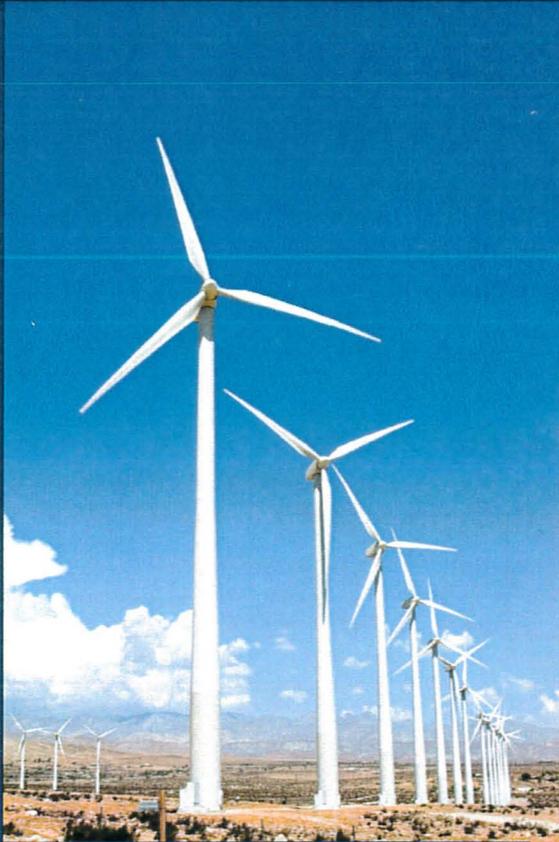


**FINDINGS OF THE MUENSTER  
INDEPENDENT SCHOOL DISTRICT BOARD  
OF TRUSTEES  
UNDER THE  
TEXAS ECONOMIC DEVELOPMENT ACT  
ON THE  
APPLICATION SUBMITTED  
BY  
WILDCAT CREEK WIND FARM LLC (#1394)**



December 18, 2019

---

**FINDINGS OF THE  
MUNSTER INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES  
UNDER THE  
TEXAS ECONOMIC DEVELOPMENT ACT  
ON THE APPLICATION SUBMITTED BY  
WILDCAT CREEK WIND FARM LLC (#1394)**

---

**DECEMBER 18, 2019**

FINDINGS OF THE MUENSTER INDEPENDENT  
SCHOOL DISTRICT BOARD OF TRUSTEES UNDER THE  
TEXAS ECONOMIC DEVELOPMENT ACT  
ON THE APPLICATION SUBMITTED BY  
WILDCAT CREEK WIND FARM LLC (#1394)

*STATE OF TEXAS* §

*COUNTY OF COOKE* §

On the 18<sup>th</sup> day of December 2019, a public meeting of the Board of Trustees of the Muenster Independent School District (“District”) was held. The meeting was duly posted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code. At the meeting, the Board of Trustees took up and considered the application of Wildcat Creek Wind Farm LLC (“Applicant”) for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code. The Board of Trustees solicited input into its deliberations on the Application from interested parties within the District. The Board of Trustees has considered the economic impact analysis and the project certification issued by the Texas Comptroller of Public Accounts. After hearing presentations from the District’s administrative staff, and from consultants retained by the District to advise the Board in this matter, and after considering the relevant documentary evidence, the Board of Trustees makes the following findings with respect to application from Applicant, and the economic impact of that application:

On June 12, 2019, the Superintendent of the District, acting as agent of the Board of Trustees, and the Texas Comptroller of Public Accounts (“Comptroller”) received an Application from Applicant for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code. The Application was determined to be complete as of August 22, 2019. A copy of the Application is attached as **Attachment A**.

The Applicant, (Texas Taxpayer Id. 32066001960), is an entity subject to Chapter 171, Texas Tax Code, and is certified to be an active franchise taxpayer by the Comptroller. See **Attachment B**.

The Board of Trustees acknowledged receipt of the Application, along with the requisite application fee, established pursuant to Texas Tax Code § 313.025(a)(1) and Local District Policy.

The Application was delivered to the Comptroller for review pursuant to Texas Tax Code § 313.025(d). A copy of the Application was delivered to the Cooke County Appraisal District for review pursuant to 34 Tex. Admin. Code § 9.1054.

The Application was reviewed by the Comptroller pursuant to Texas Tax Code §313.026, and a Comptroller Certificate was issued on November 18, 2019 in which the Comptroller has determined, inter alia, that: 1) Application is subject to the provisions of Chapter 171, Texas Tax Code; 2) the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised values; 3) the proposed project is reasonably likely to generate tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement before the 25<sup>th</sup> anniversary of the beginning of the limitation period; and, 4) the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state. A copy of the Certificate is attached to the findings as **Attachment C**.

The Board of Trustees has previously directed that a specific financial analysis be conducted concerning the impact of the proposed value limitation on the finances of District. A copy of the report prepared by Moak, Casey & Associates, Inc., is attached to these findings as **Attachment D**.

The Board of Trustees has confirmed that the taxable value of property in the District for the preceding tax year, as determined under Subchapter M, Chapter 403, Government Code, is as stated in **Attachment E**.

The Texas Education Agency has evaluated the impact of the project on the District's facilities. TEA's determination is to be attached to these findings as **Attachment F**.

The Board has adopted the Texas Economic Development Agreement (Form 50-826) as promulgated by the Comptroller's Office. Form 50-826 has been altered only in accordance only the provisions of the template that the Comptroller permitted. The proposed Agreement is attached to these findings as **Attachment G**.

After review of the Comptroller's Certificate and economic analysis, and in consideration of its own studies the Board finds:

### **Board Finding Number 1.**

**The Board finds that the property described in the Application meets the requirements of Tex. Tax Code §313.024 for eligibility for a limitation on appraised value.**

In support of Finding 1, the Application indicates that:

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. The property for which the Applicant is requesting an appraised value limitation will be a windpowered electric generating facility with an estimated operating capacity of 180 megawatts of power. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project. The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile "generator-lead" transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

Property used for renewable energy electric generation is eligible for a limitation under §313.024(b)(5).

### **Board Finding Number 2.**

**The project proposed by the applicant is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue, including state tax revenue, school district maintenance and operations ad valorem tax revenue attributable to the project, and any other tax revenue attributable to the effect of the project on the economy of the state, in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement (as detailed in Attachment B of the Comptroller's Certification).**

### **Board Finding Number 3.**

**Based on the information certified by the Comptroller, the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state (as detailed in Attachment C of the Comptroller's Certification).**

**Board Finding Number 4.**

**The Board finds that the Application Fee received was reasonable and only in such an amount as was necessary to cover the District's costs of processing the Application under consideration.**

In support of Finding 4, the Board reviewed the Application Fee payment included in the Application at Attachment A, the contract with the District's consultants and the internal costs for processing the application, if any.

**Board Finding Number 5.**

**Based upon the Application and in the Comptroller's Economic Impact Evaluation and Certification, Attachment A, the Board finds that the number of jobs to be created and the wages to be paid comply with the requirements of statute; and, the Board further finds that the Chapter 313 Tax Limitation Agreement (Attachment G) contains all required provisions and information related to job creation requirements, to wit: the provisions set forth in Subsections 9.1C&D of such Agreement.**

In its Application, the Applicant has committed to creating three (3) new qualifying jobs. The average salary level of qualifying jobs must be at least \$49,717.80 per year. The review of the application by the Comptroller's indicated that this amount—based on Texas Workforce Commission data—complies with current Tex. Tax Code §313.021(3) requirement that qualifying jobs must pay 110 percent of the county average manufacturing wage. As defined in Section 313.021 of the Tax Code, "Qualifying Job" means a permanent full-time job that:

- (A) requires at least 1,600 hours of work a year;
- (B) is not transferred from one area in this state to another area in this state;
- (C) is not created to replace a previous employee;
- (D) is covered by a group health benefit plan for which the business offers to pay at least 80 percent of the premiums or other charges assessed for employee-only coverage under the plan, regardless of whether an employee may voluntarily waive the coverage; and
- (E) pays at least 110 percent of the county average weekly wage for manufacturing jobs in the county where the job is located.

**Board Finding Number 6.**

**Based upon the information provided to the District with regard to the industry standard for staffing ratios of similar projects in the State of Texas, the District has determined that if the job creation requirement set forth in Texas Tax Code § 313.021(2)(A)(iv)(b) was applied, for the size and scope of the project described in the Application, the required number of jobs meets or exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility.**

**Board Finding Number 7.**

**The Applicant does not intend to create any non-qualifying jobs.**

In its Application, Applicant has indicated that it does not intend to create any non-qualifying jobs. For any non-qualifying jobs the Applicant should create, the Applicant will be required to pay at least the county average wage of \$46,827 for all jobs in the county in accordance with the provisions of Tex. Tax Code §313.024(d).

**Board Finding Number 8.**

**The revenue gains that will be realized by the school district if the Application is approved will be significant in the long-term, with special reference to revenues used for supporting school district debt.**

In support of this finding, the analysis prepared by Moak, Casey & Associates projects that the project would initially add \$44.3 million to the tax base that would be available for debt service purposes at the peak investment level for the 2021-22 school year, which should benefit the District and its taxpayers.

**Board Finding Number 9.**

**The effect of the applicant's proposal, if approved, on the number or size of needed school district instructional facilities is not expected to increase the District's facility needs, with current trends suggest little underlying enrollment growth based on the impact of the project.**

The summary of financial impact prepared by Moak, Casey & Associates, Inc., indicates that there will be little to no impact on school facilities created by the new project. This

finding is confirmed by the TEA evaluation of this project's impact on the number and size of school facilities in the District as stated in **Attachment F**.

**Board Finding Number 10.**

**The Board finds that with the adoption of District Policy CCGB (Local), implemented in conformance with both Comptroller and Texas Education Agency Rules governing Chapter 313 Agreements, it has developed a process to verify, either directly or through its consultants, the accuracy and completeness of information in annual eligibility reports and biennial progress reports regarding (1) the reported number of jobs created and (2) the reported amount invested in the property.**

**Board Finding Number 11.**

**The Board of Trustees hired consultants to review and verify the information in the Application. Based upon the consultants' review, the Board has determined that the information provided by the Applicant is true and correct.**

The Board has developed a written policy CCGB (Local) which requires, upon the filing of an Application under Tax Code Chapter 313, the retention of consultants in order to verify: (1) that Applicant's information contained in the Application as to existing facts is true and correct; (2) that Applicant's information contained in the Application with respect to projections of future events are commercially reasonable and within the ability of Applicant to execute; (3) that information related to job creation is commercially reasonable and within the ability of Applicant to execute; (4) that Applicant's representations concerning and economic incentives being offered, if any, and (5) the proposed project meets eligibility requirements.

As a part of its verification process the Board notes that the Chapter 313 Application for which these Findings are being made has been submitted by the Applicant under oath. Chapter 313 Applications are governmental records under Tex. Penal Code §37.01(2)(A); as a result, all statements contained therein are representations of fact within the meaning of Tex. Penal Code § 37.01(3). Since Board action upon the adoption of these Findings

and the approval of the Chapter 313 Tax Limitation Agreement (**Attachment G**) is an “official proceeding,” a false statement on a Chapter 313 application constitutes perjury under Tex. Penal Code § 37.03.

The Board finds that sworn statements are routinely used as an acceptable verification method for reliance by fact finders in each of the three separate branches of government, including trials.

The consultants have prepared signed statements that the consultants have reviewed and verified the contents of the Application and have determined that the current statements of fact contained in the Application are true and correct. (**Attachment H**) The Board finds that reliance by the Board and its consultants upon verified statements of the Applicant, especially as to Applicant’s future intentions which cannot be objectively verified is reasonable and within the intent of Chapter 313, Texas Tax Code.

**Board Finding Number 12.**

**The Board of Trustees has determined that the Tax Limitation Amount requested by Applicant is currently Thirty Million Dollars, which is consistent with the minimum values currently set out by Tax Code, § 313.054(a).**

The Board finds that the Chapter 313 Tax Limitation Agreement (**Attachment G**), in accordance with Comptroller’s Form 50-826, contains all required provisions and information related to the required investment amount, to wit: the amount set forth in Section 2.5 of said Agreement. According to the Texas Comptroller of Public Accounts’ School and Appraisal Districts’ Property Value Study 2018 Final Findings made under Subchapter M, Chapter 403, Government Code for the preceding tax year (**Attachment E**). The total industrial value for the District is \$200.2 million. The District is categorized as Subchapter C, which applies only to a school district that has territory in a strategic investment area, as defined under Subchapter O, Chapter 171, Tax Code or in a county: (1) that has a population of less than 50,000 and (2) in which, from 1990 to 2000, according to the federal decennial census, the population: (A) remained the same; (B) decreased; or (C) increased, but at a rate of not more than three percent per annum. The District is

classified as a “rural” district due to its demographic characteristics. Given that the value of industrial property is more than \$200 million, it is classified as a Category I district which can offer a minimum value limitation of \$30 million.

**Board Finding Number 13.**

**The Board finds that the Chapter 313 Tax Limitation Agreement (Attachment G) contains all necessary provisions and information related to establishing the required investment amount, to wit: the amount set forth in Section 2.5 of said Agreement.**

The Board relies on the certifications of its consultants and the Comptroller’s Approval of the Agreement form to make this Finding. (**Attachment I**)

**Board Finding Number 14.**

**The Applicant (Taxpayer No. 32066001960) is eligible for the limitation on appraised value of qualified property as an active franchise-tax paying entity.**

The Applicant, (Texas Taxpayer No. 32066001960), is an entity subject to Chapter 171, Texas Tax Code, and is certified to be an active franchise taxpayer by the Comptroller. See **Attachment B**. The Board also finds that the Chapter 313 Tax Limitation Agreement (**Attachment G**) contains all required provisions necessary for the Board to assess eligibility of any business to which an agreement is transferred.

**Board Finding Number 15.**

**The project will be located within an area that is designated as a reinvestment zone, pursuant to Chapter 312 of the Texas Tax Code.**

**Board Finding Number 16.**

**The Agreement for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code, attached hereto as Attachment G, includes adequate and appropriate revenue protection provisions for the District, and such provisions comply with the specific terms of Texas Tax Code, Chapter 313.**

In support of this finding, the report of Moak, Casey & Associates, Inc. shows that the District will incur a revenue loss in the initial year that the value limitation is in effect without the proposed Agreement under current law. However, with this Agreement, the

negative consequences of granting the value limitation are offset through the revenue protection provisions agreed to by the Applicant and the District. The Agreement contains adequate revenue protection measures for the duration of the Agreement. In support of this Finding, the Board relies upon the recommendation of its consultants. (**Attachment H**)

**Board Finding Number 17.**

**The Board finds that the Chapter 313 Tax Limitation Agreement (Attachment G) contains all required provisions necessary for the Board to assess performance standards and to require periodic deliverables that will enable it to hold businesses accountable for achieving desired results, to wit: the reporting requirements set forth in Article VIII of said Agreement.**

**Board Finding Number 18.**

**The Board finds that there are no conflicts of interest at the time of considering the agreement.**

The Board finds that with the adoption of District Policies BBFA and BBFB, both (Legal) and (Local), set forth at <https://pol.tasb.org/home/index/337>, that it has taken appropriate action to ensure that all District Trustees and the Superintendent, have disclosed any potential conflicts of interest, and that such disclosures will be made if any conflict of interest arises in the future, in compliance with the requirements of Texas Local Gov't Code §171.004.

In addition, at the public hearing, the Board caused the statement set forth in **Attachment J** to be read into the public record and that only Board members audibly responding that no conflict of interest existed either deliberated or voted on the Tax Limitation Agreement, these Findings or any matter relating to the Application upon which these Findings have been premised.

The Board finds that with the adoption of District Policies DBD, DGA, DH, and BBFB, both (Legal) and (Local) that it has taken appropriate action to ensure that all District employees and/or consultants, have disclosed any potential conflicts of interest, and that

such disclosures will be made if any conflict of interest arises in the future, in compliance with the requirements of Texas Local Gov't Code §171.004.

The Board finds that that no non-disclosed conflicts of interest exist as to the Application for which these Findings are being made, as of the time of action on these Findings.

**Board Finding Number 19.**

**The Board directs that a link on its Web site to the Comptroller's Office's Web site where appraisal limitation related documents are made available to the public.**

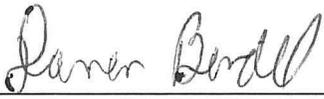
**Board Finding Number 20.**

**Considering the purpose and effect of the law and the terms of the Agreement, that it is in the best interest of the District and the State to enter into the attached Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes.**

It is therefore ORDERED that the Agreement attached hereto as **Attachment G** is approved and hereby authorized to be executed and delivered by and on behalf of the District. It is further ORDERED that these findings and the Attachments referred to herein be attached to the Official Minutes of this meeting, and maintained in the permanent records of the Board of Trustees of the District.

Dated the 18<sup>th</sup> day of December 2019.

MUENSTER INDEPENDENT SCHOOL DISTRICT

By:   
Darren Bindel  
President, Board of Trustees

**ATTEST:**  
By:   
Kimberly Walterscheid  
Secretary, Board of Trustees

Attachment A

Application

# O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE  
AUSTIN, TEXAS 78701  
TELEPHONE: (512) 494-9949  
FACSIMILE: (512) 494-9919

July 9, 2019

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

RE: Application to the Muenster Independent School District from Wildcat Creek Wind Farm LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Muenster Independent School District is notifying Wildcat Creek Wind Farm LLC of its intent to consider the application for appraised value limitation on qualified property should a positive certificate be issued by the Comptroller. The Applicant submitted the Application to the school district on June 12, 2019. The Board voted to accept the application on June 12, 2019. The application has been determined complete as of July 9, 2019. The Applicant has provided the schedules in both electronic format and paper copies. The electronic copy is identical to the hard copy that will be hand delivered.

The Applicant has requested that a portion of Tab 11, specifically the detailed layout of the planned wind farm, be kept confidential until such time the Board votes to approve the application. In accordance with 34 TAC 9.1053, the information that is the subject of this request is segregated from the materials submitted contemporaneously with this application, that is, the proprietary commercial information regarding the competitive siting decisions for the possible project and proprietary information regarding the proposed layout of the project. The confidential materials are being submitted separately to protect against unintended disclosure. The maps depicting the planned location of the project display proprietary commercial information regarding the specific location of the possible project and the nature of the business that will be conducted at the site. The materials are protected by the trade secret exception set forth in Texas Government Code §552.110.

A copy of the application will be submitted to the Cooke County Appraisal District.

Sincerely,



Kevin O'Hanlon  
School District Consultant

Cc: Cooke County Appraisal  
District Wildcat Creek Wind Farm LLC



**EDP Renewables North America LLC**

**Wildcat Creek Wind Farm LLC**

**Chapter 313 Application**

**Submitted on June 11, 2019**

**Muenster Independent School District**

## APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
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 <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> <li>a) Project vicinity</li> <li>b) Qualified investment including 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</li> <li>c) Qualified property including location of new buildings or new improvements</li> <li>d) Existing property</li> <li>e) Land location within vicinity map</li> <li>f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size</li> </ul> <p><b>Note:</b> Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic Impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> <li>a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office</li> <li>b) legal description of reinvestment zone*</li> <li>c) order, resolution or ordinance establishing the reinvestment zone*</li> <li>d) guidelines and criteria for creating the zone*</li> </ul> <p><b>* To be submitted with application or before date of final application approval by school board</b></p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

**TAB #1**  
Application

See attached.

# 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

June 12, 2019

Date Application Received by District

Steven

First Name

Self

Last Name

Superintendent

Title

Muenster Independent School District

School District Name

113 East 7th Street, Muenster, TX 76252

Street Address

113 East 7th Street

Mailing Address

Muenster

City

TX

State

76252

ZIP

(940) 759-2281 ext 601

Phone Number

940.759.5200

Fax Number

steven.self@muensterisd.org

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)

Form fields for authorized school district consultant including name (Dan Casey), title (Partner), firm name (Moak, Casey & Associates), phone numbers, and email address (dcasey@moakcasey.com).

- 4. On what date did the district determine this application complete? July 9, 2019
5. Has the district determined that the electronic copy and hard copy are identical? [X] Yes [ ] No

SECTION 2: Applicant Information

1. Authorized Company Representative (Applicant)

Form fields for authorized company representative including name (Steve Irvin), title (Executive Vice President), organization (EDP Renewables North America LLC), address (808 Travis Street, Suite 700), city (Houston), state (TX), ZIP (77022), and phone numbers.

- 2. Will a company official other than the authorized company representative be responsible for responding to future information requests? [X] Yes [ ] No

2a. If yes, please fill out contact information for that person.

Form fields for contact information of company official including name (Danielle Thurber), title (Tax Manager), organization (EDP Renewables North America LLC), address (808 Travis Street, Suite 700), city (Houston), state (TX), ZIP (77022), and phone numbers.

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

SECTION 2: Applicant Information (continued)

1. Authorized Company Consultant (If Applicable)

Brandon Budde
First Name Last Name
Manager
Title
Ryan LLC
Firm Name
619.430.4423
Phone Number
brandon.budde@ryan.com
Business Email Address

SECTION 3: Fees and Payments

- 1. Has an application fee been paid to the school district? [checked] 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 [checked] 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 [checked] N/A

SECTION 4: Business Applicant Information

- 1. What is the legal name of the applicant under which this application is made? Wildcat Creek Wind Farm LLC
2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32066001960
3. List the NAICS code 221115
4. Is the applicant a party to any other pending or active Chapter 313 agreements? [ ] Yes [checked] No
4a. If yes, please list application number, name of school district and year of agreement

SECTION 5: Applicant Business Structure

- 1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) Limited Liability Coporation
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? [checked] 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? [checked] Yes [ ] No
4. Are all applicant members of the combined group current on all tax payments due to the State of Texas? [checked] 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)

Not applicable.

**SECTION 6: Eligibility Under Tax Code Chapter 313.024**

- Are you an entity subject to the tax under Tax Code, Chapter 171?  Yes  No
- 2. The property will be used for one of the following activities:
  - (1) manufacturing  Yes  No
  - (2) research and development  Yes  No
  - (3) a clean coal project, as defined by Section 5.001, Water Code  Yes  No
  - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code  Yes  No
  - (5) renewable energy electric generation  Yes  No
  - (6) electric power generation using integrated gasification combined cycle technology  Yes  No
  - (7) nuclear electric power generation  Yes  No
  - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7)  Yes  No
  - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051  Yes  No
- 3. Are you requesting that any of the land be classified as qualified investment?  Yes  No
- 4. Will any of the proposed qualified investment be leased under a capitalized lease?  Yes  No
- 5. Will any of the proposed qualified investment be leased under an operating lease?  Yes  No
- 6. Are you including property that is owned by a person other than the applicant?  Yes  No
- 7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment?  Yes  No

**SECTION 7: Project Description**

- 1. In **Tab 4**, attach 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.
- 2. Check the project characteristics that apply to the proposed project:
  - Land has no existing improvements  Land has existing improvements (*complete Section 13*)
  - Expansion of existing operation on the land (*complete Section 13*)  Relocation within Texas

**SECTION 8: Limitation as Determining Factor**

- 1. Does the applicant currently own the land on which the proposed project will occur?  Yes  No
- 2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project?  Yes  No
- 3. Does the applicant have current business activities at the location where the proposed project will occur?  Yes  No
- 4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location?  Yes  No
- 5. Has the applicant received any local or state permits for activities on the proposed project site?  Yes  No
- 6. Has the applicant received commitments for state or local incentives for activities at the proposed project site?  Yes  No
- 7. Is the applicant evaluating other locations not in Texas for the proposed project?  Yes  No
- 8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities?  Yes  No
- 9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project?  Yes  No
- 0. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas?  Yes  No

**Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.**

**SECTION 9: Projected Timeline**

1. Application approval by school board ..... November 2019
2. Commencement of construction ..... Q2 2020
3. Beginning of qualifying time period ..... Q4 2020
4. First year of limitation ..... 2021
5. Begin hiring new employees ..... Q4 2020
6. Commencement of commercial operations ..... Q4 2020
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 2020

**SECTION 10: The Property**

1. Identify county or counties in which the proposed project will be located ..... Cooke
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property ..... Cooke
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: Cooke County, .461, 100% City: N/A  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Hospital District: Muenster Hospital, .189, 84% Water District: Clear Creek Water, .039, 50%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Other (*describe*): NCT College, .110, 100% Other (*describe*): Gainesville Hospital District, .169, 16%  
(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? ..... 30,000,000.00
2. What is the amount of appraised value limitation for which you are applying? ..... 30,000,000.00  
**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? Not Applicable

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.

**SECTION 14: Wage and Employment Information**

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 2019  
(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? ..... 3

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 ..... 915.75

b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 1,230.08

c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 932.04

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? ..... 48,466.00

10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 48,466.00

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**

- 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.
- Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (*not required*)
- 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**.

**TAB #2**

Proof of Payment of Application Fee

See attached.

Proof of payment of filing fee received by the  
Comptroller of Public Accounts per TAC Rule  
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public  
Accounts)*

---

**TAB #3**

Combined Group Membership Documentation

See attached.

### Texas Franchise Tax Extension Request

Tcode 13258 ANNUAL

Taxpayer number 32003192591 Report year 2019 Due date 05/15/2019

Taxpayer name EDP RENEWABLES NORTH AMERICA LLC				Secretary of State file number or Comptroller file number	
Mailing address 808 TRAVIS STREET, SUITE 700				0708404523	
City HOUSTON	State TX	Country	ZIP code plus 4 77002	Check box if the address has changed <input type="checkbox"/>	
Check box if this is a combined report <input checked="" type="checkbox"/>					

If this extension is for a combined group, you must also complete and submit Form 05-165.

Note to mandatory Electronic Fund Transfer (EFT) payers:  
 When requesting a second extension do not submit an Affiliate List Form 05-165.

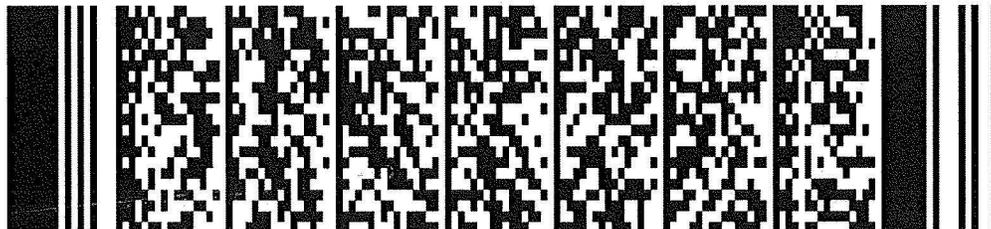
1. Extension payment (Dollars and cents) 1. 0.00

Print or type name		Area code and phone number (713) 265-0240	
I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.			
sign here 	AB	Date	5-7-19
			<b>Mail original to:</b> Texas Comptroller of Public Accounts P.O. Box 149348 Austin, TX 78714-9348

Instructions for each report year are online at [www.comptroller.texas.gov/taxes/franchise/forms](http://www.comptroller.texas.gov/taxes/franchise/forms). If you have any questions, call 1-800-252-1381.

Taxpayers who paid \$10,000 or more during the preceding fiscal year (Sept. 1 thru Aug. 31) are required to electronically pay their franchise tax.  
 For more information visit [www.comptroller.texas.gov/taxes/franchise/filing-requirements.php](http://www.comptroller.texas.gov/taxes/franchise/filing-requirements.php).

Texas Comptroller Official Use Only



VE/DE	
PM Date	



**Texas Franchise Tax Extension Affiliate List**

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

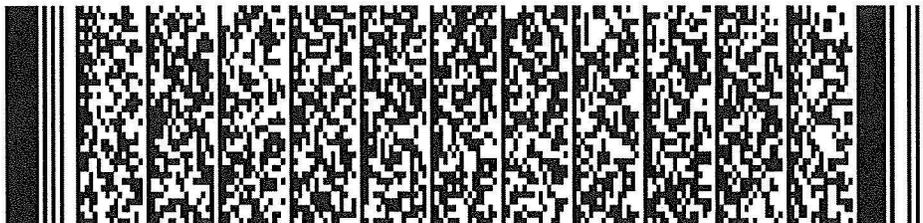
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. 2007 VENTO I LLC	12604830542	<input type="checkbox"/>
2. 2007 VENTO II LLC	12615504987	<input type="checkbox"/>
3. 2009 VENTO V, LLC	32043376899	<input type="checkbox"/>
4. 2018 Vento XIX, LLC	32068733248	<input type="checkbox"/>
5. BC2 MAPLE RIDGE WIND LLC	12044499882	<input type="checkbox"/>
6. BLUE CANYON WINDPOWER II LLC	13521968050	<input type="checkbox"/>
7. BLUE CANYON WINDPOWER III LLC	13645227540	<input type="checkbox"/>
8. BLUE CANYON WINDPOWER IV LLC	13714589069	<input type="checkbox"/>
9. BLUE CANYON WINDPOWER V LLC	17109504070	<input type="checkbox"/>
10. EDPR Wind Ventures XIX, LLC	32068733206	<input type="checkbox"/>
11. GREEN POWER OFFSETS LLC	32051567017	<input type="checkbox"/>
12. HIDALGO WIND FARM II LLC	32060292482	<input type="checkbox"/>
13. HIDALGO WIND FARM LLC	32042891542	<input type="checkbox"/>
14. HORIZON WIND ENERGY PANHANDLE I LLC	32040378831	<input type="checkbox"/>
15. HORIZON WIND ENERGY SOUTHWEST II LLC	32040378815	<input type="checkbox"/>
16. HORIZON WIND ENERGY SOUTHWEST III LLC	32040378823	<input type="checkbox"/>
17. HORIZON WIND ENERGY SOUTHWEST IV LLC	32040378849	<input type="checkbox"/>
18. HORIZON WIND ENERGY VALLEY I LLC	12055685239	<input type="checkbox"/>
19. Meadow Lake Wind Farm VI LLC	32068732893	<input type="checkbox"/>
20. MESQUITE WIND LLC	17531995078	<input type="checkbox"/>
21. PAULDING WIND FARM III LLC	32062988400	<input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**



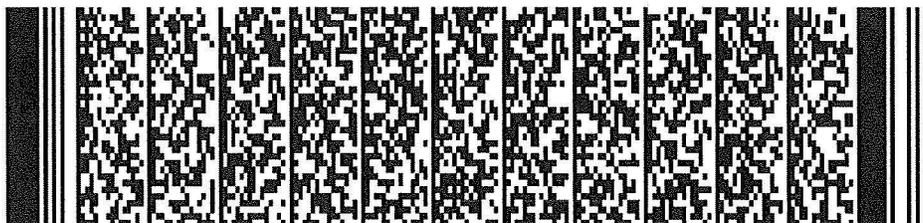
Reporting entity taxpayer number: 32003192591  
 Report year: 2019  
 Reporting entity taxpayer name: EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. POST OAK WIND, LLC	15625535719	<input type="checkbox"/>
2. Prairie Queen Wind Farm LLC	32068733545	<input type="checkbox"/>
3. Reloj del Sol Wind Farm LLC	32060155135	<input type="checkbox"/>
4. RIO BLANCO WIND FARM LLC	32042912991	<input type="checkbox"/>
5. SUSTAINING POWER SOLUTIONS LLC	32058396741	<input type="checkbox"/>
6. WHITESTONE WIND PURCHASING, LLC	18706946060	<input type="checkbox"/>
7. Wildcat Creek Wind Farm LLC	32066001960	<input type="checkbox"/>
8. 17TH STAR WIND FARM LLC	273037350	<input checked="" type="checkbox"/>
9. 2008 VENTO III, LLC	263584134	<input checked="" type="checkbox"/>
10. 2009 VENTO IV, LLC	270297964	<input checked="" type="checkbox"/>
11. 2009 VENTO VI, LLC	271465572	<input checked="" type="checkbox"/>
12. 2010 VENTO VII, LLC	272503317	<input checked="" type="checkbox"/>
13. 2010 VENTO VIII, LLC	273653214	<input checked="" type="checkbox"/>
14. 2011 VENTO IX, LLC	273654236	<input checked="" type="checkbox"/>
15. 2011 VENTO X, LLC	452837103	<input checked="" type="checkbox"/>
16. 2014 SOL I LLC	371754592	<input checked="" type="checkbox"/>
17. 2014 VENTO XI LLC	371754647	<input checked="" type="checkbox"/>
18. 2014 VENTO XII LLC	383929418	<input checked="" type="checkbox"/>
19. 2015 VENTO XIII, LLC	320465555	<input checked="" type="checkbox"/>
20. 2015 Vento XIV, LLC	352532387	<input checked="" type="checkbox"/>
21. 2016 VENTO XV, LLC	364827190	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

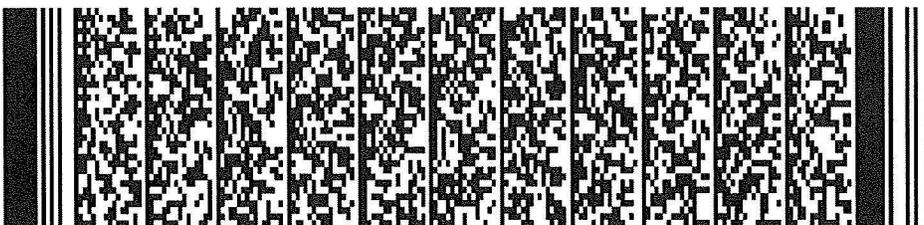
Reporting entity taxpayer number: 32003192591  
 Report year: 2019  
 Reporting entity taxpayer name: EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. 2016 VENTO XVI, LLC	364827685	<input checked="" type="checkbox"/>
2. 2017 SOL II LLC	320534947	<input checked="" type="checkbox"/>
3. 2017 VENTO XVII, LLC	320520595	<input checked="" type="checkbox"/>
4. 2018 Vento XVIII, LLC	371886293	<input checked="" type="checkbox"/>
5. ALABAMA LEDGE WIND FARM LLC	203168470	<input checked="" type="checkbox"/>
6. ANTELOPE RIDGE WIND POWER PROJECT LLC	205873013	<input checked="" type="checkbox"/>
7. ARBUCKLE MOUNTAIN WIND FARM LLC	352480317	<input checked="" type="checkbox"/>
8. ARKWRIGHT SUMMIT WIND FARM LLC	203168875	<input checked="" type="checkbox"/>
9. ARLINGTON WIND POWER PROJECT LLC	203171853	<input checked="" type="checkbox"/>
10. AROOSTOOK WIND ENERGY LLC	204449863	<input checked="" type="checkbox"/>
11. ASHFORD WIND FARM LLC	203168922	<input checked="" type="checkbox"/>
12. ATHENA-WESTON WIND POWER PROJECT II LLC	271199380	<input checked="" type="checkbox"/>
13. ATHENA-WESTON WIND POWER PROJECT LLC	263581943	<input checked="" type="checkbox"/>
14. Avondale Solar Park LLC	000000001	<input checked="" type="checkbox"/>
15. AZ SOLAR LLC	270693054	<input checked="" type="checkbox"/>
16. Bayou Bend Solar Park LLC	000000002	<input checked="" type="checkbox"/>
17. BC2 MAPLE RIDGE HOLDINGS LLC	205378684	<input checked="" type="checkbox"/>
18. BIG RIVER WP PROJECT LLC	263895152	<input checked="" type="checkbox"/>
19. BLACK PRAIRIE WIND FARM II LLC	264785923	<input checked="" type="checkbox"/>
20. BLACK PRAIRIE WIND FARM III LLC	264788293	<input checked="" type="checkbox"/>
21. BLACK PRAIRIE WIND FARM LLC	263582505	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

