

Randall C. Budge (ISB No. 1949)
Thomas J. Budge (ISB No. 7465)
RACINE OLSON, PLLP
201 E. Center St. / P. O. Box 1391
Pocatello, Idaho 83204-1391
(208) 232-6101 – Phone
(208) 232-6109 – Fax
rcb@racinelaw.net
tjb@racinelaw.net
Attorneys for Cat Creek Energy, LLC

DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS
FOR PERMIT NOS. 63-34403, 63-34652,
63-34897 AND 63-34900 IN THE NAME
OF CAT CREEK ENERGY, LLC

**NOTICE OF AMENDED
RULE 40.05 DISCLOSURE**

Cat Creek Energy, LLC (“Cat Creek”) submits this *Notice of Amended Rule 40.05 Disclosure* pursuant to instructions given by Director Spackman at the prehearing conference held May 15, 2020 and *ORDER CONSOLIDATING DOCKETS AND PARTIES; ORDER TO REORGANIZE APPLICANT’S FULE 40.05 INFORMATION; ORDER ESTALISHING PROTECTIVE ORDER PROCEDURE; ORDER AUTHORIZING DISCOVERY; NOTICE OF CONTINUED PREHEARING CONFERENCE* dated May 28, 2020 (“Order”).

Introduction

Cat Creek filed a *Notice of Additional Information Rule 40.05* on March 31, 2020. In connection therewith, Cat Creek uploaded to an online portal (Citrix ShareFile Virtual Data Room, referred to herein as “ShareFile”) more than 200 documents containing information responsive to rule 40.05. SBar Ranch, LLC, and The District at Park Center (referred to collectively herein as “SBar”), filed a motion on May 1, 2020, contending that Cat Creek’s disclosure did not include all information required under rule 40.05. A prehearing conference was held May 15, 2020, at which the hearing officer instructed Cat Creek to reorganize the ShareFile documents under headings that correspond with the categories of information required by Rule 40.05, and to bates stamp each document for ease of reference.

This pleading provides notice that incompliance with the Order Cat Creek has reorganized all ShareFile folders into folders corresponding with Idaho Code §42-203A(5)(a)–

(g) and has bates stamped and uploaded all documents for ease of reference. Attached is a spreadsheet reflecting the ShareFile reorganization with documents and bates stamp numbers by file. ShareFile can be accessed via the following link:

<https://catcreekenergy.securevdr.com/home/shared/fo7b391a-5d77-4521-8a88-2fed2a08f6ba>

To obtain access, please email Tessa Sparrow (tessa@racineolson.com) with a copy to Cat Creek's attorneys and provide your name, email address, physical address, position, and the name of the protestant you are representing. You will then be provided a personal password. To resolve any technical problems with the use of your password or use of the ShareFile portal please contact the site administrator, Peggy Beltrone, at peggy.beltrone@gmail.com, phone number 406-781-9911.

This pleading also provides additional information under rule 40.05 to address concerns cited in the May 1 motion filed by SBar. The following information pertains to Applications for Permit Nos. 63-34403, 63-34652, 63-34897, and 63-34900 (collectively, the "Applications"). Each rule 40.05 requirement is listed in italics followed by Cat Creek's response in regular font.

40.05.c.i *For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.*

More than five waterusers appropriate water from the South Fork of the Boise River; therefore, this provision is not applicable.

40.05.c.ii *For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.*

The Applications do not seek to appropriate groundwater; therefore, this provision is not applicable. The reservoir ("Cat Creek Reservoir") will not intercept groundwater. Water will be impounded in a natural depression with the aid of a berm of variable height. Maximum reservoir depth will be approximately 80 feet. There is no shallow groundwater. The depths of surrounding wells range from 200 to 551 feet (average 438 feet), with static water levels ranging from 42 to 398 feet (average 199 feet). Moreover, Cat Creek Reservoir will be lined and impervious to exfiltration.

40.05.c.iii *Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.*

Water will be diverted from the source only during periods of high runoff when all other senior water rights are in priority. Natural flow water will be diverted from Anderson Ranch Reservoir via hydraulic pumps to Cat Creek Reservoir. This process is explained in the “CCE Water Availability” memo labeled prepared by Hal N. Anderson in the ShareFile portal. By diverting natural flow water only during times when the water rights are in priority there will be no adverse impact to senior water rights.

The ShareFile portal contains multiple drawings including the penstock, powerhouse, and intake/discharge. The diversion of water to Cat Creek Reservoir will occur by pumping water through the powerhouse and penstock into the reservoir. The diversion of natural flow to storage can be turned on and off at the direction of the Basin 63 Watermaster, allowing Cat Creek to divert natural flow only during times when its water rights are in priority.

Water stored in Cat Creek Reservoir for power storage and released for power generation under Application for Permit No. 63-34403 will be released to Anderson Ranch Reservoir and pumped back to Cat Creek Reservoir on a daily basis. Water stored in Cat Creek Reservoir for irrigation storage under Applications for Permit Nos. 63-34652, 63-34897 and 63-63349 will be released and delivered downstream for irrigation and municipal purposes in Basin 63.

