

**Narrative in Support of Application for Permit
and
Mitigation Plan for Water Right
Andrew Povey
August 23, 2004**

1. Mitigation

The applicant will purchase and dry up irrigated acreage under decreed water rights in the Eastern Snake Plain Aquifer to mitigate for pumping proposed under this permit. Specifically, it is proposed to purchase and dry up 260 acres of ground water irrigated land under eight (8) water rights as shown on the attached Table 1.

Due to strategic selection of ground water rights being transferred by The Applicant, no significant depletion is indicated within any reach of the Snake River and no pumping reduction is required under this water right permit mitigation plan.

Ground water diverted under this proposed permit will be used on a parcel of land with two center pivot sprinklers. The design flow for this type of irrigation application is 9 gpm/acre or 0.02 cfs/acre. Therefore the diversion requirement for this permit is proposed with a maximum of 0.02 cfs/acre.

This permit proposes to divert a maximum of 0.02 cfs/acre on the 260 acres specified for the irrigation of various crops. It is further proposed to limit the annual ground water pumping under this permit to the standard irrigation diversion volume of 4 acre-feet per acre per year (1040 acre feet per year maximum on 260 acres) and allow a diversion rate of the standard 0.02 cfs/acre on the 260 acres (5.2 cfs on 260 acres). Water under this permit will only be diverted during the standard irrigation period of use for the area.

2. Monitoring of Water Use

Discharge from the new well(s) will be monitored by the Applicant, in accordance with the Director's new water right transfer guidance or other applicable requirements as determined by the Director. The quantity of pumped volumes will be reported annually to IDWR and the average annual pumped volume determined from the reported data.

3. Positive impacts on other reaches

The Department does not currently have a mechanism in place to recognize the positive impacts that a transfer may have on other river reaches within the Eastern Snake Plain Aquifer. However, it is understood that the development of this process is underway.

The Applicant understands that no "reach credits" will be recognized in conjunction with the approval of this transfer at this time. However, when such "reach credits" are recognized in the future by the Department or other appropriate entity, the Applicant retains the right to apply for such credits based on this mitigation plan.

When such credits are subsequently recognized, they will accumulate only from that point in time forward.

4. No reopening of mitigation calculation

The Applicant agrees that the quantification of the mitigation obligation (as set out in the attached table(s)) will be permanent. The quantity of mitigation will not be subject to re-opening, re-examination, or re-calculation, except by mutual agreement and approval by the Department. This restriction applies even in the event that new data, new modeling or other information becomes available.

5. Substitute mitigation

As specified above, the mitigation for hydrologic impacts will be provided in the form of dried up acres. No other method of achieving the mitigation may be substituted by the Applicant, except upon approval of the Department of an application for modification of the mitigation requirement as provided for by law.

Specifically, any substitute mitigation must be "in kind" (meaning that it must provide a substitute supply of water—rather than some other kind of compensation—to make up for the depletions caused by the new permit), "in time" (meaning that the make-up water must be provided so as to reach the impacted area at the appropriate time to respond to the depletion caused by the transfer), and "in place" (meaning that the replacement must provide water to same area as the depletions are experienced). Finally, the substitute mitigation must provide water to the depleted impacted areas with the same degree of certainty and reliability as the original mitigation.

Proposed Pumping Schedule and Mitigation with Dried Up Acres

 $(12, 36)$

Negligible aquifer depletion based on combined effects

Years			Mitigation Volume (260 Acres No Longer Irrigated)		Percent of pumped volume	Calculated Impact [Af/Year] [Net %] (+ is depletion)	Calculated Impact [Af/Year] [Net %] (+ is depletion)	Calculated Impact [Af/Year] [Net %] (+ is depletion)	Calculated Impact [Af/Year] (+ is depletion)				
Begin	End	Number	Actual Af/yr	Transferred Af/Year									
2004	2005	1	0.0	1040.0	0.00%	-4 afa	-36%	-120 afa	-68%	-36 afa	-60%	-4 afa	-13%
2005	2006	1	1040.0	1040.0	100.00%	-5 afa	-42%	-118 afa	-67%	-37 afa	-61%	-6 afa	-17%
2006	2007	1	1040.0	1040.0	100.00%	-5 afa	-47%	-105 afa	-59%	-36 afa	-58%	-8 afa	-22%
2007	2008	1	1040.0	1040.0	100.00%	-6 afa	-51%	-91 afa	-51%	-32 afa	-51%	-10 afa	-27%
2008	2009	1	1040.0	1040.0	100.00%	-6 afa	-54%	-78 afa	-44%	-28 afa	-45%	-11 afa	-30%
2009	>>>>	1	1040.0	1040.0	100.00%	-6 afa	-57%	-68 afa	-37%	-24 afa	-38%	-12 afa	-32%
LONG TERM				1040.0	100.00%	-5 afa	-35%	5 afa	2%	1 afa	1%	3 afa	4.8%