**Tcode** 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

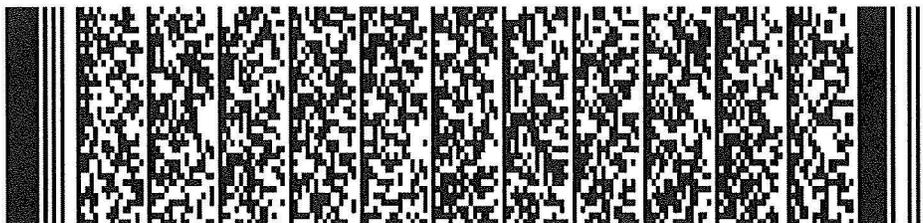
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. BLACKSTONE WIND FARM II, LLC	263584380	<input checked="" type="checkbox"/>
2. BLACKSTONE WIND FARM III LLC	263584472	<input checked="" type="checkbox"/>
3. BLACKSTONE WIND FARM IV LLC	263584540	<input checked="" type="checkbox"/>
4. BLACKSTONE WIND FARM V LLC	263584580	<input checked="" type="checkbox"/>
5. BLACKSTONE WIND FARM, LLC	203168795	<input checked="" type="checkbox"/>
6. BLUE CANYON WINDPOWER VI LLC	260733974	<input checked="" type="checkbox"/>
7. BLUE CANYON WINDPOWER VII LLC	271466098	<input checked="" type="checkbox"/>
8. Blue Harvest Solar Park LLC	611853085	<input checked="" type="checkbox"/>
9. BLUE MARMOT I LLC	364848633	<input checked="" type="checkbox"/>
10. BLUE MARMOT II LLC	352573945	<input checked="" type="checkbox"/>
11. BLUE MARMOT IV LLC	000000003	<input checked="" type="checkbox"/>
12. BLUE MARMOT IX LLC	000000004	<input checked="" type="checkbox"/>
13. BLUE MARMOT SOLAR PARK LLC	000000005	<input checked="" type="checkbox"/>
14. BLUE MARMOT V LLC	320507652	<input checked="" type="checkbox"/>
15. BLUE MARMOT VI LLC	364848928	<input checked="" type="checkbox"/>
16. BLUE MARMOT VII LLC	352587500	<input checked="" type="checkbox"/>
17. BLUE MARMOT VIII LLC	352594226	<input checked="" type="checkbox"/>
18. BLUE MARMOT XI LLC	000000006	<input checked="" type="checkbox"/>
19. BROADLANDS WIND FARM II LLC	263727712	<input checked="" type="checkbox"/>
20. BROADLANDS WIND FARM III LLC	263727792	<input checked="" type="checkbox"/>
21. BROADLANDS WIND FARM LLC	263726716	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



Texas Franchise Tax Extension Affiliate List

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

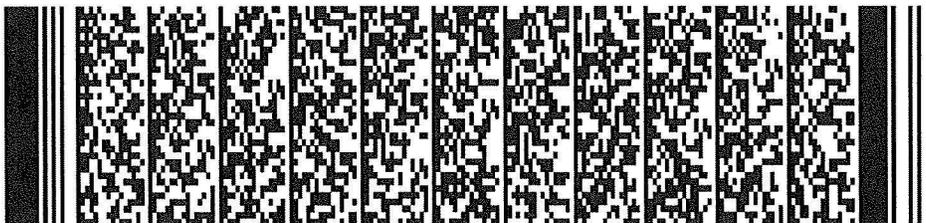
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. BUFFALO BLUFF WIND FARM LLC	205921709	<input checked="" type="checkbox"/>
2. Cameron Solar, LLC	320478555	<input checked="" type="checkbox"/>
3. Casa Grande Carmel Solar Park LLC	000000007	<input checked="" type="checkbox"/>
4. Castle Valley Wind Farm LLC	000000008	<input checked="" type="checkbox"/>
5. CHATEAUGAY RIVER WIND FARM LLC	262009165	<input checked="" type="checkbox"/>
6. Cielo Solar Park LLC	000000009	<input checked="" type="checkbox"/>
7. CLINTON COUNTY WIND FARM LLC	203167363	<input checked="" type="checkbox"/>
8. CLOUD COUNTY WIND FARM LLC	954895342	<input checked="" type="checkbox"/>
9. COLDWATER SOLAR PARK LLC	000000010	<input checked="" type="checkbox"/>
10. COOS CURRY WIND POWER PROJECT LLC	200250305	<input checked="" type="checkbox"/>
11. Crittenden Wind Farm LLC	384058383	<input checked="" type="checkbox"/>
12. CROSEY RIDGE WIND FARM LLC	263592182	<input checked="" type="checkbox"/>
13. CROSSING TRAILS WIND POWER PROJECT LLC	205568772	<input checked="" type="checkbox"/>
14. DAIRY HILLS WIND FARM LLC	203172568	<input checked="" type="checkbox"/>
15. DIAMOND POWER PARTNERS, LLC	205569203	<input checked="" type="checkbox"/>
16. DRAKE PEAK SOLAR PARK LLC	000000011	<input checked="" type="checkbox"/>
17. DRY CREEK SOLAR PARK LLC	352635257	<input checked="" type="checkbox"/>
18. EAST KLICKITAT WIND POWER PROJECT LLC	208082482	<input checked="" type="checkbox"/>
19. EDPR CA Solar Park II LLC	364904927	<input checked="" type="checkbox"/>
20. EDPR CA Solar Park III LLC	320565864	<input checked="" type="checkbox"/>
21. EDPR CA Solar Park IV LLC	352626491	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

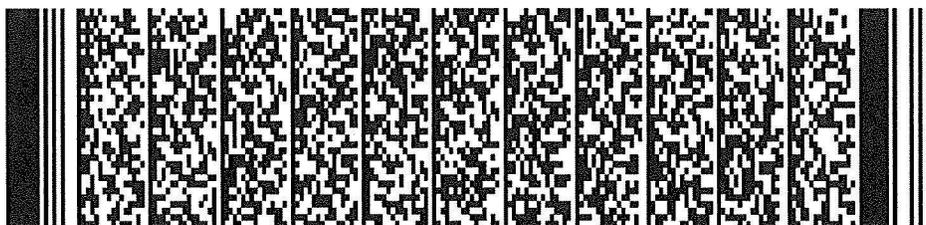
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. EDPR CA Solar Park LLC	611885419	<input checked="" type="checkbox"/>
2. EDPR CA Solar Park V LLC	352626648	<input checked="" type="checkbox"/>
3. EDPR CA Solar Park VI LLC	384080572	<input checked="" type="checkbox"/>
4. EDPR Offshore North America LLC	384060463	<input checked="" type="checkbox"/>
5. EDPR SOLAR VENTURES I, LLC	371754573	<input checked="" type="checkbox"/>
6. EDPR Solar Ventures II, LLC	352597663	<input checked="" type="checkbox"/>
7. EDPR SOUTH TABLE LLC	352597946	<input checked="" type="checkbox"/>
8. EDPR VENTO I HOLDING LLC	611775588	<input checked="" type="checkbox"/>
9. EDPR VENTO IV HOLDING LLC	611776353	<input checked="" type="checkbox"/>
10. EDPR WF LLC	383985406	<input checked="" type="checkbox"/>
11. EDPR WIND VENTURES X, LLC	452808895	<input checked="" type="checkbox"/>
12. EDPR WIND VENTURES XI, LLC	371754696	<input checked="" type="checkbox"/>
13. EDPR WIND VENTURES XII, LLC	371755156	<input checked="" type="checkbox"/>
14. EDPR WIND VENTURES XIII, LLC	371783080	<input checked="" type="checkbox"/>
15. EDPR Wind Ventures XIV, LLC	320465768	<input checked="" type="checkbox"/>
16. EDPR WIND VENTURES XV, LLC	383989121	<input checked="" type="checkbox"/>
17. EDPR WIND VENTURES XVI, LLC	352551920	<input checked="" type="checkbox"/>
18. EDPR Wind Ventures XVII, LLC	364861788	<input checked="" type="checkbox"/>
19. EDPR Wind Ventures XVIII, LLC	301043863	<input checked="" type="checkbox"/>
20. Estill Solar I, LLC	364802154	<input checked="" type="checkbox"/>
21. FIVE-SPOT, LLC	203172372	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

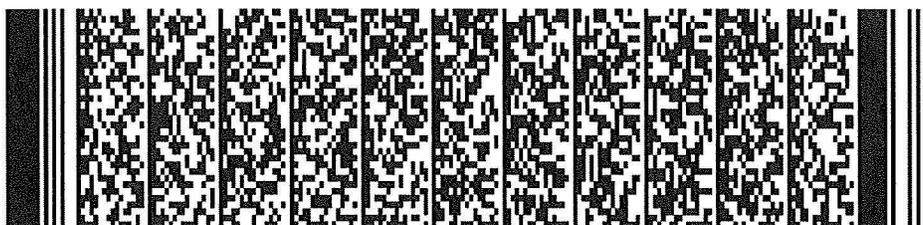
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. FORD WIND FARM LLC	263588598	<input checked="" type="checkbox"/>
2. FRANKLIN WIND FARM LLC	275500499	<input checked="" type="checkbox"/>
3. GREEN COUNTRY WIND FARM LLC	300794185	<input checked="" type="checkbox"/>
4. GULF COAST WINDPOWER MGMT COMPANY LLC	10108079541	<input checked="" type="checkbox"/>
5. Hampton Solar II, LLC	371769126	<input checked="" type="checkbox"/>
6. HEADWATERS WIND FARM II LLC	383929750	<input checked="" type="checkbox"/>
7. HEADWATERS WIND FARM III LLC	000000012	<input checked="" type="checkbox"/>
8. HEADWATERS WIND FARM LLC	273055677	<input checked="" type="checkbox"/>
9. Helena Harbor Solar Park LLC	000000013	<input checked="" type="checkbox"/>
10. HIGH PRAIRIE WIND FARM II LLC	954895343	<input checked="" type="checkbox"/>
11. HIGH TRAIL WIND FARM LLC	943424017	<input checked="" type="checkbox"/>
12. Hog Creek Wind Project, LLC	813152888	<input checked="" type="checkbox"/>
13. HORIZON WIND CHOCOLATE BAYOU I LLC	19002533487	<input checked="" type="checkbox"/>
14. HORIZON WIND ENERGY MIDWEST IX LLC	450513663	<input checked="" type="checkbox"/>
15. HORIZON WIND ENERGY NORTHWEST I LLC	943423985	<input checked="" type="checkbox"/>
16. HORIZON WIND ENERGY NORTHWEST IV LLC	943424000	<input checked="" type="checkbox"/>
17. HORIZON WIND ENERGY NORTHWEST VII LLC	200250336	<input checked="" type="checkbox"/>
18. HORIZON WIND ENERGY NORTHWEST X LLC	203171960	<input checked="" type="checkbox"/>
19. HORIZON WIND ENERGY NORTHWEST XI LLC	203172034	<input checked="" type="checkbox"/>
20. HORIZON WIND ENERGY SOUTHWEST I LLC	203172219	<input checked="" type="checkbox"/>
21. HORIZON WIND FREEPORT WINDPOWER I LLC	19002713063	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

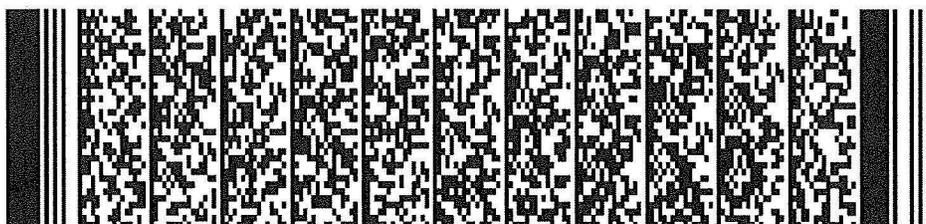
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. HORIZON WIND MREC IOWA PARTNERS LLC	943429327	<input checked="" type="checkbox"/>
2. HORIZON WIND VENTURES I LLC	260482956	<input checked="" type="checkbox"/>
3. HORIZON WIND VENTURES II, LLC	270629367	<input checked="" type="checkbox"/>
4. HORIZON WIND VENTURES III, LLC	271175463	<input checked="" type="checkbox"/>
5. HORIZON WIND VENTURES IX, LLC	273654634	<input checked="" type="checkbox"/>
6. HORIZON WIND VENTURES VI, LLC	271464749	<input checked="" type="checkbox"/>
7. HORIZON WIND VENTURES VII, LLC	272504246	<input checked="" type="checkbox"/>
8. HORIZON WIND VENTURES VIII, LLC	273654046	<input checked="" type="checkbox"/>
9. HORIZON WY TRANSMISSION LLC	000000014	<input checked="" type="checkbox"/>
10. HORSE MOUNTAIN WIND FARM LLC	611779414	<input checked="" type="checkbox"/>
11. Indiana Crossroads Wind Farm II LLC	000000015	<input checked="" type="checkbox"/>
12. Indiana Crossroads Wind Farm LLC	000000016	<input checked="" type="checkbox"/>
13. JERICO RISE WIND FARM LLC	203172505	<input checked="" type="checkbox"/>
14. JUNIPER WIND POWER PARTNERS LLC	943427313	<input checked="" type="checkbox"/>
15. Leprechaun Solar Park LLC	000000017	<input checked="" type="checkbox"/>
16. LEXINGTON CHENOA WIND FARM II LLC	271466292	<input checked="" type="checkbox"/>
17. LEXINGTON CHENOA WIND FARM III LLC	271466427	<input checked="" type="checkbox"/>
18. LEXINGTON CHENOA WIND FARM LLC	263592255	<input checked="" type="checkbox"/>
19. Loblolly Hill Solar Park LLC	000000018	<input checked="" type="checkbox"/>
20. Loki Solar Park LLC	000000019	<input checked="" type="checkbox"/>
21. Loma de la Gloria Solar Park LLC	352634932	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



Texas Franchise Tax Extension Affiliate List

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

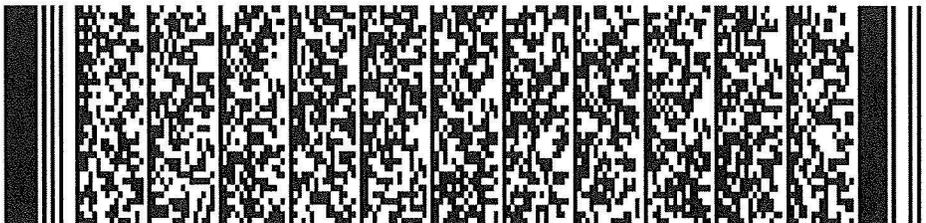
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. LONE VALLEY SOLAR PARK I LLC	352457913	<input checked="" type="checkbox"/>
2. LONE VALLEY SOLAR PARK II LLC	460910207	<input checked="" type="checkbox"/>
3. Long Hollow Wind Farm LLC	000000020	<input checked="" type="checkbox"/>
4. LOST LAKES WIND FARM LLC	954895336	<input checked="" type="checkbox"/>
5. Loyal Wind Farm LLC	000000021	<input checked="" type="checkbox"/>
6. MACHIAS WIND FARM LLC	900258592	<input checked="" type="checkbox"/>
7. MADISON WINDPOWER LLC	522211267	<input checked="" type="checkbox"/>
8. Marathon Wind Farm LLC	352651493	<input checked="" type="checkbox"/>
9. MARBLE RIVER WIND FARM LLC	203982648	<input checked="" type="checkbox"/>
10. MARTINSDALE WIND FARM LLC	203172275	<input checked="" type="checkbox"/>
11. Meadow Lake Solar Park LLC	000000022	<input checked="" type="checkbox"/>
12. MEADOW LAKE WIND FARM II LLC	203172146	<input checked="" type="checkbox"/>
13. MEADOW LAKE WIND FARM III, LLC	264497970	<input checked="" type="checkbox"/>
14. MEADOW LAKE WIND FARM IV, LLC	264788771	<input checked="" type="checkbox"/>
15. MEADOW LAKE WIND FARM, LLC	262797025	<input checked="" type="checkbox"/>
16. MEADOW LAKE WIND FARM V LLC	271199482	<input checked="" type="checkbox"/>
17. Meadow Lake Wind Farm VIII LLC	611913308	<input checked="" type="checkbox"/>
18. NEW TRAIL WIND FARM LLC	861060850	<input checked="" type="checkbox"/>
19. Nine Kings Transco LLC	364875070	<input checked="" type="checkbox"/>
20. Nine Kings Wind Farm LLC	364875065	<input checked="" type="checkbox"/>
21. NORTH SLOPE WIND FARM LLC	262010964	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

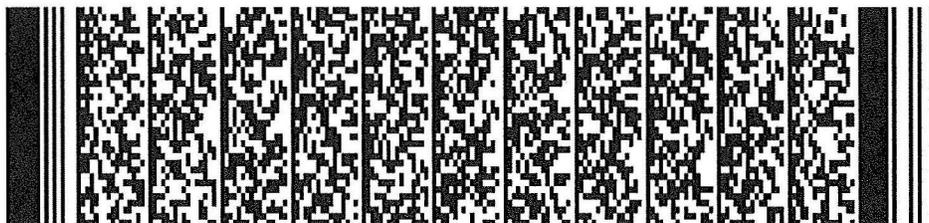
Reporting entity taxpayer number: 32003192591  
 Report year: 2019  
 Reporting entity taxpayer name: EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. NUMBER NINE WIND FARM LLC	263727883	<input checked="" type="checkbox"/>
2. OLD TRAIL WIND FARM LLC	450513799	<input checked="" type="checkbox"/>
3. OPQ PROPERTY LLC	205565267	<input checked="" type="checkbox"/>
4. PACIFIC SOUTHWEST WIND FARM. LLC	263592308	<input checked="" type="checkbox"/>
5. PAULDING WIND FARM II LLC	270687154	<input checked="" type="checkbox"/>
6. PAULDING WIND FARM IV LLC	452809286	<input checked="" type="checkbox"/>
7. PAULDING WIND FARM LLC	205378788	<input checked="" type="checkbox"/>
8. PAULDING WIND FARM V LLC	352576243	<input checked="" type="checkbox"/>
9. Paulding Wind Farm VI LLC	000000023	<input checked="" type="checkbox"/>
10. PETERSON POWER PARTNERS, LLC	205241242	<input checked="" type="checkbox"/>
11. PIONEER PRAIRIE WIND FARM I LLC	861060774	<input checked="" type="checkbox"/>
12. Plum Nellie Wind Farm LLC	205378736	<input checked="" type="checkbox"/>
13. Poplar Camp Wind Farm LLC	352610092	<input checked="" type="checkbox"/>
14. Prospector Solar Park LLC	000000024	<input checked="" type="checkbox"/>
15. QUILT BLOCK WIND FARM II LLC	352634160	<input checked="" type="checkbox"/>
16. QUILT BLOCK WIND FARM LLC	900047667	<input checked="" type="checkbox"/>
17. RAIL SPLITTER WIND FARM LLC	800134200	<input checked="" type="checkbox"/>
18. REDBED PLAINS WIND FARM LLC	300875127	<input checked="" type="checkbox"/>
19. Renville County Wind Farm LLC	000000025	<input checked="" type="checkbox"/>
20. RISING TREE WIND FARM II LLC	611719482	<input checked="" type="checkbox"/>
21. RISING TREE WIND FARM III LLC	371744393	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

**Tcode** 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

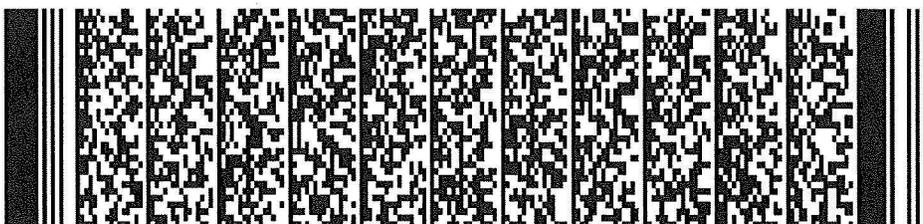
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. RISING TREE WIND FARM, LLC	943423997	<input checked="" type="checkbox"/>
2. RIVERSTART SOLAR PARK II LLC	000000026	<input checked="" type="checkbox"/>
3. Riverstart Solar Park III LLC	000000027	<input checked="" type="checkbox"/>
4. Riverstart Solar Park IV LLC	000000028	<input checked="" type="checkbox"/>
5. RIVERSTART SOLAR PARK LLC	364850772	<input checked="" type="checkbox"/>
6. Riverstart Solar Park V LLC	000000029	<input checked="" type="checkbox"/>
7. ROLLING UPLAND WIND FARM LLC	275499781	<input checked="" type="checkbox"/>
8. Rosewater Wind Farm LLC	611850027	<input checked="" type="checkbox"/>
9. RUSH COUNTY WIND FARM LLC	320410286	<input checked="" type="checkbox"/>
10. Rye Patch Solar Park LLC	000000030	<input checked="" type="checkbox"/>
11. SADDLEBACK WIND POWER PROJECT LLC	205922241	<input checked="" type="checkbox"/>
12. SAGEBRUSH POWER PARTNERS, LLC	760695655	<input checked="" type="checkbox"/>
13. San Clemente Solar Park LLC	000000031	<input checked="" type="checkbox"/>
14. SARDINIA WINDPOWER LLC	943424003	<input checked="" type="checkbox"/>
15. Shullsburg Wind Farm LLC	352654334	<input checked="" type="checkbox"/>
16. SIGNAL HILL WIND POWER PROJECT LLC	205778171	<input checked="" type="checkbox"/>
17. SIMPSON RIDGE WIND FARM II LLC	271199788	<input checked="" type="checkbox"/>
18. SIMPSON RIDGE WIND FARM III LLC	271201978	<input checked="" type="checkbox"/>
19. SIMPSON RIDGE WIND FARM IV LLC	271203422	<input checked="" type="checkbox"/>
20. SIMPSON RIDGE WIND FARM LLC	263727928	<input checked="" type="checkbox"/>
21. SIMPSON RIDGE WIND FARM V LLC	271203654	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**Texas Franchise Tax Extension Affiliate List**

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

32003192591

2019

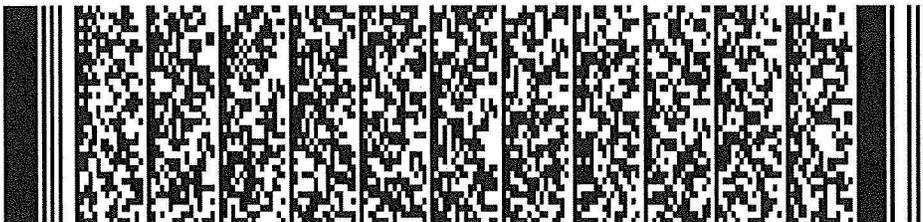
EDP RENEWABLES NORTH AMERICA LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. SPRUCE RIDGE WIND FARM LLC	371783841	<input checked="" type="checkbox"/>
2. STINSON MILLS WIND FARM LLC	205568629	<input checked="" type="checkbox"/>
3. Sweet Stream Wind Farm LLC	352601901	<input checked="" type="checkbox"/>
4. TELOCASET WIND POWER PARTNERS LLC	800134201	<input checked="" type="checkbox"/>
5. Timber Road Solar Park LLC	000000032	<input checked="" type="checkbox"/>
6. TUG HILL WINDPOWER LLC	203168727	<input checked="" type="checkbox"/>
7. TUMBLEWEED WIND POWER PROJECT	205778358	<input checked="" type="checkbox"/>
8. TURTLE CREEK WIND FARM LLC	12055661339	<input checked="" type="checkbox"/>
9. WAVERLY WIND FARM II LLC	300938069	<input checked="" type="checkbox"/>
10. WAVERLY WIND FARM LLC	273066276	<input checked="" type="checkbox"/>
11. WESTERN TRAIL WIND PROJECT I LLC	205922859	<input checked="" type="checkbox"/>
12. WHEAT FIELD HOLDING LLC	300793868	<input checked="" type="checkbox"/>
13. WHEAT FIELD WIND POWER PROJECT, LLC	260734117	<input checked="" type="checkbox"/>
14. WHISKEY RIDGE POWER PARTNERS LLC	200250362	<input checked="" type="checkbox"/>
15. WHISTLING WIND WI ENERGY CENTER LLC	943424010	<input checked="" type="checkbox"/>
16. White Stone Solar park LLC	000000033	<input checked="" type="checkbox"/>
17. WILSON CREEK POWER PROJECT LLC	262011461	<input checked="" type="checkbox"/>
18. WIND TURBINE PROMETHEUS, LP	470877761	<input checked="" type="checkbox"/>
19. Wrangler Solar Park LLC	384087858	<input checked="" type="checkbox"/>
20. WTP MANAGEMENT COMPANY LLC	205378631	<input checked="" type="checkbox"/>
21.		<input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

**Texas Comptroller Official Use Only**



VE/DE  FM



**TAB #4**

Detailed Description of Project

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The exact number of wind turbines and the size of the each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project. The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

**TAB #5**

Documentation to assist in determining if limitation is a determining factor

**Section 8, #2: Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project?**

The Applicant has executed all contracts as part of the development process and the Applicant has not executed any contracts that would require the Project to be constructed in Muenster ISD or the State of Texas.

**Section 8, #7: Is the applicant evaluating other locations not in Texas for the proposed project?**

The parent company, EDP Renewables North America (“EDP”) can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid. EDP has several gigawatts of renewable energy development assets in 20 states that it is marketing to different off-takers for construction and power purchase throughout the U.S. EDP is considering investment in many of these potential projects, instead of this Project. For this Project to be competitive with the other projects being developed by EDP, as well as the other projects within Texas that have secured abatement agreements, Applicant’s Project must secure a Chapter 313 Appraised Value Limitation with Muenster ISD, as well as other Chapter 313 and 312 agreements with respective entities for this Project. The Chapter 313 Appraised Value Limitation with Muenster ISD has a significant impact on the rate of return for this Project and allows it to be competitive not only with other projects in the EDP’s portfolio, but also with other projects being developed by competing companies in Texas. EDP has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year.

By way of comparison, EDP is actively developing and marketing multiple projects in the state of Kansas, which provides significant tax incentives at a state level. Kansas provides a property tax exemption for a period of 10 years on renewable facilities, via Kansas Statute 79-

**TAB #5**  
**CONTINUED**

Documentation to assist in determining if limitation is a determining factor

201. Typically, during the 10 year exemption period, EDP would pay the county a community gift payment, but this is significantly less than the property taxes paid by a project in Texas. In Indiana, there is an economic incentive available for utility distributable facilities that provides a property tax exemption for a period of 10 years. The property tax exemption can exempt property up to 100% during the term. The incentive is negotiated with the local Economic Development Authority. The negotiated economic payments during the 10 year term coupled with valuation methodology from the state provide a substantial reduction in property tax. By way of further example, for this Project to compete with projects in Kansas and Indiana, as well as projects throughout the U.S., EDP's Project must secure the available tax incentives in Texas. This includes obtaining a Chapter 313 Appraised Value Limitation with Muenster ISD to reduce the property tax liability to the school district for the portion of the Project that lies within the district.

**Section 8, #8: Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities?**

The parent company, EDP Renewables North America ("EDP") can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid. EDP has several gigawatts of renewable energy development assets in 20 states that it is marketing to different off-takers for construction and power purchase throughout the U.S. EDP is considering investment in many of these potential projects, instead of this Project. For this Project to be competitive with the other projects being developed by EDP, as well as the other projects within Texas that have secured abatement agreements, EDP's Project must secure a Chapter 313 Appraised Value Limitation with Muenster ISD, as well as other Chapter 313 and 312 agreements with respective entities for this Project. The Chapter 313 Appraised Value Limitation with Muenster ISD has a significant impact on the rate of return for this Project and allows it to be competitive not only with other projects in the EDP's portfolio, but also with other projects being developed by competing companies in Texas. EDP has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year. EDP has an existing two phase wind farm in operation near Abilene, Texas and obtained a Chapter 313 Appraised Value Limitation for wind provided the needed economics to

**TAB #5**  
**CONTINUED**

Documentation to assist in determining if limitation is a determining factor

allow for the EDP to invest capital, construct the project, and sell the power. More recently in 2016 EDP built a single phase wind farm in McCook, Texas on the border of Starr and Hidalgo counties that also had a Chapter 313 Appraised Value Limitation with both the Edinburg and Rio Grande City Independent School Districts, respectively. As the price of natural gas has declined over the last decade the market for long term power purchase agreements has become more competitive. The Department of Energy Wind Technologies Market Report determined that the national average levelized price of wind power contracts signed in 2014 had dropped to less than \$25 per Mega-Watt hour compared to the peak pricing of \$70 per Mega-Watt hour in 2009. The Chapter 313 Appraised Value Limitation has a significant impact on project economics to make it both competitive in the power purchase agreement market and also make it economically viable for investment.

**Section 8, #10: Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas?**

As noted above, the availability of tax incentives for this proposed project are critical to the decision of whether to proceed with the project. EDP can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year.

EDP has submitted information regarding the amount of its capital investment in the Project, which will constitute approximately \$48.1 million in Muenster ISD, of which the total project is \$229.8 million in Cooke County, with an estimated operating capacity of 180 megawatts of power, and nine (9) miles of 345 kV transmission line planned to be located in Cooke County. EDP has also provided information that the Project will be constructed and become operational by the end of the year 2020. EDP has located the Project in the ERCOT power market and has submitted an interconnection request to ERCOT. The interconnection request is in queue and the study is currently in the Full Interconnection Study ("FIS") stage. The ERCOT power market limits the potential off-takers of the power produced by the Project, since power cannot be exported from ERCOT to other markets.

**TAB #6**

Other School District Information

The Applicant estimates that 118 megawatts of the estimated 180 megawatts of the project will be located in Era ISD. The Applicant is planning to concurrently file a Chapter 313 Application with Era ISD.

Of the total project costs, the Applicant estimates that 20% of the project will be located and taxed within Muenster ISD. The estimated 80% remaining will be taxed within Era ISD.

**TAB #7**

Description of Qualified Investment

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The exact number of wind turbines and the size of the each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project. The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

**TAB #8**

Description of Qualified Property

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The exact number of wind turbines and the size of the each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project. The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

**TAB #9**

Description of Land

The Applicant, Wildcat Creek Wind Farm LLC, currently leases land within Cooke County that could accommodate the potential project.

