

## Hemenway, Sandy

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**From:** Hemenway, Sandy  
**Sent:** Tuesday, February 07, 2012 10:17 AM  
**To:** 'Carol MacGregor'  
**Cc:** Hemenway, Sandy  
**Subject:** RE: 65-13986 MacGregor (groundwater/well source)

Hi Carol,

This morning, I called at 9:10 and 9:12 at home 386-9494 left message; 382-3430/ranch (disconnected), and cell phone 608-3497 left message.

In the past, a 2<sup>nd</sup> amendment has always over-ridden an original amendment. This is the first time that I was informed that I should request something in writing from the current owner requesting the original amendment be "withdrawn," or that notification from us in writing be sent to the current owner stating that if you were in agreement that the original amendment would be "withdrawn." What this means is that the original amendment remains in the file as a legal document, but that "withdrawn" is written on it, and the 2<sup>nd</sup> amendment over-rides it. I apologize for any inconvenience this has caused you.

There is no benefit or problem that this will cause you, since the only change in the 2<sup>nd</sup> amendment is the location of the volume (taking it from the maximum diversion volume at the top of the document, and placing the volume instead into a written condition). The other change between the original amendment and 2<sup>nd</sup> amendment is the addition of "2 standard supplemental water conditions." This is due to groundwater being supplemental to all surface water rights. What this means is that if production from the stream for the surface water source reduces, that irrigated the overlapping place of use which also has a groundwater right on it, that the groundwater source will make up the difference not to exceed a combined diversion rate of 0.02 cfs/acre, and annual volume of 3.0 afa/acre.

If you have any further questions, please give me a call. If I do not hear back from you, I will assume that we are in agreement, and the original amendment will be "withdrawn."

Thanks,

Sandy  
(208)287-4920

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**From:** Carol MacGregor [<mailto:cmacgregorphd@gmail.com>]  
**Sent:** Monday, February 06, 2012 5:30 PM  
**To:** Hemenway, Sandy  
**Subject:** Re: 65-13986 MacGregor (groundwater/well source)

To tell you the truth, I do not know why you are doing any of this. Please call me tomorrow, Tuesday between 9 and 11 to explain. I just thought it was something you needed to do. I have no idea if there is a benefit or problem to me.  
Carol

On Mon, Feb 6, 2012 at 9:27 AM, Hemenway, Sandy <[Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)> wrote:

Carol,

This is confirm that the 2<sup>nd</sup> amendment for licensing was received by the department on 2/3/2012, and that the amendment for licensing received on 1/20/2012 will be withdrawn. Please let me know that you are in agreement with this.

Thank you,

Sandy Hemenway

Sr. Water Resource Agent

IDWR/State Office

322 E Front St./PO Box 83720, Boise, ID 83720-0098

(208)287-4920

[Sandy.hemenway@idwr.idaho.gov](mailto:Sandy.hemenway@idwr.idaho.gov)

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**From:** Carol MacGregor [mailto:[cmacgregorpha@gmail.com](mailto:cmacgregorpha@gmail.com)]  
**Sent:** Thursday, February 02, 2012 6:03 PM  
**To:** Hemenway, Sandy  
**Subject:** Re: 65-13986 MacGregor (groundwater/well source)

Returned to you.

Sent from my iPhone

On Jan 31, 2012, at 5:58 AM, "Hemenway, Sandy" <[Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)> wrote:

Hi Carol,

The draft license for water right 65-13986 (groundwater source) has gone through 2 more reviews, and another amendment is being sent out for your review and signature. There is **no additional fee required (fees were paid with the original amendment)**. Here are the following changes made:

- 1) The Maximum Diversion Volume 250.5 af was removed from page 1 on the original amendment, and is now referenced as condition #6 on page 2.

2) Condition #7 and #8 were added to the amendment for licensing, since groundwater is supplemental to all surface water rights (for this overlapping place of use), and these are both standard conditions.

Enclosed with the new amendment will be a self addressed envelope for your convenience. Please review the document, sign and return it to the department as soon as possible. Upon receiving the amendment with your signature, the director will sign the license.

Thank you so much,

Sandy Hemenway

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*Boise, ID 83720-0098*  
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