Scenario 1

Full Pumping of Combined Transferred Water from Hincks & Sagewood & Phillips

Proposed Pumping Schedule and Mitigation with Recharge Volume

Applicat Andrew Povey Ground Water Model Pumping Node (12, 36)

Transfer from Hincks (170 ac. 16,39) - 65.38%

Transfer from Sagewood (74 Ac. 6,30) - 28.46%

Transfer from Phillips (16 Ac. 9,22) - 6.15%

Years			Pumped Volume (on 276 Acres)		Calculated Impact [Af/Year] [Net %] (+ is depletion)		Calculated Impact [Af/Year] [Net %] (+ is depletion)		Calculated Impact [Af/Year] [Net %] (+ is depletion)		Calculated Impact [Af/Year] [Net %] (+ is depletion)	
Begin	End	Number	Actual Af/yr	Transferred Af/Year	Percent of pumped volume	Heise/Ashton to Lewisville	Shelley to Neeley	Neeley to Minidoka	Milner to King Hill			
2004	2005	1	0.0	1040.0	0.00%	-4 afa	-120 afa	-36 afa	-4 afa			
2005	2006	1	1040.0	1040.0	100.00%	-5 afa	-118 afa	-37 afa	-6 afa			
2006	2007	1	1040.0	1040.0	100.00%	-5 afa	-105 afa	-36 afa	-8 afa			
2007	2008	1	1040.0	1040.0	100.00%	-6 afa	-91 afa	-32 afa	-10 afa			
2008	2009	1	1040.0	1040.0	100.00%	-6 afa	-78 afa	-28 afa	-11 afa			
2009	>>>>	1	1040.0	1040.0	100.00%	-6 afa	-68 afa	-24 afa	-12 afa			
LONG TERM			1040.0	1040.0	100.00%	-5 afa	5 afa	1 afa	3 afa			

Negligible aquifer depletion based on combined effects

GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

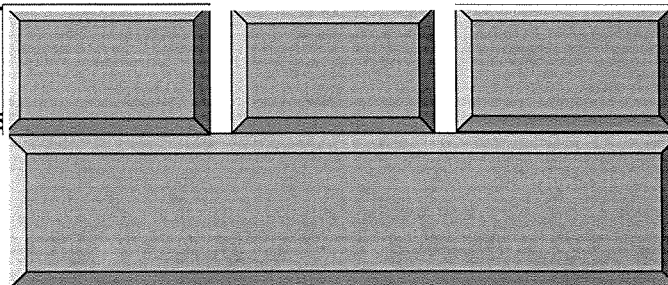
IDAHO DEPA

Cells this color are
set up for user entries

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

Transfer: Hincks & S
Scenario 1
Applicant:
Povey (6S,29E)

YEAR 1950
SEASON SUMMER



ENTER CELL LOCATIONS:		Hincks	Sagewood	Phillips
'TO' CELL		'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	12	17	6	9
COLUMN	36	39	30	22

