

**O'HANLON, DEMERATH & CASTILLO**

ATTORNEYS AND COUNSELORS AT LAW

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July 14, 2020

Local Government Assistance & Economic Analysis  
Texas Comptroller of Public Accounts  
P.O. Box 13528  
Austin, Texas 78711-3528

RE: Amendment002Execution001 to Benjamin Independent School District from Griffin Trail Wind, LLC

To the Local Government Assistance & Economic Analysis Division:

Enclosed is Amendment002Execution001 to Benjamin ISD from Griffin Trail Wind, LLC. The following changes have been made:

1. Page 1 of Application Form – Section 1: changed the name and email address of the school district superintendent;
2. Page 3 of Application Form – Section 4: changed name of authorized company consultant;
3. Page 5 of Application Form – Section 9: Revised projected timeline (Item #2, 4, 5, 6 & 8);
4. Page 5 of Application Form – Section 10: Revised item 4 to update jurisdiction tax rates;
5. Page 6 of Application Form – Section 3: Revised item 3 to confirm land is in a reinvestment zone and show date the reinvestment zone was created;
6. Tab 4 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed- revised accordingly;
7. Tab 6 – The number of turbines and megawatts in Benjamin ISD and Seymour ISD have changed slightly as have jurisdiction tax rates – revised accordingly;
8. Tab 7 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed- revised accordingly;
9. Tab 8 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed - revised accordingly;
10. Tab 11 – Overall project and Benjamin ISD turbine layout has changed – new maps provided;
11. Tab 14 – Schedules A1, A2, B, and C revised to reflect delayed timeline – new schedules provided
12. Tab 17 – New signature page;

A copy of the supplement will be submitted to the Knox County Appraisal District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin O'Hanlon', written in a cursive style.

Kevin O'Hanlon  
School District Consultant

Cc: Knox County Appraisal District  
Griffin Trail Wind, LLC



CUMMINGS WESTLAKE  
PROPERTY TAX ADVISORS

June 9, 2020

Mr. Gordon N. Thomas, Superintendent and  
Board of Trustees  
Benjamin ISD  
300 Hays Street  
Benjamin, TX 79505

Re: Notice of Request for Amendment to the Limitation on Appraised Value Agreement dated October 14, 2019, by and between Benjamin Independent School District and Griffin Trail Wind, LLC as the “Applicant” (the “**Agreement**”)

Dear Mr. Thomas and members of the Board of Trustees:

Please accept this letter as Griffin Trail Wind, LLC’s (the “**Applicant**”) request to Benjamin Independent School District (the “**District**”) under Section 10.2 of the Agreement to amend the start of the Tax Limitation Period to properly align these with the revised timing of construction and operations.

Specifically, this letter is intended to (a) submit to the District and the Comptroller a written request to amend the start of the Limitation Period; (b) notify the District and the Comptroller of the changes to the information that was provided in the Application approved by the District; (c) provide any additional information reasonably requested by the District or the Comptroller for the purpose of re-evaluating the new or changed conditions.

Since the time the Application was submitted, and the Agreement was thereafter approved and executed, Applicant has had delays in construction and is requesting that the Limitation Period be moved to start on January 1, 2022. In the original application and agreement, Applicant expected to start the value limitation on January 1, 2021 as it planned to start commercial operations in late 2020. Applicant now plans for commercial operations to commence in late 2021.

The following is a list of the amendments that are being made on the enclosed pages:

1. Page 1 of Application Form – Section 1: changed the name and email address of the school district superintendent;
2. Page 3 of Application Form – Section 4: changed name of authorized company consultant;

3. Page 5 of Application Form – Section 9: Revised projected timeline (Item #2, 4, 5, 6 & 8);
4. Page 5 of Application Form – Section 10: Revised item 4 to update jurisdiction tax rates;
5. Page 6 of Application Form – Section 3: Revised item 3 to confirm land is in a reinvestment zone and show date the reinvestment zone was created;
6. Tab 4 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed- revised accordingly;
7. Tab 6 – The number of turbines and megawatts in Benjamin ISD and Seymour ISD have changed slightly as have jurisdiction tax rates – revised accordingly;
8. Tab 7 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed- revised accordingly;
9. Tab 8 – Project timing of construction and commencement of operations has been delayed and number of turbines and megawatts has changed - revised accordingly;
10. Tab 11 – Overall project and Benjamin ISD turbine layout has changed – new maps provided;
11. Tab 14 – Schedules A1, A2, B, and C revised to reflect delayed timeline – new schedules provided
12. Tab 17 – New signature page;

Applicant hereby requests that an amendment as described herein be posted for a public hearing before the Board of Trustees in accordance with applicable law, and after conducting a public hearing on the matter, the Board of Trustees approve such an amendment and take all other action as may be required by law or the Comptroller’s Rules as necessary to effect this amendment. A draft amendment to the Agreement with the changes described above will be provided to the District by its legal counsel for its consideration in advance of such meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Weston Jackson", with a long horizontal flourish extending to the right.

J. Weston Jackson  
Consultant for Griffin Trail Wind, LLC

cc Honorable Glenn Hegar  
Texas Comptroller of Public Accounts

c/o Will Counihan, Manager  
Economic Development & Analysis  
P.O. Box 13528, Capitol Station  
Austin, Texas 78711-3528

Ms. Mitzi Welch, Chief Appraiser  
Knox County Appraisal District  
100 W. Cedar St.  
Benjamin, Texas 79505

Mr. Dan Casey  
Moak, Casey & Associates LLP  
901 S MoPac Expressway Bldg. III, Ste 310  
Austin, TX 78746

Mr. Scott Caldwell  
Senior Director - Development, USA  
Griffin Trail Wind, LLC  
4660 La Jolla Drive, Suite 680  
San Diego, CA 92122

Enclosures

# Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

**INSTRUCTIONS:** This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application. This notice must include:
  - the date on which the school district received the application;
  - the date the school district determined that the application was complete;
  - the date the school board decided to consider the application; and
  - a request that the Comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original hard copy of the completed application to the Comptroller in a three-ring binder with tabs, as indicated on page 9 of this application, separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its website. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules. For more information, see guidelines on Comptroller's website.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, issue a certificate for a limitation on appraised value to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application not later than the 150th day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to issue a certificate, complete the economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's website to find out more about the program at [comptroller.texas.gov/economy/local/ch313/](http://comptroller.texas.gov/economy/local/ch313/). There are links to the Chapter 313 statute, rules, guidelines and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