<b>Parcel</b>	<b>Acres</b>	<b>Landowner</b>	<b>Survey &amp; Abstract Description</b>
115	1	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 1.0
138	75.67	KNIGHT JOE M & GAIL K	NAIL H 0790 ACRES 75.67
139	1	KNIGHT JOE M & GAIL K	NAIL H 0790 ACRES 1.0
142	158	WILLIAMSON LINDA GAIL	TAYLOR J 1007 ACRES 158.0
308	78.02	MARCHANT KENNY JR	MARTIN A 0637 ACRES 78.02
309	10.49	PYLE BETTY ELIZABETH	MARTIN A 0637 ACRES 10.49
310	1	PYLE BETTY ELIZABETH	MARTIN A 0637 ACRES 1.0
440	1.6	FLEITMAN BEN JR & CAROL	BBB & CRR, 0182 ACRES 1.6
441	225	HELLMAN FARM LTD	BBB & CRR, 0182 ACRES 200.8
442	225	HELLMAN FARM LTD	MEP & PRR CO, 0766 ACRES 225.0
456	168.92	SCHUMACHER RICHARD ETUX	MCKNELLY SW, 0656 ACRES 168.92
457	1	SCHUMACHER RICHARD ETUX	MCKNELLY SW, 0656 ACRES 1.0
458	151.08	SCHUMACHER RICHARD ETUX	ROSSON WC, 0887 ACRES 151.08
564	107.44	HARTMAN ROBERT & SHARLENE	LEWIS J, 0567 ACRES 107.44
690	1	SARGENT JERRY D	THOMPSON BJ, 1006 ACRES 1.0
691	1.92	BREWER DAVID & DENISE	THOMPSON BJ, 1006 ACRES 1.92
692	156.44	SARGENT JERRY D	THOMPSON BJ, 1006 ACRES 156.44
929	76	BAYER ANNA MARIE	LINN P, 1407 ACRES 76.0
930	188.5	BAYER ANNA MARIE	LINN JD, 1547 ACRES 188.5
955	130	BAYER REGINALD J & PATRICIA A REV TR	BBB & CRR, 0182 ACRES 130.0
1082	449	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 49.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

1083	1	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 1.07
1136	80	LOWREY MONICA	NAIL H, 0790 ACRES 80.0, O'CONNOR PLACE
1138	227.48	BECKER WERNER & LINDA	LANGHAM M, 0564 ACRES 227.48, HOME PLACE
1139	1.41	BECKER MICHAEL & BILLIE	LANGHAM M, 0564 ACRES 1.41
1140	1	BECKER WERNER & LINDA	LANGHAM M, 0564 ACRES 1.
1315	36.81	VILLA GILBERT & AINOHAM	MARTIN A 0637 ACRES 36.81
1344	34	TAYLOR CARRISA BERRY & LEAH BERRY PARKER	SPRR CO, 0981 ACRES 34.0
1345	1	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 1.0
1346	9.39	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 9.39
1478	2.78	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 2.78
2459	158.13	MITCHELL KENNETH JR	CARSON T, 0203 ACRES 158.13, EAST PLACE
2463	332.16	DIXON FOUNDATION	DAVIS J, 0331 ACRES 332.16
2465	88.2	DIXON FOUNDATION	POLK T, 0816 ACRES 88.2
2466	110	DIXON FOUNDATION	WILLIAMSON JM, 1107 ACRES 110.0
2467	1	KLEMENT ROBERT G & GLORIA	BBB & CRR, 0147 ACRES 1.0
2468	46.36	DIXON FOUNDATION	RICE GN, 1742 ACRES 46.36
2475	83.69	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 83.69
2534	32.29	GROCE JARED J & LEAH	TOBY T, 1061 ACRES 32.29
2655	1	MCBEE MARILYN SLIMAN	NAIL H, 0790 ACRES 1.0
2656	3.82	MCBEE HAL D JR	NAIL H, 0790 ACRES 3.82
2657	52	BONILLA VINCENT D ETUX	NAIL H, 0790 ACRES 52.0
2983	80	CANADAY LAURA F REVOCABLE TR	MARTIN A 0637 ACRES 80.0
3218	286.44	HARTMAN THOMAS FAMILY REAL EST LP	THOMPSON BJ, 1006 ACRES 286.44
3363	201.38	STEPHENS MARY	TOBY T, 1061 ACRES 201.38
3364	1	STEPHENS MARY	TOBY T, 1061 ACRES 1.0
4054	1	MORRIS KAREN COURSEY	HENDERSON WH, 1205 ACRES 1.0
4055	103.7	MORRIS KAREN COURSEY	HENDERSON WH, 1205 ACRES 103.7

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

4429	35.67	DANGELMAYR JAMES T ETAL	SA & MG RR, 0973 ACRES 35.67, SOUTH RANCH-HOLLARS
4464	2.79	DANGELMAYR CHARLOTTE TR	MEP & PRR CO, 0766 ACRES 2.79
5497	121.79	FUHRMANN MICHAEL J ETUX	MCKINNEY & WILLIAMS, 0757 ACRES 121.79
5498	93.96	FUHRMANN MICHAEL J ETUX	BBB & CRR, 0182 ACRES 93.96
5517	4.03	LITTLE KEVIN S & KASSIA	CARSON T, 0203 ACRES 4.03
5520	267.8	ENDERBY THOMAS STANLEY	CARSON T, 0203 ACRES 267.8
5549	38.6	BEWLEY GLENN D	TREVINO R, 1219 ACRES 38.6
5908	126.5	DANGELMAYR THOMAS & SHAWN DANGELMAYR	STANLEY CF, 0907 ACRES 126.5
6011	1	MALONE WILLIAM & LINDA	TAYLOR J, 1044 ACRES 1.0, LABEL# TEX0366838, SN1 P4318A; TIT
6012	28.18	MALONE WILLIAM & LINDA	TAYLOR J, 1044 ACRES 28.18
6031	21.52	FLEITMAN DANIEL	LANGHAM M, 0564 ACRES 21.52
6032	1	FLEITMAN DANIEL	LANGHAM M, 0564 ACRES 1.0
6196	56.18	CROSSEN FAMILY RANCH LTD	MILLARD RF 0646 ACRES 56.18
6197	26	COMPADRE CATTLE CO LLC	NOBLE AW 0797 ACRES 26.0
6201	10.73	COMPADRE CATTLE CO LLC	WHALEY JC 1757 ACRES 10.73
6205	8.99	CROSSEN FAMILY RANCH LTD	DILLION C 1685 ACRES 8.99
6207	40	CROSSEN FAMILY RANCH LTD	WATKINS WR 1582 ACRES 40.0
6208	466.52	ELLIS G C MORTON & MARY W	INGLISH LA 1568 ACRES 466.52
6209	651.35	CROSSEN FAMILY RANCH LTD	HULEN H 1565 ACRES 651.35
6216	1	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 1.0
6217	6.3	CROSSEN FAMILY RANCH LTD	FEARS JT 1253 ACRES 6.3
6219	160	COMPADRE CATTLE CO LLC	WELLS RB 1117 ACRES 160.0
6220	103.03	CROSSEN FAMILY RANCH LTD	WHITTEN JW 1115 ACRES 103.03
6221	1	CROSSEN FAMILY RANCH LTD	WHITTEN JW 1115 ACRES 1.0
6222	160	CROSSEN FAMILY RANCH LTD	TEMPLETON A 1037 ACRES 160.0
6223	320	CROSSEN FAMILY RANCH LTD	TOBY T 1049 ACRES 320.0
6224	20.31	BOYD FAMILY LIVING TRUST	TAYLOR J, 1007 ACRES 200.31

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

6225	440.38	CROSSEN FAMILY RANCH LTD	SA & MG RR 0999 ACRES 41.92
6226	249.54	CROSSEN FAMILY RANCH LTD	MEP & CRR CO 0991 ACRES 249.54
6227	8.55	CROSSEN FAMILY RANCH LTD	DEMORSE C 0332 ACRES 8.55
6232	320	COMPADRE CATTLE CO LLC	HAGGERTY J 0508 ACRES 320.0
6236	160	CROSSEN FAMILY RANCH LTD	FEARS JA 1254 ACRES 160.0
6304	124.23	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 124.23
6308	1	FLEITMAN KENNETH & SUSAN	TOBY T, 1060 ACRES 1.0
6309	60	FLEITMAN KENNETH & SUSAN	TOBY T, 1060 ACRES 60.0
6310	36.13	FLEITMAN KENNETH & SUSAN	TOBY T, 1062 ACRES 36.13
6650	155.17	MITCHELL KENNETH JR	LANGHAM M, 0564 ACRES 155.17
6678	1.91	SICKING BILL	NAIL H, 0790 ACRES 1.91
7087	192.85	SAPPENFIELD MATTIE LIEU LIVING TRUST	MEP & PRR CO, 0766 ACRES 192.85
7231	200	KLEMENT DANIEL	NAIL H, 0790 ACRES 200.0
7518	194.85	KLEMENT ROBERT G & GLORIA, SCOTT M & ZONYA T KLEMENT, JUSTIN R & AMANDA G	NAIL H, 0790 ACRES 194.85
7541	32.46	GREWING HENRY JR & DORIS	I & GN RR CO, 1264 ACRES 32.46
7543	85.48	GREWING HENRY JR & DORIS	CULP JM, 1351 ACRES 85.48
7545	167	GREWING HENRY JR & DORIS	LANGHAM M, 0564 ACRES 167.0
7546	1	GREWING HENRY JR & DORIS	LANGHAM M, 0564 ACRES 1.0
7547	22.86	GREWING HENRY JR & DORIS	LANGFORD E, 0566 ACRES 22.86
7548	29.5	GREWING HENRY JR & DORIS	BBB & CRR, 0182 ACRES 29.5
7652	74.54	WREN MITCHELL	TAYLOR J 1007 ACRES 56.54
7653	1	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 1.0
7654	40.53	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 40.53
7735	213.5	HACKER MAURUS ETAL	GARNER J, 0392 ACRES 213.5
8152	69.41	HARTMAN THOMAS FAMILY REAL EST LP	TOWNSLEY JL, 1551 ACRES 69.41
8153	93.56	HARTMAN THOMAS FAMILY REAL EST LP	CCSL, 1188 ACRES 96.44
8373	50	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 50.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

8533	1	KLEMENT SCOTT & ZONYA	TOBY T, 1060 ACRES 1.0
8628	87.66	EVANS VICKIE HENLEY	NAIL H, 0790 ACRES 87.66, N PT
8735	274.43	HERMES C WILLIAM & MARY EVELYN CO TRS OF HERMES FAMILY REV TE=R	DAVIDSON JT, 0302 ACRES 274.43
8737	1	HERMES C WILLIAM & MARY EVELYN CO TRS OF HERMES FAMILY REV TE=R	DAVIDSON JT, 0302 ACRES 1.0
8889	1	HESS CHRIS A	MILLS S, 0631 ACRES 1.0
8890	79.1	HESS CHRIS A	MILLS S, 0631 ACRES 79.1
8893	26.72	HESS CHRIS A	YANTIS JB, 1555 ACRES 26.72
8996	53.5	HILL E D ESTATE	MCCLELLAND W, 0752 ACRES 53.5
9210	1	KILCREASE ROBERT H	MARTIN A 0637 ACRES 1.0
9212	168.42	KILCREASE ROBERT H & KILCREASE JAMES ORVILLE	MARTIN A 0637 ACRES 149.19
9224	156.29	SICKING KENNETH D	CARSON T, 0203 ACRES 156.29
9293	1.5	HOOD COMMUNITY IMP CLUB	DAVIDSON JT, 0302 ACRES 1.5
9504	125.44	BAKER VICKIE,PAUL HUDSPETH & DALE HUDSPETH TRU	MARTIN A 0637 ACRES 125.44
9508	6.24	BAKER VICKIE,PAUL HUDSPETH & DALE HUDSPETH TRU	NOBLE AW 0797 ACRES 6.24
9884	1	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 1.0
9885	482.84	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 482.84
9887	1	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 1.0
9888	27.6	DANGELMAYR CHARLOTTE TR	DAVIS J, 0331 ACRES 27.6
9889	33	DANGELMAYR CHARLOTTE TR	POLK T, 0816 ACRES 33.0
9890	66	DANGELMAYR CHARLOTTE TR	WILLIAMSON JM, 1107 ACRES 66.0
9891	19.5	TRUBENBACH STEVEN & MELISSA	IRVINE AC, 1634 ACRES 19.5
9892	19.32	DANGELMAYR JOE HENRY ETUX	I & GN RR CO, 1264 ACRES 19.32
9893	293	DANGELMAYR JOE HENRY ETUX	I & GN RR CO, 1264 ACRES 394.48
9895	56.6	DANGELMAYR CHARLOTTE TR	CULP JM, 1350 ACRES 56.6
9896	474.53	TRUBENBACH STEVEN & MELISSA	BBB & CRR, 0150 ACRES 474.53
9898	10.69	TRUBENBACH STEVEN & MELISSA	AROCHA J J, 0022 ACRES 10.69

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

9899	84.2	DANGELMAYR CHARLOTTE TR	IRVINE AC, 1634 ACRES 84.2
9904	2.02	DANGELMAYR CHARLOTTE TR	LINN JD, 1547 ACRES 2.02
9905	12.13	DANGELMAYR CHARLOTTE TR	TOWNSLEY JL, 1551 ACRES 12.13
9943	316.29	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 316.29
9944	7.5	MARTIN THURMAN JACK II	WATKINS WR 1582 ACRES 7.5
10145	2	JONES C L MILDRED	TAYLOR J 1007 ACRES 2.0 LABEL# DLS0060114 SN1 C482493 TITLE # 00223786
10503	36.5	LUTKENHAUS LEO G ETUX	MILLS S, 0631 ACRES 36.5
10504	1	LUTKENHAUS LEO G ETUX	MILLS S, 0631 ACRES 1.0
10505	12.5	LUTKENHAUS LEO G ETUX	YANTIS JB, 1555 ACRES 12.5
10579	1	KNABE MARK A & DEBBIE M	TOBY T, 1061 ACRES 1.0
10581	11.2	KNABE MARK A & DEBBIE M	TOBY T, 1061 ACRES 11.2
10611	252.6	SICKING KENNETH D	LANGHAM M, 0564 ACRES 252.6
10612	1	SICKING KENNETH D	LANGHAM M, 0564 ACRES 1.0
10661	1	WALTER PARTNERS LTD	CLEMENT SE, 0272 ACRES 1.0
10732	331.65	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 331.65
10753	208.2	KLEMENT DANIEL	GARNER J, 0392 ACRES 208.2
10755	1	KLEMENT DANIEL	GARNER J, 0392 ACRES 1.0
10772	123.25	KLEMENT ROBERT G	TOBY T, 1062 ACRES 123.25
10773	120.25	KLEMENT ROBERT G	TOBY T, 1062 ACRES 120.25
10774	57.8	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	DAVIDSON JT, 0302 ACRES 57.8
10775	1	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 1.0
10777	132.3	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 132.3
10779	20	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 20.0
10781	168.4	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	MCCLELLAND W, 0752 ACRES 168.4
10783	195	KLEMENT MARY BIRSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES 195.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

10785	100.7	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	MCCLELLAND W, 0752 ACRES 100.7
10786	123.74	SICKING KENNETH D	DAVIDSON JT, 0302 ACRES 123.74
10793	163	KLEMENT ROBERT G	DAVIDSON JT, 0302 ACRES 163.0
10797	180	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 180.0
10800	3	KLEMENT ROBERT G & GLORIA	WERTZ PR, 1465 ACRES 1.0
10828	0.5	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES .5
10829	4.5	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES 4.5
10914	93.68	CROWDER KAREN REAL ESTATE LTD	THAMES A 1010 ACRES 93.68
10941	24.7	CROWDER KAREN REAL ESTATE LTD	THAMES A 1010 ACRES 24.7
10942	1.68	KNIGHT EDWIN & ANN	THAMES A 1010 ACRES 1.68
10943	1	KNIGHT ED & ANN FAMILY LTD	WATKINS WR 1582 ACRES 1.0
10944	7.5	KNIGHT ED & ANN FAMILY LTD	WATKINS WR 1582 ACRES 7.5
10947	176	KLEMENT BRYAN JOSEPH	NAIL H, 0790 ACRES 176.0
10949	167	KLEMENT BRYAN JOSEPH	THAMES A 1010 ACRES 153
10973	97.08	KNIGHT JOE M ETAL	NOBLE AW 0797 ACRES 97.08 LIFE EST WILLIAM H KNIGHT
11301	1	TRES CONDADO LAND CO LP	LANGFORD E, 0566 ACRES 1.
11483	500.01	KLEMENT ROBERT G & GLORIA	NAIL H, 0790 ACRES 500.01
11755	121	WOLF ERNEST J	LANGHAM M, 0564 ACRES 121.0
11757	1	WOLF ERNEST J	LANGHAM M, 0564 ACRES 1.0
11888	236.1	WALTER PARTNERS LTD	TOBY T, 1061 ACRES 236.1
12179	312.49	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	LANGHAM M, 0564 ACRES 312.49
12180	1	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	LANGHAM M, 0564 ACRES 1.0
12183	111.5	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	DAVIDSON JT, 0302 ACRES 111.5
12185	1	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	DAVIDSON JT, 0302 ACRES 1.0
12208	177	FETSCH GARRY	LANGHAM M, 0564 ACRES 177.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

12516	83	BURNSIDE SHARON TR OF JOETTA KALER TRUST	TAYLOR J 1007 ACRES 83.0
12643	1.9	TREADAWAY JOHN S & PAMELA	THAMES A 1010 ACRES 1.9
12707	57.04	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	MCKNELLY SW, 0656 ACRES 57.04
12708	42.45	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	LANGHAM M, 0564 ACRES 42.45
12789	69.16	LEWTER HERSHEL J & JOHNNY L TR	LANGHAM M, 0564 ACRES 159.0
12791	1	LEWTER HERSHEL J & JOHNNY L TR	LANGHAM M, 0564 ACRES 1.0
12792	1	LEWTER HERSHEL J & JOHNNY L TR	DAVIDSON JT, 0302 ACRES 1.0
12794	124	LEWTER HERSHEL J & JOHNNY L TR	DAVIDSON JT, 0302 ACRES 124.0
12907	1	SCRIBNER TONY	HENDERSON WH, 1205 ACRES 1.0
13053	22.5	LUKE MELVIN & TERRI	MILLS S, 0631 ACRES 22.5
13054	6.5	LUKE MELVIN & TERRI	YANTIS JB, 1555 ACRES 6.5
13055	1	LUKE MELVIN & TERRI	YANTIS JB, 1555 ACRES 1.0
13095	117.82	HESS JUDITH LUTKENHAUS	MOORE JA, 0759 ACRES 117.82
13097	1	SCHUMACHER JANET HOENIG	MOORE JA, 0760 ACRES 1.0
13098	150.15	SCHUMACHER JANET HOENIG	MOORE JA, 0760 ACRES 150.15
13160	550	KNIGHT WALTER MILLER	NAIL H, 0790 ACRES 550.0
13588	205.75	WYRICK LARRY & JOANIE	NAIL H, 0790 ACRES 205.75
14722	3.77	WEBER JOSEPH J ETUX	DAVIDSON JT, 0302 ACRES 3.77
14783	0.9	TESTERMAN RONEY & DEBORAH	DAVIDSON JT, 0302 ACRES .9
14838	210.5	KLEMENT DANIEL	NAIL H, 0790 ACRES 210.5
14839	3.1	MORRISON KATY MAE	NOBLE AW 0797 ACRES 3.1
14840	101.5	MORRISON M B ETUX	NOBLE AW 0797 ACRES 101.5
14843	124	MORRISON KATY M	TAYLOR J 1007 ACRES 124.0
15021	115.3	KLEMENT ROBERT G & GLORIA	LEWIS J, 0567 ACRES 115.0
15022	110	KLEMENT ROBERT G & GLORIA	LEWIS J, 0567 ACRES 110.0
15091	1	WALTER SHAWN AARON	LANGHAM M, 0564 ACRES 1.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

15577	2	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 2.0
15578	73	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 73.0
15608	77	KNIGHT JOE M & PATRICIA GAIL	NAIL H, 0790 ACRES 77.
15888	69	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 69.0
15890	5.5	MARTIN THURMAN JACK II	BOLIN J 0038 ACRES 5.5
15900	1	MITCHELL PARTNERS & MITCHELL TRUST	RUSK T, 0883 ACRES 1.0
15902	184.5	MITCHELL PARTNERS & MITCHELL TRUST	CARSON T, 0203 ACRES 184.5
15903	431.65	MITCHELL PARTNERS & MITCHELL TRUST	FOREMAN BA, 0390 ACRES 431.65
15904	2.15	MITCHELL PARTNERS & MITCHELL TRUST	TREVINO R, 1581 ACRES 2.15
15906	675	MITCHELL PARTNERS & MITCHELL TRUST	RUSK T, 0883 ACRES 675.0
16065	1	MULLER WELDON C ETUX	TOBY T, 1061 ACRES 1.
16066	19	MULLER WELDON C ETUX	TOBY T, 1061 ACRES 29.
16170	13.5	SCHILLING FRANK JR	SHORT JC, 1720 ACRES 13.5
16171	8.5	SCHILLING FRANK JR	SPRR CO, 0975 ACRES 8.5
16172	1	SCHILLING FRANK JR	MILLS S, 0631 ACRES 1.0
16173	38.58	SCHILLING FRANK JR	MILLS S, 0631 ACRES 38.58
16174	115.42	SCHILLING FRANK JR	EMANUEL A, 1197 ACRES 115.42
16261	2.34	DEGEARE MICHAEL J & VONDA J	LINDHEIMER FJ 0573 ACRES 2.34
16276	49.03	BONITA LAND & CATTLE LP	DANIELS E 0299 ACRES 49.03
16277	5.07	BONITA LAND & CATTLE LP	TREVINO R 1017 ACRES 5.07
16278	33.29	BONITA LAND & CATTLE LP	CLEMENT SE 1193 ACRES 33.29
16279	1	BONITA LAND & CATTLE LP	BOURLAND J 0132 ACRES 1.0
16280	43.83	BONITA LAND & CATTLE LP	BOURLAND J 0132 ACRES 43.83
16283	171.22	BONITA LAND & CATTLE LP	MARTIN A 0637 ACRES 171.22
16500	1	PEYROT B T	TOBY T, 1061 ACRES 1.0
16502	206.65	PEYROT B T	TOBY T, 1061 ACRES 206.65
16715	0.69	WEBER JOSEPH J & BETTI JO	DAVIDSON JT, 0302 ACRES .69, MARY LEE PLEDGER SR LIFE ESTATE

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

17031	53	THOMPSON LINDA SUE	MCCLELLAND W, 0752 ACRES 53.0
17032	6.5	THOMPSON LINDA SUE	DAVIDSON JT, 0302 ACRES 6.5
17130	169.41	FLEITMAN CHARLES & BEVERLY	MARTIN A 0637 ACRES 169.41
17153	10.77	FORTENBERRY MADISON & AARON	MEP & CRR CO 0991 ACRES 10.77
17216	1	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	TREVINO R, 1219 ACRES 1.0
17218	174.51	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	TREVINO R, 1219 ACRES 174.51
17302	23.13	GREWING MIKE INC	LANGFORD E, 0566 ACRES 23.13
17303	218.03	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 218.03
17304	1	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 1.0
17306	124.08	HELLMAN FARM LTD	TOBY T, 1062 ACRES 124.08
17330	122.05	REITER JOHNNY	LEWIS J, 0567 ACRES 122.05
17331	1	REITER JOHNNY	MEP & PRR CO, 0766 ACRES 1.0
17332	126.5	REITER JOHNNY	MEP & PRR CO, 0766 ACRES 126.5
17668	178.23	MITCHELL KENNETH JR & SHIRLEY	TAYLOR J 1044 ACRES 178.23 WEST PLACE
17920	1	WYRICK LARRY & JOANIE	BELCHER GW, 0187 ACRES 1.0
17921	77.9	WYRICK LARRY & JOANIE	BELCHER GW, 0187 ACRES 77.9
17923	8.3	WYRICK LARRY & JOANIE	CARSON T, 0203 ACRES 8.3
18063	3	GRIFFIN WILLIAM & HOWARD DIANA	DAVIDSON JT, 0302 ACRES 3.0
18132	1	PURCELL ROY	DAVIDSON JT, 0302 ACRES 1.0
18236	322.08	SICKING INVESTMENTS LTD	LANGHAM M, 0564 ACRES 322.08
18305	1	ANGER LYNNE D & CHARLES	SHIELDS J, 0911 ACRES 1.0
18306	200	SADAU CARL B	CARSON T, 0203 ACRES 200.0
18308	200	MITCHELL PARTNERS & MITCHELL TRUST	CARSON T, 0203 ACRES 200.0
18310	22.78	SADAU CARL B	AROCHA J J, 0021 ACRES 22.78
18311	4	WYRICK BENJAMIN C	CARSON T, 0203 ACRES 4.0, LABEL# NTA0037243, SN1 HA000096A;
18312	150.5	SADAU CARL B	SHIELDS J, 0911 ACRES 150.5
18424	138.9	SCHMITZ MICHAEL W & RAY BEZNER	EKEY R, 0356 ACRES 138.9

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

18598	102.7	RGK FARMS	LEWIS J, 0567 ACRES 102.7
18599	396.91	RGK FARMS	LEWIS J, 0567 ACRES 396.91
18616	54.92	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 54.92
18617	54.68	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 54.68
18618	1	SEGRAVES DALE	SOUTHWARD E 0927 ACRES 1.0
18619	319	SEGRAVES DALE	SOUTHWARD E 0927 ACRES 319.0
18621	107.4	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 107.4
18631	46.23	LAWSON JASON T & JEANIE L	CLEMENT SE 1193 ACRES 46.23
18635	56.77	LAWSON JASON T & JEANIE L	BOURLAND J 0132 ACRES 56.77
18644	14.19	NOLES TOMMY	TREVINO R 1017 ACRES 14.19
18645	113.23	NOLES TOMMY	MARTIN A 0637 ACRES 1.0 1010 CR 382, ERA TX 76238
18646	24.88	NOLES TOMMY W	MARTIN A 0637 ACRES 24.88
18924	1	SICKING HERBERT F	LANGFORD E, 0566 ACRES 1.0
18925	90	SICKING HERBERT F	LANGFORD E, 0566 ACRES 90.0
18926	50	SICKING HERBERT F	LANGFORD E, 0566 ACRES 50.0
18927	1	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	FOX JW, 0385 ACRES 1.0, S RANCH-SCHILLING PASTURE
18928	108.96	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	FOX JW, 0385 ACRES 108.96
18949	1	SICKING KENNETH D	LANGHAM M, 0564 ACRES 1.0
18950	4.48	SICKING KENNETH D	LANGHAM M, 0564 ACRES 4.48
18958	128	DANGELMAYR GLEN J	TREVINO R, 1013 ACRES 128.0
19553	500	SPARKS PEYTON B II	LANGHAM M, 0564 ACRES 500.0
19564	3.43	SPEARS GLENDA KAY	DEMORSE C 0332 ACRES 3.43
19566	1	TARABA JASON & TONI	DEMORSE C 0332 ACRES 1.0
20058	216.8	ELLIS G C MORTON & MARY W	GARNER J 0392 ACRES 212.41
20115	90	STORMER ZACHARY	TOWNSLEY JL, 1551 ACRES 90.0
20170	71.5	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 71.5
20171	56.14	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 56.14

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

20172	78	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 78.0
20174	194.39	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 194.39
20179	69.5	MARTIN THURMAN JACK II	BOLIN J, 0038 ACRES 69.5
20180	29	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 29.0
20181	40	MARTIN THURMAN JACK II	BOLIN J, 0038 ACRES 40.0
20437	1	SCHUMACHER SCOTT & STACEY	NAIL H, 0790 ACRES 1.0
20503	55.58	BAYER PAUL & DONNA	LINN P, 1407 ACRES 55.58
20504	6	BAYER ANNA MARIE	MEP & PRR CO, 0769 ACRES 6.0
20637	150	PURCELL ROY	NAIL H, 0790 ACRES 150.0
20886	52.67	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	MARTIN A 0637 ACRES 52.67
20887	0.91	NEEDHAM DONALD RAY	NOBLE AW 0797 ACRES .91
20888	6.98	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	NOBLE AW 0797 ACRES 6.98
20913	3.62	KNIGHT-INGLISH REAL ESTATE LTD	THAMES A 1010 ACRES 3.62
20914	144.38	KNIGHT-INGLISH REAL EST LTD	THAMES A 1010 ACRES 144.38
20959	320	FETSCH GARRY	YARBOROUGH PG, 1175 ACRES 320.0
20965	92.5	TRES CONDADO LAND CO LP	STUMP J, 1497 ACRES 92.5, FELDERHOFF PLACE
20968	268.5	TRES CONDADO LAND CO LP	STUTZMAN A, 1444 ACRES 268.5, FELDERHOFF PLACE
20980	486.31	TRES CONDADO LAND CO LP	LANGFORD E, 0566 ACRES 486.31
20985	148.26	KARL TRUBENBACH LAND LP	CARTER C, 1190 ACRES 148.26
20986	63.07	KARL TRUBENBACH LAND LP	CCSL, 1188 ACRES 63.07, CASON PLACE
21395	99.2	VOGEL WILBERT	SPRR CO, 0975 ACRES 99.2
21467	53.64	VOTH EMILIA MARY & RAY	PIERCE C, 1577 ACRES 53.64
21602	1	FUHRMANN MICHAEL & BEVERLY	LANGFORD E, 0566 ACRES 1.0
21603	82.66	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 82.66, DAD'S
21613	17.69	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 17.61, CORBIN 3 CORNER
21619	199	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 199.0
21620	1	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 1.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

21635	129.8	SCHILLING MICHAEL D & JO A	TREVINO R, 1013 ACRES 129.8
21648	69.78	WALTERSCHEID JULIAN	TOBY T, 1048 ACRES 69.78
21664	81.8	WALTERSCHEID PEGGY TRUSTEE	LANGFORD E, 0566 ACRES 81.8
21674	221.41	WALTERSCHEID SYLVAN	TOBY T, 1048 ACRES 221.41, SOWDER PLACE
21944	519.41	SPAETH JOHN DAVID TRUSTEE	MEP & PRR CO, 0769 ACRES 519.41
21944	519.41	SPAETH LOU ANN ETAL	MEP & PRR CO, 0769 ACRES 519.41
21958	13.41	SPAETH JOHN DAVID TRUSTEE	EMANUEL A, 1197 ACRES 13.41
21959	34.32	SPAETH JOHN DAVID TRUSTEE	SPRR CO, 0975 ACRES 34.32
21971	1	BERRY FAMILY FARM IRREV TR	DAVIDSON JT, 0302 ACRES 1.0
21972	107.94	BERRY FAMILY FARM IRREV TR	DAVIDSON JT, 0302 ACRES 107.94
22424	48.24	KNIGHT-INGLISH REAL EST LTD	THAMES A 1010 ACRES 48.24
22547	38	SCHUMACHER RICHARD ETUX	LANGHAM M, 0564 ACRES 38.0
23430	34	BOYD FAMILY LIVING TRUST	SPRR CO, 0981 ACRES 34.0
23634	27.47	CIRCLE Z FARM LLC	LANGHAM M, 0564 ACRES 27.47
23637	0.98	ZIMMERER RICHARD E & DELORES M	LANGHAM M, 0564 ACRES .98
23725	11	ZIMMERER RICHARD E	LANGHAM M, 0564 ACRES 11.0
23735	170.23	BELLE FOURCHE RESOURCES LLC	INGLISH LA 1568 ACRES 170.23
23739	5	KNIGHT JOE M ETAL	NOBLE AW 0797 ACRES 5.0 LIFE EST WILLIAM H KNIGHT
23740	20.9	KNIGHT JOE M ETAL	MARTIN A 0637 ACRES 20.9 LIFE EST WILLIAM H KNIGHT
23775	6.53	HARTMAN TIM ETUX	BBB & CRR, 0182 ACRES 6.53
24062	1	JOHNSON BRENDA LOUISE	MEP & CRR CO 0991 ACRES 1.0
24111	2.28	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 2.28
24112	22.93	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 22.93
24134	24	ENDRES JOHN ETUX	LEWIS J, 0567 ACRES 24.0
24135	1	ENDRES JOHN ETUX	LEWIS J, 0567 ACRES 1.0
24139	2.04	HOOD CEMETERY	TOBY T, 1061 ACRES 2.04, CEMETARY
24714	1	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 1.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

24715	128.13	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 128.13
24716	1	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 1.0, LABEL# TEX0321717, SN1 OCO385650A;
24802	29.15	HARTMAN TIM ETUX	EKEY R, 0356 ACRES 29.15
24882	104.9	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 104.9
25347	2.39	WALTERSCHEID PHILLIP E	LANGFORD E, 0566 ACRES 2.39
25353	21.28	GUESS GAYLE	NOBLE AW 0797 ACRES 21.28
25451	2	TESTERMAN RONEY & DEBORAH	DAVIDSON JT, 0302 ACRES 2.0
25672	4	DOUGHTY MICHAEL W	THOMPSON BJ, 1006 ACRES 4.0
25692	54.54	WALTERSCHEID PHILLIP E	LANGFORD E, 0566 ACRES 54.54
25819	149.4	MITCHELL KENNETH JR & SHIRLEY	SPRR CO 1000 ACRES 149.4 WEST PLACE
26424	82.38	SCHMITZ MICHAEL W & RAY BEZNER	BBB & CRR, 0182 ACRES 82.38
26517	9.39	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 9.39
26545	1	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 1.0
26613	50	LUTKENHAUS LEO ETUX	FOX JW, 0385 ACRES 50.0
26617	100	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 100.0
26808	41.87	SPARKS F MICHAEL	LANGHAM M, 0564 ACRES 41.87
26813	1	LUTKENHAUS DENNIS LAWRENCE	LANGFORD E, 0566 ACRES 1.
26815	31.63	LUTKENHAUS DENNIS LAWRENCE	LANGFORD E, 0566 ACRES 31.63
26817	44.66	SICKING LAND & CATTLE LLC	LANGFORD E, 0566 ACRES 44.66
26818	19.62	SICKING LAND & CATTLE LLC	LANGFORD E, 0566 ACRES 19.62
26819	45.26	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 45.26
26820	19.02	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 19.02
26821	44.28	SICKING PAULINE	LANGFORD E, 0566 ACRES 44.28
26822	1	SICKING WARREN FULTON	LANGFORD E, 0566 ACRES 1.0
26823	1	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 1.0
26824	24.59	LUTKENHAUS CHARLES AUGUST	LEWIS J, 0567 ACRES 24.59
26825	24.59	KLEMENT SCOTT & JUSTIN	LEWIS J, 0567 ACRES 24.59

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

26826	24.59	KLEMENT SCOTT & JUSTIN	LEWIS J, 0567 ACRES 24.59
26827	24.59	SICKING PAULINE	LEWIS J, 0567 ACRES 24.59
26969	1	KNIGHT JOE M & PATRICIA GAIL	NAIL H 0790 ACRES 1.0
26970	7.16	MCBEE MARILYN SLIMAN	NAIL H, 0790 ACRES 7.16
26971	95.08	MCBEE MARILYN S TRUSTEE	NAIL H, 0790 ACRES 95.08
27131	1.48	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	SA & MG RR, 0973 ACRES 1.48, S RANCH-SCHILLING PASTURE
27145	1	HAMMONDS MICHAEL	MEP & CRR CO 0991 ACRES 1.0 LABEL# TEX0515065 CANCELLED TO REAL ESTATE SN1 OC05957086A TITLE # 00741091
27281	107.42	KLEMENT ROBERT G & GLORIA	HENDERSON WH, 1205 ACRES 107.42
27392	6.26	KLEMENT ROBERT G & GLORIA	LINN P, 1407 ACRES 6.26
27403	159	KLEMENT ROBERT G & GLORIA	WERTZ PR, 1465 ACRES 159.0
28508	1	MORRISON KATY M	TAYLOR J 1007 ACRES 1.0 METAL BLDG
28509	99	KNIGHT ED & ANN FAMILY LTD	THAMES A 1010 ACRES 99.0
30968	1	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 1.0, LABEL# TEX0486242, SN1 OC05946051
31444	1	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 1.0
54386	140.15	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0150 ACRES 140.15
54387	44.66	DANGELMAYR CHARLOTTE TR	I & GN RR CO, 1264 ACRES 44.6
54388	124.8	DANGELMAYR CHARLOTTE TR	LOCKHART C, 0606 ACRES 124.8
54389	115.8	DANGELMAYR CHARLOTTE TR	AROCHA J J, 0022 ACRES 115.8
54390	38.7	DANGELMAYR CHARLOTTE TR	SPRR CO, 0981 ACRES 38.7
54391	24.4	DANGELMAYR CHARLOTTE TR	HOWETH WW, 1633 ACRES 24.4
54393	14.02	DANGELMAYR BILLY JOE, THOMAS J & SHAWN RAY	BBB & CRR, 0146 ACRES 14.02
54402	2.26	DANGELMAYR MICHAEL & KERRY	LANGFORD E, 0566 ACRES 2.26
54403	293	DANGELMAYR JOE HENRY ETUX	CULP JM, 1350 ACRES 293.0
54404	108	DANGELMAYR JOE HENRY ETUX	SPRR CO, 0981 ACRES 108.0
54405	2.82	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 2.82
55209	205	ALFORD CARL ETUX	BBB & CRR, 0147 ACRES 205.
56217	211.54	DIXON FOUNDATION	BBB & CRR, 0147 ACRES 211.54