40.05.d.i *Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.*

This Project will primarily use water non-consumptively for the generation of hydropower. Water stored in Cat Creek Reservoir may also be released for downstream consumptive use to water users who contract for use of the storage.

There is no required diversion rate. Natural flow will be diverted and used when it is available in priority. During years when no natural flow is available for diversion the project will use water stored in previous years to the extent it is available.

The maximum diversion rate for power generation is 9,996 cfs. The maximum diversion rate for storage for irrigation, mitigation, and municipal purposes is 3,000 cfs (3,000 cfs under 63-34652; 2,000 cfs under 63-34897; 2,000 cfs under 63-34900). ShareFile contains a hydrograph for the South Fork of the Boise River at Anderson Ranch Dam showing flows up to the 3,000 cfs maximum diversion.

The period of use is year-round for storage, and during the respective seasons of use for other uses as shown on the Applications.

The “CCE Water Availability” document posted to the ShareFile portal demonstrates that from 1999 to 2019 water would have been available to divert under the subject water rights (had they been in existence) in 11 of 20 years (65 percent of the time), and that Cat Creek Reservoir would have filled in 9 of 20 years (45 percent of the time).

The maximum consumptive use during any year will be highly variable depending on water supply. If Cat Creek Reservoir remained completely full for an entire year, evaporation from the reservoir, based on ET Idaho evapotranspiration data, is 1,352.9 acre-feet as shown on the attachment to application for permit no. 63-34403. This volume assumes the reservoir is 100% full year-round. In practice, the reservoir will often not be 100% full, resulting in a decreased surface area and less evaporation.

The maximum volume that could be diverted for consumptive use annually is 80,000 acre feet. Theoretically, this entire volume could be used consumptively for municipal purposes. In reality, Cat Creek does not anticipate releasing the full 80,000 acre feet from the reservoir for consumptive use. Downstream users likely will save water in high water years for use in dry years. A major benefit of the Applications is their ability to meet growing demand in the Treasure Valley without adding new dams to the Boise River system or disrupting existing storage facilities.

Cat Creek Reservoir will be lined with an impermeable liner. Therefore, there will be no seepage from the reservoir.

40.05.d.ii *Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.*

See the “CCE Water Availability” memo by Hal N. Anderson in the ShareFile portal.

40.05.e.i *The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.*

The project is located on property owned by Wood Creek Ranch, LLC, Big Sky Farms, LLC, and Sawtooth Grazing Association. The ShareFile portal contains a map identifying these properties. Cat Creek has signed leases with Wood Creek Ranch, LLC, and Sawtooth Grazing Association, memorandums of which are included in the ShareFile portal. Cat Creek has signed

a contract to purchase the Big Sky Farms property, a redacted copy or memorandum of which is or will be included in the ShareFile portal.

The diversion structure and pipeline from Anderson Ranch Reservoir are located on property controlled by the United States Bureau of Reclamation (BOR). Cat Creek has executed with the BOR a Preliminary Lease of Power Privilege to allow development of the Cat Creek hydropower and storage project using BOR facilities. In accordance with Idaho Code 42-205, Cat Creek anticipates that permits issued under the Applications will contain a condition requiring a final Lease of Power Privilege or other documentation confirming BOR permitting Cat Creek to construct the diversion structure and pipeline. The current process for any investigation or use of U.S. Forest Service land is through a FS299 permit.

In accordance with Idaho Code 42-206, Cat Creek Energy, LLC is an Idaho limited liability company organized and qualified to do business in Idaho. A copy of Cat Creek's 2020 annual report filed with the Idaho Secretary of State is included in the ShareFile portal.

The ShareFile portal also contains numerous documents pertaining to permitting processes that Cat Creek is involved in or has completed with the Federal Energy Regulatory Commission (FERC), BOR, and Elmore County, including a copy of Elmore County Resolution No. 652-18 approving a development agreement in connection with five conditional use permits issued for this project.

40.05.e.ii The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

A large number of documents have been uploaded to the ShareFile portal pertaining to FERC, BOR, and Elmore County regulatory approvals. NPDES and Clean Water Act permits are not required for this project.

40.05.f.i The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

Cat Creek does not intend to produce a financial statement or financial commitment letter. Rather, Cat Creek has produced other evidence to show that it is reasonably probable that financing will be available to appropriate water and apply it to the beneficial use proposed. Certain general financial information has been uploaded to ShareFile includes and may be periodically updated. Detailed financial information is highly proprietary for a private project of this magnitude and has been submitted to the Director under seal in connection with a motion

for protective order filed in this matter and attached to the Supplemental Declaration of James Carkulis.

40.05.f.ii *The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.*

Certain construction plans and specifications uploaded to ShareFile. Detailed project construction costs are highly proprietary for a private project of this magnitude and have been submitted to the Director under seal in connection with Cat Creek's motion for protective order filed in this matter.