## SECTION 1: School District Information

### 1. Authorized School District Representative

March 11, 2019

Date Application Received by District

Gordon

First Name

Thomas

Last Name

Superintendent

Title

Benjamin ISD

School District Name

300 W. Hays St.

Street Address

300 W. Hays St.

Mailing Address

Benjamin

City

940-459-2231

Phone Number

TX

State

940-459-2007

Fax Number

79505

ZIP

gordon.nthomas@esc9.net

Email Address

Mobile Number (optional)

2. Does the district authorize the consultant to provide and obtain information related to this application? .....

Yes

No

**SECTION 1: School District Information (continued)**

**3. Authorized School District Consultant (If Applicable)**

|  |  |
|--|--|
| <u>Daniel T.</u><br>First Name                       | <u>Casey</u><br>Last Name                    |
| <u>Partner</u><br>Title                              |  |
| <u>Moak Casey &amp; Associates, LLP</u><br>Firm Name |  |
| <u>512-485-7878</u><br>Phone Number                  | <u>512-485-7888</u><br>Fax Number            |
|  | <u>dcasey@moakcasey.com</u><br>Email Address |
| <u>Mobile Number (optional)</u>                      |  |

4. On what date did the district determine this application complete? .....
5. Has the district determined that the electronic copy and hard copy are identical? .....  Yes  No

**SECTION 2: Applicant Information**

**1. Authorized Company Representative (Applicant)**

|   |  |
|---|--|
| <u>Matt</u><br>First Name                                     | <u>Kennedy</u><br>Last Name                            |
| <u>Vice President</u><br>Title                                | <u>Griffin Trail Wind, LLC</u><br>Organization         |
| <u>1185 West Georgia Street, Suite 900</u><br>Street Address  |  |
| <u>1185 West Georgia Street, Suite 900</u><br>Mailing Address |  |
| <u>Vancouver</u><br>City                                      | <u>British Columbia</u><br>State                       |
| <u>604-633-9990</u><br>Phone Number                           | <u>V6E 4E6</u><br>ZIP                                  |
|   | <u>604-633-9991</u><br>Fax Number                      |
|   | <u>MKennedy@innergex.com</u><br>Business Email Address |
| <u>Mobile Number (optional)</u>                               |  |

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? .....  Yes  No
- 2a. If yes, please fill out contact information for that person.

|  |   |
|--|---|
| <u>Scott</u><br>First Name                               | <u>Caldwell</u><br>Last Name                            |
| <u>Senior Director - Development, USA</u><br>Title       | <u>Griffin Trail Wind, LLC</u><br>Organization          |
| <u>4660 La Jolla Drive, Suite 680</u><br>Street Address  |   |
| <u>4660 La Jolla Drive, Suite 680</u><br>Mailing Address |   |
| <u>San Diego</u><br>City                                 | <u>CA</u><br>State                                      |
| <u>512-541-0194</u><br>Phone Number                      | <u>92122</u><br>ZIP                                     |
|  | <u>604-633-9991</u><br>Fax Number                       |
|  | <u>SCaldwell@innergex.com</u><br>Business Email Address |
| <u>Mobile Number (optional)</u>                          |   |

3. Does the applicant authorize the consultant to provide and obtain information related to this application? .....  Yes  No

SECTION 2: Applicant Information (continued)

4. Authorized Company Consultant (If Applicable)

Wes \_\_\_\_\_ Jackson \_\_\_\_\_  
 First Name Last Name  
 Consultant \_\_\_\_\_  
 Title \_\_\_\_\_  
 Cummings Westlake, LLC \_\_\_\_\_  
 Firm Name \_\_\_\_\_  
 713-266-4456 \_\_\_\_\_ 713-266-2333 \_\_\_\_\_  
 Phone Number Fax Number  
 wjackson@cwlp.net \_\_\_\_\_  
 Business Email Address

SECTION 3: Fees and Payments

1. Has an application fee been paid to the school district?  Yes  No  
 The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.  
 1a. If yes, attach in **Tab 2** proof of application fee paid to the school district.
- For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.
2. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)?  Yes  No  N/A
3. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)?  Yes  No  N/A

SECTION 4: Business Applicant Information

1. What is the legal name of the applicant under which this application is made? \_\_\_\_\_ Griffin Trail Wind, LLC \_\_\_\_\_
2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) \_\_\_\_\_ 32062400406 \_\_\_\_\_
3. List the NAICS code \_\_\_\_\_ 221115 \_\_\_\_\_
4. Is the applicant a party to any other pending or active Chapter 313 agreements?  Yes  No  
 4a. If yes, please list application number, name of school district and year of agreement  
 #1357, Seymour ISD, 2019

SECTION 5: Applicant Business Structure

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) \_\_\_\_\_ Limited liability corporation \_\_\_\_\_
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)?  Yes  No  
 2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.
3. Is the applicant current on all tax payments due to the State of Texas?  Yes  No
4. Are all applicant members of the combined group current on all tax payments due to the State of Texas?  Yes  No  N/A
5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)

**SECTION 9: Projected Timeline**

- 1. Application approval by school board ..... August 2019
- 2. Commencement of construction ..... Q4 2020
- 3. Beginning of qualifying time period ..... January 1, 2020
- 4. First year of limitation ..... January 1, 2022
- 5. Begin hiring new employees ..... Q4 2021
- 6. Commencement of commercial operations ..... Q4 2021
- 7. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? .....  Yes  No  
**Note:** Improvements made before that time may not be considered qualified property.
- 8. When do you anticipate the new buildings or improvements will be placed in service? ..... Q4 2021

**SECTION 10: The Property**

- 1. Identify county or counties in which the proposed project will be located ..... Knox
- 2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property ..... Knox
- 3. Will this CAD be acting on behalf of another CAD to appraise this property? .....  Yes  No
- 4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:  
 County: Knox, \$.7448, 100% City: n/a  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Hospital District: Knox County, \$.39299, 100% Water District: Rolling Plains Groundwater, \$.02616, 100%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Other (describe): n/a Other (describe): n/a  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
- 5. Is the project located entirely within the ISD listed in Section 1? .....  Yes  No  
 5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
- 6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? .....  Yes  No  
 6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

**SECTION 11: Investment**

**NOTE:** The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller’s website at [comptroller.texas.gov/economy/local/ch313/](http://comptroller.texas.gov/economy/local/ch313/).

