

EXISTING WELL

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name George Mayer

Address 14th St. W. 14th

Owner's Permit No. 45-1083

NATURE OF WORK (check) Replacement well ☐ New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for irrigation

METHOD OF CONSTRUCTION Rotor ☒ Cable ☐ Dug ☐ Other ☐

(explain) None

CASING SCHEDULE Threaded ☐ Welded ☐

"Diam. from 1 ft. to 4 ft.

"Diam. from 1 ft. to 4 ft.

"Diam. from 1 ft. to 4 ft.

Thickness of casing 1/2 in. Material Steel

Concrete ☐ Wood ☐ Other ☐

(explain) None

PERFORATED ☒ Yes ☐ No ☐

Size of perforations 1/2 in. by 1 in.

perforations from 1 ft. to 4 ft.

perforations from 1 ft. to 4 ft.

perforations from 1 ft. to 4 ft.

perforations from 1 ft. to 4 ft.

WAS SCREEN INSTALLED? Yes ☒ No ☐

Manufacturer's name WOP Johnson

Type 1 Model No

Diam. 1 Slot size 1/2 Set from 1 ft. to 4 ft.

Diam. 1 Slot size 1/2 Set from 1 ft. to 4 ft.

CONSTRUCTION Well gravel packed? Yes ☒ No ☐

Now 1 size of gravel 1/2 Gravel

placed from 1 ft. to 4 ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

220 ft. Material used in seal mud

with mud, thin mix, lead packer on screen

Did any strata contain unusable water? Yes ☐ No ☒

Type of water Surface

Depth of strata 1 ft. Method of sealing

strata off 1

Surface casing used? Yes ☒ No ☐

Cemented in place? Yes ☒ No ☐

Locate well in section

Sec. 11

LOCATION OF WELL: County Montana

Sec. 11 T. 5 N. & R. 2 E.

Use other side for additional remarks

Size of drilled hole 18 in. Total

depth of well 250 ft. Standing water

level below ground 178 ft. Temp.

Fahr. 50 Test delivery 100 gpm

or 100 gpm Pump? ☒ Ball ☐

Size of pump and motor used to make

Length of time of test 1 hr.

Drawdown 2 ft. Artesian pressure

above land surface 1 Give flow

of 1 gpm Shut off pressure

Controlled by Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☒

DEPTH MATERIAL WATER

FEET FEET YES OR NO

250 TA WATER

250 TA WATER

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NOV 16 1995

DEPT - 250'
18" DRILLED PIPE
250 HP ELECTRIC PUMP

FOR OFFICE USE ONLY
Amt. of Fee \$: 200.00
Receipt No. NO15304
Receipt By: CM
Date Received: 10-1-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT - 3 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-8924 Telephone No. (208) 687-5570

2. Name of Permit Holder(s): Rathdrum Power, LLC

3. Mailing Address: P.O. Box 995 920 Lancaster Road

City Rathdrum State ID Zip 83858

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. Feb. / yr. 1969

Well Driller: E.A. HOLMAN DRILLING CO. Drilling Permit Number: 105

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 0.04 cfs Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 0.12 cfs Other: INDUSTRIAL: 4.46 cfs

6. Total rate of diversion and/or volume for which proof is submitted: 4.49 cfs cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes X or No _____

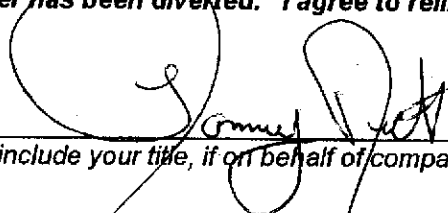
8. Fee Enclosed: \$ 200 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Tommy Arnett - Plant Manager Telephone Number: (209) 687-5570

Address: P.O. Box 995 920 Lancaster Road, Rathdrum, ID 83858

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:  Date: 9/30/02

(include your title, if on behalf of company or organization)

MICROFILMED

OCT 17 2002

FOR OFFICE USE ONLY
Amt. of Fee \$: 200.00
Receipt No. 11015304
Receipt By: cm
Date Received: 10-1-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT - 3 2002

Department of Water Resources

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2. Name of Permit Holder(s): Rathdrum Power, LLC

