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August 19, 2015

Jenny Hicks  
Economic Development and Analysis Division  
Texas Comptroller of Public Accounts  
111 E. 17th St.  
Austin, TX 78774

*Via Email and Federal Express*

Re: App 1085 Dimmitt ISD – Orion Wind Resources, LLC

Dear Jenny:

Enclosed are amended wage data pages provided by the Applicant for the Chapter 313 Application submitted by Orion Wind Resources, LLC to Dimmitt ISD (the "Application"). Also enclosed is the resolution approving the reinvestment zone for Tab 16, along with a signature page signed by both the Applicant and District to acknowledge this Amendment No. 002.

A CD containing these documents is also enclosed. This Amendment, dated August 18, 2015 and numbered 002, is the second amendment to the Application. Please let me know if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Audie Sciumbato", written in a cursive style.

Audie Sciumbato, PhD

Encl.  
J9YHAGIT0D7LXN

cc: Brandon Westlake, Cummings Westlake, LLC

Application for Appraised Value Limitation on Qualified Property

**SECTION 14: Wage and Employment Information**

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? ..... 0
2. What is the last complete calendar quarter before application review start date:  
 First Quarter     Second Quarter     Third Quarter     Fourth Quarter of 2015  
(year)
3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? ..... 0  
**Note:** For job definitions see TAC §9.1051 and Tax Code §313.021(3).
4. What is the number of new qualifying jobs you are committing to create? ..... 10
5. What is the number of new non-qualifying jobs you are estimating you will create? ..... 0
6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? .....  Yes     No  
 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).  
 a. Average weekly wage for all jobs (all industries) in the county is ..... 684.00  
 b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 1,040.00  
 c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 927.00
8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? .....  §313.021(5)(A) or  §313.021(5)(B)
9. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... 48,203.00
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 48,203.00
11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? .....  Yes     No
12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? .....  Yes     No  
 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? .....  Yes     No  
 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

**SECTION 15: Economic Impact**

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (*not required*)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

**ORION WIND RESOURCES LLC  
TAB 13 TO CHAPTER 313 APPLICATION**

**CASTRO COUNTY  
CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2015	\$ 664	\$ 34,528
SECOND	2014	\$ 648	\$ 33,696
THIRD	2014	\$ 670	\$ 34,840
FOURTH	2014	\$ 755	\$ 39,260
AVERAGE		\$ 684	\$ 35,581

**CASTRO COUNTY  
CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2015	\$ 947	\$ 49,244
SECOND	2014	\$ 943	\$ 49,036
THIRD	2014	\$ 847	\$ 44,044
FOURTH	2014	\$ 1,045	\$ 54,340
AVERAGE		\$ 946	\$ 49,166
X		110%	110%
		\$ 1,040	\$ 54,083

**CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE**

	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
Panhandle	2014	\$ 843	\$ 43,821
X		110%	110%
		\$ 927	\$ 48,203

\* SEE ATTACHED TWC DOCUMENTATION

# Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2015	1st Qtr	Castro County	Private	00	0	10	Total, All Industries	\$664
2014	2nd Qtr	Castro County	Private	00	0	10	Total, All Industries	\$648
2014	3rd Qtr	Castro County	Private	00	0	10	Total, All Industries	\$670
2014	4th Qtr	Castro County	Private	00	0	10	Total, All Industries	\$755

# Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2015	1st Qtr	Castro County	Private	31	2	31-33	Manufacturing	\$947
2014	2nd Qtr	Castro County	Private	31	2	31-33	Manufacturing	\$943
2014	3rd Qtr	Castro County	Private	31	2	31-33	Manufacturing	\$847
2014	4th Qtr	Castro County	Private	31	2	31-33	Manufacturing	\$1,045