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

56218	215.53	KLEMENT ROBERT G & GLORIA	BBB & CRR, 0147 ACRES 215.53
67446	7.94	DANGELMAYR THOMAS & SHAWN DANGELMAYR	BBB & CRR, 0146 ACRES 7.94, D BAR RANCH
67452	2	SHAFFER CLINTON & JACKIE WELCH	MEP & CRR CO 0991 ACRES 2.0
69218	5	CARTER CHRIS S & CYNTHIA DAWN	BBB & CRR, 0147 ACRES 5.0
69516	85.23	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 85.23
69517	161.02	SCHUMACHER GENE & SUSAN	FOREMAN BA, 0390 ACRES 161.02
69518	1AC	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 1.0
69843	1	BAYER PAUL & DONNA	MEP & PRR CO, 0769 ACRES 1.0
69845	70	BAYER MELVIN R	LINN P, 1407 ACRES 70.0
69918	87.66	DAVIDSON MARSHA HENLEY	NAIL H, 0790 ACRES 87.66, S PT
69939	0.53	ZIMMERER RAY J JR & IDA	LANGHAM M, 0564 ACRES .53
70068	4.99	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	NOBLE AW 0797 ACRES 4.99
70069	34.9	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	MARTIN A 0637 ACRES 34.9
74039	1	HAMMONDS JEREMY W	MEP & CRR CO 0991 ACRES 1.0 240 CR 346, GAINESVILLE TX 76240
74055	1	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 1.0
74226	48.96	WREN MITCHELL	TAYLOR J 1007 ACRES 48.96
74227	1	ROMERO JOAQUIN	TAYLOR J 1007 ACRES 1.0
74497	173.84	SICKING KENNETH D	DAVIDSON JT, 0302 ACRES 173.84
77809	33.3	GROCE G JACK & FRANCES B	TOBY T, 1061 ACRES 33.3
79083	141.79	HENNIGAN JANIE & MICHAEL J	SPRR CO, 0975 ACRES 141.79
79655	1	VILLA HECTOR O & STEPHANIE R	NOBLE AW 0797 ACRES 1.0
81494	1	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 1.0
82020	5	TWINER DARRELL & BRUCE TIFFANY	MARTIN A 0637 ACRES 6.0 --515 CR 382 ERA TX 76238-
82139	72.5	ROEHRS MICHAEL	MEP & PRR CO, 0766 ACRES 72.5
82140	77.5	ROEHRS MICHAEL	LEWIS J, 0567 ACRES 77.5
82193	16.79	SHAFFER CLINTON & JACKIE WELCH	MEP & CRR CO 0991 ACRES 16.79
82196	20	HAMMONDS MICHAEL	MEP & CRR CO 0991 ACRES 21.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

82214	1	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 1.0, LABEL# NTA1470303 CANCELLED TO REAL
82349	20	MARSHALL BRENDA JOHNSON	MEP & CRR CO 0991 ACRES 20.0
82468	1	GREWING GARY & KELLY	YARBOROUGH PG, 1175 ACRES 1.0
82542	1.77	SPAETH JOHN DAVID & MICHELLE	MEP & PRR CO, 0769 ACRES 1.77
82811	14.01	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 14.01
82917	1	SCHUMACHER GENE & SUSAN	FOREMAN BA, 0390 ACRES 1.0
83657	9	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 9.0
84727	29.59	POLO LISA A	DEMORSE C 0332 ACRES 29.59
84757	1	FLEITMAN CHARLES & BEVERLY	MARTIN A 0637 ACRES 1.0
84758	8.5	BLUM DALTON & GRACIE	MARTIN A 0637 ACRES 8.5
84803	12.26	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	LOCKHART C 0606 ACRES 12.26
84809	76	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	DAVIS J 0331 ACRES 76.0
84811	13.2	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	HOWETH WW 1633 ACRES 13.2
84850	54.72	WYRICK LARRY D, JOAN, JOHN & BEN	YARBOROUGH PG, 1175 ACRES 54.72
85171	10.1	TARABA JASON & TONI	DEMORSE C 0332 ACRES 10.1
85172	10.1	BOWLES RACHEL	DEMORSE C 0332 ACRES 10.1
86814	10.1	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 10.1
86815	10.1	HOLT DUANE CARROLL & CLAUDIA MARIE	DEMORSE C 0332 ACRES 10.1
87463	176.52	BELLE FOURCHE RESOURCES LLC	SA & MG RR 0999 ACRES 176.52
87523	30	HINSHAW CULLEN	MEP & CRR CO 0991 ACRES 30.0
87883	40	SPAETH JOHN DAVID & MICHELLE	MEP & PRR CO, 0769 ACRES 40.00
99416	11.15	HESS JUDITH LUTKENHAUS	MOORE JA, 0760 ACRES 11.15
10846 3	98.87	COMPADRE CATTLE CO LLC	TAYLOR J 1007 ACRES 98.87
10865 6	35.37	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 35.37
10869 2	42.22	BREWER DAVID & DENISE	THOMPSON BJ, 1006 ACRES 42.22
10869 3	9	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 9.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

10869 5	9	SICKING WARREN FULTON	LANGFORD E, 0566 ACRES 9.0
10881 3	1	GROCE JARED J & LEAH	TOBY T, 1061 ACRES 1.0
10888 9	104.77	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 104.77
10889 6	81.45	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 81.45
10889 7	9	FUHRMANN MICHAEL & BEVERLY	LANGFORD E, 0566 ACRES 9.0
10916 2	1.85	KLEMENT DANIEL	NAIL H, 0790 ACRES 1.85
11085 5	75.2	MITCHELL PARTNERS & MITCHELL TRUST	FOREMAN BA, 0390 ACRES 75.2
11085 6	13.9	BEWLEY GLENN D	LANGHAM M, 0564 ACRES 13.9
11087 2	21.57	VOGEL WELDON A	GATEWOOD HILLS, LOT 1, ACRES 21.57
11087 3	1	HESS BRIAN A & DANNA R	GATEWOOD HILLS, LOT 2, ACRES 1.0
11087 4	1	OPPERMANN ARTHUR C JR & GYNELL A	GATEWOOD HILLS, LOT 3, ACRES 1.0
11087 5	15.65	AMBROSE YVONNE T	GATEWOOD HILLS, LOT 4, ACRES 15.65
11087 6	1	KRUEGER 2015 FAMILY TR	GATEWOOD HILLS, LOT 5, ACRES 1.0
11087 7	14.81	VOGEL WELDON A	GATEWOOD HILLS, LOT 6, ACRES 14.81
11087 8	1	VOGEL WELDON A	GATEWOOD HILLS, LOT 1, ACRES 1.0
11087 9	10.44	ENDRES MONTE S & JACQUE KYLE	GATEWOOD HILLS, LOT 8, ACRES 10.44
11100 5	1.5	LONG DO & MANNAS WE	DAVIDSON JT, 0302 ACRES 1.5
11100 8	11.87	COOKE COUNTY	DAVIDSON JT, 0302 ACRES 11.87, PREC 3 COUNTY BARN
11105 3	185.89	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 185.89
11105 4	14.29	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 14.29, DAD'S
11105 6	15.2	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 15.2
11105 8	37.8	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 37.8, CORBIN SOUTH
11105 9	16.62	WALTERSCHEID SYLVAN	TOBY T, 1048 ACRES 16.62, SOWDER 3 CORNER
11106 2	8.98	MORRIS KAREN COURSEY	LINN P, 1407 ACRES 8.98
11106 7	125.11A C	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 125.11
11106 8	48.16	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 48.16
11110 7	1	MOCKAITIS EDWARD JR & VIRGINIA GAIL	MEP & CRR CO 0991 ACRES 1.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

11112 4	1	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 1.0
11113 3	112.5	KLEMENT BROTHERS DAIRY INC	DAVIDSON JT, 0302 ACRES 112.5
11136 7	1	UNKNOWN	UNKNOWN
11146 7	119.72	FETSCH GARRY	YARBOROUGH PG, 1175 ACRES 119.72
11335 9	12.06	KRUEGER 2015 FAMILY TR	GATEWOOD HILLS, LOT 5, ACRES 12.06
11346 2	62.75	TRUBENBACH STEVEN & MELISSA	CULP JM, 1351 ACRES 62.75
11358 8	65	GUESS GAYLE	NOBLE AW 0797 ACRES 65.0
11530 8	109.14	WALTER PARTNERS LTD	SPRR CO, 1000 ACRES 109.14
11530 9	95.21	WALTER PARTNERS LTD	TAYLOR J, 1044 ACRES 95.21
11539 6	71.6	RICHARDSON COY & LINDA	CARRYVAR P, 0235 ACRES 1.0
11539 7	1	ALAGA LA NORMA JEAN	NAIL H, 0790 ACRES 1.0
12795 0	111.2	HAMM SUZETTE BREWER	LEWIS J, 0567 ACRES 111.2
12815 5	1	HINSHAW CULLEN	MEP & CRR CO 0991 ACRES 1.0
12999 5	1	BECKER, WERNER & LINDA, LOWREY MONICA, & BENTON THERESA	LANGHAM M 0564 ACRES 1.0 BLOUNT PLACE
12999 6	149	BECKER, WERNER & LINDA, LOWREY MONICA, & BENTON THERESA	LANGHAM M 0564 ACRES 149.0 BLOUNT PLACE
13001 4	14	BUTCHER CLEO HOYT JR TRUST ETAL	MCCLELLAND W 0752 ACRES 14.0
13001 5	129	BUTCHER CLEO HOYT JR TRUST ETAL	CLEMENT SE 0273 ACRES 129.0
13014 9	120	GRUBER FAMILY TRUST, SCHMITZ ANNETTE CLARA, & GRUBER, ALICE	LEWIS J 0567 ACRES 120.0
13015 0	149.5	GRUBER FAMILY TRUST, SCHMITZ ANNETTE CLARA, & GRUBER, ALICE	CARSON T 0203 ACRES 149.5
13016 5	453.36	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	TOBY T 1060 ACRES 453.36
13016 6	17.17	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	THOMAS A 1696 ACRES 17.17
13016 8	8.01	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	STUTZMAN A 1444 ACRES 8.01
13049 7	1	BUTCHER CLEO H & BUTCHER CLEO HOYT JR TRUST	CLEMENT SE 0273 ACRES 1.0
13049 8	81.5	BUTCHER CLEO HOYT JR TRUST ETAL	TOBY T 1061 ACRES 81.5
13051 5	4.34	DANGELMAYR BILLY JOE & CHARLOTTE REV LIVING TR & TRUBENBACH STEVEN & MELISSA	LANGFORD E 0566 ACRES 4.34

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

13051 6	0.6	DANGELMAYR BILLY JOE & CHARLOTTE REV LIVING TR & TRUBENBACH STEVEN & MELISSA	CULP JM 1351 ACRES .6
13051 7	98.51	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	S FM 373 W/S MUENSTER, TX 76252
13571 8	7.57	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 7.57
13574 5	34	ROMERO JOAQUIN	TAYLOR J 1007 ACRES 34.0
13582 0	655.71	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 655.71
13582 1	47.68	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 47.68
13582 2	167.46	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 167.46
13582 3	55.6	COMPADRE CATTLE CO LLC	WHITTEN JW 1115 ACRES 55.6
13582 4	31.01	COMPADRE CATTLE CO LLC	DILLION C 1685 ACRES 31.01
13582 5	20.02	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 20.02
13582 6	496.37	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 496.37
13584 7	124	PURCELL RICKEY & DIANE DURHAM	DAVIDSON JT 0302 ACRES 124.0
13584 9	1	PURCELL RICKEY & DIANE DURHAM	DAVIDSON JT 0302 ACRES 1.0
13587 2	27.04	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 27.04
13595 8	71.6	ALAGA LA NORMA JEAN	NAIL H, 0790 ACRES 35.3
13611 9	14	VILLA HECTOR O & STEPHANIE R	NOBLE AW 0797 ACRES 14.0
13612 0	28.42	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 28.42
13614 7	3	ORTOWSKI CONSTRUCTION CO	LANGHAM M, 0564 ACRES 3.0
13628 2	153.82	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 153.82
13647 7	86.5	FSS PROPERTIES LTD & T & B FELDERHOFF LP & ALF HOLDINGS LTD	BELCHER GW 0187 ACRES 86.5 ROSSON PLACE
13654 7	39.52	SADAU CARL B	CARSON T, 0203 ACRES 39.52
13657 1	19	HAMMONDS JEREMY W	MEP & CRR CO 0991 ACRES 19.0
13663 2	1	BAYER PAUL & DONNA	LINN P, 1407 ACRES 114.68
13988 0	76.93	SICKING DARWIN	LANGHAM M, 0564 ACRES 177.06
13988 1	85.67	SICKING SHERILYN	LANGHAM M, 0564 ACRES 76.93
13991 5	44.21	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 44.21

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

13991 6	156.74	TRUBENBACH STEVEN & MELISSA	CULP JM, 1351 ACRES 156.74
14004 1	39	CARTER MATT	YARBOROUGH PG, 1175 ACRES 40.
14013 0	99	PURCELL ROY	DAVIDSON JT, 0302 ACRES 99.0
14015 0	24	GREWING GARY & KELLY	YARBOROUGH PG, 1175 ACRES 24.0
14024 9	204.96	DANGELMAYR JOSEPH C, DANGELMAYR LAUREN, & SCHOENDORF AMIE & LISA SLINGERLAND	FOREMAN BA 0390 ACRES 204.96 N PT SEARS PLACE - NORBS/ERA PLACE
14029 5	99	SCHUMACHER SCOTT & STACEY	NAIL H, 0790 ACRES 99.0
14029 6	9	UNKNOWN	UNKNOWN
14030 1	153.04	KNIGHT JOE M & PATRICIA GAIL	NAIL H, 0790 ACRES 153.04
14537 4	99	WALTER SHAWN AARON	LANGHAM M, 0564 ACRES 99.0
14538 9	208.73	WALTER PARTNERS LTD	CLEMENT SE, 0272 ACRES 208.73
14539 4	9	KLEMENT SCOTT & ZONYA	TOBY T, 1060 ACRES 9.0
14540 0	15.83	VOGEL WELDON A	GATEWOOD HILLS, LOT 7, ACRES 15.83
14540 1	17.72	HESS BRIAN A & DANNA R	GATEWOOD HILLS, LOT 2, ACRES 17.72
14540 2	19.38	OPPERMANN ARTHUR C JR & GYNELL A	GATEWOOD HILLS, LOT 3, ACRES 19.38
14620 8	63.83	BAYER PAUL & DONNA	MEP & PRR CO, 0769 ACRES 63.83
14649 7	1	GUESS GAYLE	NOBLE AW 0797 ACRES 1.0
14668 9	16.51	ANGER LYNNE D & CHARLES	SHIELDS J, 0911 ACRES 16.51
14669 0	9.85	ANGER LYNNE D & CHARLES	CARSON T, 0203 ACRES 9.85
14670 0	2	BLANTON KENNY D & MARCELLA	BOLIN J 0038 ACRES 2.0
14689 4	1	BOWLES RACHEL	DEMORSE C 0332 ACRES 1.0
14696 5	12.67	SCHUMACHER EUGENE & SUSAN & SCHUMACHER RUDY & JOANN	FOREMAN BA 0390 ACRES 12.67
14927 6	10	CARTER CHRIS S & CYNTHIA DAWN	BBB & CRR, 0147 ACRES 10.0
14929 1	31.65	LUTKENHAUS LEO GEORGE	LANGFORD E, 0566 ACRES 32.63
14953 5	10	MULLER MATTHEW & YANA	TOBY T, 1061 ACRES 10.0
14985 8	6.3	RANEY SHIRLEY	MEP & CRR CO 0991 ACRES 6.3
14985 9	18.97	RAUSCHUBER CHISAM & KACEE	MEP & CRR CO 0991 ACRES 17.97

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

14988 4	1	CARTER MATT	YARBOROUGH PG, 1175 ACRES 1.0
14994 3	42.18	HESS HEATHER MARIE	MOORE JA, 0759 ACRES 42.18
15017 7	1	DANGELMAYR JAMES T ET AL	SHORT FM 1707 ACRES 1.0 SOUTH RANCH-HOLLARS
15019 3	0.35	DANGELMAYR JAMES T ET AL	SHORT JC 1720 ACRES .35 SOUTH RANCH-HOLLARS
15019 8	309.7	DANGELMAYR JAMES T ETAL	SPRR CO 0975 ACRES 309.7 SOUTH RANCH-HOLLARS
15021 3	45.5	DANGELMAYR JAMES T ETAL	SHORT FM 1707 ACRES 45.5 SOUTH RANCH-HOLLARS
15030 5	112	DANGELMAYR JAMES T ETAL	SPRR CO 0975 ACRES 309.7 SOUTH RANCH-HOLLARS
15245 9	40	LEWTER LANNY & NEDRA	LANGHAM M 0564 ACRES 40.0
15246 0	47	LEWTER DEVIN	LANGHAM M 0564 ACRES 47.0
15248 4	1	UNKNOWN	NAIL H, 0790 ACRES 1.0
15248 6	35.3	UNKNOWN	NAIL H, 0790 ACRES 35.3
15250 7	113.68	BAYER PAUL & DONNA	LINN P 1407 ACRES 113.68
15258 2	85.67	SICKING KENNETH D	LANGHAM M 0564 ACRES 85.67
15662 3	1	HOLT DUANE CARROLL & CLAUDIA MARIE	DEMORSE C 0332 ACRES 1.0
16021 7	1	RAUSCHUBER CHISAM & KACEE	MEP & CRR CO 0991 ACRES 1.0

**TAB #10**

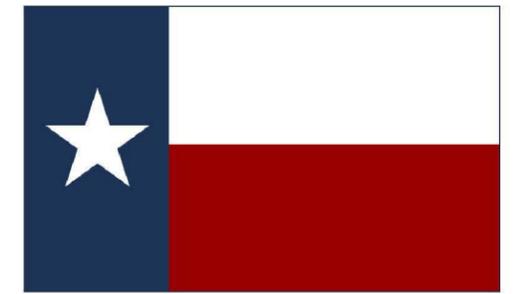
Description of Property not Eligible to become Qualified Property

N/A

**TAB #11**

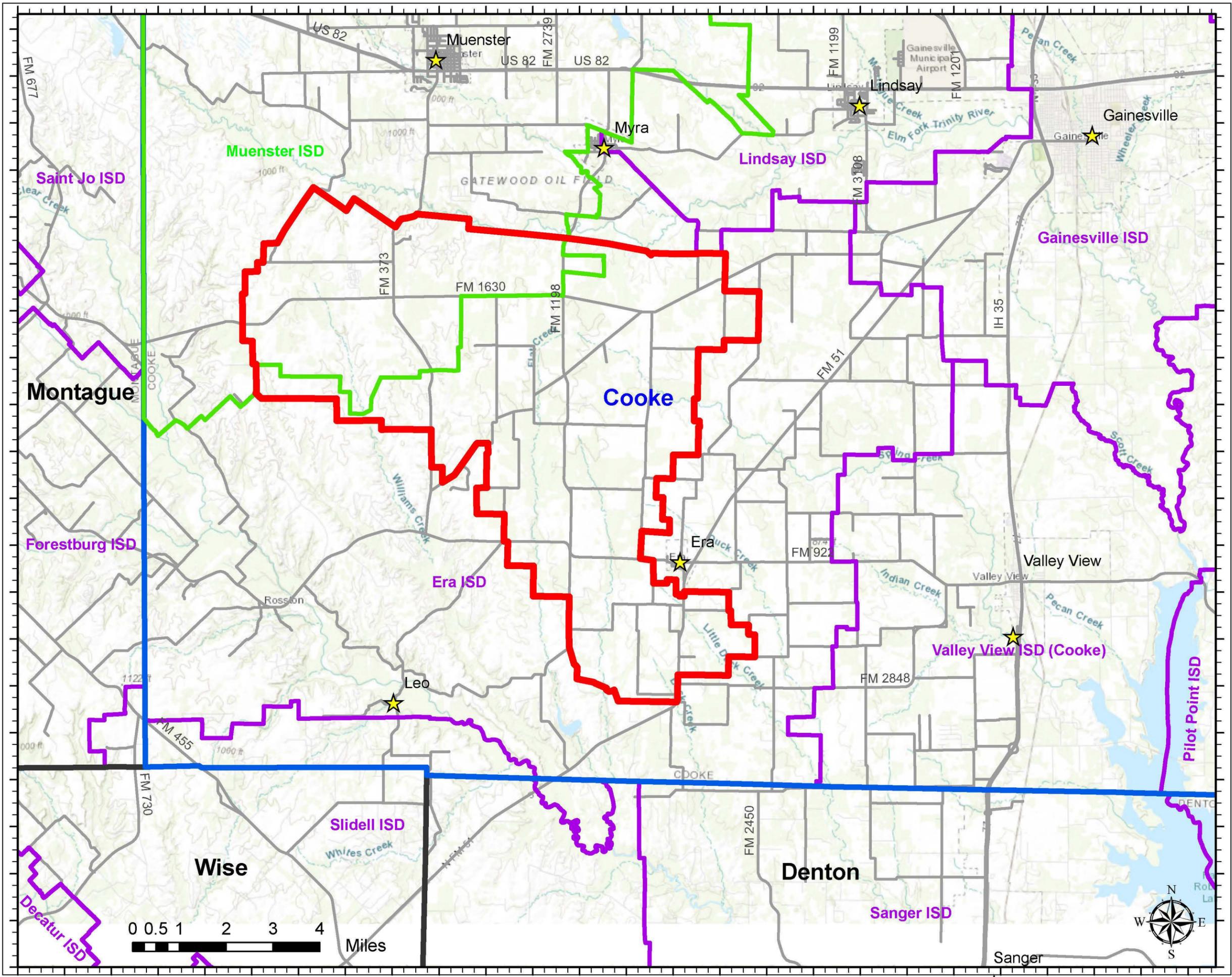
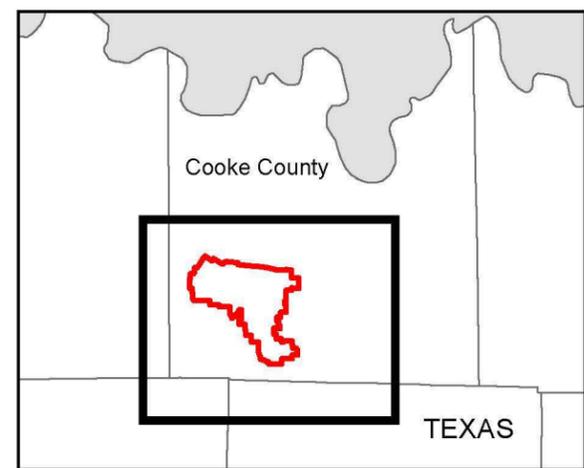
Maps of Project

See attached.



# Wildcat Creek Wind Farm Project Vicinity Map

- Project Boundary (Cooke County Reinvestment Zone)
- Muenster ISD
- Cooke County
- Counties
- Cities
- ISD Boundaries
- Public Roads



**TAB #12**

Request for Waiver of Job Creation Requirement

See attached.



May 17, 2019

Mr. Steven Self  
Superintendent  
Muenster Independent School District  
113 East 7<sup>th</sup> Street  
Muenster, TX 76252

**RE: Wildcat Creek Wind Farm LLC – Chapter 313 Job Requirements Waiver Request**

Dear Mr. Self:

Please consider this letter to be Wildcat Creek Wind Farm LLC's formal request to waive the minimum new job creation requirement, as provided under Texas Tax Code 313.025(f-1).

Based upon our knowledge of staffing requirements, Wildcat Creek Wind Farm LLC requests the job creation requirement under Chapter 313 of the Texas Tax Code be waived. In line with wind energy industry standards for job requirements, Wildcat Creek Wind Farm LLC has committed to create three (3) new qualifying jobs.

Wind farms create a large number of full-time, temporary jobs during the construction phase, but require a small number of highly skilled technicians to operate the wind farm once construction ends and commercial operations commence. Typically, wind farms of 100 to 200 megawatts in size require approximately three (3) full-time onsite employees, although this number varies depending on the units selected as well as the support and technical assistance offered by the manufacturer (the manufacturer will also provide onsite full-time staff during commercial operations). In addition to the onsite employees described, there may be asset managers or technicians who supervise, monitor, and support the wind energy project operations from offsite locations. The permanent employees of a wind farm maintain and operate the wind turbines, substations, and related infrastructure.

The waiver request herein is in line with the industry standards for the number of jobs specifically relegated to a wind generation facility of this size. This is EDP Renewables North America's experience based on a fleet of 45 operating facilities across the US. It is also



evidenced by previously filed Chapter 313 applications by wind energy developers who similarly requested a waiver of the job requirements.

Respectfully,

Wildcat Creek Wind Farm LLC

By: 

Steve Irvin

Executive Vice President, Central and Western Regions and Mexico

**TAB #13**

Calculation of three possible wage requirements with TWC documentation

**Cooke County All Industries Average Weekly Wages**

Cooke County Average All Industries Weekly Wages							
Year	Period	Area	Ownership	Level	Ind Code	Industry	Avg Weekly Wages
2018	4th Qtr	Cooke County	Private	0	10	Total, all industries	\$ 995.00
2018	3rd Qtr	Cooke County	Private	0	10	Total, all industries	\$ 894.00
2018	2nd Qtr	Cooke County	Private	0	10	Total, all industries	\$ 885.00
2018	1st Qtr	Cooke County	Private	0	10	Total, all industries	\$ 889.00
<b>4 Period Weekly Average</b>							<b>\$ 915.75</b>
<b>Average Weekly Wage</b>							<b>\$ 915.75</b>
<b>Annual Wages</b>							<b>\$ 47,619.00</b>

**Cooke County Average Manufacturing Weekly Wages**

Cooke County Average Manufacturing Weekly Wages							
Year	Period	Area	Ownership	Level	Ind Code	Industry	Avg Weekly Wages
2018	4th Qtr	Cooke County	Private	1	1013	Manufacturing	\$ 1,222.00
2018	3rd Qtr	Cooke County	Private	1	1013	Manufacturing	\$ 1,083.00
2018	2nd Qtr	Cooke County	Private	1	1013	Manufacturing	\$ 1,084.00
2018	1st Qtr	Cooke County	Private	1	1013	Manufacturing	\$ 1,084.00
<b>4 Period Weekly Average</b>							<b>\$ 1,118.25</b>
<b>110% of Average Weekly Wage</b>							<b>\$ 1,230.08</b>
<b>110% of Annual Wages</b>							<b>\$ 63,963.90</b>

**COG Region Wage**

Texoma Council of Governments		
	Hourly	Annual
2017 Average Manufacturing Wages	\$ 21.18	\$ 44,060.00
Avg Weekly Wage		\$ 847.31
110% of Region Weekly Wage		\$ 932.04
110% of Annual Wages		\$ 48,466.00

oke  
Cooke

Private  
Private

10  
10

Total, All Industries  
Total, All Industries

0  
0

**2017 Manufacturing Average Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	<b>\$26.24</b>	<b>\$54,587</b>
<a href="#"><u>1. Panhandle Regional Planning Commission</u></a>	\$23.65	\$49,190
<a href="#"><u>2. South Plains Association of Governments</u></a>	\$19.36	\$40,262
<a href="#"><u>3. NORTEX Regional Planning Commission</u></a>	\$23.46	\$48,789
<a href="#"><u>4. North Central Texas Council of Governments</u></a>	\$26.80	\$55,747
<a href="#"><u>5. Ark-Tex Council of Governments</u></a>	\$18.59	\$38,663
<a href="#"><u>6. East Texas Council of Governments</u></a>	\$21.07	\$43,827
<a href="#"><u>7. West Central Texas Council of Governments</u></a>	\$21.24	\$44,178
<a href="#"><u>8. Rio Grande Council of Governments</u></a>	\$18.44	\$38,351
<a href="#"><u>9. Permian Basin Regional Planning Commission</u></a>	\$26.24	\$54,576
<a href="#"><u>10. Concho Valley Council of Governments</u></a>	\$19.67	\$40,924
<a href="#"><u>11. Heart of Texas Council of Governments</u></a>	\$21.53	\$44,781
<a href="#"><u>12. Capital Area Council of Governments</u></a>	\$31.49	\$65,497
<a href="#"><u>13. Brazos Valley Council of Governments</u></a>	\$17.76	\$36,931
<a href="#"><u>14. Deep East Texas Council of Governments</u></a>	\$17.99	\$37,428
<a href="#"><u>15. South East Texas Regional Planning Commission</u></a>	\$34.98	\$72,755
<a href="#"><u>16. Houston-Galveston Area Council</u></a>	\$28.94	\$60,202
<a href="#"><u>17. Golden Crescent Regional Planning Commission</u></a>	\$26.94	\$56,042
<a href="#"><u>18. Alamo Area Council of Governments</u></a>	\$22.05	\$45,869
<a href="#"><u>19. South Texas Development Council</u></a>	\$15.07	\$31,343
<a href="#"><u>20. Coastal Bend Council of Governments</u></a>	\$28.98	\$60,276
<a href="#"><u>21. Lower Rio Grande Valley Development Council</u></a>	\$17.86	\$37,152
<b><a href="#"><u>22. Texoma Council of Governments</u></a></b>	<b>\$21.18</b>	<b>\$44,060</b>
<a href="#"><u>23. Central Texas Council of Governments</u></a>	\$19.30	\$40,146
<a href="#"><u>24. Middle Rio Grande Development Council</u></a>	\$24.07	\$50,058

Source: Texas Occupational Employment and Wages

Data published: July 2018

Data published annually, next update will be July 31, 2019

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.

**TAB #14**  
Schedules A-D

See attached.

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

Date **5/21/2019**  
 Applicant Name **Wildcat Creek Wind Farm LLC**  
 ISD Name **Muenster 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 <u>not</u> 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	--	2019-2020	2019					
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				-	-	-		-
Complete tax years of qualifying time period	QTP1	2020-2021	2020	48,100,000	-	-		48,100,000
	QTP2	2021-2022	2021		-	-		-
<b>Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]</b>				48,100,000				48,100,000
				<small>Enter amounts from TOTAL row above in Schedule A2</small>				
<b>Total Qualified Investment (sum of green cells)</b>				48,100,000				

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 **5/21/2019**  
 Applicant Name **Wildcat Creek Wind Farm LLC**  
 ISD Name **Muenster 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 <u>not</u> 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>			Enter amounts from TOTAL row in Schedule A1 in the row below				
	0	2019-2020	2019						
	0	2020-2021	2020	48,100,000					48,100,000
Value limitation period***	1	2021-2022	2021						-
	2	2022-2023	2022						
	3	2023-2024	2023						
	4	2024-2025	2024						
	5	2025-2026	2025						
	6	2026-2027	2026						
	7	2027-2028	2027						
	8	2028-2029	2028						
	9	2029-2030	2029						
	10	2030-2031	2030						
<b>Total Investment made through limitation</b>				48,100,000					48,100,000
Continue to maintain viable presence	11	2031-2032	2031						
	12	2032-2033	2032						
	13	2033-2034	2033						
	14	2034-2035	2034						
	15	2035-2036	2035						
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036						
	17	2037-2038	2037						
	18	2038-2039	2038						
	19	2039-2040	2039						
	20	2040-2041	2040						
	21	2041-2042	2041						
	22	2042-2043	2042						
	23	2043-2044	2043						
	24	2044-2045	2044						
	25	2045-2046	2045						

\* 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.

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

Date

**5/21/2019**

Applicant Name

**Wildcat Creek Wind Farm LLC**

**Form 50-296A**

ISD Name

**Muenster ISD**

*Revised May 2014*

	Year	School Year (YYYY-YYYY)	Tax Year (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
	0	2019-2020	2019						
	0	2020-2021	2020						
Value Limitation Period	1	2021-2022	2021			44,252,000	44,252,000	44,252,000	30,000,000
	2	2022-2023	2022			40,712,000	40,712,000	40,712,000	30,000,000
	3	2023-2024	2023			37,455,000	37,455,000	37,455,000	30,000,000
	4	2024-2025	2024			34,459,000	34,459,000	34,459,000	30,000,000
	5	2025-2026	2025			31,702,000	31,702,000	31,702,000	30,000,000
	6	2026-2027	2026			29,166,000	29,166,000	29,166,000	29,166,000
	7	2027-2028	2027			26,833,000	26,833,000	26,833,000	26,833,000
	8	2028-2029	2028			24,686,000	24,686,000	24,686,000	24,686,000
	9	2029-2030	2029			22,711,000	22,711,000	22,711,000	22,711,000
	10	2030-2031	2030			20,894,000	20,894,000	20,894,000	20,894,000
Continue to maintain viable presence	11	2031-2032	2031			19,222,000	19,222,000	19,222,000	19,222,000
	12	2032-2033	2032			17,684,000	17,684,000	17,684,000	17,684,000
	13	2033-2034	2033			16,269,000	16,269,000	16,269,000	16,269,000
	14	2034-2035	2034			14,967,000	14,967,000	14,967,000	14,967,000
	15	2035-2036	2035			13,770,000	13,770,000	13,770,000	13,770,000
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036			12,668,000	12,668,000	12,668,000	12,668,000
	17	2037-2038	2037			11,655,000	11,655,000	11,655,000	11,655,000
	18	2038-2039	2038			10,723,000	10,723,000	10,723,000	10,723,000
	19	2039-2040	2039			9,865,000	9,865,000	9,865,000	9,865,000
	20	2040-2041	2040			9,076,000	9,076,000	9,076,000	9,076,000
	21	2041-2042	2041			8,350,000	8,350,000	8,350,000	8,350,000
	22	2042-2043	2042			7,682,000	7,682,000	7,682,000	7,682,000
	23	2043-2044	2043			7,067,000	7,067,000	7,067,000	7,067,000
	24	2044-2045	2044			6,502,000	6,502,000	6,502,000	6,502,000
	25	2045-2046	2045			5,982,000	5,982,000	5,982,000	5,982,000

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.

**Schedule C: Employment Information**

Date 5/21/2019  
 Applicant Name Wildcat Creek Wind Farm LLC  
 ISD Name Muenster ISD

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

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs
	0	2019-2020	2019					
	0	2020-2021	2020	200,000 man-hours	47,619			
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2021-2022	2021				3	48,466
	2	2022-2023	2022				3	48,466
	3	2023-2024	2023				3	48,466
	4	2024-2025	2024				3	48,466
	5	2025-2026	2025				3	48,466
	6	2026-2027	2026				3	48,466
	7	2027-2028	2027				3	48,466
	8	2028-2029	2028				3	48,466
	9	2029-2030	2029				3	48,466
10	2030-2031	2030				3	48,466	
Years Following Value Limitation Period	11 through 25	2032-2046	2031-2045				3	48,466

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

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

**Date** 5/21/2019  
**Applicant Name** Wildcat Creek Wind Farm LLC  
**ISD Name** Muenster 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 312	County: Cooke	2021	10 Years		50%	-
	City:					
	Other: Hospital, College, Water	2021	10 Years		50%	
Tax Code Chapter 311	County:					
	City:					
	Other:					
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions						
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
<b>TOTAL</b>				0	1	0

Additional information on incentives for this project:

**TAB #15**

Economic Impact Analysis

To be provided by Comptroller's Office.