- 1. At the time of application, what is the estimated minimum qualified investment required for this school district? ..... 10,000,000.00
- 2. What is the amount of appraised value limitation for which you are applying? ..... 20,000,000.00  
**Note:** The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
- 3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? .....  Yes  No
- 4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
  - a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
  - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
  - c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (**Tab 11**).
- 5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? .....  Yes  No

**SECTION 12: Qualified Property**

1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
  - 1a. a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 8);
  - 1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (Tab 8); and
  - 1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)?  Yes  No
  - 2a. If yes, attach complete documentation including:
    - a. legal description of the land (Tab 9);
    - b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
    - c. owner (Tab 9);
    - d. the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
    - e. a detailed map showing the location of the land with vicinity map (Tab 11).
3. Is the land on which you propose new construction or new improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303?  Yes  No
  - 3a. If yes, attach the applicable supporting documentation:
    - a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
    - b. legal description of reinvestment zone (Tab 16);
    - c. order, resolution or ordinance establishing the reinvestment zone (Tab 16);
    - d. guidelines and criteria for creating the zone (Tab 16); and
    - e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
  - 3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone? April 8, 2019

**SECTION 13: Information on Property Not Eligible to Become Qualified Property**

1. In Tab 10, attach a specific and detailed description of all **existing property**. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
2. In Tab 10, attach a specific and detailed description of all **proposed new property that will not become new improvements** as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in Tab 10:
  - a. maps and/or detailed site plan;
  - b. surveys;
  - c. appraisal district values and parcel numbers;
  - d. inventory lists;
  - e. existing and proposed property lists;
  - f. model and serial numbers of existing property; or
  - g. other information of sufficient detail and description.
4. Total estimated market value of existing property (that property described in response to question 1): \$ \_\_\_\_\_ 0.00
5. In Tab 10, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
6. Total estimated market value of proposed property not eligible to become qualified property (that property described in response to question 2): \$ \_\_\_\_\_ 0.00

**Note:** Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.

**Griffin Trail Wind, LLC**

**Chapter 313 Application to Benjamin ISD**

**Cummings Westlake, LLC**

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**TAB 4**

*Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.*

Description of Project

Griffin Trail Wind, LLC (“Griffin Trail”) is requesting an appraised value limitation from Benjamin Independent School District (ISD) for the Griffin Trail Wind Project (the “Project”), a proposed wind powered electric generating facility in Knox County. The proposed Benjamin ISD portion of the Project (this application) will be constructed within a reinvestment zone established by Knox County Commissioners Court on April 8, 2019.

The proposed Project is anticipated to have a total capacity of 225.6 MW, with approximately 95.88 MW located in Benjamin ISD. Turbine selection is ongoing at this time and has not been finalized. The exact number of wind turbines and size of each turbine will vary depending upon the wind turbines selected, manufacturer’s availability and prices, ongoing wind studies and the final megawatt generating capacity of the Project when completed. Current plans are to install 2.82 MW General Electric turbines with an estimated 34 turbines located in Benjamin ISD. Portions of the project will be located in Seymour ISD and a separate Chapter 313 application is being submitted to that district for their respective portion of the project. The Applicant requests a value limitation for all materials and equipment installed for the Project, including but not limited to; wind turbines, turbine transformers (pad-mounts), towers, foundations, roadways, buildings and offices, anemometer towers, collection system, electrical substation (identified on map as “Collector Substation” as a green box), transmission line and associated towers, and interconnection facilities necessary to connect the Project to the grid.

Construction of the Project is anticipated to begin in the fourth quarter of 2020 with completion by the fourth quarter of 2021.

The ERCOT GINR number for the Project is 20INR0052 and the GINR number was issued on February 16, 2018.

**Griffin Trail Wind, LLC****Chapter 313 Application to Benjamin ISD****Cummings Westlake, LLC****TAB 6**

*Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor (if applicable)*

All of the project is located in Knox County, Knox County Hospital District, and Rolling Plains Groundwater District. The project is partially in Benjamin ISD and partially in Seymour ISD. Below is a table showing the estimated number of megawatts and turbines in each school district (subject to final site decisions).

| <b>School District</b>       | <b>Benjamin ISD</b> | <b>Seymour ISD</b> | <b>Total</b> |
|------------------------------|---------------------|--------------------|--------------|
| Estimated Megawatts          | 95.88               | 129.72             | 225.6        |
| Estimated Number of Turbines | 34                  | 46                 | 80           |

Approximately 42.5% of the project is located in Benjamin ISD based upon megawatt capacity (95.88 out of 225.6 megawatts). Approximately 57.5% of the project is located in Seymour ISD based upon megawatt capacity (129.72 out of 225.6 megawatts).

The project is also located in the following taxing entities and the percentage of the project and 2019 tax rate for each district is shown below.

| <b>Taxing Entity</b>                | <b>% of Project</b> | <b>2019 Tax Rate</b> |
|-------------------------------------|---------------------|----------------------|
| Knox County                         | 100%                | \$.7448              |
| Knox County Hospital                | 100%                | \$.39299             |
| Rolling Plains Groundwater District | 100%                | \$.02616             |

**Griffin Trail Wind, LLC****Chapter 313 Application to Benjamin ISD****Cummings Westlake, LLC**

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**TAB 7***Description of Qualified Investment*

Griffin Trail Wind, LLC (“Griffin Trail”) is requesting an appraised value limitation from Benjamin Independent School District (ISD) for the Griffin Trail Wind Project (the “Project”), a proposed wind powered electric generating facility in Knox County. The proposed Benjamin ISD portion of the Project (this application) will be constructed within a reinvestment zone established by Knox County Commissioners Court on April 8, 2019.

The proposed Project is anticipated to have a total capacity of 225.6 MW, with approximately 95.88 MW located in Benjamin ISD. Turbine selection is ongoing at this time and has not been finalized. The exact number of wind turbines and size of each turbine will vary depending upon the wind turbines selected, manufacturer’s availability and prices, ongoing wind studies and the final megawatt generating capacity of the Project when completed. Current plans are to install 2.82 MW General Electric turbines with an estimated 34 turbines located in Benjamin ISD. Portions of the project will be located in Seymour ISD and a separate Chapter 313 application is being submitted to that district for their respective portion of the project. The Applicant requests a value limitation for all materials and equipment installed for the Project, including but not limited to; wind turbines, turbine transformers (pad-mounts), towers, foundations, roadways, buildings and offices, anemometer towers, collection system, electrical substation (identified on map as “Collector Substation” as a green box), transmission line and associated towers, and interconnection facilities necessary to connect the Project to the grid.