170 Hincks Fraction: 0.65
74 Sagewood Fraction: 0.28
16 Phillips Fraction: 0.06
260 Pumped Fraction: 1

scale factor: 3.46666667

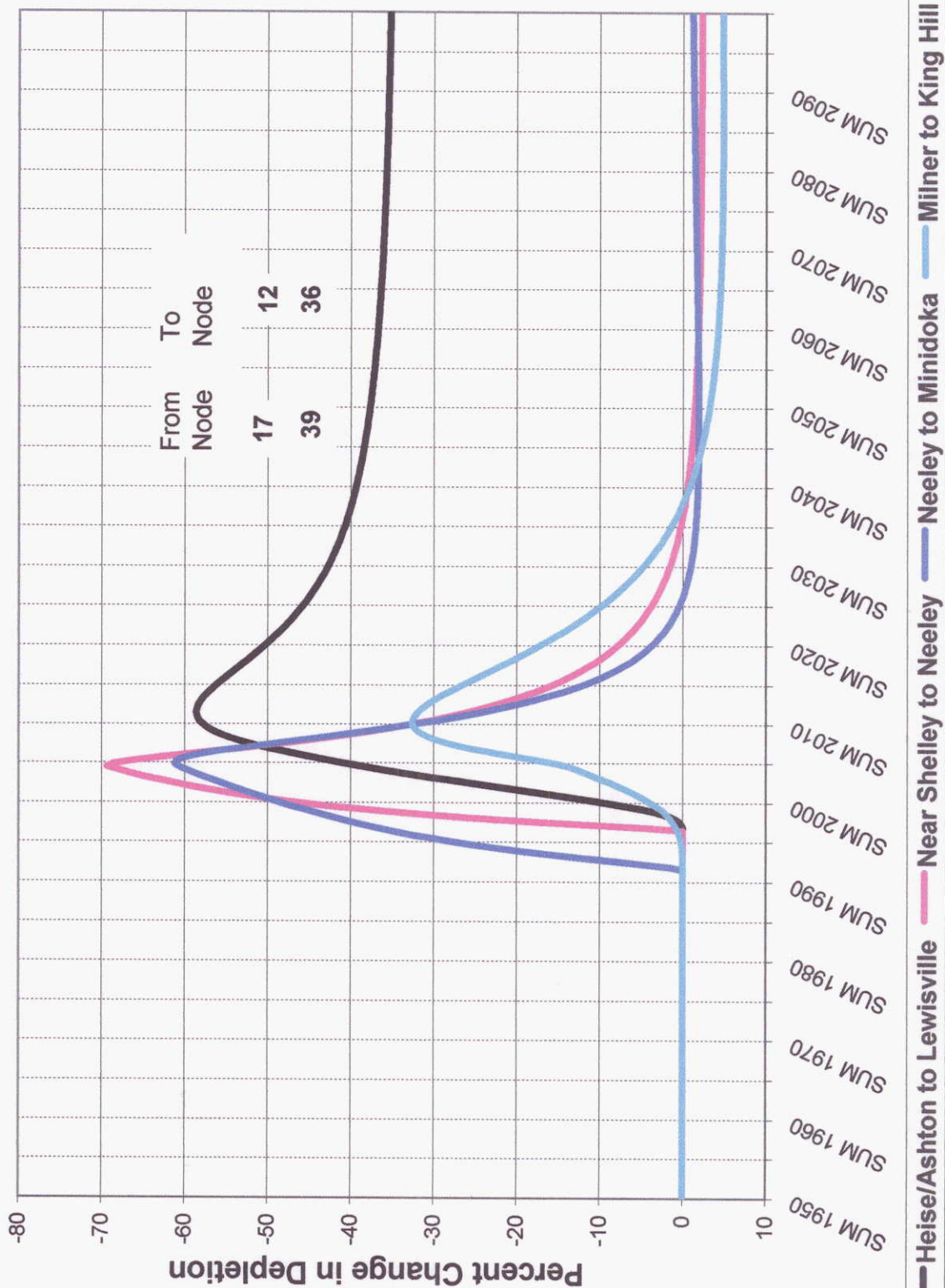
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1950	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1950	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1951	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1951	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1951	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1952	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1952	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1952	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1953	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1953	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1953	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1955	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1955	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1955	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1956	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1956	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1956	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1957	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1957	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1957	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1958	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1958	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1958	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1959	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SUM 1959	0.00	0.00	0.00	0.00	0.00	6.93	6.93
WIN 1959	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SPR 1960	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SUM 1960	0.00	0.00	0.00	0.00	0.00	6.93	6.93
WIN 1960	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SPR 1961	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SUM 1961	0.00	0.00	0.00	0.00	0.00	6.93	6.93
WIN 1961	0.00	0.00	0.00	0.00	0.00	6.93	6.93
SPR 1962	0.00	0.00	0.00	31.99	31.99	6.93	6.93
SUM 1962	0.00	0.00	0.00	31.99	31.99	6.93	6.93
WIN 1962	0.00	0.00	0.00	31.99	31.99	6.93	6.93
SPR 1963	0.00	0.00	0.00	31.99	31.99	6.93	6.93

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1963	0.00	0.00	0.00	31.99	31.99	6 .93	6.93
WIN 1963	0.00	0.00	0.00	31.99	31.99	6 .93	6.93
SPR 1964	0.00	0.00	0.00	31.99	31.99	6 .93	6.93
SUM 1964	0.00	0.00	0.00	31.99	31.99	6 .93	6.93
WIN 1964	0.00	0.00	0.00	31.99	31.99	6 .93	6.93
SPR 1965	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1965	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1965	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SPR 1966	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1966	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1966	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SPR 1967	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1967	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1967	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SPR 1968	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1968	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1968	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SPR 1969	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1969	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1969	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SPR 1970	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
SUM 1970	0.00	127.73	127.73	31.99	31.99	6 .93	6.93
WIN 1970	0.00	127.73	127.73	31.99	31.99	17 .32	17.32
SPR 1971	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1971	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1971	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1972	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1972	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1972	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1973	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1973	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1973	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1974	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1974	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1974	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1975	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1975	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1975	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1976	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1976	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1976	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1977	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SUM 1977	0.00	127.73	127.73	31.99	31.99	188.77	18.77
WIN 1977	0.00	127.73	127.73	31.99	31.99	188.77	18.77
SPR 1978	0.00	127.73	127.73	98.67	98.67	188.77	18.77
SUM 1978	0.00	127.73	127.73	98.67	98.67	188.77	18.77
WIN 1978	0.00	127.73	127.73	98.67	98.67	188.77	18.77
SPR 1979	0.00	127.73	127.73	98.67	98.67	188.77	18.77
SUM 1979	0.00	127.73	127.73	98.67	98.67	188.77	18.77
WIN 1979	0.00	127.73	127.73	98.67	98.67	188.77	18.77
SPR 1980	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1980	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1980	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SPR 1981	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1981	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1981	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SPR 1982	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1982	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1982	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SPR 1983	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1983	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1983	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SPR 1984	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1984	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1984	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SPR 1985	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
SUM 1985	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33
WIN 1985	0.00	127.73	127.73	98.67	98.67	2 1.33	21.33