**TAB #16**

Map and Description of Reinvestment Zone



**TAB #16 Continued**

Resolution Establishing the Reinvestment Zone

**Cooke County Commissioners Court**  
**Resolution Designating Reinvestment Zone 2019-01**

WHEREAS, Cooke County, Texas, ("COUNTY"), as authorized by the property Redevelopment and Tax Abatement Act, Chapter 312, TEXAS TAX CODE, ("the Act"), wishes to designate a new reinvestment zone in an effort to attract major investment in the zone that would be a benefit to the property to be included in the zone and would contribute to the economic development of the county; and

WHEREAS, COUNTY, after conducting a public hearing evidence and testimony of all persons wishing to be heard, hereby makes the following findings and determinations:

- (a) That COUNTY is eligible under Texas Tax Code Section 312.002 to designate the area as a reinvestment zone.
- (b) That a public hearing on the adoption of the Reinvestment Zone 2019-01 has been properly called, held and conducted and that the required notice of such hearing has been given to the public and to all taxing units overlapping the territory inside the proposed reinvestment zone;
- (c) That the creation of Reinvestment Zone 2019-01 as described in Exhibit "A" will result in benefits to the COUNTY and to the land included in the Reinvestment Zone 2019-01 and the improvements sought would contribute to the economic development of the county;
- (d) That Reinvestment Zone 2019-01 as defined in Exhibit "A" meets the criteria for the creation of a reinvestment zone as set forth in the Cooke County Guidelines and Criteria for Tax Abatement; and

THEREFORE, pursuant to the Property Redevelopment and Tax Abatement Act, Chapter 312, Texas Tax Code, the COUNTY hereby creates and designates a reinvestment zone for only the areas as described in Exhibit "A" and hereby designated as Cooke County Reinvestment Zone 2019-01.

FURTHERMORE, if for any reason, any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be held invalid, it shall not affect any valid provision of this or any other Resolution of the COUNTY.

Signed and adopted this 8<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Jason Brinkley, County Judge

  
\_\_\_\_\_  
Gary Hollowell, Commissioner, Pct. 1

  
\_\_\_\_\_  
John Klement, Commissioner, Pct. 3

  
\_\_\_\_\_  
Jason Snuggs, Commissioner, Pct. 2

  
\_\_\_\_\_  
Leon Klement, Commissioner, Pct. 4

Attest:  
  
\_\_\_\_\_  
Pam Harrison, County Clerk

**TAB #16 Continued**

Guidelines and Criteria for Establishing the Reinvestment Zone

**COOKE COUNTY COMMISSIONERS' COURT RESOLUTION SETTING  
GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN  
REINVESTMENT ZONES CREATED IN THE JURISDICTION OF  
COOKE COUNTY, TEXAS.**

**WHEREAS**, the creation and retention of job opportunities that bring new wealth is one of the highest civic priorities; and,

**WHEREAS**, new jobs and investments will benefit the area economy, provide needed opportunities, strengthen the real estate market, and generate tax revenue to support local services; and,

**WHEREAS**, COOKE County must compete with other localities across the nation currently offering tax inducements to attract new and modernization projects; and,

**WHEREAS**, any tax incentives offered in COOKE County would reduce needed tax revenue unless these tax incentives are strictly limited in application to those new and existing industries that bring new wealth to the community; and,

**WHEREAS**, the abatement of property taxes, when offered to attract primary jobs in industries that bring in money from outside a community instead of merely recirculation dollars within a community, has been shown to be an effective method of enhancing and diversifying an area's economy; and,

**WHEREAS**, Texas law requires any eligible taxing jurisdiction to establish guidelines and criteria as to eligibility for tax abatement agreements prior to the granting of any future tax abatement, which guidelines and criteria are to remain unchanged for a two-year period unless amended by a three fourths ( $\frac{3}{4}$ ) majority vote of the governing body, as provided by said state law; and,

**WHEREAS**, these guidelines and criteria shall not be constructed as implying or suggesting that the County of COOKE, or any other taxing jurisdiction, is under any obligation to provide tax abatement or other incentives to any applicant, and all applicants shall be considered on a case-by-case basis; and,

**WHEREAS**, these guidelines and criteria are approved for circulation to all affected taxing jurisdiction for consideration as a common policy for all jurisdictions that choose to participate in tax abatement agreements;

**NOW THEREFORE BE IT RESOLVED THAT**, said guidelines and criteria are as follows:

**Sec. 1. Definitions**

(a) "Abatement" means the full or partial exemption from ad valorem taxes of certain real property, and certain personal property, in a reinvestment zone designated by the County of COOKE for economic development purposes.

(b) "Affected jurisdiction" means the County of COOKE, and any other taxing jurisdiction with any substantial parts of its area located in COOKE County; and that levies ad valorem taxes and provides services to property located in said County; and that chooses to participate in tax abatement agreements by, or pursuant to, these guidelines.

(c) "Agreement" means a contractual agreement between a property owner or lessee, or both, and an affected jurisdiction for the purposes of tax abatement.

(d) "Base year value" means the assessed value of eligible property January 1 preceding the execution of the agreement, plus the agreed-upon value of eligible property improvements made after January 1 but before the execution of the agreement. No portion of the value can be retroactive beyond the year of the agreement

(e) "Deferred maintenance" means improvements necessary for continued operations that do not improve productivity or alter the process technology.

(f) "Distribution Center Facility" means permanent buildings and structures, including fixed machinery and equipment, used or to be used, primarily to receive, store, service, or distribute goods or materials owned by the facility operator.

(g) "Expansion" means the addition of permanent building and structures, fixed machinery and equipment for purposes of increasing production capacity.

(h) "Facility" means property improvements completed or in the process of construction that together comprise an integral whole.

(i) "Manufacturing Facility" means permanent buildings and structures, including fixed machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

(j) "Modernization" means a complete or partial demolition or replacement of facilities or equipment and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of permanent buildings and structures, alteration, or installation of permanent buildings and structures, fixed machinery and equipment. Modernization shall include improvements for the purposes of increasing productivity or updating the technology of machinery or equipment or both.

(k) "New Facility" means a property previously undeveloped that is placed into service by means other than by, or in conjunction with, expansion or modernization.

(l) "Other basic industry" means permanent buildings and structures, including fixed machinery and equipment not elsewhere described, used or to be used, for the production of products or services that primarily serve a market that result in the creation of new permanent jobs, and that bring in new wealth.

(m) "Productive life" means the number of years a property improvement is expected to be in service in a facility.

(n) "Regional entertainment facility" means permanent buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public.

(o) "Research facility" means permanent buildings and structures, including fixed machinery and equipment, used or to be used primarily for the research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

(p) "Regional service facility" means permanent buildings and structures, including fixed machinery and equipment, used or to be used, to service goods.

(q) "Renewable Energy Resource" means a resource which produces energy derived from renewable energy technologies, as defined in PUC Substantive Rule 25.5.

## **Sec. 2. Criteria for Abatement and Designating a Reinvestment Zone.**

(a) Authorized facility. A facility may be eligible for abatement if it is a manufacturing facility, research facility, distribution center or regional service facility, regional entertainment facility, renewable energy resource, or other basic industry.

(b) Creation of new value. Abatement may be granted only for the additional value of eligible property improvements made subsequent to, and specified in, an abatement agreement between COOKE County and the property owner or lessee, subject to such limitation as COOKE County may require.

(c) New and existing facilities. Abatement may be for new facilities and improvements to existing facilities purposes of modernization or expansion.

(d) Eligible property. Abatement may be extended to the value of permanent buildings, other fixed capital assets and structures, fixed machinery and equipment, and certain other personal property, site improvements, and office space and related fixed improvements necessary to the operation and administration of the facility.

(e) Ineligible property. The following types of property shall be fully taxable and ineligible for abatement: land; inventories; supplies; hotel accommodations; deferred maintenance investments; property to be rented or leased, except as provided in Section 2 (f); any improvements, including those to produce, store or distribute natural gas, fluids or gases that are not integral to the operation of the facility.

(f) Value and term of abatement. A tax abatement agreement granted by COOKE County shall be up to but not exceeding ten (10) years in duration and up to but not exceeding 100% of the ad valorem property taxes assessed.

(g) Economic qualification. In order to be eligible to receive tax abatement the planned improvement:

(1) must be reasonably expected to increase the value of the property in the amount of at least \$1,000,000 for new businesses and \$500,000 for existing businesses;

(2) must be expected to prevent the loss of employment, retain employment, or create employment on a permanent basis.

(3) must not be expected to solely or primarily have the effect of transferring employment from one

part of the County of COOKE to another; and,

(h) Existing business. Recognizing the importance of cosmetic improvements to the community of those existing businesses that modernize or expand over and above normal repair and upkeep, they may be granted a two-year tax abatement of the amount of value the facility is increased. (If a business has a building appraised at \$500,000.00 and modernization or expansion changes the appraised value to \$1,000,000.00, \$500,000.00 of the new value could be abated for two years beginning January 1 after the year completed.)

(i) Taxability. From the execution of the abatement agreement to the end of the agreement period taxes shall be assessed as follows:

(1) the value of ineligible property as provided in Section 2 (e) shall be fully taxable; and,

(2) the base year value of existing eligible property as determined each year shall be fully taxable; and,

(3) The additional value of new eligible property shall be taxable in the manner described in Section 2.

### **Sec. 3. Application and Hearing**

(a) Any present or potential owner of taxable property or project in development in the jurisdiction of the Taxing Entities of the County of COOKE, Texas may request tax abatement by filing a written request with the COOKE County Commissioners Court.

(b) The application shall consist of a completed application form accompanied by: a nonrefundable application fee of \$1,000, a general description of the proposed use and the general nature and extent of the modernization, expansion, or new improvements to be undertaken; a descriptive list of the improvements that will be a part of the facility; a map and property description; and a time schedule for undertaking and completing the planned improvements.

In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be give for the tax year immediately preceding the application. The application form may require any financial and other information that may be appropriate for evaluating the financial capacity of the applicant and any other factors.

(c) After receipt or notice of intent to present of an application, the Commissioners Court shall determine within forty-five (45) days how to proceed with the application. Within this time frame, the Commissioners Court shall choose either to deny the application, consider the application, or consider the application on an expedited basis.

(d) Consideration of Application. If the County determines that the application should be further considered, then the County Judge shall schedule a hearing or accept written comments to obtain public input on the application. At least seven (7) days prior to the hearing, the County must send written notice to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought and must publish notice of the hearing time, place and subject in the local newspaper. At the hearing or by the written comments of the commissioners, the commissioners Court evaluates the application against the criteria in Section 2 and decides whether to designate the property for which an abatement is sought as a

reinvestment zone. If the reinvestment zone is not designated, the application fails, although it may be amended and resubmitted. If the reinvestment zone is designated, the Commissioners Court shall pass an order to that effect and may then arrange to consider for approval the tax abatement agreement between the applicant and the County at its next regularly scheduled meeting. At least seven (7) days prior to entering into a tax abatement agreement, the County must give written notice of its intent to do so to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought, along with a copy of the proposed tax abatement agreement. At the regularly scheduled meeting, the Commissioners Court may finally vote by simple majority to enter into the tax abatement agreement or to decline. An approved tax abatement agreement may be executed in the same manner as other contracts made by the County.

(e) Expedited Consideration of Application. If the County determines that the application should receive expedited consideration, then the County Judge shall schedule an opportunity to obtain public input on the application at the Commissioners Court's next meeting. At least seven (7) days prior to the meeting, the County must send written notice to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought and must publish notice of the hearing time, place and subject in the local newspaper. Also at this time, the County must give written notice of its intent to enter into a tax abatement agreement to the presiding officers of all taxing units with jurisdiction over the property for which the abatement is sought, along with a copy of the proposed tax abatement agreement. During the Commissioners Court meeting, the Commissioners Court shall evaluate the application against the criteria in Sections 2 and shall decide whether to designate the property for which the abatement is sought as a reinvestment zone. If the reinvestment zone is designated, the Commissioners Court shall pass an order to that effect and may then immediately consider for approval the tax abatement agreement between the applicant and the County. After consideration, the Commissioners Court may finally vote by simple majority to enter into the tax abatement agreement, or the decline. An approved tax abatement agreement may be executed in the same manner as other contracts made by the County.

(f) Confidentiality. As required by Section 312.003 of the Texas Tax Code, information that is provided to the County in connection with an application or a request for a tax abatement under this chapter that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which the abatement is sought is confidential and not subject to public disclosure until the tax abatement is executed.

(g) Tax abatement may not be approved if the County finds that the application was filed after the commencement, which is completion of 10% or more of the total taxable value of the project, including but not limited to the construction, alteration, or installation of improvements related to a proposed modernization, expansion, or new facility.

(h) Request for variance from the provisions of Section 2 may be made in written form to the Commissioners Court of COOKE County. Such request shall include all the items listed in Section 3 (b) above, together with a complete description of the circumstances that prompt the applicant to request variance. The approval process for a variance shall be identical to that for a standard application and may be supplemented by such additional requirements as may be deemed necessary by the County.

#### **Sec. 4. Standards for denying Approval of Abatement.**

(a) If any affected jurisdiction is able to conclusively show cause in the public hearing why the granting of the abatement will have a substantial adverse effect on its bonds, tax revenue, service

capacity, or the providing of services, COOKE County shall deny the approval of abatement.

(b) An abatement agreement may not be granted if it is determined that:

(1) there would be substantial adverse effect on the providing of government services or tax bases;

(2) the applicant has insufficient financial capacity;

(3) planned or potential use of the property would constitute a hazard to public safety, health, or morals; or,

(4) codes or laws would be violated.

(5) The application is presented after the commencement of the project as described in 3 (g) above.

(c) If it does not receive a majority vote from eligible voting members present at Commissioners Court.

#### **Sec. 5. Effect of Approval of Application**

COOKE County Commissioners Court acts only for the taxing entity of COOKE County and for no other taxing entity within COOKE County. The County's approval or disapproval of an application has no effect on any other taxing entity within the jurisdiction or their right to approve or disapprove an application. Only the governing bodies of the effected jurisdictions may grant tax abatements, and enter into tax abatement agreements with applicants.

#### **Sec. 6. Tax Abatement Agreements**

The COOKE County Commissioners Court after approval of an application shall enter into an agreement with the applicant. Such agreements shall be executed with the owner of the facility, and with the lessee when required. Such agreements shall include:

(1) the estimated value to be abated and the base year value;

(2) the percentage of value to be abated each year as provided in Sec. 2;

(3) the commencement date and the termination date of abatement;

(4) the proposed use of the facility, nature of construction, time schedule, map, property description, and improvements list as provided in application, Section 3 (b);

(5) contractual obligations in the event of default, violation of terms or conditions, delinquent taxes recapture, administration, and assignment as provided in Sections 2, 7, 8, and 9.

(6) size of investment and average number of jobs involved. Such agreement shall normally be executed within 30 days after the applicant has forwarded all necessary information and

documentation to the County; and

(7) the agreement shall stipulate that employees, or designated representatives, or both, of COOKE County will have access to the reinvestment zone during the terms of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of 24 hours prior notice and will be conducted in such a manner that they will not unreasonably interfere with the construction or operation or both of the facility. All inspections will be made in the presence of one or more representatives of the company or individual and in accordance with the safety standards of the company or individual.

### **Sec. 7 Recapture**

(a) If the facility is completed and begins producing products or services, but subsequently discontinues producing products or services for any reason excepting fire, explosion, or other casualty or accident or natural disaster, for a period of one year during the abatement period, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the affected jurisdiction within 60 days from the date of termination.

(b) If the COOKE County Commissioners Court determines that the company or individual is in default according to the terms and conditions of its agreement, the Commissioners Court shall notify the company or individual in writing at the address stated in the agreement, and if such default is not cured within 60 days from the date of such notice ("cure period"), then the agreement may be terminated.

(c) If the company or individual (1) allows its ad valorem taxes owed to the County of COOKE, or any other taxing entity in COOKE County, to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest or both; or (2) violates any of the terms and conditions of the abatement agreement and fails to cure during the cure-period, the agreement may then be terminated, and all taxes previously abated by virtue of the agreement will be recaptured and paid within 60 days of the termination.

### **Sec. 8. Administration**

(a) The Chief Appraiser of the COOKE County Appraisal District shall annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, any company or individual receiving abatement shall furnish the assessor with such information as may be necessary for the abatement. Once value has been established, the chief appraiser shall notify the affected jurisdictions that levy taxes of the amount of the assessment.

(b) Upon completion of construction, a designated representative of COOKE County shall annually value each facility receiving abatement to insure compliance with the agreement and shall make a report to the Commissioners Court regarding the findings of each evaluation.

### **Sec. 9. Assignment**

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the affected jurisdiction, subject to the financial capacity

of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with the affected jurisdiction. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner, or the new lessee are liable to any taxing entity in COOKE County for outstanding delinquent taxes or other obligations. Approval shall not be unreasonably withheld.

**Sec. 10. Sunset Provision**

The guidelines and criteria are effective upon the date of their adoption and will remain in force for two years unless amended by a three-quarters vote of the COOKE County Commissioners Court, at which time the tax abatement contracts created according to these provisions will be reviewed to determine whether or not the goals have been achieved. Based on that review, the guidelines and criteria may be further modified, renewed or eliminated.

Moved, Seconded, and Passed, This the 25 day of March 2019.

  
Jason Brinkley, County Judge

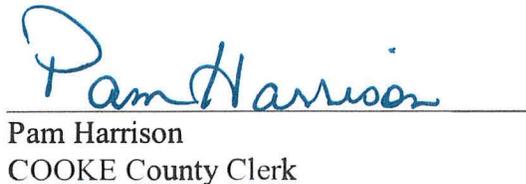
  
Gary Hollowell, Commissioner Precinct 1

  
Jason Snuggs, Commissioner Precinct 2

**Not Present**  
John Klement, Commissioner Precinct 3

  
Leon Klement, Commissioner Precinct 4

ATTEST:

  
Pam Harrison  
COOKE County Clerk

**TAB #17**

Signature and Certification Page

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 Steven Self
Print Name (Authorized School District Representative)

Superintendent
Title

sign here [Signature]
Signature (Authorized School District Representative)

6-2-19
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.

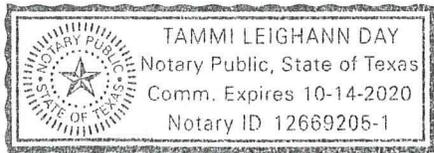
I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here Steve Irvin
Print Name (Authorized Company Representative (Applicant))

Executive Vice President
Title

sign here [Signature]
Signature (Authorized Company Representative (Applicant))

6/4/2019
Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

4th day of June, 2019

[Signature]
Notary Public in and for the State of Texas

My Commission expires: 12669205-1

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.

MIV



501 W. Broadway  
Suite 1300  
San Diego, CA 92101  
Tel. 619.574.0929  
Fax 619.430.4458

[www.ryan.com](http://www.ryan.com)

August 12, 2019

Michelle Luera  
Data Analysis & Transparency Division  
Texas Comptroller of Public Accounts  
111 E. 17<sup>th</sup> St  
Austin, TX 78774

Re: App. #1394 – Muenster ISD – Wildcat Creek Wind Farm, LLC

Michelle:

Attached please find the amended application pages for the Chapter 313 Application submitted by Wildcat Creek Wind Farm, LLC to Muenster ISD. This amendment, dated August 12, 2019, is the first amendment to the Application. The revised application pages are as follows:

- Section #9: Projected Timeline – Beginning of qualifying time period was changed to Q4 2019.
- Section #14: Wage and Employment Information – Wage information was updated using the latest data for the county and region.
- Tab #7: Description of Qualified Investment – Updated to include number of turbines & number of project acres within Muenster ISD boundaries.
- Tab #8: Description of Qualified Property – Updated to include number of turbines & number of project acres within Muenster ISD boundaries.
- Tab #11: Map of Project – Maps updated to include latest project layout and reinvestment zone boundary.
- Tab #13: Wage calculations – Wage information was updated using the latest data for the county and region.
- Tab #14: Schedules A-D –
  - Schedule B: Value limitation of \$30M was included for tax years 2026-2030.
  - Schedule C: Updated with latest wage data.
- Tab #16: Map of Reinvestment Zone – Included larger map of the reinvestment zone.

Along with these Amendments, an updated signature page is provided.

Sincerely,

*Brandon Budde*

Brandon Budde  
Applicant's Representative

**SECTION 9: Projected Timeline**

- 1. Application approval by school board ..... June 12, 2019
- 2. Commencement of construction ..... Q2 2020
- 3. Beginning of qualifying time period ..... Q4 2019
- 4. First year of limitation ..... 2021
- 5. Begin hiring new employees ..... Q4 2020
- 6. Commencement of commercial operations ..... Q4 2020
- 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 2020

**SECTION 10: The Property**

- 1. Identify county or counties in which the proposed project will be located ..... Cooke
- 2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property ..... Cooke
- 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: Cooke County, .461, 100% City: N/A  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Hospital District: Muenster Hospital, .189, 84% Water District: Clear Creek Water, .039, 50%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Other (*describe*): NCT College, .110, 100% Other (*describe*): Gainesville Hospital District, .169, 16%  
(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? ..... 30,000,000.00
- 2. What is the amount of appraised value limitation for which you are applying? ..... 30,000,000.00  
**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 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 2019  
(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? ..... 3
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 ..... 900.50  
 b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 1,230.08  
 c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 956.11
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? ..... 49,717.80
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 49,717.80
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**.

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #4**

Detailed Description of Project

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #7**

Description of Qualified Investment

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #8**

Description of Qualified Property

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

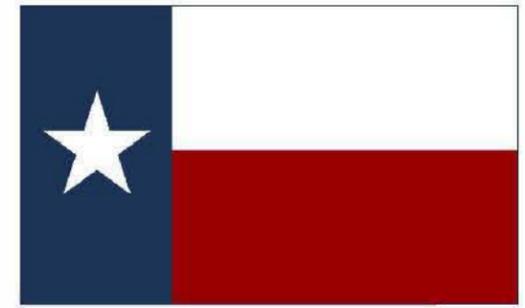
**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #11**

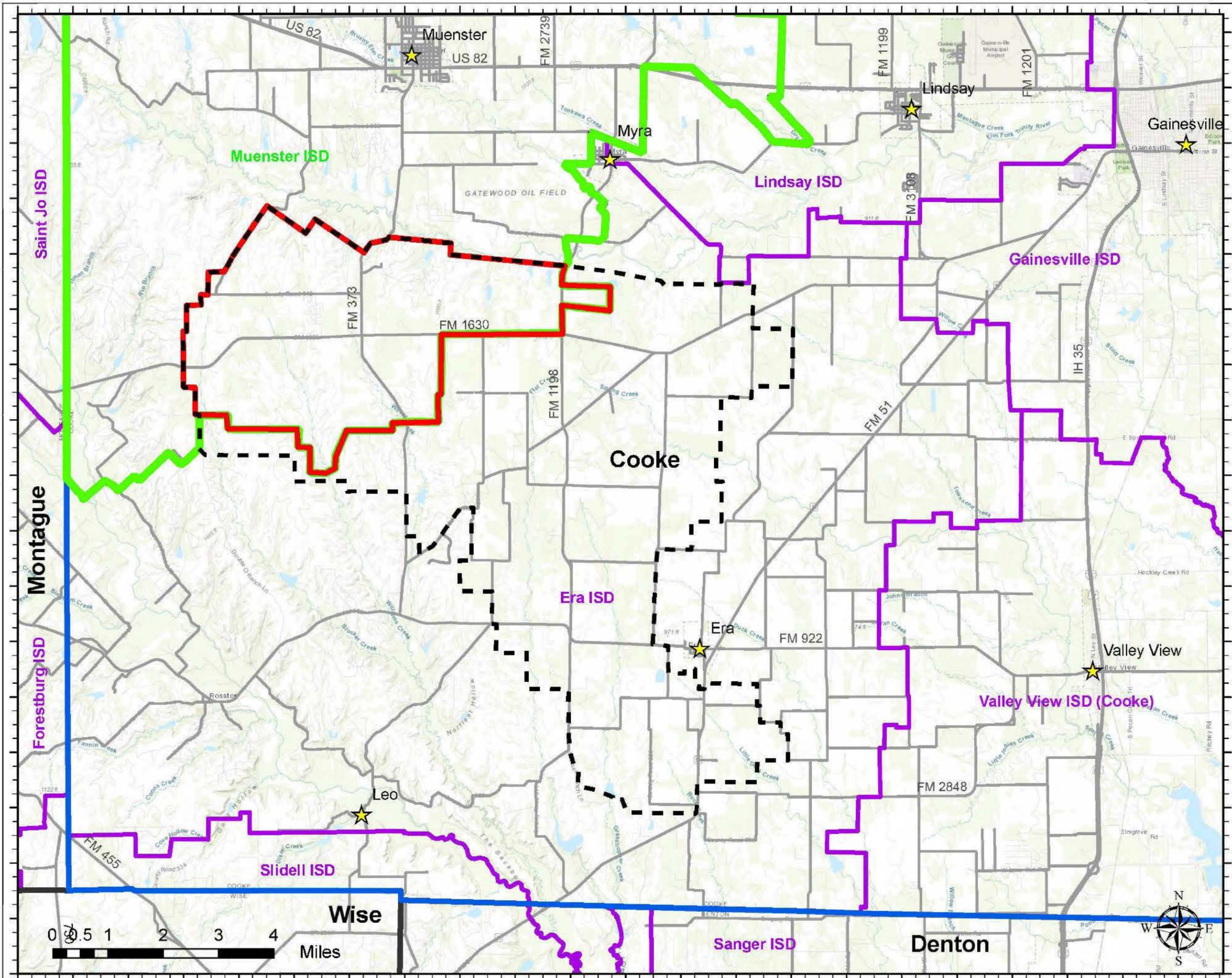
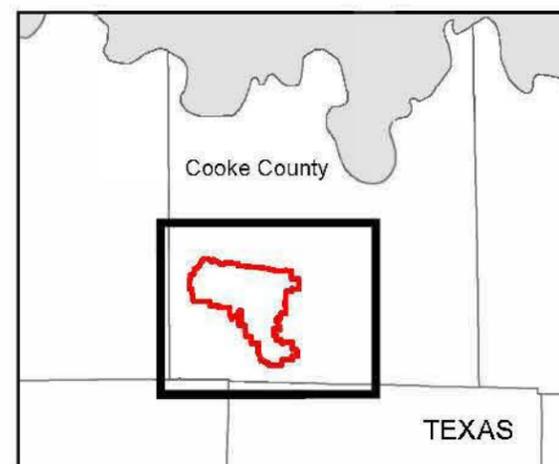
Maps of Project

See attached.



# Wildcat Creek Wind Farm Project Vicinity Map

- Reinvestment Zone
- Project Boundary
- Muenster ISD
- Cooke County
- Counties
- Cities
- ISD Boundaries
- Public Roads



**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

**TAB #13**

Calculation of three possible wage requirements with TWC documentation

**Cooke County All Industries Average Weekly Wages**

Cooke County Average All Industries Weekly Wages								
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2018	4th Qtr	Cooke County	Total All	00	0	10	Total, all industries	\$ 964.00
2018	3rd Qtr	Cooke County	Total All	00	0	10	Total, all industries	\$ 892.00
2018	2nd Qtr	Cooke County	Total All	00	0	10	Total, all industries	\$ 872.00
2018	1st Qtr	Cooke County	Total All	00	0	10	Total, all industries	\$ 874.00
<b>4 Period Weekly Average</b>								<b>\$ 900.50</b>
<b>Average Weekly Wage</b>								<b>\$ 900.50</b>
<b>Annual Wages</b>								<b>\$ 46,826.00</b>

**Cooke County Average Manufacturing Weekly Wages**

Cooke County Average Manufacturing Weekly Wages								
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2018	4th Qtr	Cooke County	Total All	31	2	1013	Manufacturing	\$ 1,222.00
2018	3rd Qtr	Cooke County	Total All	31	2	1013	Manufacturing	\$ 1,083.00
2018	2nd Qtr	Cooke County	Total All	31	2	1013	Manufacturing	\$ 1,084.00
2018	1st Qtr	Cooke County	Total All	31	2	1013	Manufacturing	\$ 1,084.00
<b>4 Period Weekly Average</b>								<b>\$ 1,118.25</b>
<b>110% of Average Weekly Wage</b>								<b>\$ 1,230.08</b>
<b>110% of Annual Wages</b>								<b>\$ 63,963.90</b>

**COG Region Wage**

Texoma Council of Governments		
	Hourly	Annual
<i>2018 Average Manufacturing Wages</i>	\$ 21.73	\$ 45,198.00
Avg Weekly Wage		\$ 869.19
110% of Region Weekly Wage		\$ 956.11
110% of Annual Wages		\$ 49,717.80

Year	Period	Area	Ownership	Industry Code	Industry	Level	Average Weekly Wage
2018	01	Cooke	Total All	10	Total, All Industries	0	874
2018	02	Cooke	Total All	10	Total, All Industries	0	872
2018	03	Cooke	Total All	10	Total, All Industries	0	892
2018	04	Cooke	Total All	10	Total, All Industries	0	964

Year	Period	Area	Ownership	Industry Code	Industry	Level	Average Weekly Wage
2018	01	Cooke	Total All	1013	Manufacturing	1	1,084
2018	02	Cooke	Total All	1013	Manufacturing	1	1,084
2018	03	Cooke	Total All	1013	Manufacturing	1	1,083
2018	04	Cooke	Total All	1013	Manufacturing	1	1,222

## 2018 Manufacturing Average Wages by Council of Government Region Wages for All Occupations

COG	COG Number	Wages	
		Hourly	Annual
<b>Texas</b>		<b>\$27.04</b>	<b>\$56,240</b>
<a href="#"><u>Alamo Area Council of Governments</u></a>	18	\$22.80	\$47,428
<a href="#"><u>Ark-Tex Council of Governments</u></a>	5	\$18.73	\$38,962
<a href="#"><u>Brazos Valley Council of Governments</u></a>	13	\$18.16	\$37,783
<a href="#"><u>Capital Area Council of Governments</u></a>	12	\$32.36	\$67,318
<a href="#"><u>Central Texas Council of Governments</u></a>	23	\$19.60	\$40,771
<a href="#"><u>Coastal Bend Council of Governments</u></a>	20	\$28.52	\$59,318
<a href="#"><u>Concho Valley Council of Governments</u></a>	10	\$21.09	\$43,874
<a href="#"><u>Deep East Texas Council of Governments</u></a>	14	\$18.28	\$38,021
<a href="#"><u>East Texas Council of Governments</u></a>	6	\$21.45	\$44,616
<a href="#"><u>Golden Crescent Regional Planning Commission</u></a>	17	\$28.56	\$59,412
<a href="#"><u>Heart of Texas Council of Governments</u></a>	11	\$22.71	\$47,245
<a href="#"><u>Houston-Galveston Area Council</u></a>	16	\$29.76	\$61,909
<a href="#"><u>Lower Rio Grande Valley Development Council</u></a>	21	\$17.21	\$35,804
<a href="#"><u>Middle Rio Grande Development Council</u></a>	24	\$20.48	\$42,604
<a href="#"><u>NORTEX Regional Planning Commission</u></a>	3	\$25.14	\$52,284
<a href="#"><u>North Central Texas Council of Governments</u></a>	4	\$27.93	\$58,094
<a href="#"><u>Panhandle Regional Planning Commission</u></a>	1	\$24.19	\$50,314
<a href="#"><u>Permian Basin Regional Planning Commission</u></a>	9	\$25.90	\$53,882
<a href="#"><u>Rio Grande Council of Governments</u></a>	8	\$18.51	\$38,493
<a href="#"><u>South East Texas Regional Planning Commission</u></a>	15	\$36.26	\$75,430
<a href="#"><u>South Plains Association of Governments</u></a>	2	\$20.04	\$41,691
<a href="#"><u>South Texas Development Council</u></a>	19	\$17.83	\$37,088
<a href="#"><u>Texoma Council of Governments</u></a>	22	\$21.73	\$45,198
<a href="#"><u>West Central Texas Council of Governments</u></a>	7	\$21.84	\$45,431

Calculated by the Texas Workforce Commission Labor Market and Career Information Department.

Data published: July 2019

Data published annually, next update will be July 31, 2020

Annual wage figure assumes a 40-hour work week.

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

Wage data is produced from Texas Occupational Employment Statistics (OES) data, and is not to be compared to BLS estimates.

Data intended only for use in implementing Chapter 313, Tax Code.

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #14**

Schedules A-D

See attached.

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #16**

Map and Description of Reinvestment Zone

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

394-Muenster-Wildcat Creek-Amendment001

August 13, 2019

Date

**8/12/2019**

Applicant Name

**Wildcat Creek Wind Farm LLC**

**Form 50-296A**

ISD Name

**Muenster ISD**

Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (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
	0	2019-2020	2019						
	0	2020-2021	2020						
Value Limitation Period	1	2021-2022	2021			44,252,000	44,252,000	44,252,000	30,000,000
	2	2022-2023	2022			40,712,000	40,712,000	40,712,000	30,000,000
	3	2023-2024	2023			37,455,000	37,455,000	37,455,000	30,000,000
	4	2024-2025	2024			34,459,000	34,459,000	34,459,000	30,000,000
	5	2025-2026	2025			31,702,000	31,702,000	31,702,000	30,000,000
	6	2026-2027	2026			29,166,000	29,166,000	29,166,000	30,000,000
	7	2027-2028	2027			26,833,000	26,833,000	26,833,000	30,000,000
	8	2028-2029	2028			24,686,000	24,686,000	24,686,000	30,000,000
	9	2029-2030	2029			22,711,000	22,711,000	22,711,000	30,000,000
	10	2030-2031	2030			20,894,000	20,894,000	20,894,000	30,000,000
Continue to maintain viable presence	11	2031-2032	2031			19,222,000	19,222,000	19,222,000	19,222,000
	12	2032-2033	2032			17,684,000	17,684,000	17,684,000	17,684,000
	13	2033-2034	2033			16,269,000	16,269,000	16,269,000	16,269,000
	14	2034-2035	2034			14,967,000	14,967,000	14,967,000	14,967,000
	15	2035-2036	2035			13,770,000	13,770,000	13,770,000	13,770,000
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036			12,668,000	12,668,000	12,668,000	12,668,000
	17	2037-2038	2037			11,655,000	11,655,000	11,655,000	11,655,000
	18	2038-2039	2038			10,723,000	10,723,000	10,723,000	10,723,000
	19	2039-2040	2039			9,865,000	9,865,000	9,865,000	9,865,000
	20	2040-2041	2040			9,076,000	9,076,000	9,076,000	9,076,000
	21	2041-2042	2041			8,350,000	8,350,000	8,350,000	8,350,000
	22	2042-2043	2042			7,682,000	7,682,000	7,682,000	7,682,000
	23	2043-2044	2043			7,067,000	7,067,000	7,067,000	7,067,000
	24	2044-2045	2044			6,502,000	6,502,000	6,502,000	6,502,000
	25	2045-2046	2045			5,982,000	5,982,000	5,982,000	5,982,000

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.