40.05.g *Water Appropriation Rule 40.05.f: Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows: The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the Director.*

As shown in the IDWR document repository, the IDWR Western Regional Office sought comments from (1) the Watermaster of Water District 63, (2) the Idaho Department of Fish and Game, (3) the IDWR Safety of Dams Section, (4) the Idaho Water Resource Board, (5) the City of Boise, (6) the U.S. Bureau of Reclamation, and many other entities including the irrigation districts and canal companies within the Treasure Valley. Other state agencies including the Idaho Department of Environmental Quality have been briefed on the project and attended the 2019 all agency meeting. Advertisement of the application was statewide. The spirit and letter of this rule have been met via the widespread announcement of information regarding the project, as evidenced by the robust number of protests received.

40.05.h *The following information Relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the Director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than two hundred (200) acres will be irrigated. The Director may request any or all of the following information for any filing seeking the reallocation of trust water.*

Not applicable. The applications do not seek to appropriate trust water.

Conclusion

Cat Creek believes the information produced pursuant to this notice, via ShareFile, via its motion for protective order and the declarations of James Carkulis and John K. Faulkner are more than sufficient to satisfy Rule 40.05. In fact, Cat Creek believes its disclosures have far exceeded the threshold that should be required under Rule 40.05. In Cat Creek's view, Rule 40.05 should be construed to require simply a summary statement of the applicant's position with respect to each of the statutory criteria set forth in Idaho Code 42-203A(5). It should not be construed to mandate a detailed explanation of every minute detail of its project or financing plans, nor as an obligation to introduce every item of evidence that the applicant may introduce at trial. The latter may be fleshed out through discovery and motion practice as in any other adjudicative case.

Cat Creek has gone to great lengths to describe its project with tremendous detail. Neither the Department nor any protestant can genuinely claim that they do not have sufficient information to understand how and where Cat Creek intends to divert and use water, and how that water will be applied to beneficial use - the fundamental requirement of the Applications. Cat Creek has gone much further, producing maps, engineering drawings, hydrographs, contracts, government approvals, and other information documenting more specific details as well as ancillary matters related to the Applications. All parties are well-equipped to propound discovery requests to address matters for which questions exist or additional details are sought.

DATED this 16th day of June, 2020.

RACINE OLSON, PLLP

By:  _____

Randall C. Budge

Thomas J. Budge

Attorneys for Applicant Cat Creek Energy, LLC

CCE ShareFile Organization (New)

| BATES # | SHAREFILE FOLDER |
|---------------------|---|
| | How To Use Due Diligence Site |
| | Introduction to Due Diligence Data Room |
| | Idaho Code 42-203A(5)(a) (Effect on existing water rights) |
| CCE-A-00001 - 00003 | Cat Creek Energy Storage Water Availability Narrative |
| | Idaho Code 42-203A(5)(b) (Sufficiency of water supply) |
| | i. Water Requirements |
| CCE-B-00001 - 00058 | 63-34403 Application Through Advertising |
| CCE-B-00059 - 00140 | 63-34652 Application Through Advertising |
| CCE-B-00141 - 00182 | 63-34897 Application for Permit |
| CCE-B-00183 - 00206 | 63-34900 Application for Permit |
| | ii. Water Supply |
| CCE-B-00207 - 00287 | Attachment D - Final POU Legal Description |
| CCE-B-00288 - 00306 | BOR - 2017 Prelim Hydro Study |
| CCE-B-00307 | Snow Water Equivalent in Boise Basin - NRCS |
| CCE-B-00308 - 00342 | South Fork Boise River Near Featherville IDWR Water Right Accounting Data |
| CCE-B-00343 | Surrounding Groundwater Wells |
| | Idaho Code 42-203A(5)(c) (Good faith, delay, or speculative purposes) |
| | i. Land Entitlements |
| CCE-C-00001 - 00012 | Memorandum - Sawtooth and Woodcreek |
| | ii. Permits and Approvals (Elmore County) |
| CCE-C-00013 - 00015 | 7758 PH Notice Appeal |
| CCE-C-00016 - 00023 | Cat Creek Energy Questions 2016 + comments on Mike McDonald Responses |
| CCE-C-00024 - 00025 | CCE Comments on Concerns Expressed by IDFG on Withdrawal of water (short version) |
| CCE-C-00026 - 00029 | CCE Comments on IDFG letter of 9142018 re proposed water right development |
| CCE-C-00030 - 00070 | CCE Elmore County PZ responses CE - Final (17-Jun-15) |
| CCE-C-00071 - 00074 | CCE Resposne to IDFG Request for Information of June 17, 2019 |
| CCE-C-00075 - 00104 | CCE Response to Power Engineers Review of Cat Creek WMP 06-01-16 |
| CCE-C-00105 - 00110 | CCE Resposnes to ABC Letter 20160426 to FWS for Elmore Co |
| CCE-C-00111 - 00114 | CCE Responses to Aspen Engrs' Comments and Rec. on CUP App |
| CCE-C-00115 - 00122 | CCE Responses to deficiencies and concerns letter from Alan Christy |
| CCE-C-00123 - 00135 | CUP-2015-06 Wind Power |
| CCE-C-00136 - 00172 | Development Agreement - FULLY EXECUTED |
| CCE-C-00173 - 00175 | Elmore County Comprehensive Plan Objectives and Goals Compliance covering letter 12072016 |