**2014 Manufacturing Average Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>	<b>\$24.18</b>	<b>\$50,305</b>
<b>1. Panhandle Regional Planning Commission</b>	<b>\$21.07</b>	<b>\$43,821</b>
<a href="#">2. South Plains Association of Governments</a>	\$16.75	\$34,834
<a href="#">3. NORTEX Regional Planning Commission</a>	\$20.23	\$42,077
<a href="#">4. North Central Texas Council of Governments</a>	\$25.32	\$52,672
<a href="#">5. Ark-Tex Council of Governments</a>	\$17.80	\$37,017
<a href="#">6. East Texas Council of Governments</a>	\$19.87	\$41,332
<a href="#">7. West Central Texas Council of Governments</a>	\$19.41	\$40,365
<a href="#">8. Rio Grande Council of Governments</a>	\$17.82	\$37,063
<a href="#">9. Permian Basin Regional Planning Commission</a>	\$23.65	\$49,196
<a href="#">10. Concho Valley Council of Governments</a>	\$18.70	\$38,886
<a href="#">11. Heart of Texas Council of Governments</a>	\$20.98	\$43,636
<a href="#">12. Capital Area Council of Governments</a>	\$28.34	\$58,937
<a href="#">13. Brazos Valley Council of Governments</a>	\$17.57	\$36,547
<a href="#">14. Deep East Texas Council of Governments</a>	\$17.76	\$36,939
<a href="#">15. South East Texas Regional Planning Commission</a>	\$29.21	\$60,754
<a href="#">16. Houston-Galveston Area Council</a>	\$26.21	\$54,524
<a href="#">17. Golden Crescent Regional Planning Commission</a>	\$23.31	\$48,487
<a href="#">18. Alamo Area Council of Governments</a>	\$19.46	\$40,477
<a href="#">19. South Texas Development Council</a>	\$13.91	\$28,923
<a href="#">20. Coastal Bend Council of Governments</a>	\$25.12	\$52,240
<a href="#">21. Lower Rio Grande Valley Development Council</a>	\$16.25	\$33,808
<a href="#">22. Texoma Council of Governments</a>	\$20.51	\$42,668
<a href="#">23. Central Texas Council of Governments</a>	\$18.02	\$37,486
<a href="#">24. Middle Rio Grande Development Council</a>	\$20.02	\$41,646

110% x \$43,821 =  
\$48,203

Source: Texas Occupational Employment and Wages

Data published: July 2015

Data published annually, next update will be July 31, 2016

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

Schedule C: Employment Information

Date 8/6/2015  
 Applicant Name ORION WIND RESOURCES, LLC  
 ISD Name Dimmitt ISD

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A Number of Construction FTE's or man-hours (specify)	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Average annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2015-2016	2015	0	0	0	0	0
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2016-2017	2016	200 FTE	40,000	0	0	0
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2017-2018	2017	N/A	N/A	0	10	48,203
	2	2018-2019	2018	N/A	N/A	0	10	48,203
	3	2019-2020	2019	N/A	N/A	0	10	48,203
	4	2020-2021	2020	N/A	N/A	0	10	48,203
	5	2021-2022	2021	N/A	N/A	0	10	48,203
	6	2022-2023	2022	N/A	N/A	0	10	48,203
	7	2023-2024	2023	N/A	N/A	0	10	48,203
	8	2024-2025	2024	N/A	N/A	0	10	48,203
	9	2025-2026	2025	N/A	N/A	0	10	48,203
	10	2026-2027	2026	N/A	N/A	0	10	48,203
Years Following Value Limitation Period	11 through 25	2027-2042	2027-2041	N/A	N/A	0	10	48,203

Notes: See TAC 9.1051 for definition of non-qualifying jobs.  
 Only include jobs on the project site in this school district.

- C1.** Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25)  Yes  No  
 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)  
 If yes, answer the following two questions:
- C1a.** Will the applicant request a job waiver, as provided under 313.025(f-1)?  Yes  No
- C1b.** Will the applicant avail itself of the provision in 313.021(3)(F)?  Yes  No

**RESOLUTION OF THE COMMISSIONERS COURT  
OF CASTRO COUNTY, TEXAS  
DESIGNATING REINVESTMENT ZONE NUMBER 2015-01**

**A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR A COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN CASTRO COUNTY, TEXAS, ESTABLISHING THE BOUNDARIES THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.**

*WHEREAS*, the Commissioners Court of Castro County, Texas desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (Texas Property Tax Code § 312.001, *et seq.*), and the Tax Abatement Guidelines and Criteria of Castro County (the "Guidelines"); and

*WHEREAS*, on August 10, 2015, a hearing before the Commissioners Court of Castro County, Texas was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing in the local newspaper of general circulation in Castro County and the delivery of written notice to the respective presiding officers of each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

*WHEREAS*, the Commissioners Court of Castro County, Texas at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone; and

*WHEREAS*, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, of the reinvestment zone appeared to contest the creation of the reinvestment zone.

