



RECEIVED

MAY 29 2020

WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF FISH AND GAME

MAGIC VALLEY REGION

324 South 417 East, Suite 1
Jerome, Idaho 83338

Brad Little / Governor
Ed Schriever / Director

May 21, 2020

N. Miller, Western Regional Manager
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise ID 83705

Re: Protest of Water Appropriation Application-for-Permit No. 63-34897; Cat Creek Energy, LLC

Dear Mr. Miller:

The Idaho Department of Fish and Game's (IDFG) mission is to protect, preserve, perpetuate and manage Idaho's fish and wildlife resources for the public interest (Idaho Code 36-103). Accordingly, IDFG has reviewed Application-for-Permit No. 63-34897 submitted by Cat Creek Energy, LLC to appropriate public waters from the South Fork of the Boise River for irrigation storage and municipal storage.

IDFG's mission encompasses assessment of potential water appropriation effects on public interest fish and wildlife resources. IDFG is specifically concerned that the requested water diversion project may adversely affect important wildlife (e.g., big game and greater sage-grouse), sport fisheries, and Endangered Species Act protected bull trout populations within affected reservoir and river reaches of the Boise River system (e.g., see IDFG Fisheries Management Plan 2019-2024: <https://idfg.idaho.gov/fish/plans>).

Because the application contains limited information to assess fish, wildlife, and associated recreation effects, IDFG is filing this protest per Idaho Code §42-203A(4) to offer the Idaho Department of Water Resources (IDWR) technical assistance with decision making and recommendations to avoid, minimize, or mitigate adverse effects on public interest resources (Idaho Code §42-203A(5)(e); IDAPA 37.03.08.45.01.e.ii).

Thank you for the opportunity to review and comment. If information becomes available to alleviate concerns about potential adverse fishery effects, IDFG may amend or remove this protest. For questions and to arrange informal follow-up discussions, please contact Keats Conley (Environmental Staff Biologist) or myself at this office.

Sincerely,

Craig White
Magic Valley Regional Supervisor

Cc: Tom Bassista – IDFG
M:/Mitigation

Keeping Idaho's Wildlife Heritage

Equal Opportunity Employer • 208-334-3700 • Fax: 208-334-2114 • Idaho Relay (TDD) Service: 1-800-377-3529 • <http://fishandgame.idaho.gov/>

Received \$25 05/29/2020 W048340 -LE