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| CCE-C-00176 - 00189 | Findings of Fact and Conclusions of Law (second reconsideration) |
| CCE-C-00190 - 00242 | Findings of Fact and Conclusions of Law and Conditions of Approval - SIGNED |
| CCE-C-00243 - 00258 | Findings of Fact and Conclusions of Law and Order - CUP Amendments |
| CCE-C-00259 - 00264 | First Amendment to DA - FULLY EXECUTED |
| CCE-C-00265 - 00306 | How CCE meets Comp Plan Goals |
| CCE-C-00307 - 00395 | Memorandum Decision and Order on Petition for Judicial Review |
| CCE-C-00396 - 00405 | Order on Cat Creek's Motion for Reconsideration |
| CCE-C-00406 - 00408 | Ordinance No. 2018-01 - SIGNED |
| CCE-C-00409 - 00411 | Resolution NO. 652-18- SIGNED |
| CCE-C-00412 - 00855 | Staff Report Board of County Commissioners PH 11-16-16 |
| CCE-C-00856 - 01008 | Staff Report Cat Creek Energy 6-8-2016 |
| CCE-C-01009 - 01109 | Supplemental Staff Report Appeal CCE (3) |

iii. Permits and Approvals (FERC)

| | |
|---------------------|--|
| CCE-C-01110 - 01120 | 4-18-2019 Cat Creek Successive Permit P-14655 |
| CCE-C-01121 - 01136 | 20141211 FERC Preliminary Permit App |
| CCE-C-01137 - 01140 | 20150109 FERC List Tribes Districts Fed Agencies |
| CCE-C-01141 - 01143 | 20150724 FERC Deficiency Notice (1) |
| CCE-C-01144 - 01149 | 20150821 Response to FERC Deficiency Notice |
| CCE-C-01150 - 01161 | 20160429 GS FERC 6 MO Report (1) |
| CCE-C-01162 - 01163 | 20170430 GS FERC 6 Mo Report (1) |
| CCE-C-01164 - 01165 | 20171030 GS FERC 6 Mo Report (1) |
| CCE-C-01166 - 01167 | 20180430 GS FERG 6 Mo Report (1) |
| CCE-C-01168 | 20180802 GS FERC Resposne to Filing (1) |
| CCE-C-01169 - 01171 | 20181029 GS FERC 6 Mo Report & Extension Req (1) |
| CCE-C-01172 - 01196 | 20181108 Prelim Permit App (1) |
| CCE-C-01197 - 01199 | 20181116 FERC AIR |
| CCE-C-01200 | 20181116 GS FERC Response to AIR (1) |
| CCE-C-01201 - 01202 | 20190107 FERC AIR |
| CCE-C-01203 - 01205 | 20190109 GS FERC Resposne to AIR (1) |
| CCE-C-1206 - 012008 | 20190221 FERC AIR |
| CCE-C-01209 | 20190307 GS FERC Resposne to AIR (1) |
| CCE-C-01210 - 01212 | 20190320 GS FERC Comments (1) |
| CCE-C-01213 - 01216 | 20200330 GS FERC 12 Mo Report |
| CCE-C-01217 - 01218 | Ltr from USDA to ID Dept Water Resources re No Protest |

iv. Permits and Approvals (BOR)

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|---------------------|--|
| CCE-C-01217 - 01219 | 2019-05-20 CCE questions to Reclamation (CCE Exhibit D) - Response 1 |
| CCE-C-01220 | 2019-05-28 Agenda - CCE LOPP Prelim Lease Agreement |