*BE IT RESOLVED BY THE COMMISSIONERS COURT OF CASTRO COUNTY, TEXAS:*

SECTION 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 2. That the Commissioners Court of Castro County, Texas, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed

reinvestment zone; and

- (b) That the boundaries of the proposed reinvestment zone should be the area described in the description attached hereto as Exhibit "A" and depicted on the map attached hereto as Exhibit "B", both Exhibits being incorporated herein by reference for all purposes, and the contents of Exhibit "B" controlling in the event of any discrepancy between Exhibit "A" and Exhibit "B"; and,
- (c) That creation of the reinvestment zone will result in benefits to Castro County, Texas and to land included in the reinvestment zone and that the improvements sought are feasible and practical; and
- (d) The reinvestment zone meets the criteria set forth in Texas Property Tax Code Chapter 312 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of Castro County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Castro County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, the Castro County Commissioners Court hereby creates Castro County Reinvestment Zone Number 2015-01; a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in Exhibit "A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Castro County Reinvestment Zone Number 2015-01.

SECTION 4. That Castro County Reinvestment Zone Number 2015-01 shall take effect on August 10, 2015 and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. That it is hereby found, determined and declared that sufficient notice of the date, hour, place and subject, of the meeting of the Castro County Commissioners Court at which this Resolution was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of general circulation within the County, and furthermore, such notice was in fact delivered to the presiding

officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this the 10<sup>th</sup> day of August, 2015.

*Tom McClain*

Tom McClain  
Commissioner, Precinct 1

*Tim Elliot*

Tim Elliot  
Commissioner, Precinct 2

*Steve Smith*

Steve Smith  
Commissioner, Precinct 3

*Ralph Brockman*

Ralph Brockman  
Commissioner, Precinct 4

*Carroll Gerber*

Carroll Gerber  
County Judge

*Joanna Blanco*

County Clerk

[COUNTY SEAL]

**EXHIBIT A**  
**DESCRIPTION OF**  
**CASTRO COUNTY**  
**REINVESTMENT ZONE 2015-01**

All of Sections 120, 121, 122, 123, 142, 143, 144, 145, 164, 165, 166, and 167, Block M-7, BS & F Survey, Castro County, Texas.

All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, J.T. Jowell Subdivision of Capital Leagues 489 and 491, Castro County, Texas.

All of Section 1, J.A. Carter Survey, Castro County, Texas.

All of Section 2, T.L. Crews Survey, Castro County, Texas.

All of Sections 1, 12, and 13, Block 0-4, D & SE RR CO Survey, Castro County, Texas.

All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, 31, & 32, Block 0-3, EL & RR CO Survey, Castro County, Texas.

All of Sections 1, 2, 3, and 4, S.S. Evants Survey, Castro County, Texas.

All of Section 5, W.R. Evants Survey, Castro County, Texas.

All of League 3, Gregg CSL Survey, Castro County, Texas.

All of Sections 31, 32, 33, and 34, Block M10A, HE & WT RR CO Survey, Castro County, Texas.

All of Sections 1, 2, 3, and 4, G.W. Irwin Jr. Survey, Castro County, Texas.

All of Sections 5, 6, and 7, G.W. Nelson Survey, Castro County, Texas.

All of Sections 1, 2, and 7, W.A. Odell Survey, Castro County, Texas.

All of League 6, Block M-10-A, R.T. Higginbotham Survey, Castro County, Texas.

All of League 490, Abner Taylor Survey, Castro County, Texas.

All of Sections 47, 48, 56, 57, 64, 65, 66, 67, 70, 71, 74, and 75, Block T, R.M. Thomson Survey, Castro County, Texas.

All of Sections 20, 21, 22, 23, 24, 25, 41, 42, and 43, Block T-4, T.A. Thomson Survey, Castro County, Texas.

All of League 7, Block M-10A, R. Williams Survey, Castro County, Texas.

All of Sections 23, 24, & 25, Block H, Kelly Subdivision, Castro County, Texas.