**Schedule C: Employment Information**

Date 8/12/2019  
Applicant Name Wildcat Creek Wind Farm LLC  
ISD Name Muenster ISD

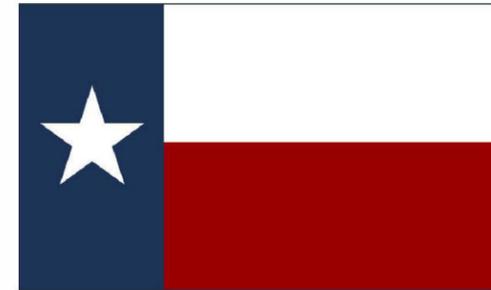
**Form 50-296A**

*Revised May 2014*

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs
	0	2019-2020	2019					
	0	2020-2021	2020	200,000 man-hours	46,826			
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2021-2022	2021				3	49,718
	2	2022-2023	2022				3	49,718
	3	2023-2024	2023				3	49,718
	4	2024-2025	2024				3	49,718
	5	2025-2026	2025				3	49,718
	6	2026-2027	2026				3	49,718
	7	2027-2028	2027				3	49,718
	8	2028-2029	2028				3	49,718
	9	2029-2030	2029				3	49,718
10	2030-2031	2030				3	49,718	
Years Following Value Limitation Period	11 through 25	2032-2046	2031-2045				3	49,718

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

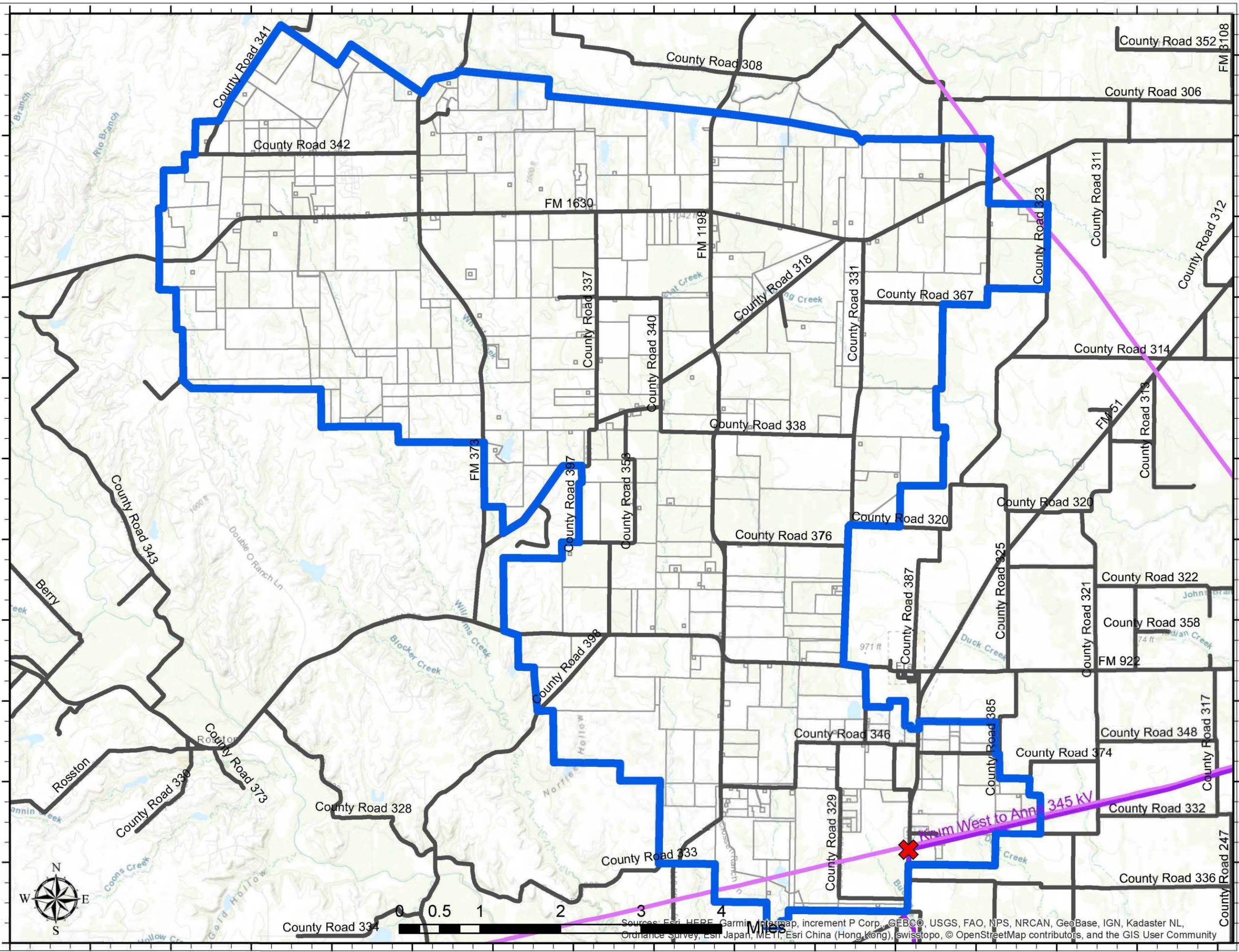
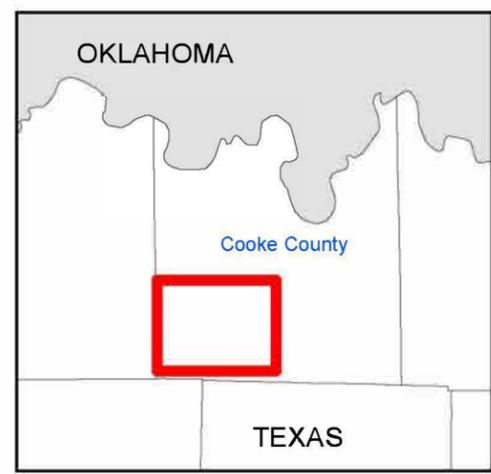


# Wildcat Creek Wind Farm

## Reinvestment Zone Area Map

**Legend**

- Project Boundary
- POI, Proposed
- Transmission**
- Voltage\_kV**
- 345 kV
- 138 kV
- 69 kV
- Parcels



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, © OpenStreetMap contributors, and the GIS User Community

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #17**

Signature and Certification Page

See attached.

Texas Comptroller of Public Accounts

Data Analysis and  
Transparency  
Form 50-296-A

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 → Steven Self  
Print Name (Authorized School District Representative)

Superintendent  
Title

sign here → [Signature]  
Signature (Authorized School District Representative)

8-13-19  
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 → Steve Irvin  
Print Name (Authorized Company Representative (Applicant))

Executive Vice President  
Title

sign here → [Signature]  
Signature (Authorized Company Representative (Applicant))

7-29-2019  
Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

29th day of July 2019

[Signature]  
Notary Public in and for the State of Texas

My Commission expires: 6-6-2023

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.

## Attachment B

### Franchise Tax Account Status



## Franchise Tax Account Status

As of : 12/16/2019 10:42:42

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

WILDCAT CREEK WIND FARM LLC	
Texas Taxpayer Number	32066001960
Mailing Address	1999 BRYAN ST STE 900 DALLAS, TX 75201-3140
 Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	01/22/2018
Texas SOS File Number	0802913938
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

## Attachment C

### State Comptroller's Certification



**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

---

P.O.Box 13528 • Austin, TX 78711-3528

November 18, 2019

Steven Self  
Superintendent  
Muenster Independent School District  
113 East 7th Street  
Muenster, Texas 76252

Re: Certificate for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Muenster Independent School District and Wildcat Creek Wind Farm LLC, Application 1394

Dear Superintendent Self:

On August 22, 2019, the Comptroller issued written notice that Wildcat Creek Wind Farm LLC (applicant) submitted a completed application (Application 1394) for a limitation on appraised value under the provisions of Tax Code Chapter 313.<sup>1</sup> This application was originally submitted on June 12, 2019, to the Muenster Independent School District (school district) by the applicant.

This presents the results of the Comptroller's review of the application and determinations required:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the Comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

**Determination required by 313.025(h)**

Sec. 313.024(a)      Applicant is subject to tax imposed by Chapter 171.  
Sec. 313.024(b)      Applicant is proposing to use the property for an eligible project.

---

<sup>1</sup> All Statutory references are to the Texas Tax Code, unless otherwise noted.

- Sec. 313.024(d) Applicant has requested a waiver to create the required number of new qualifying jobs and pay all jobs created that are not qualifying jobs a wage that exceeds the county average weekly wage for all jobs in the county where the jobs are located.
- Sec. 313.024(d-2) Not applicable to Application 1394.

Based on the information provided by the applicant, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

**Certificate decision required by 313.025(d)**

Determination required by 313.026(c)(1)

The Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district's maintenance and operations *ad valorem* tax revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period, see Attachment B.

Determination required by 313.026(c)(2)

The Comptroller has determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state, see Attachment C.

Based on these determinations, the Comptroller issues a certificate for a limitation on appraised value. This certificate is contingent on the school district's receipt and acceptance of the Texas Education Agency's determination per 313.025(b-1).

The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this certificate is contingent on the school district approving and executing the agreement by December 31, 2019.

Note that any building or improvement existing as of the application review start date of August 22, 2019, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2) and the Texas Administrative Code.

Should you have any questions, please contact Will Counihan, Director, Data Analysis & Transparency, by email at [will.counihan@cpa.texas.gov](mailto:will.counihan@cpa.texas.gov) or by phone toll-free at 1-800-531-5441, ext. 6-0758, or at 512-936-0758.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Craven".

Lisa Craven  
Deputy Comptroller

Enclosure

cc: Will Counihan

### Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of Wildcat Creek Wind Farm LLC (project) applying to Muenster Independent School District (district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

**Table 1** is a summary of investment, employment and tax impact of Wildcat Creek Wind Farm LLC.

Applicant	Wildcat Creek Wind Farm LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy Electric Generation
School District	Muenster ISD
2017-2018 Average Daily Attendance	465
County	Cooke County
Proposed Total Investment in District	\$48,100,000
Proposed Qualified Investment	\$48,100,000
Limitation Amount	\$30,000,000
Qualifying Time Period (Full Years)	2020-2021
Number of new qualifying jobs committed to by applicant	3*
Number of new non-qualifying jobs estimated by applicant	0
Average weekly wage of qualifying jobs committed to by applicant	\$956.11
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(B)	\$956.11
Minimum annual wage committed to by applicant for qualified jobs	\$49,717.80
Minimum weekly wage required for non-qualifying jobs	\$900.50
Minimum annual wage required for non-qualifying jobs	\$46,827
Investment per Qualifying Job	\$16,033,333
Estimated M&O levy without any limit (15 years)	\$3,829,385
Estimated M&O levy with Limitation (15 years)	\$3,455,159
Estimated gross M&O tax benefit (15 years)	\$374,226

\* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).

**Table 2** is the estimated statewide economic impact of Wildcat Creek Wind Farm LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2020	96	111	207	\$4,495,296	\$10,061,950	\$14,557,246
2021	3	18	20.7912	\$149,153	\$2,241,786	\$2,390,939
2022	3	10	13	\$149,153	\$1,562,210	\$1,711,363
2023	3	3	6	\$149,153	\$963,275	\$1,112,429
2024	3	(0)	3	\$149,153	\$550,947	\$700,100
2025	3	(2)	1	\$149,153	\$307,598	\$456,751
2026	3	(2)	1	\$149,153	\$189,022	\$338,175
2027	3	(2)	1	\$149,153	\$167,006	\$316,160
2028	3	(1)	2	\$149,153	\$205,182	\$354,336
2029	3	0	3	\$149,153	\$278,170	\$427,323
2030	3	2	5	\$149,153	\$370,959	\$520,112
2031	3	2	5	\$149,153	\$464,903	\$614,057
2032	3	3	6	\$149,153	\$551,140	\$700,294
2033	3	4	7	\$149,153	\$628,166	\$777,320
2034	3	4	7	\$149,153	\$693,683	\$842,836
2035	3	4	7	\$149,153	\$747,563	\$896,716

Source: CPA REMI, Wildcat Creek Wind Farm LLC

**Table 3** examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	Muenster ISD I&S Tax Levy	Muenster ISD M&O Tax Levy	Muenster M&O and I&S Tax Levies	Cooke County Tax Levy	Muenster Hospital District Tax Levy (84%)	Clear Creek Water District Tax Levy (50%)	North Central Texas College Tax Levy	Gainesville Hospital District Tax Levy (16%)	Estimated Total Property Taxes
				0.3500	0.9700		0.4344	0.1975	0.0375	0.1013	0.1502	
2021	\$44,252,000	\$44,252,000		\$154,882	\$429,244	\$584,126	\$192,231	\$73,414	\$8,297	\$44,827	\$10,635	\$902,896
2022	\$40,712,000	\$40,712,000		\$142,492	\$394,906	\$537,398	\$176,853	\$67,541	\$7,634	\$41,241	\$9,784	\$830,667
2023	\$37,455,000	\$37,455,000		\$131,093	\$363,314	\$494,406	\$162,705	\$62,138	\$7,023	\$37,942	\$9,001	\$764,213
2024	\$34,459,000	\$34,459,000		\$120,607	\$334,252	\$454,859	\$149,690	\$57,167	\$6,461	\$34,907	\$8,281	\$703,084
2025	\$31,702,000	\$31,702,000		\$110,957	\$307,509	\$418,466	\$137,713	\$52,594	\$5,944	\$32,114	\$7,619	\$646,832
2026	\$29,166,000	\$29,166,000		\$102,081	\$282,910	\$384,991	\$126,697	\$48,386	\$5,469	\$29,545	\$7,009	\$595,088
2027	\$26,833,000	\$26,833,000		\$93,916	\$260,280	\$354,196	\$116,563	\$44,516	\$5,031	\$27,182	\$6,449	\$547,487
2028	\$24,686,000	\$24,686,000		\$86,401	\$239,454	\$325,855	\$107,236	\$40,954	\$4,629	\$25,007	\$5,933	\$503,681
2029	\$22,711,000	\$22,711,000		\$79,489	\$220,297	\$299,785	\$98,657	\$37,678	\$4,258	\$23,006	\$5,458	\$463,384
2030	\$20,894,000	\$20,894,000		\$73,129	\$202,672	\$275,801	\$90,764	\$34,663	\$3,918	\$21,166	\$5,021	\$426,311
2031	\$19,222,000	\$19,222,000		\$67,277	\$186,453	\$253,730	\$83,500	\$31,889	\$3,604	\$19,472	\$4,619	\$392,196
2032	\$17,684,000	\$17,684,000		\$61,894	\$171,535	\$233,429	\$76,819	\$29,338	\$3,316	\$17,914	\$4,250	\$360,815
2033	\$16,269,000	\$16,269,000		\$56,942	\$157,809	\$214,751	\$70,673	\$26,990	\$3,050	\$16,480	\$3,910	\$331,945
2034	\$14,967,000	\$14,967,000		\$52,385	\$145,180	\$197,564	\$65,017	\$24,830	\$2,806	\$15,162	\$3,597	\$305,379
2035	\$13,770,000	\$13,770,000		\$48,195	\$133,569	\$181,764	\$59,817	\$22,844	\$2,582	\$13,949	\$3,309	\$280,956
			<b>Total</b>	<b>\$1,381,737</b>	<b>\$3,829,385</b>	<b>\$5,211,122</b>	<b>\$1,714,933</b>	<b>\$654,943</b>	<b>\$74,022</b>	<b>\$399,914</b>	<b>\$94,874</b>	<b>\$8,054,935</b>

Source: CPA, Wildcat Creek Wind Farm LLC

\*Tax Rate per \$100 Valuation

**Table 4** examines the estimated direct impact on ad valorem taxes to the school district, Cooke County, Muenster Hospital District, Clear Creek Water District, North Central Texas College and Gainesville Hospital District, with all property tax incentives sought using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code and tax abatements with the county, hospital district, college, and water district.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	Muenster ISD I&S Tax Levy 0.3500	Muenster ISD M&O Tax Levy 0.9700	Muenster M&O and I&S Tax Levies	Cooke County Tax Levy 0.4344	Muenster Hospital District Tax Levy (84%) 0.1975	Clear Creek Water District Tax Levy (50%) 0.0375	North Central Texas College Tax Levy 0.1013	Gainesville Hospital District Tax Levy (16%) 0.1502	Estimated Total Property Taxes
2021	\$44,252,000	\$30,000,000		\$154,882	\$291,000	\$445,882	\$96,115	\$36,707	\$4,149	\$22,414	\$10,635	\$605,267
2022	\$40,712,000	\$30,000,000		\$142,492	\$291,000	\$433,492	\$88,426	\$33,771	\$3,817	\$20,621	\$9,784	\$580,126
2023	\$37,455,000	\$30,000,000		\$131,093	\$291,000	\$422,093	\$81,352	\$31,069	\$3,511	\$18,971	\$9,001	\$556,996
2024	\$34,459,000	\$30,000,000		\$120,607	\$291,000	\$411,607	\$74,845	\$28,584	\$3,231	\$17,453	\$8,281	\$535,719
2025	\$31,702,000	\$30,000,000		\$110,957	\$291,000	\$401,957	\$68,857	\$26,297	\$2,972	\$16,057	\$7,619	\$516,140
2026	\$29,166,000	\$29,166,000		\$102,081	\$282,910	\$384,991	\$63,349	\$24,193	\$2,734	\$14,773	\$7,009	\$490,040
2027	\$26,833,000	\$26,833,000		\$93,916	\$260,280	\$354,196	\$58,281	\$22,258	\$2,516	\$13,591	\$6,449	\$450,841
2028	\$24,686,000	\$24,686,000		\$86,401	\$239,454	\$325,855	\$53,618	\$20,477	\$2,314	\$12,503	\$5,933	\$414,768
2029	\$22,711,000	\$22,711,000		\$79,489	\$220,297	\$299,785	\$49,328	\$18,839	\$2,129	\$11,503	\$5,458	\$381,585
2030	\$20,894,000	\$20,894,000		\$73,129	\$202,672	\$275,801	\$45,382	\$17,332	\$1,959	\$10,583	\$5,021	\$351,056
2031	\$19,222,000	\$19,222,000		\$67,277	\$186,453	\$253,730	\$83,500	\$31,889	\$3,604	\$19,472	\$4,619	\$392,196
2032	\$17,684,000	\$17,684,000		\$61,894	\$171,535	\$233,429	\$76,819	\$29,338	\$3,316	\$17,914	\$4,250	\$360,815
2033	\$16,269,000	\$16,269,000		\$56,942	\$157,809	\$214,751	\$70,673	\$26,990	\$3,050	\$16,480	\$3,910	\$331,945
2034	\$14,967,000	\$14,967,000		\$52,385	\$145,180	\$197,564	\$65,017	\$24,830	\$2,806	\$15,162	\$3,597	\$305,379
2035	\$13,770,000	\$13,770,000		\$48,195	\$133,569	\$181,764	\$59,817	\$22,844	\$2,582	\$13,949	\$3,309	\$280,956
			<b>Total</b>	<b>\$1,381,737</b>	<b>\$3,455,159</b>	<b>\$4,836,896</b>	<b>\$1,035,379</b>	<b>\$395,418</b>	<b>\$44,690</b>	<b>\$241,446</b>	<b>\$94,874</b>	<b>\$6,553,829</b>
			<b>Diff</b>	<b>\$0</b>	<b>\$374,226</b>	<b>\$374,226</b>	<b>\$679,554</b>	<b>\$259,526</b>	<b>\$29,332</b>	<b>\$158,469</b>	<b>\$0</b>	<b>\$1,501,106</b>

Assumes School Value Limitation and Tax Abatements with the County, Hospital District, College and Water District.

Source: CPA, Wildcat Creek Wind Farm LLC

\*Tax Rate per \$100 Valuation

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

**Attachment B – Tax Revenue before 25<sup>th</sup> Anniversary of Limitation Start**

This represents the Comptroller’s determination that Wildcat Creek Wind Farm LLC (project) is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement. This evaluation is based on an analysis of the estimated M&O portion of the school district property tax levy directly related to this project, using estimated taxable values provided in the application.

	Tax Year	Estimated ISD M&O Tax Levy Generated (Annual)	Estimated ISD M&O Tax Levy Generated (Cumulative)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Annual)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Cumulative)
<b>Limitation Pre-Years</b>	2018	\$0	\$0	\$0	\$0
	2019	\$0	\$0	\$0	\$0
	2020	\$0	\$0	\$0	\$0
<b>Limitation Period (10 Years)</b>	2021	\$291,000	\$291,000	\$138,244	\$138,244
	2022	\$291,000	\$582,000	\$103,906	\$242,151
	2023	\$291,000	\$873,000	\$72,314	\$314,464
	2024	\$291,000	\$1,164,000	\$43,252	\$357,717
	2025	\$291,000	\$1,455,000	\$16,509	\$374,226
	2026	\$282,910	\$1,737,910	\$0	\$374,226
	2027	\$260,280	\$1,998,190	\$0	\$374,226
	2028	\$239,454	\$2,237,645	\$0	\$374,226
	2029	\$220,297	\$2,457,941	\$0	\$374,226
	2030	\$202,672	\$2,660,613	\$0	\$374,226
<b>Maintain Viable Presence (5 Years)</b>	2031	\$186,453	\$2,847,066	\$0	\$374,226
	2032	\$171,535	\$3,018,601	\$0	\$374,226
	2033	\$157,809	\$3,176,411	\$0	\$374,226
	2034	\$145,180	\$3,321,590	\$0	\$374,226
	2035	\$133,569	\$3,455,159	\$0	\$374,226
<b>Additional Years as Required by 313.026(c)(1) (10 Years)</b>	2036	\$122,880	\$3,578,039	\$0	\$374,226
	2037	\$113,054	\$3,691,093	\$0	\$374,226
	2038	\$104,013	\$3,795,106	\$0	\$374,226
	2039	\$95,691	\$3,890,796	\$0	\$374,226
	2040	\$88,037	\$3,978,833	\$0	\$374,226
	2041	\$80,995	\$4,059,828	\$0	\$374,226
	2042	\$74,515	\$4,134,344	\$0	\$374,226
	2043	\$68,550	\$4,202,894	\$0	\$374,226
	2044	\$63,069	\$4,265,963	\$0	\$374,226
	2045	\$58,025	\$4,323,988	\$0	\$374,226

**\$4,323,988**
   is greater than  **\$374,226**

<b>Analysis Summary</b>	
Is the project reasonably likely to generate tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement?	<b>Yes</b>

NOTE: The analysis above only takes into account this project's estimated impact on the M&O portion of the school district property tax levy directly related to this project.  
 Source: CPA, Wildcat Creek Wind Farm LLC

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

## Attachment C – Limitation as a Determining Factor

Tax Code 313.026 states that the Comptroller may not issue a certificate for a limitation on appraised value under this chapter for property described in an application unless the comptroller determines that “the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state.” This represents the basis for the Comptroller’s determination.

### Methodology

Texas Administrative Code 9.1055(d) states the Comptroller shall review any information available to the Comptroller including:

- the application, including the responses to the questions in Section 8 (Limitation as a Determining Factor);
- public documents or statements by the applicant concerning business operations or site location issues or in which the applicant is a subject;
- statements by officials of the applicant, public documents or statements by governmental or industry officials concerning business operations or site location issues;
- existing investment and operations at or near the site or in the state that may impact the proposed project;
- announced real estate transactions, utility records, permit requests, industry publications or other sources that may provide information helpful in making the determination; and
- market information, raw materials or other production inputs, availability, existing facility locations, committed incentives, infrastructure issues, utility issues, location of buyers, nature of market, supply chains, other known sites under consideration.

### Determination

The Comptroller **has determined** that the limitation on appraised value is a determining factor in the Wildcat Creek Wind Farm LLC’s decision to invest capital and construct the project in this state. This is based on information available, including information provided by the applicant. Specifically, the comptroller notes the following:

- Per Wildcat Creek Wind Farm LLC in Tab 5 of their Application for a Limitation on Appraised Value:
  - A. “For this Project to be competitive with the other projects being developed by EDP, as well as the other projects within Texas that have secured abatement agreements, EDP’s Project must secure a Chapter 313 Appraised Value Limitation with Muenster ISD, as well as other Chapter 313 and 312 agreements with respective entities for this Project. The Chapter 313 Appraised Value Limitation with Muenster ISD has a significant impact on the rate of return for this Project and allows it to be competitive not only with other projects in the EDP’s portfolio, but also with other projects being developed by competing companies in Texas. EDP has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year. EDP has an existing two-phase wind farm in operation near Abilene, Texas and obtained a Chapter 313 Appraised Value Limitation for wind provided the needed economics to allow for the EDP to invest capital, construct the project, and sell the power.”
  - B. “The parent company, EDP Renewables North America (“EDP”) can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid. EDP has several gigawatts of renewable energy development assets in 20 states that it is marketing to different off-takers for construction and power purchase throughout the U.S. EDP is considering investment in many of these potential projects, instead of this Project. ...By way of comparison, EDP is actively developing and marketing multiple projects in the state of Kansas, which provides significant tax incentives at a state level. ... In Indiana, there is an economic incentive available for utility distributable facilities that provides a property tax exemption for a period of 10 years.”
- EDP Renewables developed a project website and posted a downloadable factsheet in August 2019 that includes: details about wind farm; the factsheet was changed in October 2019:

- A. "Wildcat Creek Wind Farm will be located approximately 50 miles north of Dallas-Fort Worth in southwest Cooke County, between the towns of Era and Muenster. The project is sited on land primarily used for ranching and agriculture. Wildcat Creek has strong support from local landowners and will have minimal impact on current land use."
- B. "Wildcat Creek Wind Farm will consist of 52 wind turbines spanning a project area of nearly 15,000 acres."
- The Comptroller's office asked for a response from the applicant regarding the factsheet on the project and received the following response per Question #4, Tab 5:
  - A. "As part of the commercial development for this Project, Applicant issued the attached fact sheet for promotional purposes—as a marketing flyer intended to help build local support for the proposed Project. This fact sheet highlights benefits of the Project that would be enjoyed by the local community if the Project does in-fact move forward."
  - B. "This Project is still in the development stage, and Applicant's parent company, EDP Renewables North America ("EDPR"), has not yet made a final investment decision. Feasibility discussions are ongoing. Applicant has not yet: (i) received property tax incentives; (ii) signed all leases and easements necessary for the project; (iii) finalized the interconnection process; and (iv) received necessary permits. Applicant would not formally announce a project until each of these steps is completed, as any one of these steps could preclude viability."
- An April 10, 2019 *The Weekly News of Cooke County* reported:
  - A. "Cooke County Commissioners voted unanimously to approve a reinvestment zone which could help make way for a wind farm in southwestern Cooke County. Commissioners voted unanimously during the Monday, April 8 regular meeting for creation of the approximately 42,500-acre reinvestment zone west of Era."
  - B. "Creating the zone will allow taxing entities including Era Independent School District, North Central Texas College District and Muenster Hospital District to consider approving tax abatements for EDP Renewables which is planning to build the 180-megawatt Wildcat Creek Wind Farm. The farm will include approximately 50 generating units spread over 20,000 acres, according to John Coon project manager with EDP."
  - C. "Several county residents signed up to speak during a public hearing for the reinvestment zone. Many said they were concerned the proposed wind farm will lower property values and spoil the beauty and peacefulness of the countryside. Others said it won't deliver jobs for local residents. Proponents for the wind farm project said leasing their land to the developer will not adversely affect land prices and will net them income for improvements and financial security."
  - D. "The fate of the proposed wind farm depends on several factors but the commissioners don't have final say on the project, Pct. 2 Commissioner Jason Snuggs said. "No matter what happens, the court can't stop the windmills," Snuggs said. "It's not up to us whether the windmills come or not."
- A June 5, 2019 *The Weekly News of Cooke County* reported, "The [Gainesville Hospital District] board was also prepared to hear a presentation about the proposed Wildcat Creek Wind Farm in Cooke County but representatives for EDP Renewables weren't at the meeting. Board members have information on the project and are expected to vote on a possible tax abatement at the July meeting. "I came prepared tonight to talk to them about it," Board member Ken Arterbury said, adding he hopes the board doesn't approve the abatement."
- A June 19, 2019 *The Weekly News of Cooke County* reported, "At its June 12 regular meeting, Muenster ISD board of trustees voted to accept a Chapter 313 Application with EDP Renewables for Wildcat Creek Windfarm Project. ... Danielle Thurber, Rorik Peterson, and Joshua Coon representing EDP Renewables for the Wildcat Creek Windfarm Project attended the meeting. They reviewed information provided from the May 8 board meeting. Twenty-five percent or 13 of 52 of the proposed wind turbines are expected to be placed in Muenster ISD."
- A July 3, 2019 *The Weekly News of Cooke County* reported:
  - A. "The [North Central Texas College board of regents] also heard a citizen comment from resident Karen Sampson who voiced her opposition to the EDP Renewables North America proposed windfarm in Cooke County. '...We believe the wind farm will very negatively affect our property

values... Also I can't say enough that I believe the windfarm will be a blight on that part of the county for decades to come."

- B. "The 180-megawatt Wildcat Creek Windfarm in southwestern Cooke County has been in the works since 2017, EDP Director of Development Rorik Peterson said. The company is hoping for a Chapter 312 tax abatement and has already successfully lobbied Cooke County Commissioners Court for a reinvestment zone in the area. The project is expected to span 15,000 acres, cost \$200 million to \$210 million and support 52 wind generator units, Project Development manager Josh Coon said."
- C. "A group of area landowners are apparently on board for the project. 'We've signed lease agreements with about 30 landowners so far and expect to have the rest of the land signed up sometime this summer,' Coon said. The group is hoping to snag a 60 percent 10- year tax abatement for the project."
- A July 17, 2019 *The Weekly News of Cooke County* reported, "Members of the Muenster Hospital District board of directors voted 4-0 against a tax abatement for windfarm producer EPD Renewables North America according to unofficial minutes from the June 26, 2019 MMH board meeting. ...A group of residents from the southwestern Cooke County area spoke against the proposed wind farm."
- Per Wildcat Creek Wind Farm LLC in Tab 4 of their Application, "The Project boundaries are within both Era ISD and Muenster ISD." As reported by an August 22, 2019 *Gainesville Daily Register* article the project's support in the second district is not as strong:
  - A. "More than 100 people packed into the Era High School gym Monday, Aug. 19, in hopes of convincing members of the Era Independent School District Board of Trustees to vote their way on a Chapter 313 application request for Wildcat Creek Wind Farm LLC."
  - B. "Board members were to consider seeking a 313 agreement ... for the proposed wind farm. However, after taking a break to discuss the matter in closed session, board members unanimously rejected applying for the agreement via a 6-0 vote. Board member Todd Reiter abstained."
  - C. "Before the vote, board members heard presentations from EDP Renewables, the Houston-based company behind the project; Cooke County Coalition For Property Rights, an opposition group consisting of 47 individuals and families who own more than 30,000 acres; and various area residents who spoke either for or against the project."
- The U.S. Energy Information Administration's Electric Power Monthly with Data for May 2019, released July 2019, reported the proposed wind project as of one of the planned electric generating unit additions
  - A. 11/2020 (Month/Year); Wildcat Creek Wind Farm LLC (Entity Name)/IPP (Plant Producer Type)/ Wildcat Creek Wind Farm LLC (Plant Name); WCCWF (Generator ID)/180.1 (Net Summer Capacity (MW)) Onshore Wind Turbine (Technology); WIND (Energy Source Code); WT (Prime Mover Code); (P) Planned for installation, but regulatory approvals not initiated (Status)/144.9 (Nameplate Capacity (MW))
- A July 2019 Generator Interconnection Status Report issued by ERCOT, released August 1, 2019, includes a section that details those projects for which a Full Interconnection Study (FIS) has been requested.
  - A. Project Attributes: 201NR0033 (GINR Reference Number); ERAWIND (Project Name); SS Completed, Full Interconnection Study Started, No Interconnection Agreement (GINR Study Phase); Wildcat Creek (Interconnecting Entity); tap 345kV 1730 KrumW - 2373 Anna (Point of Interconnection Location); Cooke (County); NORTH (CDR Reporting Zone); 12/15/2020 (Projected Commercial Operation Date); WIN (Fuel); WT (Technology); 180 (Capacity);
  - B. Changes from Last Report: Commercial Operation Date(Change indicators: Proj Name, MW Size, COD, SFS/NtP, FIS Request)
- Supplemental Information provided by the applicant indicated the following:
  - A. Is this project known by any specific names not otherwise mentioned in this application? Yes. *Project name is ERAWIND for ERCOT Interconnection Studies.*

- B. Please also list any other names by which this project may have been known in the past--in media reports, investor presentations, or any listings with any federal or state agency. *Project name for ERCOT Interconnection studies was originally Cooke Wind II.*
- C. Has this project applied to ERCOT at this time? If so, please provide the project's GINR number and when was it assigned. *Yes. GINR is 20INR0033, assigned 10/18/2017.*

**Supporting Information**

- a) Section 8 of the Application for a Limitation on Appraised Value
- b) Attachments provided in Tab 5 of the Application for a Limitation on Appraised Value
- c) Additional information provided by the Applicant or located by the Comptroller

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

# **Supporting Information**

**Section 8 of the Application for  
a Limitation on Appraised Value**

Texas Comptroller of Public Accounts

Data Analysis and Transparency Form 50-296-A

SECTION 6: Eligibility Under Tax Code Chapter 313.024

- 1. Are you an entity subject to the tax under Tax Code, Chapter 171?
2. The property will be used for one of the following activities:
(1) manufacturing
(2) research and development
(3) a clean coal project, as defined by Section 5.001, Water Code
(4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code
(5) renewable energy electric generation
(6) electric power generation using integrated gasification combined cycle technology
(7) nuclear electric power generation
(8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7)
(9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051
3. Are you requesting that any of the land be classified as qualified investment?
4. Will any of the proposed qualified investment be leased under a capitalized lease?
5. Will any of the proposed qualified investment be leased under an operating lease?
6. Are you including property that is owned by a person other than the applicant?
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment?

SECTION 7: Project Description

- 1. In Tab 4, attach 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.
2. Check the project characteristics that apply to the proposed project:
[checked] Land has no existing improvements
[ ] Land has existing improvements (complete Section 13)
[ ] Expansion of existing operation on the land (complete Section 13)
[ ] Relocation within Texas

SECTION 8: Limitation as Determining Factor

- 1. Does the applicant currently own the land on which the proposed project will occur?
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project?
3. Does the applicant have current business activities at the location where the proposed project will occur?
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location?
5. Has the applicant received any local or state permits for activities on the proposed project site?
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site?
7. Is the applicant evaluating other locations not in Texas for the proposed project?
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities?
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project?
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas?