3. Mailing Address: P.O. Box 995 920 Lancaster Road

City Rathdrum State ID Zip 83858

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. July / yr. 2001

Well Driller: H2O WELL SERVICE Drilling Permit Number: 448

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 0.04 cfs Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 0.12 cfs Other: INDUSTRIAL: 4.46 cfs

6. Total rate of diversion and/or volume for which proof is submitted: 4.49 cfs cfs OR _____ acre-feet

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(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes X or No _____

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Signature of permit holder: [Signature] Date: 9/30/02

(include your title, if on behalf of company of organization)

MICROFILMED

OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 21 1998

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 95-08924

Name(s) of Permit Holder: Rathdrum Generation Partners Limited Partnership

Mailing Address: 9405 Arrowpoint Blvd. Charlotte, NC 28273-8110

Date Proof is Due: October 1, 1998 Telephone No. 704-525-3800

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Property has been purchased, power plant project has been designed and environmental
permits have been acquired. No construction has taken place on-site at this time.
Development of project is still continuing.

Costing \$ 3,970,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Development of electric generating plants is a long term task. Development can take
3 to 5 years, depending on the obstacles. Progress has been made and final development
is expected in late 1999.

Permit holder(s) request an extension to October 18, ~~200~~ 2003.

FEE: \$50.00

[Signature]
(Signature)* By its general partner: Cogentrix of Rathdrum I, Inc.
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1998.

Signed this 28 day of September, 19 98

SEP 29 1998
[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08924

Proposed Priority: August 10, 1995 Maximum Diversion Rate: 4.49 CFS

This is to certify, that **RATHDRUM GENERATION PARTNERS L P**
777 108TH AVE NE STE 1750
BELLEVUE WA 98004

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.12 CFS
INDUSTRIAL	01/01 to 12/31	4.46 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	4.49 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 11, Township 51N, Range 05W
NENW , Sec. 11, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	05W	11	NWNE	4.0		4.0

Total number of acres irrigated: 4.0

PLACE OF USE: INDUSTRIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
51N	05W	2	NESE	NWSE	SWSE
			SESE		
	11		NENE	NWNE	SWNE
			SENE	NENW	NWNW
			SWNW		

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
51N	05W	11	NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1998.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

NOV 1 1998

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 95-08924

CONDITIONS OF APPROVAL AND REMARKS

4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
8. The issuance of this right does not grant any right-of-way or easement across the land of another.
9. Industrial use is for power plant cooling and operation.
10. Domestic use is for office building.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

18 th day of October, 1995.

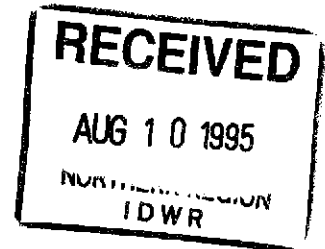
Karl J. Dreher
for Karl J. Dreher, Director

NOV 1 6 1995

RECEIVED
OCT 12 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT



95-08924

To appropriate the public waters of the State of Idaho

1. Name of applicant Rathdrum Generation Partners - L.P. Phone (206) 455-4499
Post office address: 777 - 108th Avenue NE, Suite 1750, Bellevue, WA 98004
2. Source of water supply: Ground water which is a tributary of N/A
3. Location of point of diversion is NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot N/A
Sec. 11 Township 51 N Range 5W B.M. Kootenai County;
additional points of diversion if any: SW/NE/Sec. 11 TWP 51 N R5W; SE/NE/NW Sec. 11 TWP 51 N R5W
4. Water will be used for the following purposes:
 - e 1 Amount 4.46 CFS 3161.34 AF/YR for Industrial purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
 - e 1 Amount 0.12 CFS 38.6 AF/YR for Irrigation purposes from March 15 to November 15 (both dates inclusive)
(cfs or acre-feet per annum)
 - e 3 Amount 0.04 CFS for Domestic purposes from January 1 to December 31, (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated is (a) 4.49 CFS and/or (b) 3228.9
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. A. Existing well 18" O.D., 250 Ft. Deep, 178 Ft Standing water level 250 HP pump; B. One new well
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 18 inches; proposed depth of well is 250 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 1969 Drilling firm E.A. Holman Drilling, Spokane, WA;
Well was drilled for (well owner) George Thayer

NOV 16 1995

Pub in Cda Press
9/14/95
Prepared 8/30/95

Pub. ok 9/15/95
Filing fee \$180.00
Receipt N 9335 8/11/95
Priority 8/10/95

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 3 Years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock.

- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Industrial, Power Plant cooling water makeup, irrigation

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example. - D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51N	5W	11		4															4
51N	5W	11	I	I D	I	I	I	I	I										
51N	5W	2													I	I	I	I	

Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Nixon / Pearson

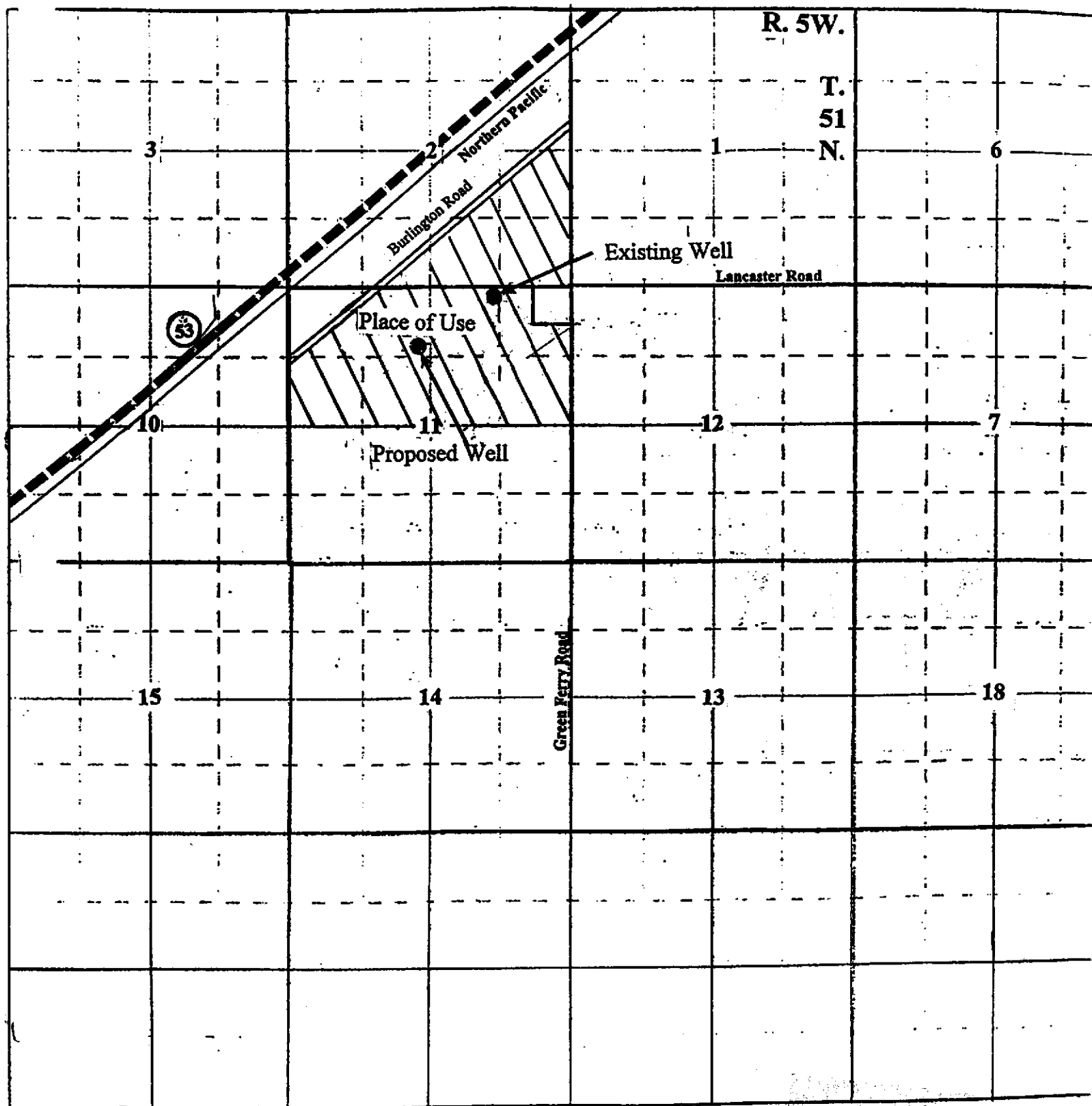
b. Who owns the land to be irrigated or place of use? Nixon / Pearson

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Purchase / Sale Agreement between Btu Energy, Inc. (assigned to RGP-LP) and Nixon / Pearson.