Construction of the Project is anticipated to begin in the fourth quarter of 2020 with completion by the fourth quarter of 2021.

**Griffin Trail Wind, LLC**

**Chapter 313 Application to Benjamin ISD**

**Cummings Westlake, LLC**

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**TAB 8**

*Description of Qualified Property*

Griffin Trail Wind, LLC (“Griffin Trail”) is requesting an appraised value limitation from Benjamin Independent School District (ISD) for the Griffin Trail Wind Project (the “Project”), a proposed wind powered electric generating facility in Knox County. The proposed Benjamin ISD portion of the Project (this application) will be constructed within a reinvestment zone established by Knox County Commissioners Court on April 8, 2019.

The proposed Project is anticipated to have a total capacity of 225.6 MW, with approximately 95.88 MW located in Benjamin ISD. Turbine selection is ongoing at this time and has not been finalized. The exact number of wind turbines and size of each turbine will vary depending upon the wind turbines selected, manufacturer’s availability and prices, ongoing wind studies and the final megawatt generating capacity of the Project when completed. Current plans are to install 2.82 MW General Electric turbines with an estimated 34 turbines located in Benjamin ISD. Portions of the project will be located in Seymour ISD and a separate Chapter 313 application is being submitted to that district for their respective portion of the project. The Applicant requests a value limitation for all materials and equipment installed for the Project, including but not limited to; wind turbines, turbine transformers (pad-mounts), towers, foundations, roadways, buildings and offices, anemometer towers, collection system, electrical substation (identified on map as “Collector Substation” as a green box), transmission line and associated towers, and interconnection facilities necessary to connect the Project to the grid.

Construction of the Project is anticipated to begin in the fourth quarter of 2020 with completion by the fourth quarter of 2021.

**Griffin Trail Wind, LLC**  
**Chapter 313 Application to Benjamin ISD**  
**Cummings Westlake, LLC**

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**TAB 11**

Maps that clearly show:

- a) *Project vicinity*
- b) *Qualified investment including location of new building or new improvements*
- c) *Qualified property including location of new building or new improvements*
- d) *Existing property*
- e) *Land location within vicinity map*
- f) *Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size*

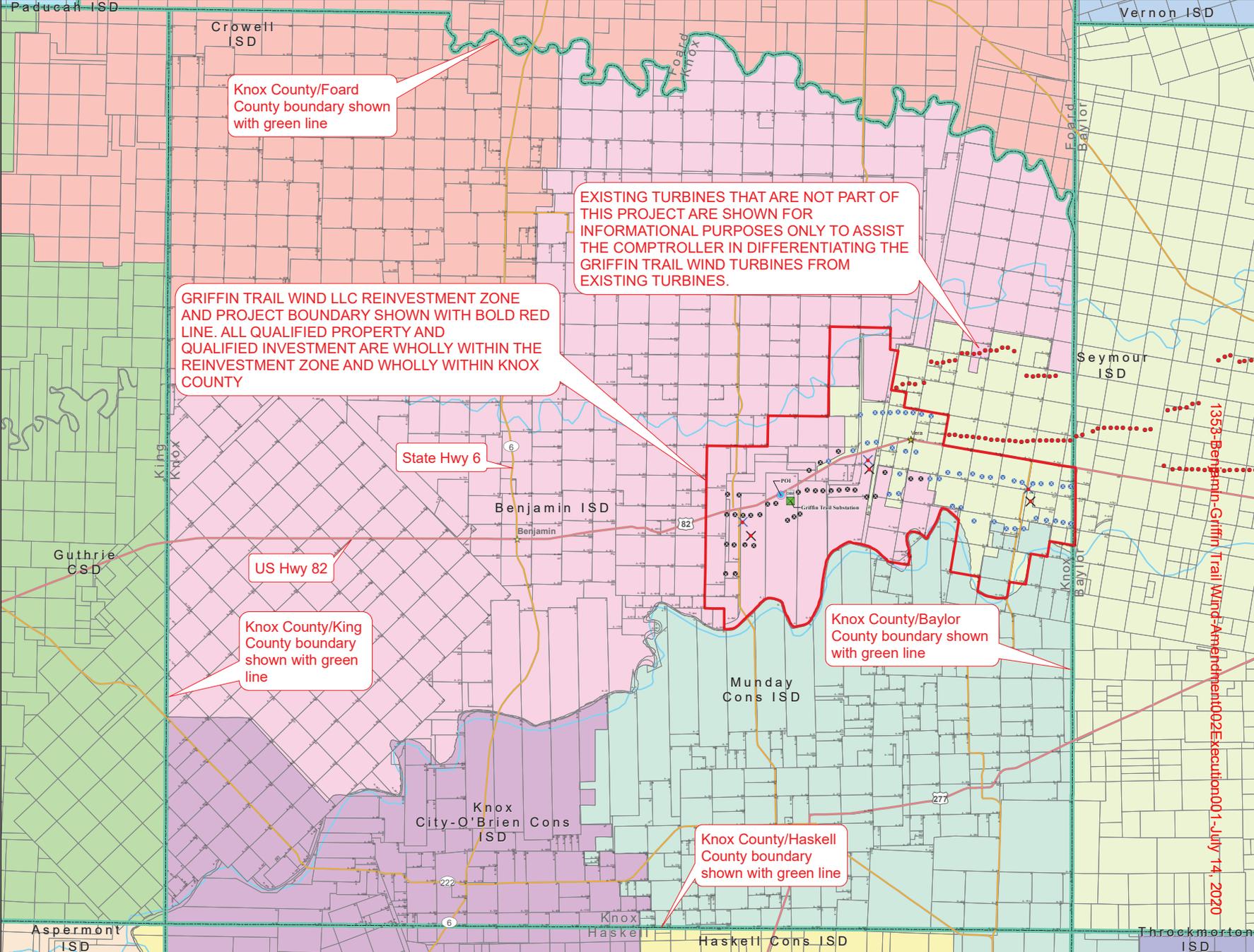
See attached maps.