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

## **Supporting Information**

**Attachments provided in Tab 5  
of the Application for a  
Limitation on Appraised Value**

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

---

**TAB #5**

Documentation to assist in determining if limitation is a determining factor

**Section 8, #2: Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project?**

The Applicant has executed all contracts as part of the development process and the Applicant has not executed any contracts that would require the Project to be constructed in Muenster ISD or the State of Texas.

**Section 8, #4: Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location?**

As part of the commercial development for this Project, Applicant issued the attached fact sheet for promotional purposes—as a marketing flyer intended to help build local support for the proposed Project. This fact sheet highlights benefits of the Project that would be enjoyed by the local community if the Project does in-fact move forward.

This Project is still in the development stage, and Applicant's parent company, EDP Renewables North America ("EDPR"), has not yet made a final investment decision. Feasibility discussions are ongoing. Applicant has not yet: (i) received property tax incentives; (ii) signed all leases and easements necessary for the project; (iii) finalized the interconnection process; and (iv) received necessary permits. Applicant would not formally announce a project until each of these steps is completed, as any one of these steps could preclude viability.

**Section 8, #7: Is the applicant evaluating other locations not in Texas for the proposed project?**

The parent company, EDP Renewables North America ("EDPR") can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid. EDPR has several gigawatts of renewable energy development assets in 20 states that it is marketing to different off-takers for construction and power purchase throughout the U.S. EDPR is considering investment in many of these potential projects, instead of this Project. For this Project to be competitive with the other projects being developed by EDPR, as well as the other projects within Texas that have secured abatement agreements, Applicant's Project must secure a Chapter 313 Appraised Value Limitation with Muenster ISD, as well as other Chapter 313 and 312 agreements with respective entities for this Project. The Chapter 313 Appraised Value Limitation with Muenster ISD has a significant impact on the rate of return for this Project and allows it to be competitive not only with other projects in EDPR's portfolio, but also with other projects being developed by competing companies in Texas. EDPR has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year.

By way of comparison, EDPR is actively developing and marketing multiple projects in the state of Kansas, which provides significant tax incentives at a state level. Kansas provides a property tax exemption for a period of 10 years on renewable facilities, via Kansas Statute 79-201. Typically, during the 10-year exemption period, EDPR would pay the county a community gift payment, but this is significantly less than the property taxes paid by a project in Texas. In Indiana, there is an economic incentive available for utility distributable facilities that provides a property tax exemption for a period of 10 years. The property tax exemption can exempt property up to 100% during the term. The incentive is negotiated with the local Economic Development Authority. The negotiated economic payments during the 10-year term coupled with valuation methodology from the state provide a substantial reduction in property tax. By way of further example, for this Project to compete with projects in Kansas and Indiana, as well as other projects throughout the U.S., EDPR's Project must secure the available tax incentives in Texas. This includes obtaining a Chapter 313 Appraised Value Limitation with Muenster ISD to reduce the property tax liability to the school district for the portion of the Project that lies within the district.

**Section 8, #8: Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities?**

The parent company, EDP Renewables North America ("EDPR") can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid. EDPR has several gigawatts of renewable energy development assets in 20 states that it is marketing to different off-takers for construction and power purchase throughout the U.S. EDPR is considering investment in many of these potential projects, instead of this Project. For this Project to be competitive with the other projects being developed by EDPR, as well as the other projects within Texas that have secured abatement agreements, EDPR's Project must secure a Chapter 313 Appraised Value Limitation with Muenster ISD, as well as other Chapter 313 and 312 agreements with respective entities for this Project. The Chapter 313 Appraised Value Limitation with Muenster ISD has significant impact on the rate of return for this Project and allows it to be competitive not only with other projects in EPD's portfolio, but also with other projects being developed by competing companies in Texas. EDP has limited capital to expend and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year.

EDP has an existing two-phase wind farm in operation near Abilene, Texas and obtained a Chapter 313 Appraised Value Limitation which provided the needed economics to allow for EDP to invest capital, construct the project, and sell the power. More recently in 2016, EDP built a single-phase wind farm in McCook, Texas on the border of Starr and Hidalgo counties that also had a Chapter 313 Appraised Value Limitation with both the Edinburg and Rio Grande City Independent School Districts, respectively. As the price of natural gas has declined over the last decade, the market for long term power purchase agreements has become more competitive. The Department of Energy Wind Technologies Market Report determined that the national average levelized price of wind power contracts signed in 2014 had dropped to less than \$25 per Mega-Watt hour compared

to the peak pricing of \$70 per Mega-Watt hour in 2009. The Chapter 313 Appraised Value Limitation has a significant impact on project economics to make it both competitive in the power purchase agreement market and also make it economically viable for investment.

**Section 8, #10: Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas?**

As noted above, the availability of tax incentives for this proposed Project are critical to the decision of whether to proceed with the Project. EDPR can locate the Project anywhere in the U.S. with sufficient prevailing wind conditions conducive to power generation and transmission capacity to interconnect the Project to the grid, has limited capital to expend, and will only select approximately one (1) to five (5) projects (up to approximately 1,000 MWs) to construct each year.

EDPR has submitted information regarding the amount of its capital investment in the Project, which will constitute approximately \$48.1 million in Muenster ISD, of which the total project is \$229.8 million in Cooke County, with an estimated operating capacity of 180 megawatts of power, and nine (9) miles of 345 kV transmission line planned to be located in Cooke County. EDPR has also provided information that the Project will be constructed and become operational by the end of the year 2020. EDPR has located the Project in the ERCOT power market and has submitted an interconnection request to ERCOT. The interconnection request is in queue and the study is currently in the Full Interconnection Study stage. The ERCOT power market limits the potential off-taker of the power produced by the Project, since power cannot be exported from ERCOT to other markets.

# **Supporting Information**

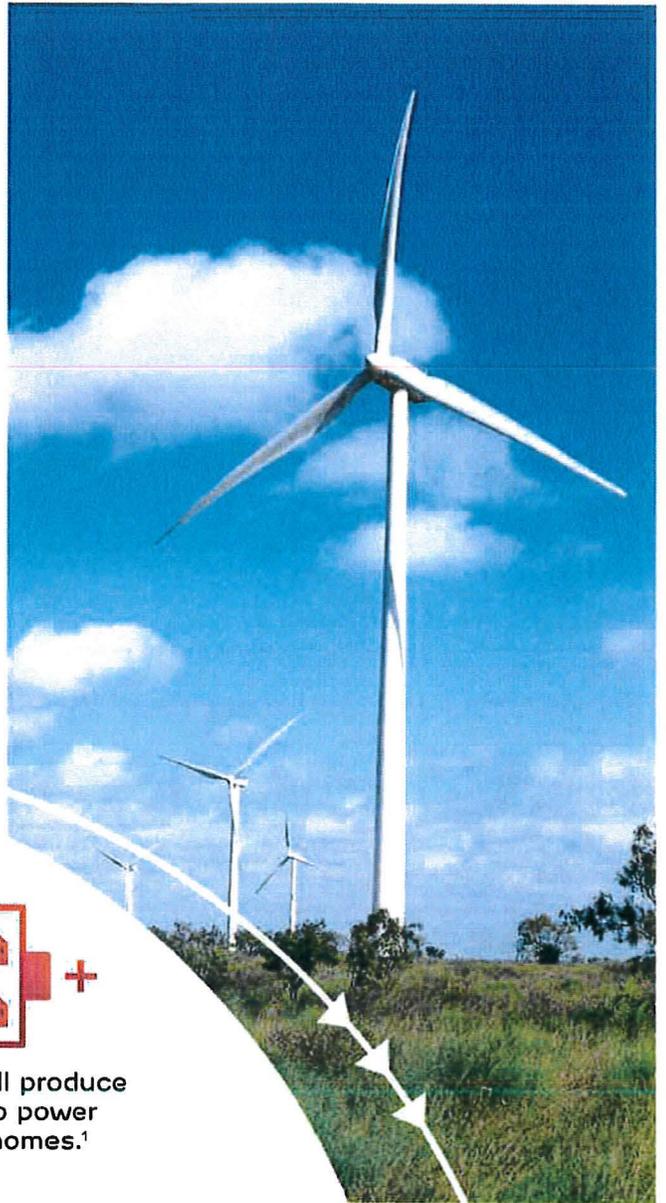
Additional information  
provided by the Applicant or  
located by the Comptroller



# TEXAS: Wildcat Creek



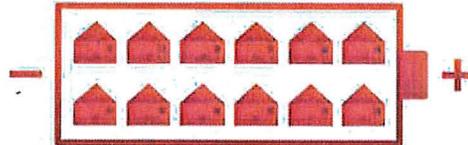
Wildcat Creek Wind Farm will be located approximately 50 miles north of Dallas-Fort Worth in southwest Cooke County, between the towns of Era and Muenster. The project is sited on land primarily used for ranching and agriculture. Wildcat Creek has strong support from local landowners and will have minimal impact on current land use.



## 180 MW

COMMERCIAL OPERATION DATE

### 2020

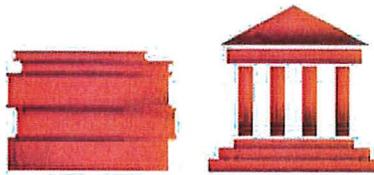


Wildcat Creek Wind Farm will produce enough clean electricity to power more than **41,000** Texas homes.<sup>1</sup>

## Economic Benefits



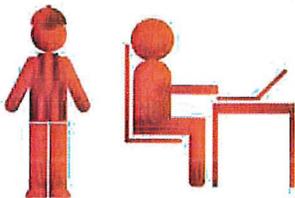
Wildcat Creek represents a capital investment of approximately **\$250 million**.<sup>2</sup>



More than **\$44 million** in local tax revenues through the project's life, including **\$27 million** to Era ISD and **\$9 million** to Muenster ISD.



Approximately **\$72 million** will be paid to local landowners through the life of the project.



Creation of up to **250** full-time equivalent jobs during construction and **10-12** permanent jobs during the life of the project.<sup>3</sup>



Millions of dollars will be spent within 50 miles of the wind farm through the life of the project.<sup>4</sup>



**9,100 acres** currently leased with **44** participating landowners. **5,700** more acres committed.

# Turbine Technology

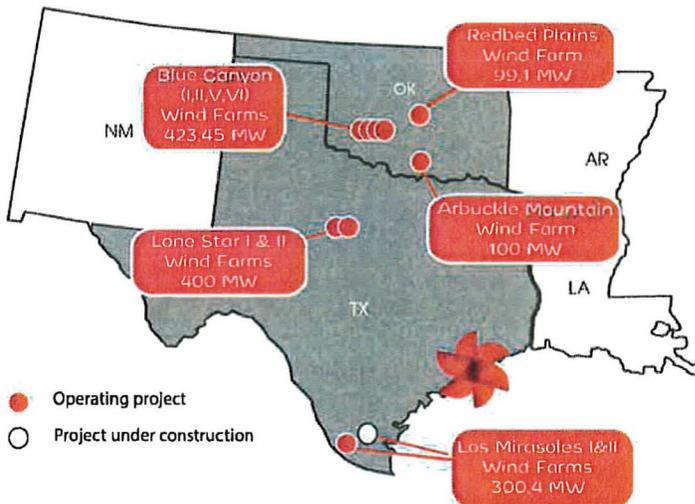


Wildcat Creek Wind Farm will consist of **52** wind turbines spanning a project area of nearly **15,000** acres. The largest turbines will have a hub height of approximately **354** feet and **238**-foot blades.

## About Us

EDP Renewables North America LLC ("EDPR NA") and its subsidiaries develop, construct, own, and operate wind farms and solar parks throughout North America. Headquartered in Houston, Texas, with 48 wind farms, five solar parks, and 13 regional and development offices across North America, EDPR NA has developed more than 6,700 megawatts (MW) and operates more than 6,100 MW of renewable energy projects. With approximately 650 employees, EDPR NA's highly qualified team has a proven capacity to execute projects across the continent.

EDPR NA has **16** years of operational experience in the region, with more than **1.3** GW in Texas and Oklahoma.



For more information, visit

[www.edprnorthamerica.com](http://www.edprnorthamerica.com) or [www.wildcatcreekwindfarm.com](http://www.wildcatcreekwindfarm.com)

<sup>1</sup>Power generation calculated using a 35% capacity factor. Household consumption based on 2017 EIA Household Data monthly average consumption by state.

<sup>2</sup>Assumes the average cost of an installed wind farm is \$1.6 million/MW for projects built after 2017, based on U.S. DOE 2017 Wind Technologies Market Report [https://emp.lbl.gov/sites/default/files/2017\\_wind\\_technologies\\_market\\_report.pdf](https://emp.lbl.gov/sites/default/files/2017_wind_technologies_market_report.pdf).

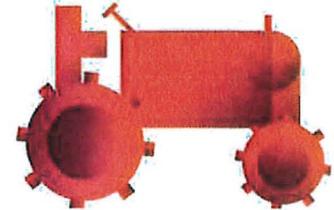
<sup>3</sup>Full-time equivalent jobs calculated by dividing number of contractor hours worked during construction by 2080.

<sup>4</sup>Includes vendor spending, property taxes, landowner payments, and wages from site jobs. Actual payments may vary.

<sup>5</sup>Assumes 0.58 gallons of water consumed per kWh of conventional electricity from "Water Consumption Factors for Electricity Generation in the United States" Lee, Han, & Elgowainy, 2016. <https://greet.es.anl.gov/publication-wcf-2016>.



Wildcat Creek Wind Farm will save more than **320 million** gallons of water each year.<sup>5</sup>



Wildcat Creek Wind Farm is compatible with existing land uses, occupying less than **2 percent** of land.



More than **500** U.S. manufacturing facilities specialize in wind energy components such as blades, towers, and generators.



Wildcat Creek Wind Farm will provide energy security and help diversify supply.



renewables

EDP Renewables Corporate Headquarters  
 808 Travis Street, Suite 700 • Houston, TX 77002  
 P: 713-265-0350 • F: 713-265-0365

# The Weekly News of Cooke County

ISSUE #111  
US POSTAGE  
PAID  
Permit No. 00002  
Cooke County, Texas  
C.W.N.S.

© 2019 The Weekly News of Cooke County  
Volume 15, Number 45 Cooke County, Texas April 10, 2019  
Cooke County's LARGEST and MOST READ Newspaper!

## Twiner Details New Fire House at Council Meeting

By Delania Raney  
*The Weekly News*  
GAINESVILLE— Gainesville City Council approved, at its April 2, 2019 regular meeting, a proclamation for National Day of Prayer set for May 2. The annual observance is held on the first Thursday of May. Bill and Sheila Cox along with Kelli Egan, Coordinator for the National Day of Prayer in Cooke County, accepted the proclamation. Gainesville Fire Rescue Chief Wayne Twiner presented an update on construction for Fire Station 3 at 308 Culberson Street. The current station at 114 East Pecan Street was built in 1918, Twiner said.

"This is the station we will be replacing," Twiner said. "One of the reasons that administration and city leaders decided to replace this building was due to the access overhead doors." The size of the engines and the space they require caused "congestion" inside the bay, Twiner said. The new station has an estimated cost of \$2.7 million and is an 8,000 square foot structure with two bays. Schmoldt Construction submitted the winning bid for the contract. The wood frame building will have a brick veneer. The station will feature a fitness room, kitchen dining room, living areas, three individual bunk rooms, Twiner said.



National Day of Prayer Set for May 2 - Bill Cox, Sheila Cox and Kelli Egan accept a proclamation from Gainesville Mayor Jim Goldsworthy at the April 2, 2019 regular city council meeting. (The Weekly News Photo)

## King Around Town

by Grice King

My uncle Karl lives in Fort Worth and has for many years. Being down in the interlopers you randomly run into local celebrities from the area, local TV station personalities, radio hosts, famous athletes or other public figures. This past weekend he ran into long time Ft. Worth Star Telegram sports writer and radio host, Randy Gallosay at a local restaurant they frequent. He was very personable and talked for a while. My uncle just happened to ask him if he remembered a sportswriter from Gainesville, named Bill King. Of course, he did! He even referred to him as one of the many "legends" he's had the opportunity to work with and around! Amazing how far people's impact can carry. Thought some of you longtime residents that remembered my grandfather might get a kick out of that story.

Here is some of what's happening around town this week.

\*\*\*\*\*  
Boom or Bust? It's time to honor and celebrate the Cooke County Oil Industry with the Morton Museum Annual Auction. The auction is set for Friday, May 3 at the Lake Kiowa Lodge. Tickets are \$20. Doors open at 5:00 pm. Silent Auction at 5:00pm and Dinner at 6:30 pm.  
Call the Morton Museum for tickets 940-668-8900.

\*\*\*\*\*  
The Diabetes Support Group will meet in the NTMC Classroom on Tuesday, April 16 from 7:00 to 8:00 pm. "Diabetes and Eye Complications" will be presented by Dr. Chris Deaton, OD. A door prize will be provided by York Eye Associates.  
Individuals with diabetes, family members and anyone interested in learning more about diabetes are encouraged to attend this FREE program. For more information call Joan at 940-768-8120.

\*\*\*\*\*  
Community is a big word. Community includes all. Community includes you.  
Thursday, May 2 is the Cooke County Community Day of Prayer set for Friday.  
(Continued on Page 5)

## Commissioners Approve Reinvestment Zone Tied to Wind Farm Project

By Delania Raney  
*The Weekly News*  
GAINESVILLE - Cooke County Commissioners voted unanimously to approve a reinvestment zone which could help make way for a wind farm in southwestern Cooke County. Commissioners voted unanimously during the Monday, April 8 regular meeting for creation of the approximately 42,500-acre reinvestment zone west of Era.

Independent School District, North Central Texas College District and Maricopa Hospital District to consider approving tax abatements for EDP Renewables which is planning to build the 180-megawatt Wildcat Creek Wind Farm. The farm will include approximately 50 generating units spread over 20,000 acres, according to John Coon project manager with EDP. Several county residents signed up to speak during a public hearing for the reinvestment zone. Many said they were concerned the proposed wind farm will lower property values and spoil the beauty and peacefulness of the countryside. Others said it won't deliver jobs for local residents.

Proponents for the wind farm project said leasing their land to the developer will not adversely affect land prices and will net them income for improvements and financial security. "Let me start out by saying I appreciate everyone who came and spoke," County Judge Jason Binkley said. "This is a job I know that commissioners court takes very seriously when these projects come in... just want to reiterate that all we are discussing today is the reinvestment zone designation itself."

Any discussion about a tax abatement for EDP will be set for "a later date," he said, adding "It's also my understanding that the creation of a reinvestment zone also allows other taxing entities to then enter into discussions regarding tax abatements." Pct. 3 Commissioner John Klement - whose mother and brother were among those supporting the wind farm - noted he conferred with Binkley, and while Klement was allowed to vote on the reinvestment zone, he will abstain from voting on any tax abatements for the wind farm. "I can vote legally because this is for zoning purposes," Klement said. "There will be no money benefit whatsoever."

### MEDAL OF HONOR HOST CITY PROGRAM

#### EVENT SCHEDULE

**Wednesday, April 10** - Recipients and their guests travel from DFW International Airport to Gainesville via motorcade on I-35. The public is encouraged to welcome the recipients from overpasses along the motorcade route. Arrival is generally in the late afternoon but the exact time may vary due to traffic conditions.

**Friday, April 12, 10 a.m.** - Free dedication ceremony at the Home Grown Heroes Walking Trail. Directions: Enter on Main Street between Lindsay and Deaton Streets or access the trail's midway points at Garnett and Taylor Streets. The trail is accessible to the disabled in Howeth and Moss streets.

**Saturday, April 13, 10 a.m.** - Annual MOH parade. The parade route begins at the Santa Fe Depot off California Street and continues in Brauns. A book signing is planned for 1 to 3 p.m. Saturday at the Gainesville Civic Center at 311 South Weaver Street.

NOTE: Tickets are no longer available for the Dinner scheduled for Thursday, April 11 and the Medal of Honor Banquet set for Friday, April 12.

Wind generator development has touched off debate in several sections of the county for the past decade or so. It's an emotional issue, Pct. 4 Commissioner Leon Klement said. "People either love them or they hate them," he said. "I've had a lot of people tell me they're pretty... And then I have other people tell me, 'How can you live close to them?' It's just whatever you like."

The fate of the proposed wind farm depends on several factors but the commissioners don't have final say on the project, Pct. 2 Commissioner Jason Snuggs said. "No matter what happens, the court can't stop the windmills," Snuggs said. "It's not up to us

whether the windmills come or not." In addition, commissioners approved allowing a hazardous waste collection event set for April 20 at the Cooke County Justice Center at 300 County Road 541 and voted unanimously to award Landmark Bank the depository contract.

They also approved final plat for County Road 200 Estates Lots 1-9 and approved a request for quote for radio communications infrastructure build-out. Cooke County Emergency Management Coordinator Ray Fletcher said the initiative is a "simulcast radio enhancement to our current system that would provide 95 percent portable radio coverage outdoors anywhere in Cooke County."

A big concern is first responders are out there, and if they're not with their vehicle for whatever reasons they may have a problem getting a dispatch if something happens," he said. No action was taken on the FEMA grant and no action was taken on the new EMS substation in Valley View.

They also approved the appointment of John Klement and Jason Snuggs to work on regulations regarding county rights-of-way. Finally, the commissioners voted unanimously for some changes to Cooke County subdivision regulations. Commissioners approved a consent agenda which included the following:

Approval of minutes from the March 25, 2019 and March 28, 2019 meetings.  
Receive and file for record department reports from the following: Constable Pct. 1, Commissioner Pct. 1, Commissioners Pct. 3 and 4, Justice of the Peace Pct. 1, Constable Pct. 2, court compliance, Robertson & Moss Attorneys, county clerk.  
Fiscal year 2019 budget amendments.  
Monthly bills.  
Action allowing citizens to gather at the courthouse lawn for National Day of Prayer set for Friday.  
(Continued on Page 2)

Find us on Facebook

# Grand Jury Issues 24 Felony Indictments

**GAINESVILLE** — A Cooke County Grand Jury issued 24 indictments in March.

Norman Frederick Bailey, 33, was indicted on the Jan. 29, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Cody Allen Bogan, 43, was indicted on the Feb. 5, 2019 state jail felony offense of theft of property with two prior convictions.

Thidger Marie Bokan, 36, was indicted on the Feb. 2, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Jessica Lee Butterworth, 38, was indicted on the Jan. 17, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Angela Machel Carrero, 47, was indicted on the Jan. 24, 2019 third degree felony offense of possession of a controlled substance less than 4 grams.

Jose Luis Fraga Jr., 30,

was indicted on the Oct. 24, 2018 state jail felony offense of theft of property less than \$30,000.

Jason Douglas Gammill III, 38, was indicted on the Jan. 12, 2019 habitual offender offense of possession of a controlled substance with intent to deliver less than 4 grams.

Shey Gile Gray, 24, was indicted on the Jan. 24, 2019 first degree felony offense of possession of a controlled substance with intent to deliver less than 4 grams.

Dustin Robert Haget, 26, was indicted on the Feb. 6, 2019 state jail felony offense of delivery of marijuana less than 5 pounds and on the Feb. 6, 2019 first degree felony offense of possession of a controlled substance with intent to deliver less than 400 grams.

James Roger King, 47, was indicted on the Feb. 27, 2019 state jail felony offense of possession of a controlled substance.

Gregory John Krauss-ki, 32, was indicted on

the Jan. 24, 2019 second degree felony offense of possession of a controlled substance less than 400 grams.

Steven Michael Langston, 26, was indicted on the Jan. 25, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Brian Correy Lezak Jr., 21, was indicted on the Feb. 9, 2019 second degree felony offense of robbery.

Randy Lee McNorris, 58, was indicted on the Feb. 15, 2019 third degree felony offense of driving while intoxicated third or more.

Kirk Escotte Mercer, 33, was indicted on the Feb. 13, 2019 third degree felony offense of possession of a controlled substance less than 4 grams.

Britanna Leigh Pepp, 37, was indicted on the Jan. 25, 2019 third degree felony offense of possession of a controlled substance less than 4 grams.

Coby Ryan Ramsey, 29, was indicted on the

Jan. 10, 2019 third degree felony offense of failure to comply with registration requirement.

Carlos J. Rodriguez, 39, was indicted on the Jan. 25, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Christopher Joseph Savage, 30, was indicted on the Jan. 8, 2019 second degree felony offense of possession of a controlled substance less than 200 grams and the Jan. 8,

2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Carmen Michelle Sowders, 49, was indicted on the Jan. 8, 2019 state jail felony offense of possession of a controlled substance less than 1 gram.

Raul Morales Valdes, 18, was indicted on the July 15, 2018 second degree felony offense of possession of a controlled substance less than 400 grams.

Joshua John Williams, 32, was indicted on the Jan. 31, 2019 second degree felony offense of possession of a controlled substance less than 200 grams.

Welcome to Gainesville  
Medal of Honor  
Recipients and Families!

Special Thanks to all Medal  
of Honor Volunteers!

*Good Things!*  
500 E. California  
940.334.2707

**Custom Homes**  
Your Design  
Your Land/Lot  
Our Experience

**6-4-3**

**Construction Solutions, LLC**  
Residential Division  
www.643cc.com  
940.206.6230  
**North Texas Builder**

## Commissioners Approve Reinvestment Zone Tied to Wind Farm Project

(Continued from Page 1)

Re-appointment of County Fire Marshal Ray Fletcher for a term beginning April 1, 2019 and ending April 1, 2021.

Mutual aid agreement with Moss Lake Volunteer Fire Department.

Voting machine rental service agreements with Gainesville Hospital District, city of Valley View, town of Road Runner, Valley View ISD and Lindsay ISD for AutoMark use in upcoming elections.

Interment and indigent cremation of one individual.

Lease agreement with Xerox for copy machine for juvenile probation department.

Surplus by auction or salvage for a 2000 Lincoln Continental, a 2008 Dodge truck, a 2002 Honda CBR and a 2004 Ford Mustang awarded to the sheriff's office.

Affiliation agreement between Cooke County and North Central Texas College for clinical education with the Cooke County EMS starting April 1, 2019

Acceptance of auction proceeds from the sale of sheriff's office seized vehicles in March in the amount of \$33,236.25 after auctioneer's 5 percent commission.

Donation of \$14.95 to the Cooke County Library from anonymous donors.

All commissioners were present for Monday's meeting.

**Anonymously report crime in Gainesville at 940.612.0000**  
For emergencies, call 911

**Callisburg VFD**

**52 Gun Raffle**

The Callisburg VFD will be holding a 52 gun drawing. Tickets are \$100 each. Each entry will get 2 sets of 3 numbers. We will start selling tickets Dec. 1st and the drawings will start on Monday, May 1st, if all tickets are sold. The winning numbers will be determined by the results of the 10am Pick 3 Lotto numbers. Drawings will continue every Monday at 10am for 52 consecutive weeks. An Email will be sent out every week with the winning numbers, and the name of the individual who won. The winner for the week will be contacted by phone each week, and they will be given the instructions on how to pick up their gun. It is the ticket buyers responsibility to be able to pass the background check!

Contact Rachel McMains at 940-727-8956 or 940-612-1881.

**Absolutely Amazing Primary and Urgent Care...**

**Absolute Urgent Care** welcomes Jeremy Rinner and Grant Webb to its staff.

Both men are Certified Nurse Practitioners with years of experience in emergency medicine, occupational medicine and family practice.

Make an online appointment to establish your primary care services today.

[www.absoluteucare.com](http://www.absoluteucare.com)

**AUC & Primary**  
**Absolute Urgent Care**  
800 West Highway 82 • 940.301.5000  
Monday - Friday: 8AM to 7PM  
Saturday: 9AM to 5PM  
Sunday: Noon to 5PM

Jeremy Rinner, RN, MSN, FNP-C Grant Webb, RN, MSN, FNP-C

**The Weekly News of Cooke County**

The Weekly News reports the news and events of Cooke County and is distributed to households and businesses throughout Cooke County. The Weekly News is a locally-owned publication.

216 W. Pecan • Gainesville, TX

Business Office - 940 665 2320  
Fax - 940 665 2162  
News Line - 940 665 0733  
[www.TheWeeklyNewsCC.com](http://www.TheWeeklyNewsCC.com)

**Owner / Publisher / Advertising**  
Grice King  
Grice.King@TheWeeklyNewsCC.com

**Editorial Staff**  
Nikki King  
Reporter@TheWeeklyNewsCC.com

**Advertising Staff**  
Rhonda Beam  
Sales.Team@TheWeeklyNewsCC.com

**Editorial Staff**  
DeJania Raney  
DeJania.Raney@TheWeeklyNewsCC.com

# The Weekly News of Cooke County

FRSRT STD  
US POSTAGE  
PAID  
Permit No. 00002  
Gainesville, Texas  
178755

© 2019 The Weekly News of Cooke County

Volume 16, Number 1

Cooke County, Texas

June 5, 2019

Cooke County's LARGEST and MOST READ Newspaper!

## Commissioners Agree to Write Off Ambulance Service Debt

By Delania Raney  
The Weekly News

GAINESVILLE - Cooke County Commissioners agreed to write

off \$2.6 million in bad debt from the Cooke County general ledger for ambulance service billings via Intermedix.

"The chances of collection

are zero," Cooke County Emergency Medical Services Director Kevin Grant told the court. "As you know within the EMS industry 45-50 percent is typically what we do so [county auditor Shelly Atteberry] and I discussed it and Shelly asked me to put it on the agenda to get that off its books."

The last time the county wrote off bad ambulance service debt was in 2010, Atteberry noted. The county has since changed billing agencies for the debts, Grant said.

"The uncollected [amount] on the new billing company is \$618,000, so they're doing a much better job," Atteberry said. The county's 2010 write-off was \$3.6 million.

The commissioners took no action on the FEMA grant and disaster certification or state legislation which may impact the county.

The commissioners approved a consent agenda which included the following items:

- Minutes from the May 9, 2019 meeting.
- Departmental reports from court compliance office, Commissioner Pct. 1, Justice of the Peace Pct. 1, Robinson & Most tax collections, EMS, district attorney, auditor and library.
- Fiscal year 2019 budget amendments.
- Monthly bills.

- Accept donation of \$106.24 from the Friends of the Cooke County Library for "S.T.E.M. ed Up" class.

- Accept donation of \$10.40 from anonymous donors to Cooke County Library.
- Accept \$20 donation to Cooke County Library from Jeff Baird.

- Cooke County Library participating in the 2019 Interlibrary Loan Lending, Reimbursement Program with the Texas State Library and Archives Commission.
- Appointments/reappointments of members to the Cooke County Child Welfare Board.
- Acceptance of mutual aid agreement with Rosston Volunteer Fire Department.
- Remove asset tag from a Surealight LED flashlight due to loss during suspect search.

- Lake Ray Roberts Planning & Zoning Commission for March 12, 2019 through April 10, 2019.
- Accept auction proceeds from sale of Precinct 1 equipment in the amount of \$22,470 and Precinct 4 equipment in the amount of \$97,007. Total sale was \$113,503.15 after auctioneer's five percent commission.

- Agency agreement for Cooke County Sheriff Office with Leads OnLine and CARFAX.
- Insurance settlement of \$3,488 for sheriff office drone damaged April 5, 2019.
- Applying for unclaimed capital credits through the Texas State Comptroller's Office.

- Silver Creek Oil & Gas proposed road bore off of County Road 437.

- Cooke County Judge Jason Brinkley was not present for Tuesday's meeting.



**Happy, Happy Birthday** - A group of dog owners met Thursday at the Dog Depot at Heritage Park to celebrate the birthday of one of their own - a German Shepherd named Bo. The park near the Santa Fe Depot includes space for both large and small dogs. (The Weekly News Photo)

## Gainesville Hospital District Swears in Board Members

By Delania Raney  
The Weekly News

GAINESVILLE - The Gainesville Hospital District conducted a swearing-in ceremony for newly elected board members Brenda Anderle, Emily Lewis and Andy Anderson during the May 20, 2019 board meeting.

The board also approved min-

utes of the March 25, 2019 regular board meeting, the April 22, 2019 special called meeting and the May 9, 2019 special called meeting.

The meeting also included a financial report from Chief Financial Officer Shelli Dighm.

"The one thing I want to point out is right now you guys have \$5.4 [million] in what we call

"unrestricted cash," Dighm said. "And then down here in restricted cash which is your M&O and your ICS, you have \$4,352,000 so between those two you can see you've over \$9 million."

The board voted unanimously to approve the March and April financial reports.

Lewis and board member Jeff Isbell presented the hospital

board report.

The board was also prepared to hear a presentation about the proposed Wildcat Creek Wind Farm in Cooke County but representatives for EDP Renewables weren't at the meeting. Board members have information on the project and are expected to vote on a possible tax abatement at the July meeting.

"I came prepared tonight to talk to them about it," Board member Ken Atterbury said, adding he hopes the board doesn't approve the abatement.

Next, the board held a budget workshop to discuss the hospital district's financial status.

When the hospital began its lease with CHC December 1, 2018, operating cash was at \$7,531,000 and restricted cash was \$2,135,000 for a total of \$9,666,000 in total cash.

At the end of April 2019, operating cash had decreased to \$5,482 million while restricted cash is at \$4.32 million for an increase of \$2.2 million.

The board also nominated and approved a slate of new officers. Andy Anderson was elected board president. Vice president is Sheree Lee and secretary is Jeff Isbell. The vote was 6-2.

In addition, the board approved action by a vote of 7-1 to amend the 2018-2019 fiscal budget for the district reflecting the lease of hospital operations.

The amendment will allow (Continued on Page 9)

## King Around Town

by Grice King

It's that time of the year where we see the Volume and Number roll over meaning we have officially completed our first 15 years of business and are starting number 16. Thanks to everyone out there who has been an avid reader or supporter that has allowed us to provide quality news free to the county for so long. It has been an honor serving this community and we all look forward to many more years!

And WOW what a storm we had this weekend. Trees down all over the city, random shingles with no telling where they came from, signs out, all kinds of damage. Hope everyone out there made it through with nothing major! I know I will be cleaning up brush all week. Here is some of what's happening around town this week.

\*\*\*\*\*

What a sweet holiday! Friday, June 7 is National Donut Day. Now that's my kind of holiday. Go by Mom's Donut Shop to get your FREE DONUT! One day only. Mom's is located at 718 N. Grand Avenue in Gainesville.

\*\*\*\*\*

Texas Senator Pat Fallon will speak at the June 6 meeting of Cooke County Republican Women. He will review the Legislative Session that ended on May 27 and provide insights into the workings of state government. The meeting will be held at the Fellowship Hall of First Christian Church in Gainesville, starting at 7:00 pm. The public is invited to attend.