# EXHIBIT B

## MAP OF REINVESTMENT ZONE 2015-01

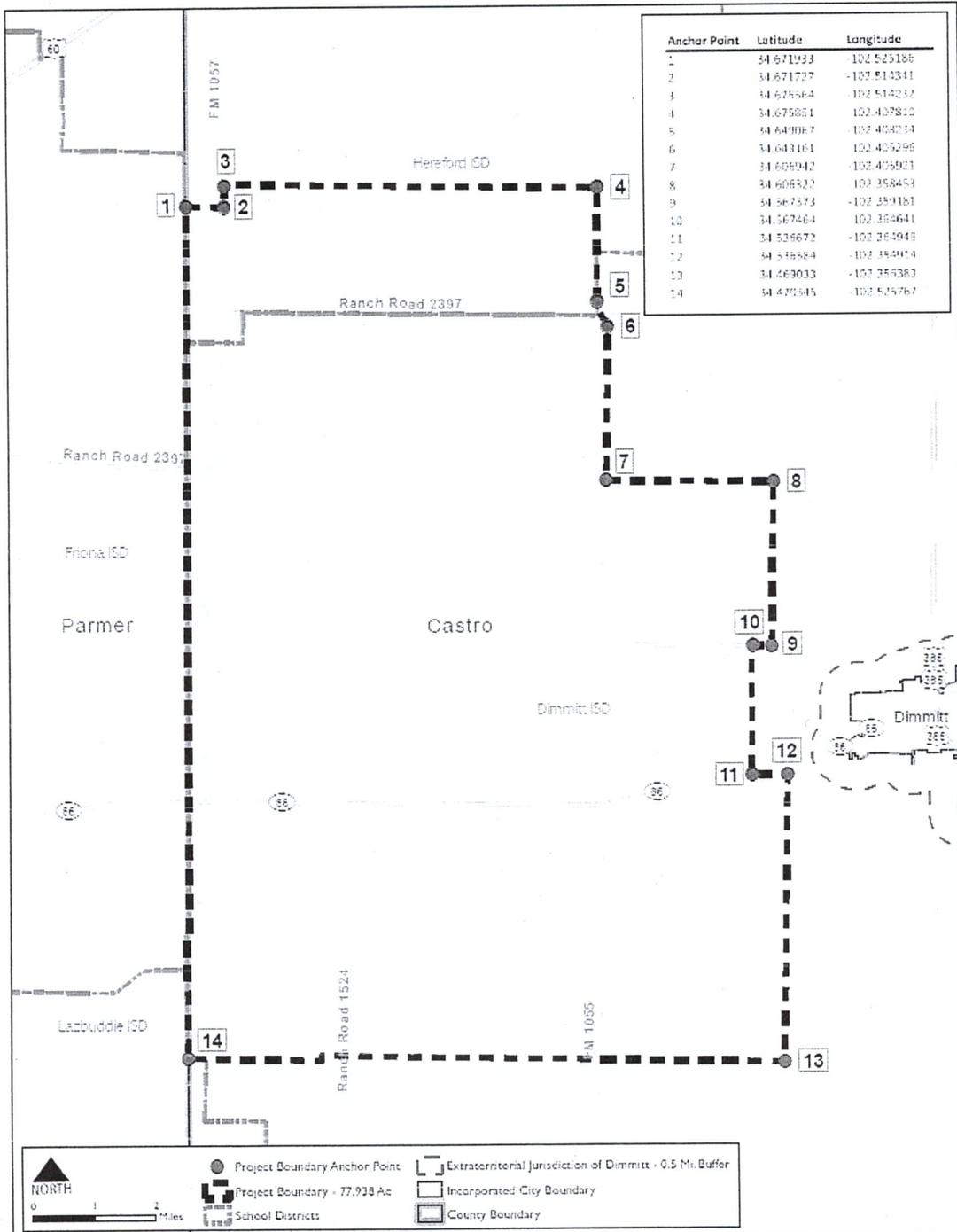


Exhibit "B"



Application for Appraised Value Limitation on Qualified Property

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17. NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print here -> Bryan Davis Superintendent
Print Name (Authorized School District Representative) Title
sign here -> [Signature] 8-10-15
Signature (Authorized School District Representative) Date

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here -> Nicholas Hiza Chief Development Officer
Print Name (Authorized Company Representative (Applicant)) Title
sign here -> [Signature] 8/7/2015
Signature (Authorized Company Representative (Applicant)) Date



(Notary Seal)

GIVEN under my hand and seal of office this, the
day of
See California's Trust Below
Notary Public in and for the State of Texas
My Commission expires:

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
STATE OF CALIFORNIA COUNTY OF Alameda
Subscribed and sworn to (or affirmed) before me on this 7 day of Aug
20 15 by Nicholas Hiza
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
[Signature]
(Signature of Notary)