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1986	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1986	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1986	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1987	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1987	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1987	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1988	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1988	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1988	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1989	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1989	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1989	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1990	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1990	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1990	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1991	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SUM 1991	0.00	226.67	226.67	98.67	98.67	21.33	21.33
WIN 1991	0.00	226.67	226.67	98.67	98.67	21.33	21.33
SPR 1992	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SUM 1992	0.00	226.67	226.67	0.00	98.67	21.33	21.33
WIN 1992	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SPR 1993	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SUM 1993	0.00	226.67	226.67	0.00	98.67	21.33	21.33
WIN 1993	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SPR 1994	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SUM 1994	0.00	226.67	226.67	0.00	98.67	21.33	21.33
WIN 1994	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SPR 1995	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SUM 1995	0.00	226.67	226.67	0.00	98.67	21.33	21.33
WIN 1995	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SPR 1996	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SUM 1996	0.00	226.67	226.67	0.00	98.67	21.33	21.33
WIN 1996	0.00	226.67	226.67	0.00	98.67	21.33	21.33
SPR 1997	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 1997	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 1997	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 1998	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 1998	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 1998	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 1999	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 1999	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 1999	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2000	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 2000	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 2000	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2001	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 2001	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 2001	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2002	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 2002	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 2002	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2003	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 2003	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 2003	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2004	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SUM 2004	0.00	0.00	226.67	0.00	98.67	21.33	21.33
WIN 2004	0.00	0.00	226.67	0.00	98.67	21.33	21.33
SPR 2005	346.67	0.00	226.67	0.00	98.67	0.00	21.33
SUM 2005	346.67	0.00	226.67	0.00	98.67	0.00	21.33
WIN 2005	346.67	0.00	226.67	0.00	98.67	0.00	21.33
SPR 2006	346.67	0.00	226.67	0.00	98.67	0.00	21.33
SUM 2006	346.67	0.00	226.67	0.00	98.67	0.00	21.33