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| CCE-C-01221 - 01225 | 2019-07-26 Responses to 2019-07-19 CCE questions fisheries DV |
| CCE-C-01226 | 2019-07-30 Agenda - FERC Reclamation CCE LOPP Joint Planning Outreach |
| CCE-C-01227 | 2019-07-30 Agenda - FERC Reclamation CCE LOPP Joint Planning Outreach - Draft |
| CCE-C-01228 - 01231 | 2019-07-30 Notes - FERC Reclamation CCE LOPP Joint Planning Outreach - Draft |
| CCE-C-01232 - 01235 | 2019-07-30 Notes - FERC Reclamation CCE LOPP Joint Planning Outreach - Draft v2 |
| CCE-C-01236 - 01239 | 2019-07-30 Notes - FERC Reclamation CCE LOPP Joint Planning Outreach - Final |
| CCE-C-01240 - 01244 | 2019-08-09 CCE LOPP Anticipated Data Input and Study Needs |
| CCE-C-01245 - 01249 | 2019-08-09 CCE questions to Reclamation (CCE Exhibit D) questions 6-37 |
| CCE-C-01250 | 2019-08-28 BOR and FERC Processes Synced Flow Chart - Final |
| CCE-C-01251 - 01290 | 2019-08-28 CCE Agency Presentation Static Copy - Final |
| CCE-C-01291 | 2020-02-06 Agenda - CCE LOPP Land Jurisdiction |
| CCE-C-01292 - 01293 | 2020-02-17 Update Ltr to CCE |
| CCE-C-01294 - 01297 | 20190408 Reclamation Responses to CCE questions 3-28-2019 |
| CCE-C-01298 - 01306 | 20190730 LOPP Overveiw Presenatation |
| CCE-C-01307 | 20190812 TS Agencies Meeting Request (1) |
| CCE-C-01308 - 01311 | 20191105 to IWRB BFS Mod 1 to MOA R18MR11717 File Copy 2 |
| CCE-C-01312 - 01313 | 20200115 CCE Lease of Power Privilege Update (1) |
| CCE-C-01314 | Agenda - CCE LOPP Overview - 2019-04-24 |
| CCE-C-01315 | Anderson Lands |
| CCE-C-01316 - 01319 | BOR Project Update as reported to FERC on Jul 16, 2019 |
| CCE-C-01320 - 01323 | CCE Agency Meeting Fact Sheet 082719 |
| CCE-C-01324 - 01325 | CCE and BOR Meeting Questions Final 3-28-2019 |
| CCE-C-1326 - 01329 | CCE LOPP Intro Meeting 2019-04-24 |
| CCE-C-01330 - 01338 | CCE Meeting 082819 Notes - Final |
| CCE-C-01339 - 01354 | CCE Presentation |
| CCE-C-01355 | CCE BOR Monitoring Questions 17May2019 |
| CCE-C-01356 | CCE Models Table 28May2019 v4 |
| CCE-C-01357 - 01388 | CCE Bor 24-Apr-19 Meeting Materials Static Copy |
| CCE-C-01389 - 01413 | CCE BOR 28-May-19 Neeting Submittal (24-May-19) |
| CCE-C-01414 - 01422 | FERC Presentation |
| CCE-C-01423 - 01459 | Final EA Anderson Ranch 4-13-10 |
| CCE-C-01460 - 01466 | FONSI Anderson Ranch Security 07-10 |
| CCE-C-01467 - 01468 | NDA - CCE Seismic Sutdies and Water Operations Guide - Signed |
| CCE-C-01469 - 01471 | Preliminary Lease of Power Privilege - EXECUTED |
| CCE-C-01472 - 01479 | Reclamation Presentation |
| CCE-C-01480 - 01490 | USBR Land Presentation |
| CCE-C-01491 - 01545 | USFS 1987, April 06 Interagency Agreemtn - Cascade, Deadwood, Arrowrock, and Anderson |

Idaho Code 42-203A(5)(d) (Financing)

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|---------------------|---|
| CCE-D-00001 - 00002 | Cat Creek Reservoir- Not for construction - Static Copy |
| CCE-D-00003 - 00007 | CCE Powerhouse- Not for Construction - Preliminary Design - Static |
| CCE-D-00008 - 00012 | Financial - Rule 40.05 for DD Site |
| CCE-D-00013 - 00014 | Powerhouse Schematic - Not for Construction - Preliminary Design |
| CCE-D-00015 | Cat Creek Reservoir Preliminary Design Modification SE |
| CCE-D-00016 | Electrical System Single Line Consolidated - CCE-D-S001-1 Rev 0B (1) |
| CCE-D-00017 | Elevation Deltas Upper-Lower Reservoirs - Not for Construction - Preliminary Design |
| CCE-D-00018 | Intake-Discharge from Tailrace - Not for Construction - Preliminary Design |
| CCE-D-00019 | Penstock Cross Section - Not for Construction - Preliminary Design |
| CCE-D-00020 | Powerhouse Substation - CCE-D-P003-1 (2) |
| CCE-D-00021 | PSH Substation General Arrangement - SLS-D-P003-1 - Not For Construction |
| CCE-D-00022 | PSH Switching Diagram - CCE-D-S001-6 Rev 0A (1) - Not For Construction |
| CCE-D-00023 - 00024 | Sources & Uses - Cat Creek Energy |
| CCE-D-00025 - 00034 | Transmission Pole - Single Circuit - 230 kV Exhibit Drawings - Not For Construction |
| CCE-D-00035 | Transmission Structure Design - Parallel 230 kV & 115 kV - Exhibit Drawing - Not For Construction |