12. Remarks:

NOV 16 1995

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2002

RATHDRUM POWER LLC
PO BOX 995
RATHDRUM ID 83858

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-8924

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form(s) submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-8924

Reviewed By: dgibson

Date: October 10, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N015304	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	10/01/2002
Date proof due	- 10/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 08/10/1995
New priority date	= 08/10/1995

Deficiencies of Actions Items

Update address and acknowledge proof.

RATHDRUM POWER, LLC

P.O. Box 995
920 LANCASTER ROAD
RATHDRUM, IDAHO 83858
(208) 687-5570

September 30th, 2002

Ms. Deborah J. Gibson
Administration Assistant
Water Allocation Bureau
Idaho Department of Water Resources
P.O. Box 83720
1301 North Orchard Street
Boise, ID 83706

RECEIVED
OCT - 3 2002
Department of Water Resources
RECEIVED
OCT - 1 2002
IDWR/North

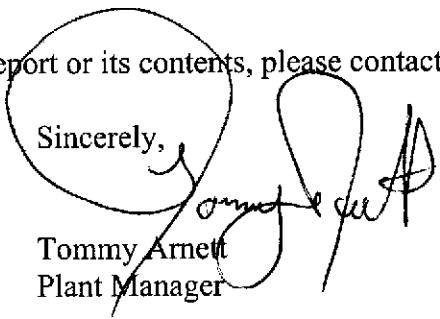
Subject: PERMIT NO. 95-8924 PROOF OF BENEFICIAL USE
Dear Ms. Gibson,

On behalf of Rathdrum Power, LLC, Rathdrum Operating Services, Inc. is submitting the attached "Proof Of Beneficial Usage" forms. All information required by the Idaho Department of Water Resources (IDWR), can be found on these attachments. The attached forms outline the two well water pumps under Permit Number 95-8924.

It is important to point out that the original well pumps and well water rights were purchased from the original owner, George Thayer (Permit Number 95-7032.) The attached forms reflect the purchased well and the well that was constructed for redundancy in the event of a well pump failure. The total allocated withdrawal for both pumps is 4.49 cfs. Enclosed is a check for \$200 per the License Examination Fee Schedule.

If you have any questions regarding this report or its contents, please contact me.

Sincerely,


Tommy Arnett
Plant Manager

cc:
Mark Casper – Cogentrix Energy
Rick Neff – Cogentrix Energy
EHS File 1.7.3

MICROFILMED

OCT 17 2002

July 31, 2002

RATHDRUM GENERATION PARTNERS L P
MR STEVEN J DOYON
9405 ARROWPOINT BLVD
CHARLOTTE, NC 28273

PROOF DUE NOTICE

RE: PERMIT NO. 95-8924

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

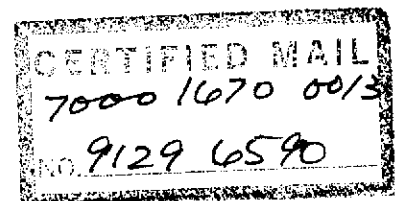
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
OCT 17 2002



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 95-08924 Reviewed by [Signature] Date 9-24-98

BASIC INFORMATION

9-21-98 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
Yes Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to Oct. 1, 2002, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address 9405 Arrowpoint Blvd., Charlotte, NC 28273-8100
Change Proof Due Date 10-1-2002
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 28, 1998

Rathdrum Generation Partners
Limited Partnership
9405 Arrowpoint Blvd
Charlotte NC 28273-8110

RE: Permit No. 95-08924

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **October 1, 2002**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