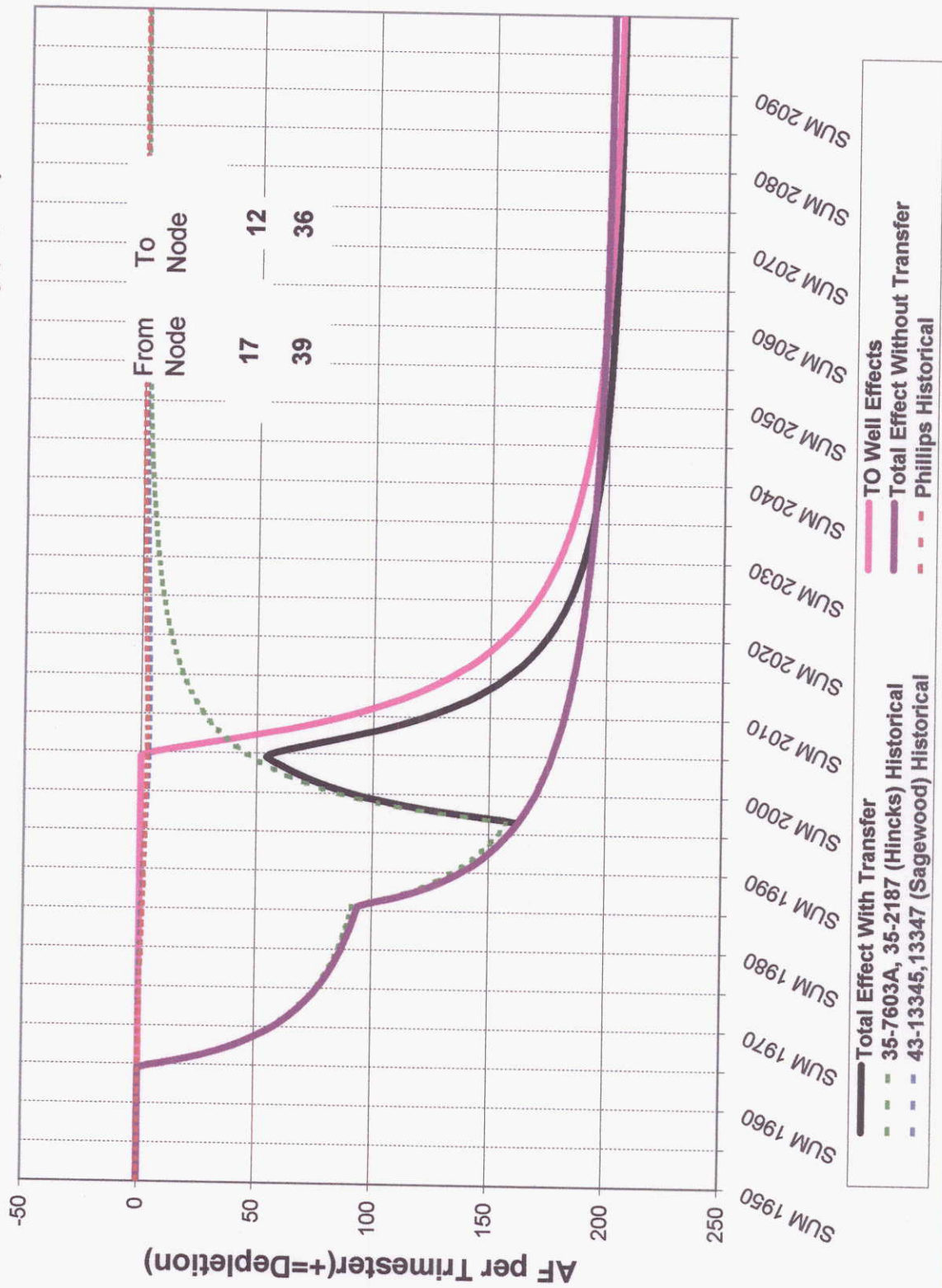
Net Transfer Impact-Percent of Historical

Transfer No\$scenario 1 Applicant: Povey (6S,29E)



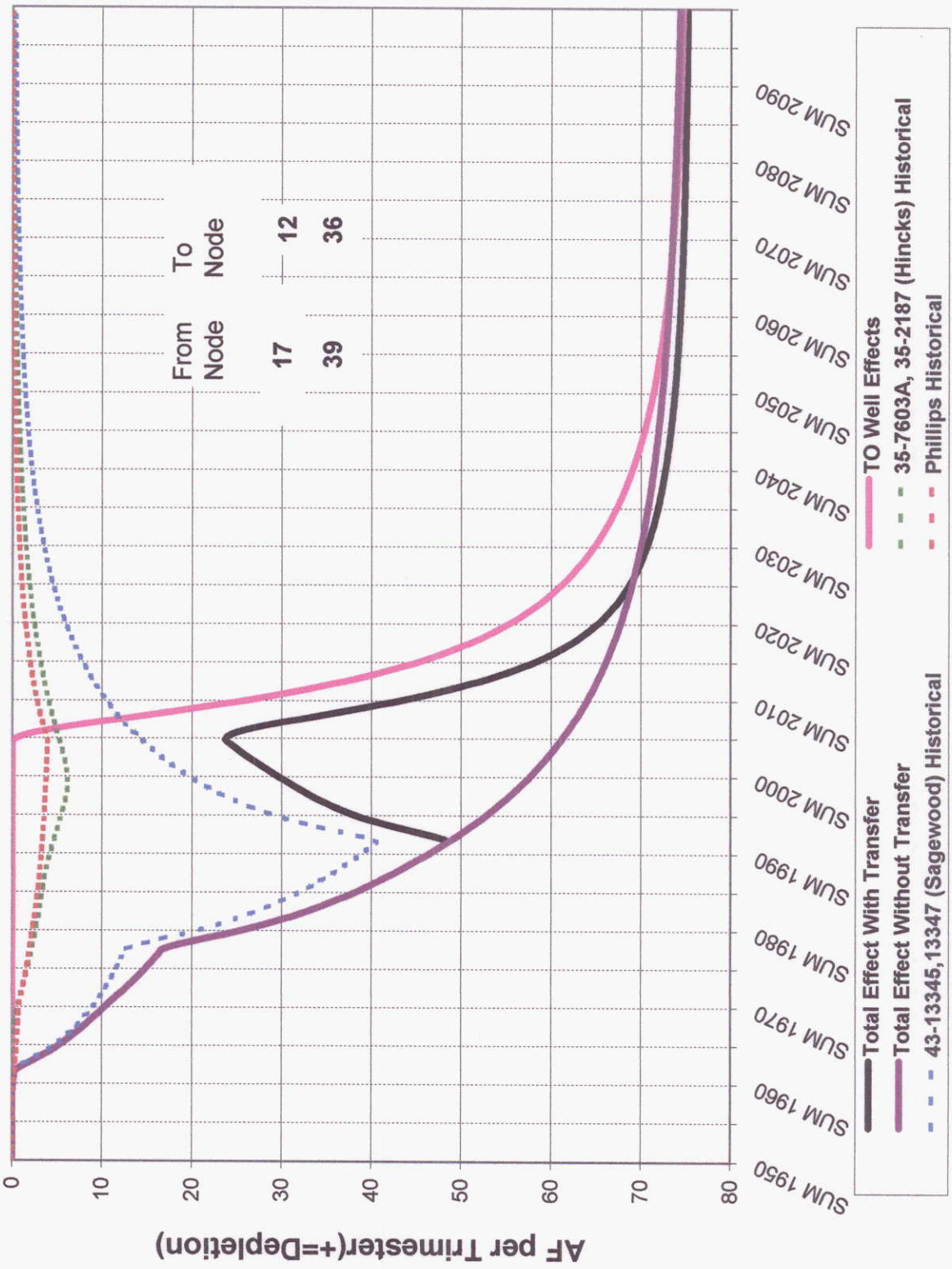
Hydrologic Response--Near Shelley to Neeley Reach