Idaho Code 42-203A(5)(e) (Local public interest)

i. Treasure Valley Water Demand

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|---------------------|---|
| CCE-E-00001 - 00171 | 20160808 - OFR Treasure Valley Water Demand 2015-2065 |
| CCE-E-00172 - 00185 | Boise Basin Fundamentals - Mountain Snow Water Equivalent |
| CCE-E-00186 - 00189 | BoiseFAQ |
| CCE-E-00190 | Critical Major Water Infrastructure |
| CCE-E-00191 - 00311 | USACE - 1- 16 IWRB Water Storage Committee Meeting Materials (1) |
| CCE-E-00312 | USACE Determines Economic Benefits Do Not Warrant Dam Raise Solutions |
| CCE-E-00313 | Water Storage on the Boise River |

ii. Renewable Energy

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|---------------------|--|
| CCE-E-00314 | Critical Major Energy Infrastructure |
| CCE-E-00315 | Idaho Power Clean Energy Mandate |
| CCE-E-00316 - 00324 | MidC Randy Hardy PNW Capacity Whitepaper revised version |

iii. Wildlife

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|-------------|------------------|
| CCE-E-00325 | Wildlife Impacts |
|-------------|------------------|

iv. Aquatics

| | |
|---------------------|--|
| CCE-E-00326 - 00391 | 1 - Anderson Ranch Dam Maintenance Project 2018 BO |
| CCE-E-00392 | 3 - Benjamin et al ICAFS Abstract.pdf |
| CCE-E-00393 - 00406 | 4 - Benjankar et al 2018 |
| CCE-E-00407 - 00611 | 5 - Benjankar et al 2017 SF operations |
| CCE-E-00612 - 00621 | 6 - Mesa et al 2012 Bull Trout Bioenergetics Model |

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|---------------------|---|
| CCE-E-00622 - 00626 | 7 - Thermal data manuscript Boise map used |
| CCE-E-00627 - 00638 | 8 - Idaho Water Quality Standards 1988 |
| CCE-E-00639 - 00776 | 9 - B Flatter 2000 Thesis |
| CCE-E-00777 - 00848 | 19-106 2011 Reg4 Annua1Report Final |
| CCE-E-00849 - 00901 | 19-107 Reg4 2012 AR 10.8 final |
| CCE-E-00902 - 00975 | 19-108 Reg4 Mgmt 2016 final |
| CCE-E-00976 - 01019 | 19-110 Reg4 2015 AR Final |
| CCE-E-01020 - 01033 | 1995 Nestler et al Development of an operational, full-scale fish protection system |
| CCE-E-01034 - 01047 | Anderson et al 2010 Influence of pumped storage hydroelectric plant operation on |
| CCE-E-01048 - 01131 | Antal-MS-2014 |
| CCE-E-01132 - 01147 | ARR Aquatics Lit Review Summary 64Mar20 v2 |
| CCE-E-01148 - 01150 | ARR_Transect17 2002 and acoustic transect_contour_2001 |
| CCE-E-01151 - 01167 | Beauchamp_1997 |
| CCE-E-01168 | Benjamin_et al_ ICAFS_Abstract |
| CCE-E-01169 - 01373 | Benjankar et al 2017 SF operations |
| CCE-E-01374 - 01387 | Benjankar et al 2018 ecohydraulics virtual watershed |
| CCE-E-01388 - 01396 | Benjankar_et+al_2018_SFBR_Temperature |
| CCE-E-01397 - 01582 | Blue_Mesa_co_synthesis_al |
| CCE-E-01583 - 01600 | Butts2012SFB_Electrofishing |
| CCE-E-01601 - 01606 | CCE Responses to ABC Letter April 26 |
| CCE-E-01607 - 01611 | CCE_Fish_Letter to -BOR_ Questions_?-16-19 j b_ v2 |
| CCE-E-01612 - 01615 | CCE-BOR 28-May-19 Meeting Submittal_Exhibit D |
| CCE-E-01616 - 01629 | Dauwalter et al 2013_ Boise_Strandingsummary |
| CCE-E-01630 - 01666 | End01-20Partridge1998-1999 Southwest Idaho Bull Trout Restoration South Fork |
| CCE-E-01667 - 01671 | Faux_Diabat_2016 Boise Thermal Imaging |
| CCE-E-01672 - 01866 | Final_Bull_Trout_Recovery_Plan_092915 |
| CCE-E-01867 - 01984 | Final_Upper_Snake_RUIP_092915 |
| CCE-E-01985 - 02001 | Flow field in a reservoir subject to pumped storage operation in |
| CCE-E-02002 - 02151 | Gutowisky_Movement of adfluvial bull trout |
| CCE-E-02152 - 02158 | Guy et al_2011_BT_Kokanee_Diet |
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| CCE-E-02253 - 02338 | Hansen2018-ColdwaterlakeandReservoirResearchProjects-AnnualReport-Final |
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| CCE-E-02527 - 02724 | ID WQ5 tandards_2019 |
| CCE-E-02725 | Idaho Power Generation Queue 04-Apr-20 - Large Generators |

