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Attorneys for the applicant, Cat Creek Energy, LLC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

**DECLARATION OF
JOHN L. FAULKNER
(Redacted)**

John L. Faulkner declares as follows:


1. I am a resident of Gooding, Idaho; of legal age; competent to testify; and state the following based on my own personal knowledge.
2. I am the president of Faulkner Land & Livestock, Inc., which is the sole owner of Cat Creek Energy, LLC (“Cat Creek”). I am also the manager of Cat Creek.
3. Two versions of this declaration are being filed with the Department—a redacted version and an unredacted version. The appendix to the unredacted version contains confidential information, whereas the appendix to the redacted version does not. The redacted version is being filed with the Department for publication and will be served upon the parties. The unredacted version is being filed under seal for review by the Director and his legal counsel only. Cat Creek determined which information must be filed under seal based on the risk of misappropriation and harm to the project if the confidential information gets into the wrong hands.
4. To date, Cat Creek has incurred preconstruction and development costs in connection with its energy and water storage renewable power project in Elmore County, Idaho, totaling \$18,506,581.73. An itemized accounting of these costs is included as Appendix A to the unredacted version of this declaration. This information is confidential because it includes project costing information that could be used by opponents of Cat Creek to impede development, and by competitors of Cat Creek in developing power projects, competing for power purchase agreements with public utilities, and competing for financing from debt and equity providers. Equally important is that Appendix A contains personal financial information that I desire to keep private. It

does not make sense to me that this type of personal information must be disclosed in order to obtain a water right. Therefore, this information is excluded from the redacted version of this declaration.

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DATED this 16th day of June, 2020.

I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

By: 
JOHN L. FAULKNER

Appendix A

Unredacted Version: Itemized accounting of Cat Creek's investment (June 16, 2020)

Redacted Version: Blank

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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<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>	<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>S Bar Ranch LLP</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>	<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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