**GRIFFIN TRAIL WIND PROJECT  
KNOX COUNTY, TX**



**Legend**

- Project Items**
- Collector Substation
  - O&M Operating & Maintenance Building
  - Permanent Met Tower
  - Temporary 60m Met Tower
  - POIAEP Switch Yard
  - Participating Sections/Abstracts
- Turbines**
- (34) Benjamin ISD - 95.88 MW
  - (46) Seymour ISD - 129.72 MW
  - Existing Turbine
- Base**
- City/Town
  - Section/Abstract
  - County Boundary
- Transportation**
- Highway
  - Major Road
- Hydro**
- Stream/River



Knox County/Foard County boundary shown with green line

EXISTING TURBINES THAT ARE NOT PART OF THIS PROJECT ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY TO ASSIST THE COMPTROLLER IN DIFFERENTIATING THE GRIFFIN TRAIL WIND TURBINES FROM EXISTING TURBINES.

GRIFFIN TRAIL WIND LLC REINVESTMENT ZONE AND PROJECT BOUNDARY SHOWN WITH BOLD RED LINE. ALL QUALIFIED PROPERTY AND QUALIFIED INVESTMENT ARE WHOLLY WITHIN THE REINVESTMENT ZONE AND WHOLLY WITHIN KNOX COUNTY

State Hwy 6

US Hwy 82

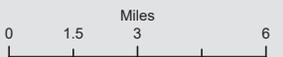
Knox County/King County boundary shown with green line

Knox County/Baylor County boundary shown with green line

Knox County/Haskell County boundary shown with green line

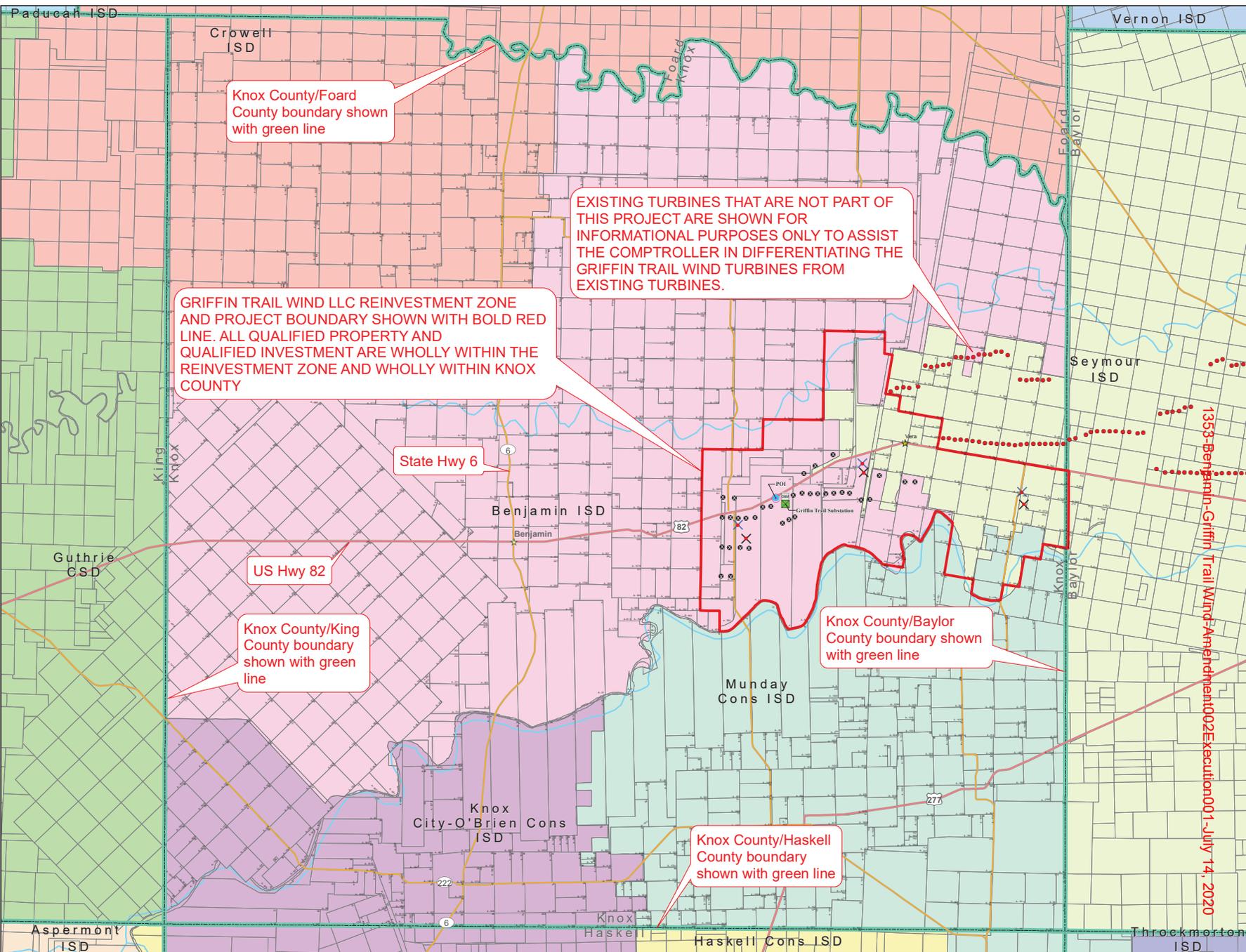
1353-Benjamin-Griffin Trail Wind-Amendment002-Execution001-July 17, 2020

**GRIFFIN TRAIL WIND PROJECT  
BENJAMIN ISD TURBINES  
KNOX COUNTY, TX**



**Legend**

- Project Items**
- Collector Substation
  - O&M Operating & Maintenance Building
  - Permanent Met Tower
  - Temporary 60m Met Tower
  - POI/AEP Switch Yard
  - Participating Sections/Abstracts
- Turbines**
- (34) Benjamin ISD - 95.88 MW
  - Existing Turbine
- Base**
- City/Town
  - Section/Abstract
  - County Boundary
- Transportation**
- Highway
  - Major Road
- Hydro**
- Stream/River



**Griffin Trail Wind, LLC**  
**Chapter 313 Application to Benjamin ISD**  
**Cummings Westlake, LLC**

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**TAB 14**

*Schedules A1, A2, B, C and D completed and signed Economic Impact (if applicable)*

See attached Schedules A1, A2, B, and C.

