

**BOARD OF ELMORE COUNTY COMMISSIONERS  
NOTICE OF PUBLIC HEARING FOR AN AMENDMENT TO THE ENERGY DEVELOPMENT  
AGREEMENT RELATIVE TO CAT CREEK ENERGY, LLC CONDITIONAL USE PERMITS  
(CUP-2015-03, CUP-2015-04, CUP-2015-05, CUP-2015-06, AND CUP-2015-07) BY AND  
BETWEEN CAT CREEK ENERGY, LLC AND ELMORE COUNTY AND AN ORDINANCE  
AND RESOLUTION ADOPTING THE SAME**

**NOTICE IS HEREBY GIVEN** that on Friday, December 14, 2018 at the hour of 1:30 p.m. in the Elmore County Courthouse, downstairs in the Commissioner's room, 150 South 4 East, Mountain Home, ID 83647, a public hearing will be held for consideration of an amendment to the Development Agreement Relative to Cat Creek Energy, LLC Conditional Use Permits (CUP-2015-03, CUP-2015-04, CUP-2015-05, CUP-2015-06, and CUP-2015-07) between Cat Creek Energy, LLC and Elmore County ("Amendment") pertaining to the diversion and delivery of water to Elmore County and an ordinance adopting the same.

The Elmore County Board of County Commissioners (the "Board") on February 9, 2018 approved that Development Agreement Relative to Cat Creek Energy, LLC Conditional Use Permits (CUP-2015-03, CUP-2015-04, CUP-2015-05, CUP-2015-06, and CUP-2015-07) between Elmore County and Cat Creek Energy, LLC (the "Developer") (the "Development Agreement"). The Board previously has conducted hearings to consider an amendment to the Development Agreement regarding the diversion and delivery of water and has not approved the same. The Developer has asked for an extension of time regarding an amendment for the Development Agreement in connection with the diversion and delivery of water to Elmore County. The Board hereby gives notice that it will consider an amendment to the Development Agreement to either: 1) extend the period of time for Cat Creek Energy, LLC to enter into an agreement with Elmore County regarding the diversion and delivery of water; or 2) for diversion and delivery of water for Elmore County.

Any and all interested persons shall be heard at said hearing and the public is welcome and invited to submit testimony. Testimony will be limited to the Amendment of the Development Agreement and its terms and conditions. The Board reserves the right to set time limits on testimony, and if implemented, the time limits will be announced at the start of the hearing. Anyone who wishes to testify, but is unable to attend, may submit written testimony prior to the hearing by sending it to the Elmore County Land Use and Building Department (the "Land Use and Building Department"), 520 East 2<sup>nd</sup> South Street, Mountain Home, Idaho, 83647. The record for this matter may be reviewed prior to the hearing at the Land Use and Building Department and at the Elmore County Clerk's Office, 150 South 4<sup>th</sup> East, Mountain Home, Idaho, during regular business hours.

A common way of locating the property from Mountain Home, for the said CUPs, is to travel North on US 20 for 25.4 miles to Wood Creek Road. Center of projects is approximately 3.2 miles north on Wood Creek Road.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the American's with Disabilities Act of 1990 (ADA). Any person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Diana Clark, 24 hours prior to the Public Hearing at 208-587-2130 ext. 1269, via email [dclark@elmorecounty.org](mailto:dclark@elmorecounty.org), or in person at 520 East 2<sup>nd</sup> South, Mountain Home.

**BARBARA STEELE, CLERK  
BOARD OF COMMISSIONERS  
ELMORE COUNTY, IDAHO**

**2 Publications:**

**November 28, 2018  
December 5, 2018**