SEP 29 1998



Cogentrix Energy, Inc.
9405 Arrowpoint Boulevard
Charlotte, NC 28273-8110
704-525-3800
Fax 704-529-5313

September 18, 1998

RECEIVED

SEP 21 1998

Department of Water Resources

Ms. Julie L. Yarborough
Senior Secretary
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098

Subject: Water Right Permit No. 95-08924
Rathdrum Generation Partners Limited Partners
Request for Extension of Time

VIA FEDERAL EXPRESS

Dear Ms. Yarborough:

Please find enclosed a signed Request for Extension of Time for the subject water right permit along with the required \$50 filing fee. The project is nearing development closure with the purchase of the land this week. Construction start is expected early in the first quarter of 1999.

If you need any further information, please do not hesitate to call me at the above number.

Very truly yours,

A handwritten signature in black ink that reads "Mark A. Casper".

Mark A. Casper, Q.E.P.
Director - Environmental Affairs

:kf

Encl.

c: Kurt Humphrey

MICROFILMED

SEP 29 1998

MEMORANDUM

To: Notes
From: L. Glen Saxton, P.E. 
RE: TELEPHONE CALL
Date: September 15, 1998

On this date, Kim Gourley, an attorney called on behalf of his clients, Rathdrum Generation Partners L P. He wanted to know about the extension of time statutes and the review process.

Mr. Gourley indicated that no work has ~~not~~ been accomplished since the permit holder is just now about to purchase the property. I think he will submit an extension request.

MICROFILMED

SEP 29 1998

July 31, 1998

RATHDRUM GENERATION PARTNERS L P
MR STEVEN J DOYON
9405 ARROWPOINT BLVD
CHARLOTTE NC 28273

PROOF DUE NOTICE

RE: PERMIT NO. 95-08924

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

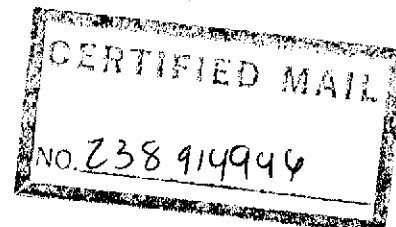
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

SEP 29 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 1996

MR STEVEN J DOYON
9405 ARROWPOINT BLVD
CHARLOTTE NC 28273

RE: Water Right Permit No. 95-08924

Dear Mr. Doyon:

We acknowledge receipt of the correspondence changing the address of the above referenced water right. We have modified our computer records to reflect this change in address.

Just a reminder, because of the new law that went into effect July 1, 1996, water right owners are required to report any change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Patti Harrell
Secretary

MICROFILMED

SEP 29 1998

Rathdrum Generation Partners, L.P.

RECEIVED
OCT 08 1996
Department of Water Resources

9405 Arrowpoint Boulevard
Charlotte, NC 28273-8110
704-525-3800
704-529-5313

October 1, 1996

Mr. Shelley W. Keen
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Rathdrum Generation Partners L.P.
Water Rights Permit No. 95-08924

Dear Mr. Keen:

Per your recent conversation with Mr. Steve Doyon of our office, this letter is a formal address change request regarding the water rights permit mentioned above. The address which is currently in your file for Rathdrum Generation Partners L.P. (777 108th Ave. NE, Suite 1750, Bellevue, WA 98004) is no longer valid. The new address and contact person are as follows:

Mr. Steven J. Doyon
9405 Arrowpoint Blvd.
Charlotte, NC 28273
TEL (704-525-3800)
FAX (704-525-9934)

This address change is a result of the departure of BTU Energy, Inc., one of the original partners of Rathdrum Generation Partners, L.P., from the partnership. Please feel free to call myself, or Mr. Doyon, with any questions you may have.