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| CCE-E-02726 - 03092 | IDFG Fisheries Management Plan 2013-2018 |
| CCE-E-03093 - 03104 | IDFG-11-108-Butts2009-FisheryManagementReport5W-2009-5FBoise |
| CCE-E-03105 - 03280 | Interactions_between_Fluctuating_Reservoir_Water_Levels_and_Bull_Trout_Salvelinus_confluentus_Ecology |
| CCE-E-03281 - 03291 | ISG (Williams et al) 1999 Return to the River AFS Fisherie |
| CCE-E-03292 - 03313 | Job Creation - DOE Models |
| CCE-E-03314 | JFWM_2015_Smith_et_al_LR_sampling_techniques |
| CCE-E-03315 - 04296 | Kachess_Kachelus_feis2019vl |
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| CCE-E-04322 - 04329 | Luecke et al 1996. Simulated Growth and Production of Endangered Snake River Sockeye |
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| CCE-E-04390 - 04399 | Mesa_et_al_2012_Bull_Trout_Bioenergetics_Model |
| CCE-E-04400 - 04490 | Mgt. 13-113Stanton2008 Fishery Management Annual Report Magic Valley Region 2008 |
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| CCE-E-05626 - 05794 | MGTSouthwest Region 2013 Annual Fisheries Report |
| CCE-E-05795 - 05799 | Nestler_Simulating_fish_movement_in_hydropower_reservoirs |
| CCE-E-05800 - 05813 | Neville_and_Dunham_2011_Trout_hybridization_Boise_R |
| CCE-E-05814 - 05833 | Oxygen and DO Levels Anderson Ranch Reservoir - Bull Trout |
| CCE-E-05834 - 05879 | Pacific salmon legacy_Final_7-27-17 |
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| CCE-E-05911 | Power Generation Techonolgy Life Expendencies |
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| CCE-E-05941 - 06116 | Prosciandaro_2015_Fluctuating_Reservoir_Water_Levels_and_Bull_Trout |
| CCE-E-06117 - 06133 | Qtr-Mallet1stQuarter1976 Coordination Report |
| CCE-E-06134 - 06161 | Qtr-Mallet1stQuarter1977 Coordination Report |

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| CCE-E-06162 - 06180 | Qtr-Mallet2ndQuarter1975 Coordination Report |
| CCE-E-06181 - 06210 | Qtr-Mallet4thQuarter1976 Coordination Report |
| CCE-E-06211 - 06218 | Rapport et Proces-Verbaux des Reunions - Volume 189 - 1990 - Partie 39 de 53 |
| CCE-E-06219 - 06331 | Res01-40Teuscher2001 Lake and Reservoir Research |
| CCE-E-06332 - 06372 | Res02-388utts2002 Lake and Reservoir Research |
| CCE-E-06373 - 06463 | Res06-33Butts2004a Lake and Reservoir Research |
| CCE-E-06464 - 06544 | Res07 -13Butts2006 Lake and Reservoir Research |
| CCE-E-06545 - 06567 | Res12-10Lamansky2012 Lake and Reservoir Sampling Protocol |
| CCE-E-06568 - 06617 | Res-Bailey1969 Lake and Reservoir Investigations Pend Oreille, Priest and Coeur d'Alene Lakes |
| CCE-E-06618 - 06703 | Res-Dillon1992 Lake and Reservoir Investigations Forage Development and Evaluation |
| CCE-E-06704 - 06752 | Res-Heimer1967 Lake and Reservoir Investigations Anderson Ranch Reservoir |
| CCE-E-06753 - 06786 | Res-Leusink1969 Lake and Reservoir Investigations use of incubation channels for the production of cutthroat trout |
| CCE-E-06787 - 06882 | Res-Partridge1986 Lake and Reservoir Investigations Alternative Fish Species and Strains |
| CCE-E-06883 - 06914 | Res-Polla rd1971a Lake and Reservoir Investigations Anderson Ranch Reservoir |
| CCE-E-06915 - 07039 | Res-Rieman1990 Status and Analysis of Salmon id Fisheries--Kokanee Populat ion Dynamics |
| CCE-E-07040 - 07055 | Rieman et al 1997 Distribution_Status_and_Likely_Future_Trends_of_Bu |
| CCE-E-07056 - 07080 | Salow_2005_BOR_Bull Trout_Lucky_Peak_Arrowrock |
| CCE-E-07081 - 07088 | SFB2010TributarySurvey |
| CCE-E-07089 | SFBR_ARR_Fish_Partridge_2001_Table_p2 |
| CCE-E-07090 - 07107 | SFBRgenetics1112200 |
| CCE-E-07108 - 07228 | spinellij20IO_fish_entrainment_HauserRes_MT |
| CCE-E-07229 - 07638 | SR--043.2007-12.20fish_plan |
| CCE-E-07639 - 07693 | USFWS_2008_Bull Trout SYR final signed 042508 |
| CCE-E-07694 - 07814 | USFWS_BT RecoveryPlanChapter_18 Southwest Idaho |
| CCE-E-07815 - 07837 | Walser_2014_Macroinvertebrate_Report_SFBoise |
| CCE-E-07838 - 07957 | wdfw00937 |
| CCE-E-07958 - 07982 | Weber_et_al_2006_Hydroinformatics_Manuscript |
| CCE-E-07983 - 08022 | YBSMC 2017 Kachess & Keechelus Food Web Interactions & Bull Trout-Kokanee productivity |