Transfer No: Scenario 1 Applicant: Povey (6S,29E)



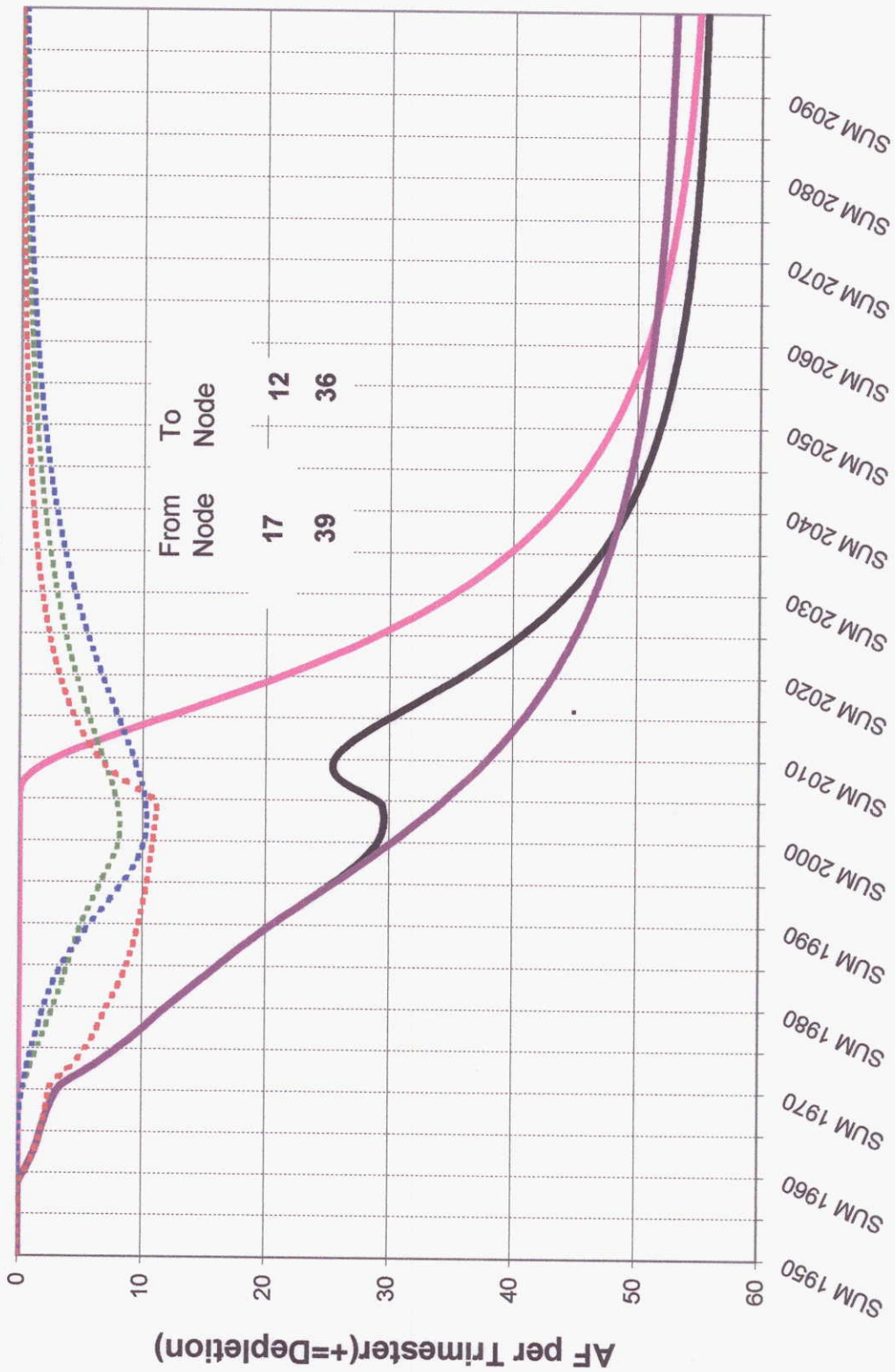
Hydrologic Response--Neeley to Minidoka