Sincerely,



William C. Campbell, III
Senior Vice President
Rathdrum Generation Partners Limited Partnership
(represented by Cogentrix of Rathdrum I, Inc., its General Partner)

cc: Steve Doyon
Kurt Humphrey
File

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 18, 1995

RATHDRUM GENERATION PARTNERS L P
777 108TH AVE NE STE 1750
BELLEVUE WA 98004

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08924

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
OCT 20 1995
BOISE

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 95-8924 Name: Rathdrum Generation Ptnrs Date: 10/16/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N 9339 Priority: 8/10/95 ✓ Gvmt Lts:

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - ~~P16~~
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
~~1/4-5~~ - 01M, 065 (if GW use SW 1st)

Drilling Permit:

2 PD's Existing well 1 pd in ~~NEW~~ NA (pre 7/1/87) (drilled 1969)
Included w/permit - Permit No. - , P99
No WD permit? \ pd in ~~NEW~~ 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District (~~dom~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
In WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R + L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs - P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) Nixon/Pearson Purchase Agreement

OTHER CONDITIONS:

STANDARD REMARKS:

① Only power plant cooling
② w/1 office

BENEFICIAL USE DUE:

COMMENTS:

10-1-1998

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 95-8924

WR1
BC
WRAPP

***** INITIAL REVIEW *****

APPLICANT: RATADORUM GEN. PARTNERS BY: AB DATE: 8/21/95

- ITEM REQUIRED INFORMATION
1. (x) Name and Address
 2. (x) Source
 3. (x) Point of Diversion & County
 4. (x) Quantity
(x) Nature of Proposed Use
(x) Period of Use
 5. (x) Total Quantity
 6. (x) Description of diverting works
 7. (x) Time required for b/u
 8. (x) Proposed use
 9. (x) Place of use or acres irrigated
 10. (x) Other Water Rights
 11. (x) Ownership
 13. (x) Map
(x) Signature
(x) Fee (Amt, recpt, acknowledgment)

PROCESSING
Yes No PRIORITY DATE: 8/10/95

x (Include Moratorium Remark)
x Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

CA/Thurs/ed
ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
() Power Information () Other: N/A

ADDITIONAL INFORMATION

Yes No
x Field check: by _____
x Field report attached
x Analysis Supp. attached(>5cfs/500af)
x Water delivered by water master?
Water District # _____

INFORMATION RECEIVED:
() Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No) Checked by: _____ Date: ____/____/____
x Groundwater management area Remarks: _____
x Critical ground water area _____
Well Drilling Permit required _____
Well Drilling Application and Fees received _____
Well Drilling Application approved? _____
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)
Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant
9/15 Affidavit of publication received
9/15 Application published correctly, If not, record action taken: _____
9/15 Publication dates and paper recorded on application | Sr. Agent initial AB
x Protests received. Final protest date: 9/25/95
x Measuring device required
x Measuring port required
x Special conditions: _____
x Special conditions of approval implement and/or cover letter attached:

Approval Recommended by: AB RYA **RECEIVED** Date: 9/28/95
OCT 12 1995

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Ken Alexander being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular THURS.
issue of said newspaper for 2 consecutive WEEKS
commencing on the 7th day of September, 1995, and
ending on the 14th day of September, 1995, and such
publication was made as often during said period as said daily
newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this 14th day of September, 1995.

Robert M. Mahley
Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

RECEIVED

SEP 15 1995

ROBERTA MAHLEY

Commission expires

2-5-99

NOTARY PUBLIC
IDWR

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 95-88922
MORTENSEN, V.J.
BOX 1960
HAYDEN, ID 83835
Source: GROUNDWATER
Diversion Pt: NWNW Sec 29 T 51N R 04W in KOOTENAI County.
Use: IRRIGATION (0.300 CFS)
DOMESTIC (0.110 CFS)
Total Diversion: (0.410 CFS)

Date Filed: 8/10/1995
In: KOOTENAI County
T51N R04W S29 NWNW
30.0 ACRES TOTAL
95-08923

BODENBURG, NANCY A HELMER
BODENBURG, JOHN W
P O BOX 2141
COEUR D'ALENE, ID 83816
Source: GROUNDWATER
Diversion Pt: NWSE Sec 9 T 48N R 04W in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 7/31/1995
In: KOOTENAI County
T48N R04W S09 NWSE
1.0 ACRES TOTAL
95-08924