Idaho Code 42-203A(5)(f) (Conservation of water within Idaho)

Idaho Code 42-203A(5)(g) (Local economy)

Project General Information

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| CCE-X-00001 - 00028 | Cat Creek Energy Presenation for Due Diligence |
| CCE-X-00029 - 00030 | CCE Metrics & Merits Indroduction |
| CCE-X-00031 - 00038 | Idaho Secretary of State Cat Creek Energy Filings |
| CCE-X-00039 - 00041 | Major Activities Timeline Breakdown - Cat Creek Energy |

CERTIFICATE OF MAILING

I certify that on this 16th day of June, 2020, the foregoing document was served on the following persons in the manner indicated.



Signature of person mailing form

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|--|--|
| Director Gary Spackman Idaho Department of Water Resources PO Box 83720 Boise, Idaho 83720-0098 gary.spackman@idwr.idaho.gov | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
| Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705-5082 gary.spackman@idwr.idaho.gov Rosemary.DeMond@idwr.idaho.gov | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
| James Carkulis CAT CREEK ENERGY, LLC 398 S. 9TH, SUITE 240 BOISE ID 83702 jtc@ccewsrps.net | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
| David R. Tuthill, Jr. Hal Anderson IDAHO WATER ENGINEERING 2918 N. EL RANCHO PL BOISE ID 83704 dave@idahowaterengineering.com hal@idahowaterengineering.com | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |

Gary D. Slette
ROBERTSON & SLETTE, PLLC
134 3RD AVE E
PO BOX 1906
TWIN FALLS ID 83303-1906
gslette@rsidaholaw.com

- U.S. Mail/Postage Prepaid
- Overnight Mail
- Hand Delivery
- E-mail

Ballentyne Ditch Co, et al.
SAWTOOTH LAW OFFICES PLLC
c/o Daniel B. Steenson
c/o S. Bryce Farris
c/o Andrew J. Waldera
1101 W RIVER ST STE 110
PO BOX 7985
BOISE ID 83707
dan@sawtoothlaw.com
bryce@sawtoothlaw.com
andy@sawtoothlaw.com

- U.S. Mail/Postage Prepaid
- Overnight Mail
- Hand Delivery
- E-mail

United States of America Bureau of Reclamation
UNITED STATES OF AMERICA BUREAU OF
RECLAMATION
c/o E. Gail McGarry
1150 N CURTIS RD STE 100
BOISE ID 83706-1234
EMcgarry@usbr.gov

- U.S. Mail/Postage Prepaid
- Overnight Mail
- Hand Delivery
- E-mail

Idaho Conservation League
IDAHO CONSERVATION LEAGUE
c/o Matt Nykiel
PO BOX 2308
SANDPOINT ID 83864
mnykiel@idahoconservation.org

- U.S. Mail/Postage Prepaid
- Overnight Mail
- Hand Delivery
- E-mail

IDAHO CONSERVATION LEAGUE
c/o Marie Callaway Kellner
PO BOX 844
BOISE ID 83701
mkellner@idahoconservation.org

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|---|---|
| <p><i>Boise Project Board of Control & Riverside Irrigation District</i> BARKER ROSHOLT & SIMPSON LLP c/o Albert P. Barker 1010 W JEFFERSON ST STE 102 PO BOX 2139 BOISE ID 83701-2139 apb@idahowaters.com</p> | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
| <p><i>Allen R. Thompson</i> 406 N. THOMPSON RD KING HILL ID 83633 kimraftertranch@gmail.com</p> | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
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|---|--|
| <p><i>Tree Top Ranches LP</i> c/o William J. Mulder 101 S CAPITOL BLV STE 1801 BOISE ID 83701 wjmulder@treetopranches.com</p> | <p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail</p> |
| <p><i>S Bar Ranch LLP</i> <i>The District at Parkcenter LLC</i> HAWLEY TROXELL ENNIS & HAWLEY c/o Dana L. Hofstetter c/o Richard F. Goodson 877 MAIN ST STE 1000 PO BOX 1617 BOISE ID 83701-1617 dhofstetter@hawleytroxell.com rgoodson@hawleytroxell.com</p> | <p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail</p> |
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| | |
|---|---|
| <p><i>City of Meridian (*INTERVENER*)</i> HONSINGER LAW PLLC c/o Charles L. Honsinger PO BOX 517 BOISE ID 83701 honsingerlaw@gmail.com</p> | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
| <p><i>Idaho Department of Lands</i> c/o Michele Andersen 3284 W INDUSTRIAL LOOP COEUR D'ALENE ID 83815 mandersen@idl.idaho.gov angela.kaufmann@ag.idaho.gov</p> | <input type="checkbox"/> U.S. Mail/Postage Prepaid <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> E-mail |
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