatement of Suspended Water Permits addressed as follows:

Wendell Bishop
4241 Lincoln Way
Sioux City IA 51106

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 16th day of May, 1988.



John Hatch
Notary Public



4564-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 28, 2003

2344-3
3659-3
4564-3
4611-3

Wendell H Bishop
PO Box 2342
Sioux City IA 51106-0342

Dear Mr. Bishop:

Enclosed is a "Notice" dated October 17, 2003 concerning the 2003 irrigation questionnaire. The notice was originally mailed to 4241 Lincoln Wy, Sioux City IA. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

4564-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 1, 2003

4564-3

Wendell H Bishop
4822 Brookshire Place
Sioux City IA 51106

Dear Mr. Bishop:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires for Water Right Nos. 2344-3, 3659-3, 4564-3 & 4611-3. All of them were completed with the exception of the questionnaire for Water Right No. 4564-3.

Enclosed is the questionnaire for No. 4564-3 (for the W ½ NE ¼ Section 27). On the form, you indicated beans were irrigated but no further information was included.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day that the system was running. The information is important to us in calculating how much water was used from a specific source.

Please complete the form and return it to us by December 15th. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIVED

JAN 14 2004

WATER RIGHTS
PROGRAM

enclosure

*We are at a new address
now - I just got the mail today 1/11/2004.*

W H Bishop

Permit No. 4564-3 & 2344-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **September 27, 2007**, made a thorough examination of the water use system constructed by **Wendell H. Bishop** of **4822 Brookshire Place, Sioux City SD 51109** holder of Permit No. **4564-3**, bearing the priority of **March 17, 1980** authorizing the diversion of **1.14** cu. ft. per second and Permit No. **2344-3**, bearing the priority of **August 27, 1975** authorizing the diversion of **1.14** cu. ft. per second of the waters of **Missouri: Elk Point Aquifer** for **irrigation** purposes, in **Union** County.

Inspection contact & relationship to permit holder, if applicable: **Wendell Bishop – owner (712) 274-1030**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm:
- 2) No. of Wells **1**
- 3) Depth(s) **105** feet
- 4) Well log is available
- 5) Comment:

Casing:

- 1) Diameter **16** inches
- 2) Length _____ feet
- 3) Type **pvc**

Screen:

- 1) Type
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make
- 2) Model
- 3) Size
- 4) Capacity **800** GPM

Motor:

- 1) Make **US Electric**
- 2) Model No.
- 3) Horsepower rating **40** hp

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

- 1) Type **aluminum**
- 2) Size **8** inches
- 3) Length **15** feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1320' feet
- 3) Number of towers 7
- 4) End gun yes
- 5) High or low pressure low
- 6) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: 1320' W and 1320' S of the NE corner Section 27-T91N-R49W; 42.674832, -96.611121. The works are capable of diverting and conveying to the place of use 1.78 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:

Section 27-T92N-R49W:

^{NE}
NE¹/₄ SW¹/₄ 32 acres

NW¹/₄ SW¹/₄ 32 acres
^{NE}

^{NE}
SW¹/₄ SW¹/₄ 32 acres
SE¹/₄ SW¹/₄ 32 acres
^{NE}

comprising a total of 128 acres of land and the license should be issued for 1.78 cfs.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project:

4564-3 and 2344-3 should be incorporated and licensed together.