Transfer No Scenario 1 Applicant: Povey (6S,29E)



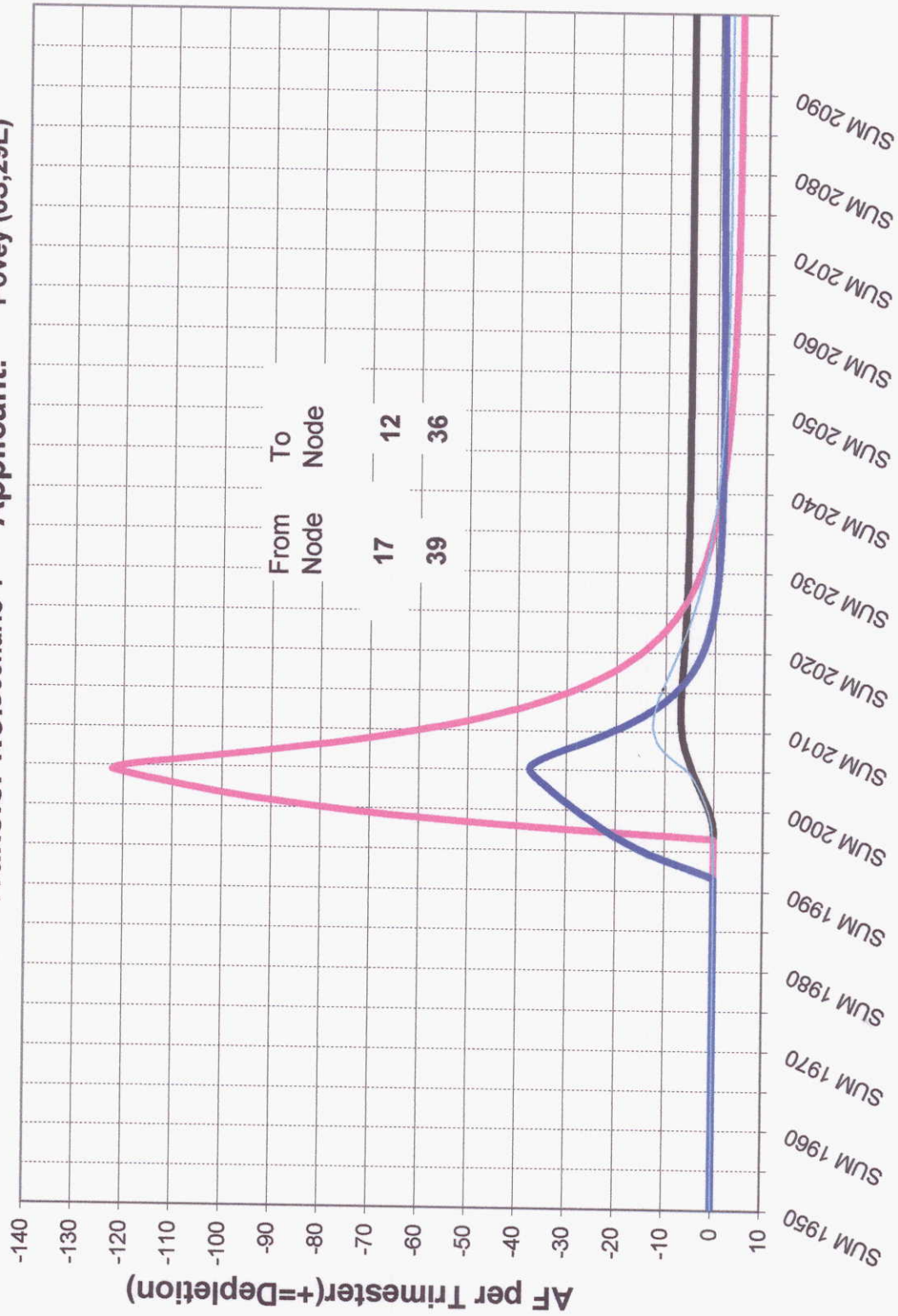
Hydrologic Response-- Milner to King Hill Reach

