

**Andrew Povey Mitigation Plan for
Transfer of water rights 35-2391 and 35-7777**

The applicant, Andrew Povey proposes to change the place of use of the two water rights described below:

35-2391	12/20/1954	3.44/688	cfs/af
35-7777	1/24/1978	1.77/416	cfs/af

The proposed change will move these rights from the:

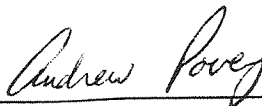
S1/2 NE1/4	Sec. 28
N1/2 SE1/4	Sec. 28
S1/2, NW 1/4	Sec. 27
NW1/4SW1/4	Sec. 27 ALL T1S R33E

Using the IDWR guidelines, the proposed transfer could be mitigated by reducing the consumptive use to 100 ac-ft/trimester or 300 ac-ft year. With the implementation of the global rental pool the applicant proposes the following method of mitigating the associated impacts:

In April of every year the applicant will provide IDWR an acreage breakdown of the crops he proposes to raise that year and will purchase 73% of the depletion associated with these crops based upon ET tables prepared by the University of Idaho, from the Water District 1 Global Rental Pool. The storage purchased will be distributed by the Watermaster of Water District 1 based upon the year-end run of the ESPA aquifer model. The price paid by for the mitigation water will be the established rental price. On years when the reservoirs fill and there are flood releases past Milner there will be no obligation for mitigation associated with this transfer.

The applicant proposes, under this plan, that should the rules or analysis process of the state change which would reduce his obligation that he be afforded that reduction. The applicant also proposes under this plan, that if, in the future, he is able to purchase additional groundwater rights that would provide an off-set to the analysis under which this mitigation plan is based, he be able to do so.

Signed this 26th day of June 2003.



Andrew Povey