**Schedule A1: Total Investment for Economic Impact (through the Qualifying Time Period)**

Date **2-Jun-20**

Applicant Name **Griffin Trail Wind, LLC**  
 ISD Name **Benjamin ISD**

Form **50-296A**  
 Revised May 2014

| PROPERTY INVESTMENT AMOUNTS  |      |  |   |  |  |  |  |   |
|--|------|--|---|--|--|--|--|---|
| (Estimated Investment in each year. Do not put cumulative totals.)   |      |  |   |  |  |  |  |   |
|  |      |  |   | Column A   | Column B   | Column C   | Column D   | Column E  |
|  | Year | School Year (YYYY-YYYY)  | Tax Year (Fill in actual tax year below) YYYY | New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property | New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> that will become Qualified Property | Other new investment made during this year that will <b>not</b> become Qualified Property [SEE NOTE] | Other new investment made during this year that may become Qualified Property [SEE NOTE] | <b>Total Investment</b> (Sum of Columns A+B+C+D)  |
| Investment made before filing complete application with district   | --   |  |   | Not eligible to become Qualified Property  |  |  |  | [The only other investment made before filing complete application with district that may become Qualified Property is land.] |
| Investment made after filing complete application with district, but before final board approval of application                  |      | Year preceding the first complete tax year of the qualifying time period (assuming |   |  |  |  |  |   |
| Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period |      | 2019-2020  | 2019  | \$ -   | \$ -   | \$ -   | \$ -   | \$ -  |
| Complete tax years of qualifying time period   | QTP1 | 2020-2021  | 2020  | \$ 2,125,000   | \$ -   | \$ -   | \$ -   | \$ 2,125,000  |
|  | QTP2 | 2021-2022  | 2021  | \$ 88,461,000  | \$ 500,000   | \$ -   | \$ -   | \$ 88,961,000   |
| <b>Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]</b>   |      |  |   | \$ 90,586,000  | \$ 500,000   | \$ -   | \$ -   | \$ 91,086,000   |
| <b>Total Qualified Investment (sum of green cells)</b>   |      |  |   | Enter amounts from TOTAL row above in Schedule A2  |  |  |  |   |
|  |      |  |   | \$ 91,086,000  |  |  |  |   |

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application. Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

**Schedule A2: Total Investment for Economic Impact (including Qualified Property and other investments)**

Date **2-Jun-20**  
 Applicant Name **Griffin Trail Wind, LLC**  
 ISD Name **Benjamin ISD**

Form 50-296A  
 Revised May 2014

| PROPERTY INVESTMENT AMOUNTS  |      |                                |   |  |  |  |   |                            |               |
|--|------|--------------------------------|---|--|--|--|---|----------------------------|---------------|
| (Estimated investment in each year. Do not put cumulative totals.)                               |      |                                |   |  |  |  |   |                            |               |
|  |      |                                |   | Column A   | Column B   | Column C   | Column D  | Column E                   |               |
|  | Year | School Year (YYYY-YYYY)        | Tax Year (Fill in actual tax year below) YYYY | New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property | New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> that will become Qualified Property | Other investment made during this year that will <b>not</b> become Qualified Property [SEE NOTE] | Other investment made during this year that will become Qualified Property [SEE NOTE] | Total Investment (A+B+C+D) |               |
| Total Investment from Schedule A1*   | --   | <b>TOTALS FROM SCHEDULE A1</b> |   |  | \$ 90,586,000  | \$ 500,000   | \$ -  | \$ -                       | \$ 91,086,000 |
| Enter amounts from TOTAL row in Schedule A1 in the row below                                     |      |                                |   |  |  |  |   |                            |               |
| Each year prior to start of value limitation period**<br><i>Insert as many rows as necessary</i> | 0    | 2019-2020                      | 2019  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
| Each year prior to start of value limitation period**<br><i>Insert as many rows as necessary</i> | 0    | 2020-2021                      | 2020  |  |  |  |   |                            |               |
| Each year prior to start of value limitation period**<br><i>Insert as many rows as necessary</i> | 0    | 2021-2022                      | 2021  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
| Value limitation period***   | 1    | 2022-2023                      | 2022  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 2    | 2023-2024                      | 2023  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 3    | 2024-2025                      | 2024  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 4    | 2025-2026                      | 2025  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 5    | 2026-2027                      | 2026  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 6    | 2027-2028                      | 2027  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 7    | 2028-2029                      | 2028  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 8    | 2029-2030                      | 2029  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 9    | 2030-2031                      | 2030  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
|  | 10   | 2031-2032                      | 2031  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -                       |               |
| <b>Total Investment made through limitation</b>  |      |                                |   | \$ 90,586,000  | \$ 500,000   | \$ -   | \$ -  | \$ 91,086,000              |               |
| Continue to maintain viable presence   | 11   | 2032-2033                      | 2032  |  |  | \$ -   |   | \$ -                       |               |
|  | 12   | 2033-2034                      | 2033  |  |  | \$ -   |   | \$ -                       |               |
|  | 13   | 2034-2035                      | 2034  |  |  | \$ -   |   | \$ -                       |               |
|  | 14   | 2035-2036                      | 2035  |  |  | \$ -   |   | \$ -                       |               |
|  | 15   | 2036-2037                      | 2036  |  |  | \$ -   |   | \$ -                       |               |
| Additional years for 25 year economic impact as required by 313.026(c)(1)                        | 16   | 2037-2038                      | 2037  |  |  | \$ -   |   | \$ -                       |               |
|  | 17   | 2038-2039                      | 2038  |  |  | \$ -   |   | \$ -                       |               |
|  | 18   | 2039-2040                      | 2039  |  |  | \$ -   |   | \$ -                       |               |
|  | 19   | 2040-2041                      | 2040  |  |  | \$ -   |   | \$ -                       |               |
|  | 20   | 2041-2042                      | 2041  |  |  | \$ -   |   | \$ -                       |               |
|  | 21   | 2042-2043                      | 2042  |  |  | \$ -   |   | \$ -                       |               |
|  | 22   | 2043-2044                      | 2043  |  |  | \$ -   |   | \$ -                       |               |
|  | 23   | 2044-2045                      | 2044  |  |  | \$ -   |   | \$ -                       |               |
|  | 24   | 2045-2046                      | 2045  |  |  | \$ -   |   | \$ -                       |               |
|  | 25   | 2046-2047                      | 2046  |  |  | \$ -   |   | \$ -                       |               |

\* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the **first row**.

\*\* Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.

\*\*\* If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.

Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

1353-Benjamin-Griffin Trail Wind-Amendment002-Execution001-July 14, 2020

**Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)**

Date

**6/2/2020**

Applicant Name

**Griffin Trail Wind, LLC**

**Form 50-296A**

ISD Name

**Benjamin ISD**

*Revised May 2014*

|  | Year | School Year<br>(YYYY-YYYY) | Tax Year<br>(Fill in actual tax year) YYYY | Qualified Property             |   |  | Estimated Taxable Value  |  |  |
|--|------|----------------------------|--|--------------------------------|---|--|--|--|--|
|  |      |                            |  | Estimated Market Value of Land | Estimated Total Market Value of new buildings or other new improvements | Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements" | Market Value less any exemptions (such as pollution control) and before limitation | Final taxable value for I&S after all reductions | Final taxable value for M&O after all reductions |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i> | 0    | 2019-2020                  | 2019                                       | \$ -                           | \$ -  | \$ -   | \$ -   | \$ -   | \$ -   |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i> | 0    | 2020-2021                  | 2020                                       |                                |   |  |  |  |  |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i> | 0    | 2021-2022                  | 2021                                       | \$ -                           | \$ -  | \$ 2,125,000   | \$ 2,125,000   | \$ 2,125,000                                     | \$ 2,125,000                                     |
| Value Limitation Period  | 1    | 2022-2023                  | 2022                                       | \$ -                           | \$ 500,000  | \$ 88,551,800  | \$ 89,051,800  | \$ 89,051,800                                    | \$ 20,000,000                                    |
|  | 2    | 2023-2024                  | 2023                                       | \$ -                           | \$ 490,000  | \$ 81,437,600  | \$ 81,927,600  | \$ 81,927,600                                    | \$ 20,000,000                                    |
|  | 3    | 2024-2025                  | 2024                                       | \$ -                           | \$ 480,200  | \$ 74,893,200  | \$ 75,373,400  | \$ 75,373,400                                    | \$ 20,000,000                                    |
|  | 4    | 2025-2026                  | 2025                                       | \$ -                           | \$ 470,600  | \$ 68,873,000  | \$ 69,343,600  | \$ 69,343,600                                    | \$ 20,000,000                                    |
|  | 5    | 2026-2027                  | 2026                                       | \$ -                           | \$ 461,200  | \$ 63,334,900  | \$ 63,796,100  | \$ 63,796,100                                    | \$ 20,000,000                                    |
|  | 6    | 2027-2028                  | 2027                                       | \$ -                           | \$ 452,000  | \$ 58,240,400  | \$ 58,692,400  | \$ 58,692,400                                    | \$ 20,000,000                                    |
|  | 7    | 2028-2029                  | 2028                                       | \$ -                           | \$ 443,000  | \$ 53,554,000  | \$ 53,997,000  | \$ 53,997,000                                    | \$ 20,000,000                                    |
|  | 8    | 2029-2030                  | 2029                                       | \$ -                           | \$ 434,100  | \$ 49,243,100  | \$ 49,677,200  | \$ 49,677,200                                    | \$ 20,000,000                                    |
|  | 9    | 2030-2031                  | 2030                                       | \$ -                           | \$ 425,400  | \$ 45,277,700  | \$ 45,703,100  | \$ 45,703,100                                    | \$ 20,000,000                                    |
|  | 10   | 2031-2032                  | 2031                                       | \$ -                           | \$ 416,900  | \$ 41,629,900  | \$ 42,046,800  | \$ 42,046,800                                    | \$ 20,000,000                                    |
| Continue to maintain viable presence   | 11   | 2032-2033                  | 2032                                       | \$ -                           | \$ 408,600  | \$ 38,274,500  | \$ 38,683,100  | \$ 38,683,100                                    | \$ 38,683,100                                    |
|  | 12   | 2033-2034                  | 2033                                       | \$ -                           | \$ 400,400  | \$ 35,188,000  | \$ 35,588,400  | \$ 35,588,400                                    | \$ 35,588,400                                    |
|  | 13   | 2034-2035                  | 2034                                       | \$ -                           | \$ 392,400  | \$ 32,349,000  | \$ 32,741,400  | \$ 32,741,400                                    | \$ 32,741,400                                    |
|  | 14   | 2035-2036                  | 2035                                       | \$ -                           | \$ 384,600  | \$ 29,737,400  | \$ 30,122,000  | \$ 30,122,000                                    | \$ 30,122,000                                    |
|  | 15   | 2036-2037                  | 2036                                       | \$ -                           | \$ 376,900  | \$ 27,335,400  | \$ 27,712,300  | \$ 27,712,300                                    | \$ 27,712,300                                    |
| Additional years for 25 year economic impact as required by 313.026(c)(1)                      | 16   | 2037-2038                  | 2037                                       | \$ -                           | \$ 369,400  | \$ 25,125,900  | \$ 25,495,300  | \$ 25,495,300                                    | \$ 25,495,300                                    |
|  | 17   | 2038-2039                  | 2038                                       | \$ -                           | \$ 362,000  | \$ 23,093,700  | \$ 23,455,700  | \$ 23,455,700                                    | \$ 23,455,700                                    |
|  | 18   | 2039-2040                  | 2039                                       | \$ -                           | \$ 354,800  | \$ 21,224,400  | \$ 21,579,200  | \$ 21,579,200                                    | \$ 21,579,200                                    |
|  | 19   | 2040-2041                  | 2040                                       | \$ -                           | \$ 347,700  | \$ 19,505,200  | \$ 19,852,900  | \$ 19,852,900                                    | \$ 19,852,900                                    |
|  | 20   | 2041-2042                  | 2041                                       | \$ -                           | \$ 340,700  | \$ 17,923,900  | \$ 18,264,600  | \$ 18,264,600                                    | \$ 18,264,600                                    |
|  | 21   | 2042-2043                  | 2042                                       | \$ -                           | \$ 333,900  | \$ 16,469,600  | \$ 16,803,500  | \$ 16,803,500                                    | \$ 16,803,500                                    |
|  | 22   | 2043-2044                  | 2043                                       | \$ -                           | \$ 327,200  | \$ 15,132,000  | \$ 15,459,200  | \$ 15,459,200                                    | \$ 15,459,200                                    |
|  | 23   | 2044-2045                  | 2044                                       | \$ -                           | \$ 320,700  | \$ 13,901,800  | \$ 14,222,500  | \$ 14,222,500                                    | \$ 14,222,500                                    |
|  | 24   | 2045-2046                  | 2045                                       | \$ -                           | \$ 314,300  | \$ 12,770,300  | \$ 13,084,600  | \$ 13,084,600                                    | \$ 13,084,600                                    |
|  | 25   | 2046-2047                  | 2046                                       | \$ -                           | \$ 308,000  | \$ 11,729,900  | \$ 12,037,900  | \$ 12,037,900                                    | \$ 12,037,900                                    |

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.

Only include market value for eligible property on this schedule.