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: November 2, 2007

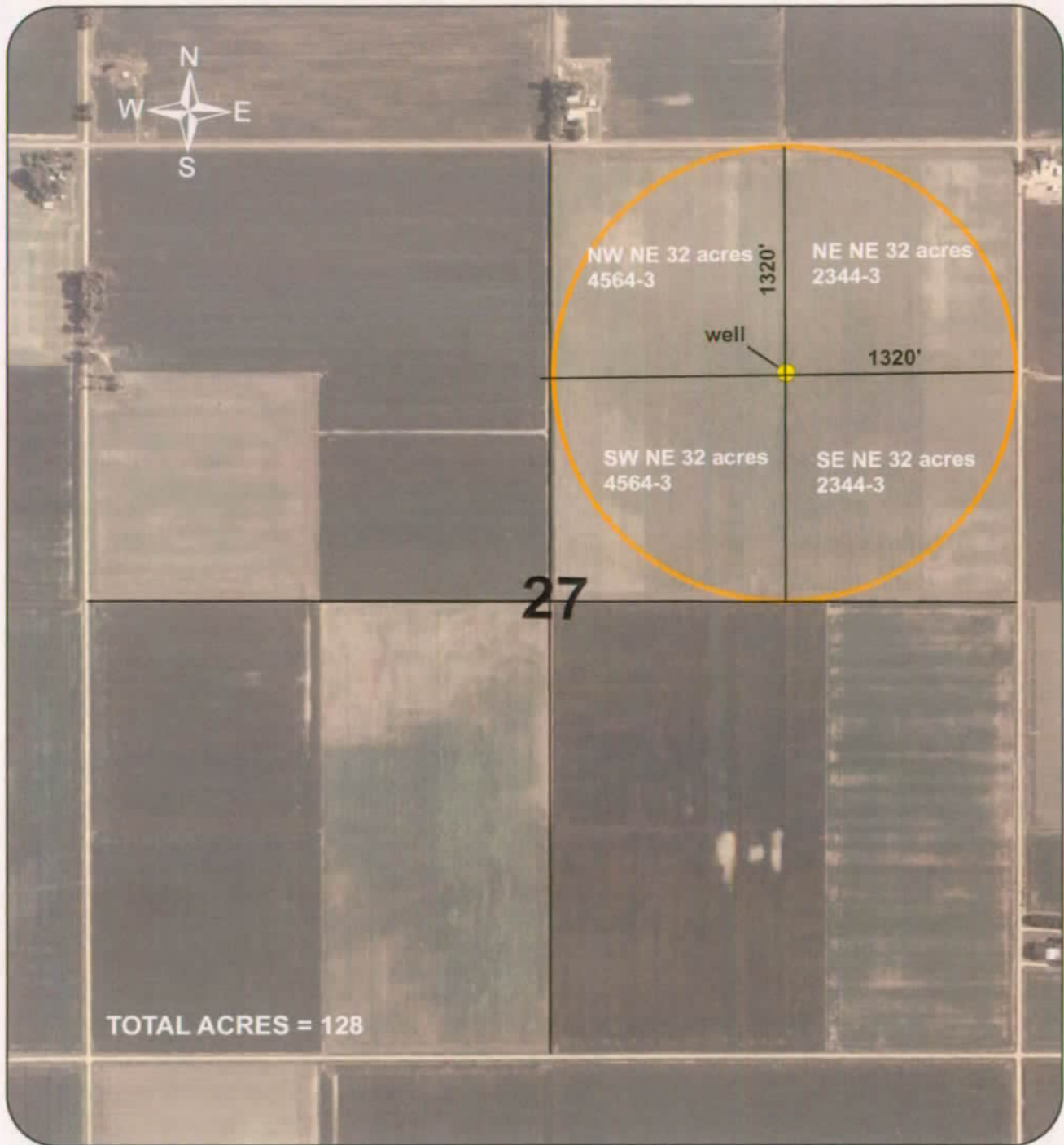
WATER RIGHT NOS. 4564-3 & 2344-3

Wendell H. Bishop

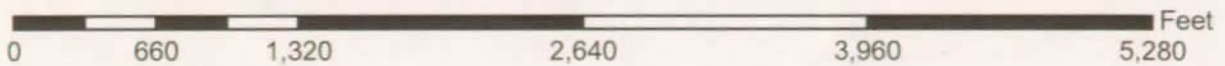
November 2, 2007

R49W

T91N



SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR - Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 6, 2007

4564-3
4611-3

Wendell H Bishop
4822 Brookshire Place
Sioux City IA 51106

Dear Mr. Bishop:

On September 27, 2007 the investigation of your water use systems, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 4564-3 and 4611-3, was completed by Lynn Beck, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license. Upon receipt of the \$100.00 fee from you, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water rights will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permits, investigation of your water use systems or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/21, 20 07

RECEIVED OF Tim W Bishop 310 Dakota Dunes Blvd # 304 Dakota Dunes SD 57049

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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. <u>4564-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

03281

By

Michael Erbe

South Dakota

92



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUL 28 2000

4564-3
4611-3

Wendell Bishop
4822 Brookshire Place
Sioux City IA 51106

Dear Mr. Bishop:

Enclosed are Water License Nos. 4564-3 and 4611-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with your licenses are maps prepared by the staff engineer who conducted the investigations and receipts for payment of license fees.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 4564-3 and 4611-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of No. 2344-3 are incorporated into Water License No. 4564-3.

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4564-3

(1) Wendell Bishop, 4822 Brookshire Place, Sioux City IA 51106 made Application No. 4564-3, March 17, 1980 for a water permit to divert 1.14 cubic feet of water per second (cfs) from groundwater (one existing well), Union County, South Dakota for irrigation purposes. Permit No. 4564-3, with a priority date of March 17, 1980 was approved November 19, 1980 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 19, 1981 and for the application to beneficial use of water on or before November 19, 1982.

Water Permit No. 2344-3, with a priority date of August 27, 1985 authorizes 1.14 cfs from one well to irrigate 80 acres. Water Permit No. 4564-3 was obtained to add acres to the existing system. The applicable portions of No. 2344-3 are incorporated into Water Right No. 4564-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 4564-3 is issued a license, bearing priority dates of August 27, 1975 and March 17, 1980 to appropriate 1.78 cubic feet of water per second from groundwater (one well) to irrigate 128 acres.

The diversion point is located: 1,320 feet west and 1,320 feet south of the northeast corner of Section 27-T91N-R49W (center of NE ¼). The acres authorized for irrigation are as follows:

Section 27-T91N-R49W		Priority date
NE ¼ NE ¼	32 acres	August 27, 1975
SE ¼ NE ¼	32 acres	August 27, 1975
NW ¼ NE ¼	32 acres	March 17, 1980
SW ¼ NE ¼	32 acres	March 17, 1980
Total 128 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 4564-3 including the following now applicable qualifications:

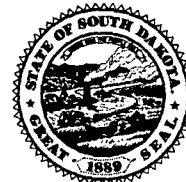
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 28 2008

date





4564-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2020

NOTICE

TO: WENDELL H BISHOP, 4822 BROOKSHIRE PLACE, SIOUX CITY, IA 51106 4009
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4564-3 & 4611-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4564-3 & 4611-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

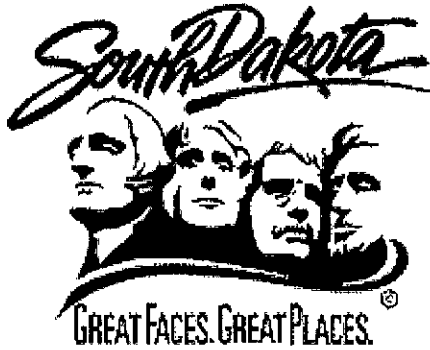
1. Suspend or cancel Permit No(s) 4564-3 & 4611-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: FCMTAP**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4564-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 3, 2020

4564-3
4611-3

Wendell H Bishop
4822 Brookshire Pl
Sioux City IA 51106 4009

Dear Mr. Bishop:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 4564-3 & 4611-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us