RATHDRUM GENERATION PARTNERS LP
777 108TH AVE NE
SUITE 1750
BELLEVUE, WA 98004
Source: GROUNDWATER
Diversion Pt: NENWNE Sec 11 T 51N R 05W in KOOTENAI County.
SENENW Sec 11 T 51N R 05W in KOOTENAI County.
Use: IRRIGATION (0.120 CFS)
INDUSTRIAL (4.460 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (4.490 CFS)

Date Filed: 8/10/1995
In: KOOTENAI County
T51N R05W S02 NESE NWSE SWSE SESE
S11 NENE NWNE SWNE SENE
NENW NWNW SWNW
4.0 ACRES TOTAL
95-08925

ZIMMERMAN, BEN E
S956 PLEASANT VIEW ROAD
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COEUR D'ALENE LAKE
Diversion Pt: LOT 4 (SENE) Sec 7 T 50N R 05W in KOOTENAI County.
Use: IRRIGATION (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 8/22/1995
In: KOOTENAI County
T50N R05W S07 Lot 4 (SENE)
1.0 ACRES TOTAL
96-08894

STELLMON, E C
14314 E ALKI
SPOKANE, WA 992162007
Source: GROUNDWATER
Diversion Pt: NENWNE Sec 17 T 53N R 03W in KOOTENAI County.
Use: IRRIGATION (0.330 CFS)
DOMESTIC (0.170 CFS)
Total Diversion: (0.330 CFS)

Date Filed: 8/16/1995
In: KOOTENAI County
T53N R03W S17 NWNE SWNE
60.0 ACRES TOTAL
96-08900

CERNERA, PHILLIP
12148 E NUNN RD
ATHOL, ID 83801
Source: UNNAMED STREAM
Tributary: SAGE CREEK

Diversion Pt: NWNW Sec 31 T 53N R 02W in KOOTENAI County.
Use: IRRIGATION (0.060 CFS)
STORAGE (0.20 AF)
IRRIGATION FROM STORAGE (0.20AF)
STOCKWATER (0.020 CFS)
STOCKWATER STORAGE (0.20 AF)
STOCKWATER FROM STORAGE (0.20 AF)
WILDLIFE (0.020 CFS)
WILDLIFE STORAGE (0.20 AF)
AESTHETIC (0.020 CFS)
AESTHETIC STORAGE (0.20 AF)
Total Diversion: (0.120 CFS) (0.20 AF)

Date Filed: 6/26/1995
In: KOOTENAI County
T52N R02W S31 NWNW
3.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.
The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 25, 1995.

KARL J. DREHER, Director

Legal 449
Sept 7, 14, 1995

MICROFILMED

NOV 16 1995

95-08924

RATHDRUM GENERATION PARTNERS L P
777 108TH AVE NE
SUITE 1750
BELLEVUE, WA 98004

Source: GROUNDWATER

Diversion Pt: NENWNE Sec 11 T 51N R 05W in KOOTENAI County.
SENENW Sec 11 T 51N R 05W in KOOTENAI County.

Use: IRRIGATION	(	0.120 CFS)
INDUSTRIAL	(	4.460 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	4.490 CFS)

Date Filed: 8/10/1995

In: KOOTENAI County
T51N R05W S02
S11

NESE
NENE
NENW

NWSE
NWNE
NWNW

SWSE
SWNE
SWNW

SESE
SENE

4.0 ACRES TOTAL

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NOV 16 1995

August 30, 1995

Rathdrum Generation Partners - L.P.
777 - 108th Avenue NE, Suite 1750
Bellevue, WA 98004

Subject: Water Appropriation Application for Permit Number 95-08924

Dear Rathdrum Generation Partners - L.P.:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N009339. To assist us in providing you with prompt, accurate service, please refer to the above Application for Permit Number in all future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

NOV 16 1995

CERTIFICATE OF LIMITED PARTNERSHIP

OF

RATHDRUM GENERATION PARTNERS LIMITED PARTNERSHIP

This Certificate of Limited Partnership of Rathdrum Generation Partners Limited Partnership (the "Limited Partnership") is being executed by the undersigned for the purpose of forming a limited partnership pursuant to the Delaware Revised Uniform Limited Partnership Act.

1. The name of the limited partnership is Rathdrum Generation Partners Limited Partnership.

2. The address of the registered office of the limited partnership in Delaware is 1209 Orange Street, Wilmington, Delaware 19801. The limited partnership's registered agent at that address is The Corporation Trust Company.