Transfer No.: Scenario 1 Applicant: Povey (6S,29E)



Net Transfer Impact

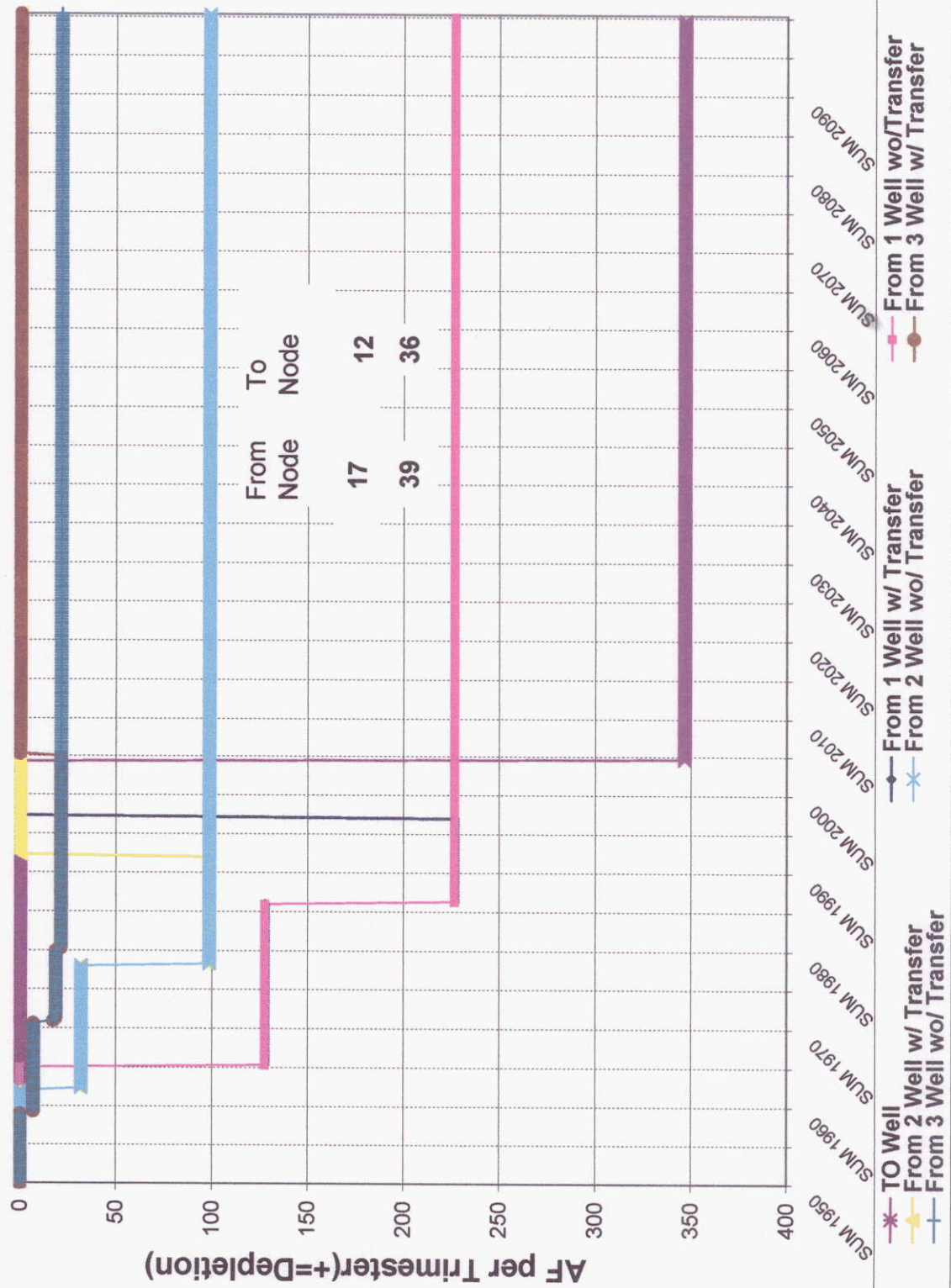
Transfer No: Scenario 1 Applicant: Povey (6S,29E)



Heise/Ashton to Lewisville Near Shelley to Neeley Neeley to Minidoka Milner to King Hill

Pumping and Mitigation Schedule

Transfer No: Scenario 1 Applicant: Povey (6S,29E)



Hydrologic Response--Heise/Ashton to Lewisville

Transfer No: Scenario 1 Applicant: Povey (6S,29E)