1353-Benjamin-Griffin Trail Wind-Amendment002Execution001-July 14, 2020

**Schedule C: Employment Information**

Date: 6/2/2020  
 Applicant Name: Griffin Trail Wind, LLC  
 Form 50-296A  
 ISD Name: Benjamin ISD  
 Revised May 2014

|   |               |                         |                                 | Construction  |  | Non-Qualifying Jobs   | Qualifying Jobs  |  |
|---|---------------|-------------------------|---------------------------------|---|--|---|--|--|
|   | Year          | School Year (YYYY-YYYY) | Tax Year (Actual tax year) YYYY | Column A<br>Number of Construction FTE's or man-hours (specify) | Column B<br>Average annual wage rates for construction workers | Column C<br>Number of non-qualifying jobs applicant estimates it will create (cumulative) | Column D<br>Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative) | Column E<br>Average annual wage of new qualifying jobs |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i>          | 0             | 2019-2020               | 2019                            | 0   | \$ -   | 0   | 0  | 0  |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i>          | 0             | 2020-2021               | 2020                            | 10FTE   | \$ 50,000  | 0   | 0  | 0  |
| Each year prior to start of Value Limitation Period<br><i>Insert as many rows as necessary</i>          | 0             | 2021-2022               | 2021                            | 80 FTE  | \$ 50,000  | 0   | 0  | 0  |
| Value Limitation Period<br><i>The qualifying time period could overlap the value limitation period.</i> | 1             | 2022-2023               | 2022                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 2             | 2023-2024               | 2023                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 3             | 2024-2025               | 2024                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 4             | 2025-2026               | 2025                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 5             | 2026-2027               | 2026                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 6             | 2027-2028               | 2027                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 7             | 2028-2029               | 2028                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 8             | 2029-2030               | 2029                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 9             | 2030-2031               | 2030                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
|   | 10            | 2031-2032               | 2031                            | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |
| Years Following Value Limitation Period   | 11 through 25 | 2032-2047               | 2032-2046                       | 0   | \$ -   | 0   | 3  | \$ 48,595.80   |

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 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)  Yes  No  
 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

**Schedule D: Other Incentives (Estimated)**

Date  
Applicant Name  
ISD Name

6/2/2020

Griffin Trail Wind, LLC  
Benjamin ISD

**Form 50-296A**  
Revised May 2014

| State and Local Incentives for which the Applicant intends to apply (Estimated) |   |                           |                     |                                   |                      |                      |
|---|---|---------------------------|---------------------|-----------------------------------|----------------------|----------------------|
| Incentive Description   | Taxing Entity (as applicable)                         | Beginning Year of Benefit | Duration of Benefit | Annual Tax Levy without Incentive | Annual Incentive     | Annual Net Tax Levy  |
| Tax Code Chapter 311  | County: Knox  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
|   | City: Not applicable                                  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
|   | Other: Knox County Hospital                           | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
| Tax Code Chapter 312  | County: Knox (Estimated total over 25 years)          | 2022                      | 10 years            | \$ 17,379,269                     | \$ 6,629,208         | \$ 10,750,060        |
|   | City: Not applicable                                  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
|   | Other: Knox County Hospital (Est total over 25 years) | 2022                      | 10 years            | \$ 8,744,003                      | \$ 3,575,058         | \$ 5,168,945         |
| Local Government Code Chapters 380/381  | County: Knox  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
|   | City: Not applicable                                  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
|   | Other: Knox County Hospital                           | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
| Freeport Exemptions   | Not applicable  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
| Non-Annexation Agreements   | Not applicable  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
| Enterprise Zone/Project   | Not applicable  | Not applicable            | Not applicable      | Not applicable                    | Not applicable       | Not applicable       |
| Economic Development Corporation  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Texas Enterprise Fund   | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Employee Recruitment  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Skills Development Fund   | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Training Facility Space and Equipment   | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Infrastructure Incentives   | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Permitting Assistance   | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Other:  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Other:  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Other:  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| Other:  | Not applicable  | Not applicable            | Not applicable      |                                   | Not applicable       |                      |
| <b>TOTAL</b>  |   |                           |                     | <b>\$ 26,123,272</b>              | <b>\$ 10,204,266</b> | <b>\$ 15,919,006</b> |

Additional information on incentives for this project:

Griffin Trail Wind intends to apply for tax abatement under Chapter 312 of the Tax Code with Knox County and Knox County Hospital District. No tax abatement terms have been established and no tax abatement agreements have been executed at the time this application is filed with Benjamin ISD. Based upon other recently adopted tax abatement agreements, Griffin Trail Wind expects 10-year tax abatement agreements equivalent to approximately 60-75% subject to negotiations with the county and hospital district.

1353-Benjamin-Griffin Trail Wind-Amendment1002Execution001-July 14, 2020

**Griffin Trail Wind, LLC**  
**Chapter 313 Application to Benjamin ISD**  
**Cummings Westlake, LLC**

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**TAB 17**

*Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Griffin Trail Wind, LLC Representative (applicant)*

See attached.

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

Gordon N. Thomas

Print Name (Authorized School District Representative)

Superintendent

Title

sign here

[Handwritten Signature]

Signature (Authorized School District Representative)

07/14/2020

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

Matt Kennedy

Print Name (Authorized Company Representative (Applicant))

Vice President

Title

sign here

Signature (Authorized Company Representative (Applicant))

Date

GIVEN under my hand and seal of office this, the

\_\_\_\_\_ day of \_\_\_\_\_,

Notary Public in and for the State of Texas

(Notary Seal)

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.

**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** ▶ Gordon N. Thomas Superintendent  
Print Name (Authorized School District Representative) Title

**sign here** ▶ \_\_\_\_\_ \_\_\_\_\_  
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** ▶ Matt Kennedy Vice President  
Print Name (Authorized Company Representative (Applicant)) Title

**sign here** ▶  June 24, 2020  
Signature (Authorized Company Representative (Applicant)) Date

**ROBERT R. JUNG**  
*Barrister & Solicitor*  
**INNERGEX RENEWABLE ENERGY INC.**  
 888 DUNSMUIR STREET, SUITE 1100  
 VANCOUVER, B.C. V6C 3K4  
 TEL: (804) 633-9990 FAX: (804) 633-9991

(Notary Seal)

GIVEN under my hand and seal of office this, the  
 24<sup>th</sup> day of June, 2020

  
 Notary Public in and for the State of Texas ~~Province of British Columbia~~  
 My Commission expires: Does not expire.

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.