3. The names and addresses of the general partners are:

<u>NAME</u>	<u>ADDRESS</u>
BTU Energy I, Inc.	1412 112th Avenue, NE Suite 200 Bellevue, WA 98004
Cogentrix of Rathdrum I, Inc.	9405 Arrowpoint Boulevard Charlotte, NC 28273-8110

IN WITNESS WHEREOF, the undersigned, constituting all of the general partners of the Partnership, have caused this Certificate of Limited Partnership to be duly executed as of the 18 day of November, 1994.

GENERAL PARTNERS:

BTU ENERGY I, INC.

By: [Signature]
Name: Gerald M. Shupe
Title: President

COGENTRIX OF RATHDRUM I, INC.

By: [Signature]
Name: James A. Lowe
Title: Group Vice President

NOV 16 1995

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 95-7032 Priority Sept. 17, 1968 Amount 4.46 cfsTHIS IS TO CERTIFY, that GEORGE E. THAYER & O.C. THAYER
of Rathdrum, Idaho, have ~~xxx~~ complied with the terms and conditions of PermitNo. 95-7032 issued pursuant to Application for Permit dated September 17, 1968and has submitted proof to the Department of Water Administration on October 28, 1973that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.46 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Oct. 31</u>	at <u>4.46</u> cfs and	<u>973 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 4.46 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
973 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 11,
Twp. 51 N, Rge. 5 W, B. M. in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
51 N	5 W	2												9	35	8	37	34	123
		11	39	38	38	40													155

Total number of acres irrigated 278

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 74.

RECEIVED
JUN 15 1994

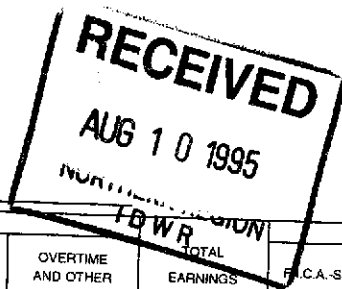
Director *[Signature]*

95-7032

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

BTU ENERGY, INC.

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
8/8/95		\$ 555.00	6250	\$ 555.00



EMPLOYEE

PERIOD ENDING	EARNINGS					DEDUCTIONS					TOTAL DEDUCTIONS	NET PAY
	HOURS	RATE	AMOUNT EARNED AT REGULAR RATE	OVERTIME AND OTHER	TOTAL EARNINGS	F.I.C.A.-SS	F.I.C.A.-MED.	WITHHOLDING U.S. INC. TAX				

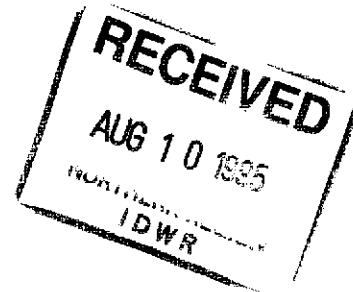
VW - CS-VA7

Rathdrum Generation Partners - L.P.

777 - 108th Avenue NE, Suite 1750, Bellevue, WA 98004 206/455-4499 Fax 206/455-4130

August 7, 1995

Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 85814



Attn: Al Beardslee

Dear Al:

Enclosed please find our completed "Application for Permit" to re-appropriate waters previously covered under the license of water right No. 95-7032 granted to George Thayer on September 17, 1968.

A check in the amount of \$555.00 is also enclosed for the application fee based on 3228.9 AF/yr.

Please do not hesitate to call me at (206) 455-4499 if you have any questions.

Sincerely,

Rathdrum Generation Partners - L.P.

A handwritten signature in dark ink, appearing to read "Roger Kilgore".

By: Btu Energy, Inc., its General Partner
Roger Kilgore, Vice President

RK/ll

cc: Kurt Humphrey, Cogentrix

Btu ENERGY, INC.

R. H. Kilgore
Vice President

777 108th Ave. N.E.
Suite 1750
Bellevue, WA 98004

206/455-4499
Fax 206/455-4130

A faint, circular stamp or seal, possibly a company seal or a date stamp, located at the bottom right of the page.

NOV 16 1995