Members will serve a variety of summer desserts, featuring homemade ice cream, toppings, and other desserts. For more information, contact Kerri Kingberry, Vice President-Programs at kerrikingberry.com, 214-681-9916. Follow CCRW on Facebook and at [cookegop.com/ccrw](http://cookegop.com/ccrw).

\*\*\*\*\*

Commerce Street Church of Christ, 602 N. Commerce Street in Gainesville, is hosting six lessons by Michael Windham. They are set for Sunday, June 9 from 9:30 to 10:25 am; Sunday, June 9 at 6:00 pm; (Continued on Page 8)

## Sheriff's Office Arrests Seven in Ongoing Drug Campaign

COOKE COUNTY - During the month of May in our continuing pledge to combat the illegal flow of narcotics in our County, elements of the Cooke County Sheriff's Office made the following arrests toward that battle.

On Wednesday, May 22, 2019, during a targeted drug enforcement action the Cooke County Sheriff's Office K9 unit, assisted by CCSO Patrol Deputies, conducted a traffic stop involving a 2019 Nissan sedan at the intersection of Grand Ave and O'Neal street in Gainesville. The Deputies recovered approximately 121 grams of methamphetamine with an estimated street value of \$12,000.00 along with digital scales, packaging, materi-

als, and drug paraphernalia. David Garcia Ruiz, age 52, was arrested and charged with Manufacture/Delivery of a Controlled Substance in Penalty Group 1 - >=4 grams <200 grams and Possession of Drug Paraphernalia. He remains in custody in the Cooke County Jail under a bond of \$75,000.00.

Also arrested was Lisa Wood, age 35, also of Houston. She is charged with Manufacture/Delivery of a Controlled Substance in Penalty Group 1 - >=4 grams <200 grams, Possession of Drug Paraphernalia. She also remains in custody in the Cooke County Jail under \$75,000.00.

Also during May, in and around the second week in May, investigators with the Cooke

County Sheriff's Office Drug Enforcement Unit partnered with the Love County Oklahoma Sheriff's Office and the Chickasaw Lighthouse Police Department in a combined investigation involving several suspects engaging in the illegal sale of narcotics in Cooke County and the surrounding area. Several Search warrants were executed at various locations which allowed investigators to recover approximately 123 grams of MDMA (Ecstasy) with a street value of \$2,500.00, approximately 53 grams of Heroin with an estimated street value of \$5,300.00, approximately 9 grams of THC concentrate with an estimated street value of \$900.00, approximately 70 grams (Continued on Page 5)

Find us on Facebook



**Cooke County History**

**140 Years and Counting**

By Shana Powell  
Contributing Historian  
The Weekly News

Late in May or possibly early in June 1879 the Rev. H.L. Little, Synod missionary in Texas rode into Gainesville to meet with the forty-eight-year-old Rev. Willis L. Miller. Together, they hoped to establish a new Presbyterian congregation in town. Gainesville was a promising location to build a new church. In 1879, Gainesville boasted a population of a little over 2600 and excitement was growing amongst the business leaders. They knew something momentous was on the verge of happening, something destined to dramatically change Gainesville's future.

That event was the arrival of the railroad, with the MK & T scheduled to chug into town later in the year and the Santa Fe poised to follow during the next few years. Railroads usually brought prosperity and a population surge to a community and such was the case with Gainesville. Within a decade, the population soared to over 6500 people and the promised prosperity for the community material-

ized. Just as business leaders were excited over Gainesville's potential, so were church leaders, which brings the story back to the reason that H.L. Little came riding into town. On Friday, June 6, 1879 "in a room of the old Methodist church on Main Street, the First Presbyterian Church was officially organized by H.L. Little and Willis L. Miller with nine charter members."

Those nine members signed a charter and to function "as a Presbyterian congregation it was necessary for the church to elect one of the nine (which turned out to be a Mr. Gunningham) as the first elder and the Rev. Miller as the first pastor, serving for one year."

From the prayers of those nine members, the minister, and the missionary, the First Presbyterian Church in Gainesville was launched.

By September 1879, the church had added twenty new members to the roll and within six years the membership stood at 91. The congregation constructed a two-story frame church on the southwest corner of Main and Lindsay Streets in the early 1880s, with the

congregation moving in on April 22, 1883. "For several years this church was shared with the congregation of the Episcopal Church until St. Peter's was erected in 1885."

In 1906, a committee from the Cumberland Presbyterian Church which had formed in Gainesville in 1862 and a committee from the First Presbyterian Church met at the frame Turner Hotel located close to the Santa Fe Depot for a special conference.

The result of that conference was an "agreement of consolidation signed between church officials. The consolidation brought an end to the official life of the Cumberland Presbyterian Church in Gainesville." The newly formed congregation continued to worship in the Lindsay Street building as the First Presbyterian Church.

Then under the leadership of a dynamic pastor named R.L. Irving, a new church building at Church and Denon Streets was constructed with ninety-three beautiful stained-glass windows and gas lights incorporated into the building. The cornerstone for the building was laid on September 8, 1912.

On March 3, 1918 "the service of dedication for First Presbyterian Church took place."

The year 2019 marks the one hundred fortieth anniversary of the formation of the First Presbyterian Church in Gainesville.

Today, the current congregation of the church honors the perseverance of all the members who helped to make the vision of the early congregation a reality and looks forward to new missions and new opportunities to continue to serve and work with the community.

It is said that prayers can move mountains. They certainly can provide a foundation for a church. The First Presbyterian Church is a prime example of that—it is amazing what nine members, a minister, and a missionary can do.

**Our Business is Growing!**

Need help with the activities of daily living? Home from the hospital? Recovering from illness?

**Compassionate Care 24 Hours A Day**

Serving Cooke, Denton, Grayson & Montague Counties

- State Licensed and Bonded Agency
- Backed by 8 Years experience

**940-665-2999**

Senior Care of North Texas  
In facility owned by Penny & Dana Knight  
SeniorCareofNorthTexas.com

**Medical Specialist for Adults**

Diabetes | Hypertension | Heart Disease  
IBS | Arthritis | Anxiety | Fibromyalgia  
Joint Pain | Depression | Chronic Pain

**Dr. V.K. Agarwal, MD MACP**  
Board Certified in Internal Medicine 1994, 2004, 2014  
Clinical Assistant Professor at University of North Texas  
Ex-Assistant Professor at University of Florida  
Credentialed AHA Stroke

Monday thru Friday 9 a.m. - 5 p.m. • Sat. & Sun. by appointment

**940-668-1100**  
715 E. California St., Suite D • Gainesville  
Medicare, Medicaid and all insurances accepted on cash pay

**GLENN POLK PRE-OWNED**

**Over 200 to Choose From**

**...AND MANY MORE!**

Log on to  
**GPOLK.COM**  
to see selection

The Frank Buck Zoological Society Invite You To

**ZOO LALA 2019**

A Fashion Show Like No Other!

Thursday, June 13, 2019

Gainesville Civic Center  
Gates open 11 a.m. Show begins at noon  
Eat, Drink & Purchase Raffle Tickets  
Tickets \$20 Each | Limited Reserved Seating \$30 Each

Make checks payable to FRZS and mail to: FRZS, 1300 Walter Street - Gainesville, TX

Harrison's B Hive Rustic Range

For more info go to: FRZS - Sara Walters (940) 701-1034 - walters.sara@frzs.com

**The Weekly News of Cooke County**

The Weekly News reports the news and events of Cooke County and is distributed to households and businesses throughout Cooke County. The Weekly News is a locally-owned publication.

216 W. Pecan • Gainesville, TX

Business Office - 940.665.2320  
Fax - 940.665.2162  
News Line - 940.665.0733  
www.TheWeeklyNewsCC.com

**Owner / Publisher / Advertising**  
Grice King  
Grico.King@TheWeeklyNewsCC.com

**Editorial Staff**  
Nikki King  
Reporter@TheWeeklyNewsCC.com

**Advertising Staff**  
Rhonda Beam  
Sales.Team@TheWeeklyNewsCC.com

**Editorial Staff**  
Dalanla Raney  
Dalanla.Raney@TheWeeklyNewsCC.com

# The Weekly News of Cooke County

PHSR1 51D  
US POSTAGE  
PAID  
Permit No 60002  
Gainesville, Texas  
FCRWS5

© 2019 The Weekly News of Cooke County

Volume 16, Number 3

Cooke County, Texas

June 19, 2019

Cooke County's LARGEST and MOST READ Newspaper!

## King Around Town

by Grice King

How long is summer break again? It sure seemed like when I was a kid it lasted only a week and now as parent I think it lasts a full calendar year! Like most parents we have our kids in at many Vacation Bible Schools and activities as we can to try and keep them past the time, but they are already complaining about being bored. Just a few weeks removed from the school year there is just nothing to do. DAD!! This year, though, we have a special surprise. I know it's hard to imagine that we have never really taken a family vacation but in the newspaper business with papers having to go out no matter what, the routine is just kept in from it. Next week we are loading up the King class on the trusty subaru and headed to Galveston. It is already taking on shape of a new National Lampoon's Family Vacation movie. I think our oldest two are definitely the Russ and Audrey characters so this should be interesting.

That being said, *The Weekly News* office will remain open as usual with only some of our headline drop off spots possibly being late.

Here is some of what's happening around town this week.

The Starbuck House invites you to join them at their Senior Veterans Organization Meet and Greet on Friday, June 21 at 11:00 am; Honoring Senior Veterans from Cooke County. Program will be Dave Tanner's Video, "That's What I Like About Texas"

Gainesville Independent School District is offering healthy free meals for kids 18 and under from now through Aug. 2 Locations, days and times are as follows: Edison Elementary School, #1 Edison Drive, serving breakfast from 7:30 to 8:30 a.m. and lunch from 11 a.m. to noon Monday through Friday; Gainesville Junior High, 1201 South Lindley Street, serving breakfast from 7:30 to 8:30 a.m. and lunch from 11:15 to noon, Monday through Thursday; Bella Vista (Continued on Page 7)

Find us on Facebook



## Muenster ISD Board Approves Chapter 313 Application with Wind Turbine Developer

By Delania Raney  
*The Weekly News*

MUENSTER - At its June 12 regular meeting, Muenster ISD board of trustees voted to accept a Chapter 313 Application with EDP Renewables for Wildcat Creek Windfarm Project and Request Comptroller Analysis of Economic Impact. Chapter 313 allows a qualified applicant to apply to a school district for a limit on the appraised value of a new development.

Danielle Thurber, Ronk Peterson, and Joshua Coon representing EDP Renewables for the Wildcat Creek Windfarm Project attended the meeting. They reviewed information provided from the May 8 board meeting. Twenty-five percent or 13 of 52 of the proposed wind turbines are expected to be placed in Muenster ISD. Accepting the application will allow the application to be reviewed by the Texas State Comptroller's Office. The office will also complete economic impact analysis of the project.

The board approved minutes of the May 8, 2019 regular meeting and the June 5, 2019 special

board workshop. Reports and information included an update on the Muenster High School Bass Fishing Club. Five teams competed. The

first tournament began at the end of September and lasted the whole school year. Each boat has a captain. Elementary Principal Lou

Heers discussed enrollment for the 2019-2020 school year, meeting 267 students are enrolled. April teachers of the month were (Continued on Page 12)



Juneteenth - Gainesville residents celebrated Juneteenth Saturday, June 15 at B.P. Douglas Park in Gainesville. Juneteenth marks the end of slavery in Texas. The free celebration included a meal and activities for children and is the result of hard work from the Gainesville Juneteenth Celebration Committee which secures donations to fund the event. Between 80 and 90 free lunches were delivered to elderly and disabled residents in the city. (The Weekly News Photos)

## MOH Host City Board Elects Officers, Members Air Grievances

By Delania Raney  
*The Weekly News*

GAINESVILLE - The Medal of Honor Host City organization elected members to its board of directors at its regular monthly meeting June 10 at the Gainesville Civic Center.

Rickey Nichols, Gary Cox and Johnny Hunter were elected to the board. Following the election during which only board members are allowed to vote, Tommy Moore was named president, Shelley Head was elected vice-president, Ricky Nichols was elected treasurer and Amanda Roberts was elected secretary.

The board has also removed board member Rachel Haynes and replaced her with Gainesville Municipal Airport Director Dave Vinton as a representative for the city of Gainesville.

The meeting included some contentious moments as host city volunteers, some of whom helps form the organization 18 years ago, discussed their concerns including transparency in leadership.

"Our program's focus has also been on honoring recipients and bringing in the recipients' values, courage, commitment, citizenship, sacrifice, integrity and patriotism to our community and to our youth especially," host city member Gabrielle

Fletcher said. "Lack of transparency and lack of trust reduces communication. It leads to high turnover, destroys team spirit and decreases productivity in quality and in quantity. When people lack trust in leadership, they avoid communicating with them out of fear of retaliation or simply because they feel they cannot trust leadership to be transparent with them. A transparent environment on the other hand engages people to work together for a common goal. What we the members of the Medal of Honor Host City program want and need from you, the board, respect, civility, trust, loyalty,

transparency, fairness. And other members here are present and I have a voice in this as well."

Next, founding member Elaine McHorse addressed the board. One of her main concerns was decisions made in closed meetings and without discussions with the organization's members.

"There's a lot of history there both good and bad," she said. "We've made some good decisions, and we've made some that we really need to be thinking about. And my feelings are, and I think a lot of others are, you have your meeting in closed sessions. You have meetings that nobody (Continued on Page 7)



Looking Good - Volunteers from area boutiques and shops modeled clothing at this year's Zoo La La style show at the Gainesville Civic Center. Zoofair helps raise funds for the Frank Buck Zoological Society. Zookeepers also took the stage to introduce guests to some of the zoo's residents including miniature horses. (The Weekly News Photos)

# The Weekly News of Cooke County

PERMIT #113  
 U.S. POSTAGE  
 PAID  
 Permit No. 06002  
 GAINESVILLE, TEXAS  
 KCHWSS

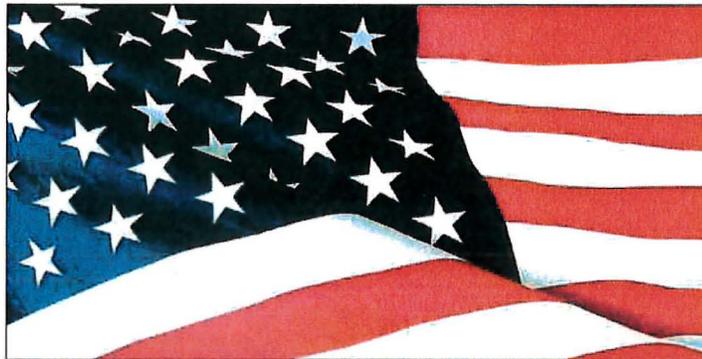
© 2019 The Weekly News of Cooke County

Volume 16, Number 5

Cooke County, Texas

July 3, 2019

Cooke County's LARGEST and MOST READ Newspaper!



*When in the Course of Human Events ...*  
*The Declaration of Independence - July 4, 1776*

## NCTC Regent Pays Tribute to Late Board Member Matt Chalmers; Discuss Windfarm

By Delania Raney  
*The Weekly News*

GAINESVILLE - The North Central Texas College board of regents meeting began with a tribute to board member Matt

Chalmers who passed away June 8.

Regent Jerry Henderson shared a story about his first meeting with Chalmers.

"I met Matt back in the early '60s," Henderson said. "As a mat-

ter of fact it was 1966. That was when the Civil Rights movement, that all began in '64, Texas was a little late getting there. So [integration] was enacted in '66. We were an all-black school Booker T. Washington [in Gainesville]

and they told us before we got out of school that year that next year, we would be attending Gainesville High School. We didn't want to go. They didn't want us over there but we had to make that transition and we did that. And it wasn't an easy thing... a lot of fighting, a lot of name-calling and I was standing in line. We all had to get registered. One of the first guys I met was Matt. He came up and shook my hand and said, 'Welcome aboard.' I wish everybody else would've been that nice but that's just the way things were back during that time."

The two both played on Gainesville High School sports teams, Henderson said.

"Matt was a tremendous athlete," he said. "I didn't know much about football. Basketball was my game. But Matt and I became friends from that very first day. I always remember that because Matt was the very first one I met and he introduced himself to me the proper way. I just want to say to Matt's family that I love him and we go back a long ways. That's all I want to say. 'Gail bless him.'"

Board chair Karla Metzler also asked for a moment of silence in honor of Chalmers.

(Continued on Page 7)



**Battle of the Badges** - Tyler Gner, left, prepares to donate blood with the assistance of Andrew K. Thompson of Carter BloodCare. The annual blood drive event is held each year at the Steven K. Fleming Public Safety Building in Gainesville and is a friendly competition between Gainesville Police Department and Gainesville Fire-Rescue. Blood donors earn votes for the department of their choice. This year's winner was Gainesville Fire-Rescue. In all, 83 donors participated providing 59 units of whole blood and 10 units of red blood cells, according to officials. (The Weekly News Photo)

## Arts Council Asks for More Funding from Gainesville City Council

By Delania Raney  
*The Weekly News*

GAINESVILLE - Gainesville City Council received a request for funding by Cooke County Arts Council at its Tuesday, June 18 regular meeting at the municipal building at 200 South Park Street.

"The reason [for] the presentation today is we have just presented our current budget to the city, and this year we are asking from the hotel occupancy tax, an amount of \$13,100," Cooke County Arts Council president Bret Newton told the council.

Newton noted the amount the organization hopes to receive is considerably more than the \$4,500 stipend typically allocated to the organization from tax revenue. He said with additional

funds, the organization hopes to launch a website which the arts council does not currently have.

The website, Newton said, would be a "hub for all arts events in Gainesville and Cooke County."

The cost of the website is \$2,800 which would cover "posting, maintenance fees as well as upkeep and a small amount for monthly advertising fees."

The second item is a request for \$5,800 to fund the costs of entertainment, performers and artists for the new farmer's market. The money would help underwrite the costs for two performances of the Gainesville Swing Orchestra and two performances of the Cooke County Choral. It would also allow a separate fund to hire musicians to play at the farmer's market. (Continued on Page 5)

## King Around Town

by Grace King

Streaming colors flying through the air, then, POW! Oh the excitement that fireworks instill in us as a child. I loved 4th of July and now I get to relive that childhood fascination through our kids. They love it too. Well, all except the youngest, Keeley. She sort of runs around going "eehh" with her hands over her ears but give that girl some sparklers and she goes crazy. The older ones are at that age where it's go big or go home so we get a nice mix of the smaller and the huge explosions. Can't wait for this year! Hope everyone else has a happy and safe 4th!

And on this same 4th of July theme, if you haven't ever heard a reading of the Declaration of Independence, I would strongly urge you to do so. Reminds us of the reason for the celebration! If you get this in time, the Country reading is set for Wednesday, June 3 at 6:30 pm at the newly renovated Farmers Market.

Here is some of what's happening around town this week.

\*\*\*\*\*  
 Carter City Baptist Church is hosting the Vacation Bible School "In the Wild: Amazing Encounters with Jesus" on July 8 thru 12. VBS is each evening from 6:00 to 8:00 pm and is for 4-years old up to 6th grade. Registration is Sunday, July 7 at 6:00 pm. They will have hot dogs and chips at the registration for all so enjoy. They are located 3 miles West of Callisburg on FM 2996. For more information, please contact Linda Harmon at 940-665-3387.

\*\*\*\*\*  
 There is a Senior Citizen Health Hoopla, fun for those over 55, set for Tuesday, July 9 from 10:00 am to 1:00 pm at the Stanford House, 401 W. Garnett in Gainesville. Lunch will be served from 11:00 am to 12:00 noon. Variety of vendors addressing many senior issues.

\*\*\*\*\*  
 Callisburg Community Club will have their Annual Garage Sale on Saturday, July 13, 2019 starting at 8:00 am at the Community Building at 92 McLanahan Street. Monthly Meeting Will Resume in September.

Find us on Facebook



# NCTC Regent Pays Tribute to Late Board Member Matt Chalmers; Discuss Windfarm

(Continued from Page 1)

The board also heard a citizen comment from resident Karen Sampson who voiced her opposition to the EDP Renewables North America proposed windfarm in Cooke County.

"We, our neighbors, many of us in that area of the county [where] they are proposing the windfarm are quite opposed to having it out here," Sampson said. "One of the things that I understand they'll be looking for from y'all is a tax abatement. My understanding... is that tax abatements are primarily given to a very job-intensive industry, one that's going to come in and create hundreds of good paying jobs, maybe thousands of good paying jobs. From the presentation we've seen before from the windfarm people, they're proposing 13 jobs. So when you're thinking about the good of the county, please also think about the tax payers of this county. We believe the wind farm will very negatively affect our property values... Also I can't say enough that I believe the windfarm will be a blight on that part of the county for decades to come."

The 180-megawatt Wildcat Creek Windfarm in southwestern Cooke County has been in the works since 2017. EDP Director of Development Basil Benson said.

"The company is hoping for a Chapter 312 tax abatement and has already successfully lobbied Cooke County Commissioners Court for a reimbursement zone in the area. The project is expected

to span 15,000 acres, cost \$200 million to \$210 million and support 52 wind generator units. Project Development manager Josh Coon said.

A group of area landowners are apparently on board for the project. "We've signed lease agreements with about 30 landowners so far and expect to have the rest of the land signed up sometime this summer," Coon said. The group is hoping to snag a 60 percent 10-year tax abatement for the project.

NCTC Chancellor Dr. Brent Wallace discussed legislation arising from the 86th Texas Legislature.

He mentioned Senate Bill 18 which he said is going to be "opening up the idea of the further organization of what free speech is on college campuses." He also said NCTC is in "a very, very good position" with funding.

Seventeen of the 50 community college districts across the state are set to lose appropriations funding from the last biennium, he said.

"NCTC, according to our five members, will probably see \$1.5 million to a \$1.8 million of increased funding," he said.

He said the increased funding is due to "success points" which he traced to the diligence of NCTC counselors, advisors and faculty.

Wallace also noted funding for a Medal of Honor Museum on the NCTC campus was not approved by the current legislature.

"That museum was understood to have been funded under one of the house bills and as we began to look to move for-

ward with that project in combination with the city and the Medal of Honor Host City group, it came to my attention that that legislation did not pass... as a result there are no funds available for that project from the state," Wallace said.

He said NCTC officials are "working with the city of Gainesville" and with the MOH Host City organization "to kind of re-vamp and see what other possibilities we have for that."

He also reminded regents the project was never set to be funded by NCTC but was a project for which the city sought reimbursement from the state.

Wallace said the First State Bank Exchange Facility in Denton is moving forward.

Henderson provided an update on the CCAIT meeting. He said one thing he learned from meeting is there's always

room for improvement to help ensure the success of students.

"There's some students out there that really need help," he said. "We don't know some time," he said. "A student might appear to be doing well but deep down, they're struggling."

The regent approved a consent agenda which included the following: Minutes of the May 20, 2019 regular meeting. Ratification of TASH lo-

cal districts update 36 and HDA.

Increase in full-time 2019-2020 salaries.

Authorization of the chancellor to employ new faculty positions for 2019-2020.

Quarterly Investment report.

The board also heard a financial update by Dr. Van Miller and discussed reorganization of the board.

All current members retained their positions.

# Gainesville Police Receive Reports

**GAINESVILLE**—Gainesville Police Department received the following incident reports.

Kenneth E. Havens reported burglary of a building in the 100 block of County Road 131.

Tameza K. Topp reported an accident involving damage a vehicle less than \$200 in the 1800 block of Lawrence Street.

Brittany N. Mosley reported fraud transfer of motor vehicle less than \$20,000.

The city of Gainesville reported duty on striking future highway landscape less than \$200 in the 1500 block of Blacks Hill Drive.

Yaimine J. Jackson reported burglary of a habitation in the 500 block of Myrtle Street.

Shawana R. Jones reported theft of property less than \$100 in the 1000 block of Bella Vista Drive.

Heather Morales reported deadly conduct in the 100 block of I-35.

Scivally Grocery reported forgery of financial instrument in the 2800 block of East Highway 82.

Carlos A. Medina reported theft of property in the 900 block of East Scott Street.

Reginaldo D. Romero reported burglary of a motor vehicle in the 1000 block of North Dixon Street.

Found property was reported in the 1900 block of Hospital Boulevard.

Delia Saenz reported criminal mischief in the 300 block of Moran Street.

The city of Gainesville reported criminal mischief in the 200 block of South Rusk Street.

Mary W. White reported identity theft in the 1300 block of Truelove Street.

Damon R. Stewart reported aggravated robbery in the 900 block of West Highway 82.

Ricardo Mendez-Sifuentes reported a dog bite in the 1100 block of North Weaver Street.

Anthony D. Jennings reported burglary of a residence in the 1600 block of North Weaver Street.

Sylvester Young reported unauthorized use of a motor vehicle in the 700 block of North Commerce Street.

Dakota N. Shaffer reported criminal mischief after the fact in the 300 block of North Dixon Street.

Arrest Log

David W. Burris Sims,

22, warrant arrest.

Melissa D. Jeffries, 43, public intoxication.

Mario A. Robledo, 19, driving while intoxicated.

Ronnie M. Jackson, 67, possession of marijuana less than 2 ounces.

Christopher L. Springfield, 28, warrant arrest.

Nancy A. Mitcheson, 55, resist search, warrant arrest.

Jess G. Bain, 47, warrant arrest.

Christopher L. Springfield, 28, warrant arrest.



**PROGRESSIVE**

**Ahorra dinero y permanece seguro**

---



**King**  
INSURANCE GROUP

Home • Auto • Commercial

216 W. Pecan St. | Gainesville, TX 76240  
Grice@KingGroup.us  
Office 940.612.1300 | Fax 940.665.2162

Los agentes locales independientes como yo, recomendamos Progressive más que a cualquier otra aseguradora por las siguientes razones:

**Ahorros**—Te ofrecen una gran variedad de descuentos como, Multi-Auto, Buen Conductor, Pago Completo, entre otros.

**Confianza**—Te ofrecen la cobertura y servicios que necesitas para proteger tu vehículo.

**Lealtad**—Valoran tu lealtad y recompensan el tiempo que permanezcas como cliente.

**Conveniencia**—Representantes bilingües están disponibles las 24 horas del día y trabajarán contigo para resolver tu reclamo.

Llámanos y te ayudaremos a encontrar la póliza adecuada, con los descuentos que mereces

# The Weekly News of Cooke County

PSRST 5110  
US POSTAGE  
PAID  
Permit No 65002  
Huntsville Texas  
EPCW55

© 2019 The Weekly News of Cooke County  
Volume 16, Number 7  
Cooke County, Texas  
July 17, 2019  
Cooke County's LARGEST and MOST READ Newspaper!

## King Around Town

by Grice King

Six short years ago, the King family was blessed with a little strawberry blonde ball of joy we named Keeley Grice King.



She is such a talkative and loving little thing. I couldn't have imagined the way she has impacted all our lives. Hard to fathom that she is turning SIX! It sure seems like yesterday that Nikki was just loving (strong sarcasm) waddling around in the Texas summer heat and absolutely couldn't wait for the baby to arrive. Then before you can look up, she is already six. This year she and her oldest sister Payton are planning a joint skating party, but as always Keeley just has to have a theme to the party. This year's theme is Mermaid. That girl with her unicorns and mermaids.

Happy Birthday Keeley, we love you!

Here is some of what's happening around town this week.

The Stanford House invites you to join them at their Senior Veterans Organization Meet and Greet on Friday, July 19 at 11:00 am. Honoring Senior Veterans from Cooke County. The Program will be "Home Movies of the Gainesville Circus."

Grab your friends and show everyone what you've got in Gainesville's first Tug of War! This is a challenge that benefits local charities. We are "pulling for our community; from the youngest to the oldest." Sign up now, have some fun and help others!

For more information, please call Karli Kirby-Hausen at 940-668-1452, Bekki Jones at 940-668-6404 or Lucy Sutton at 940-665-9707.

Find us on Facebook



## Muenster Hospital District Votes Against Windfarm Tax Abatement

By Delania Raney  
The Weekly News

MUENSTER - Members of the Muenster Hospital District board of directors voted 4-0 against a tax abatement for windfarm producer EPD Renewables North America according to unofficial minutes from the June 26, 2019 MMH board meeting.

EPD hopes to build its 180-megawatt Wildcat Creek Windfarm in southwestern Cooke County. The project which includes areas west of Ira and south of Myra has been in the works since 2017. EPD Director of Development Rorik Peterson has said.

The company is hoping for a Chapter 312 tax abatement from various entities including school districts and Cooke County Commissioners court and has already successfully lobbied the commissioners court for a reinvestment zone in the area.

The project is expected to span 15,000 acres, cost \$200 million to \$210 million to build and support 52 wind generator units, Project Development manager Josh Coon said.

The company already has a host of landowners on board for the project.

"We've signed lease agreements with about 30 landowners so far and expect to have the rest of the land signed up sometime this summer," Coon said.

The group is hoping to snag a 60 percent 10-year tax abatement for the project.

A group of residents from the southwestern Cooke County area spoke against the proposed wind farm. The board heard from Cindy Bowles, Daniel Klement, Karen Sampson, Nancy Lindes

and Phil Walterscheid. All, with the exception of Klement, were against the abatement. CEO Brian Roland also advised the board of seven communications he had received - all against the abatement.

The board moved into closed session to discuss obligation as

approved minutes of the June 5 meeting as presented.

The financial report for May 2019 indicated total patient revenues for the month were \$761,869. Total revenue after other revenues was \$831,383. Total expenses for the month were \$824,757, which gave May

to date are \$12,476,761, which gives the district a net operating loss for the year of \$1,103,957. After taxes the district has an un-audited loss of \$153,686. Also reviewed were utilization statistics, the revenue percentage by payer source and revenue by department.



Art in the Stacks - Edison Elementary School teacher Whitney Vogl led students in an art project Monday at the Cooke County Library. The students drew food trucks, designed their project's theme and painted the trucks. Art in the Stacks classes are sponsored by Friends of the Cooke County Library. (The Weekly News Photo)

sociated with the abatement. It returned in open session at 7:43 p.m. A motion was made by Board President Ronnie Weinzapfel and seconded by board member Lisa Schilling to not grant the abatement.

Roland also introduced new chief nursing officer Todd Gilbert to the board, and the board

an operating loss of \$273,231. After taxes, the loss for May was \$273,857.

Year-to-date total patient revenues were reported at \$12,607,709, which, after other revenues, gives total revenue of \$16,054,019 and net operating revenue after adjustments of \$11,372,804. Total expenses year

Roland brought to the board's attention several handwritten notes he made on the financials, stating the organization is managing its expenses. The information also noted expenses are down from the average in May by \$165,000.

Weinzapfel noted that hospital (Continued on Page 5)

## New Hemp Exclusion Won't Hinder Prosecution, County Attorney Says

By Delania Raney  
The Weekly News

GAINESVILLE - Think changes linked to the approval of Texas House Bill 1325 which allows for the exemption of hemp from prosecution will mean leniency for those charged with marijuana offenses in Cooke County? Think again.

"As far as prosecution of marijuana cases in the Cooke County Court at Law my position is that I will continue to evaluate each case on its own merits and prosecute them based on that evaluation, Cooke County Attorney Ed Zielinski said, adding, "My view is that the addition of hemp to the list of items excluded from the statutory definition of marijuana does not change or add to the elements of any marijuana-related offense."

He also noted the law which amended statutory definition of a controlled substance excludes hemp from prosecution if the amount of THC present in the product does not exceed the statutory concentration percentage.

HB 1325 was designed to regulate the sale of hemp by establishing rules and procedures regarding the licensing and regulation of the hemp business, Zielinski said.

Hemp is derived from the Cannabis sativa L, the same plant which produces marijuana.

Under a previous definition, marijuana refers to the plant Cannabis sativa L, whether growing or not, the seed of the plant, and every compound, manufacture, salt derivative, mixture, or preparation of that plant or its seeds.

The term does not include resin, mature stalk, oil or cake

made with the seeds of the plant, products derived from the mature stalks or sterilized seeds of the plant which are incapable of germination.

HB 1325 specifies that a substance which under previous law would have been constituted marijuana is now categorized as hemp if the tetrahydrocannabinol concentration of that substance is not more than .3 percent.

Hemp can be used for human

consumption, for pet food and pet bedding, for textiles, body oil and lotions and other products.

According to Zielinski the percentage of drug offenses on Cooke County dockets have risen from 20 percent of the docket in 2013 to 38 percent of the docket in 2018.

"I anticipate that drug-related cases will rise to 42 percent of the docket in 2019," he said.

## Valley View sets up Safe Exchange Zone at City Hall

By Delania Raney  
The Weekly News

VALLEY VIEW - Valley View has a new safe spot for individuals buying and selling items on social media sites including Facebook, according to city secretary Lynn Hillis.

The Safe Exchange Site is at Valley View City Hall offices in the former First State Bank building at 101 South Frontage Road.

"It's a cautionary thing," Hillis said. "It's not going to completely prevent crime but it will keep people from going to stranger's houses."

The area is equipped with cameras and while the devices aren't monitored 24/7, the hope is transactions will be recorded and anyone with bad intentions will think twice before committing crimes during these transactions.

Other cities have used safe sites for other interactions including

child custody exchanges, Hillis said.

Hillis said the sign denoting the area was installed last week. She isn't sure if anyone has used the area for online transactions.

City officials decided to set up a safe site after watching residents meeting on the square. "Being across the street from the square, we used to see people doing what we thought were transactions via online sites," she said.

**TAB #4**

Detailed Description of Project

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

[https://www.gainesvilleregister.com/news/local\\_news/voted-down-crowd-watches-as-era-isd-board-halts-proposed/article\\_a991c1b8-c530-11e9-9ca0-4f06e47c0ab5.html](https://www.gainesvilleregister.com/news/local_news/voted-down-crowd-watches-as-era-isd-board-halts-proposed/article_a991c1b8-c530-11e9-9ca0-4f06e47c0ab5.html)

FEATURED

## Voted down: Crowd watches as Era ISD board halts proposed wind farm's school tax break process

By MEGAN GRAY-HATFIELD Staff Writer [mhatfield@gainesvilleregister.com](mailto:mhatfield@gainesvilleregister.com) Aug 22, 2019



Audience members sit on bleachers at Era High School during a presentation by an attorney representing property owners in opposition to the proposed Wildcat Creek Wind Farm. Several people spoke for and against the proposed wind farm during an Era Independent School District board meeting Monday, Aug. 19.

Sarah Einselen/GDR



More than 100 people packed into the Era High School gym Monday, Aug. 19, in hopes of convincing members of the Era Independent School District Board of Trustees to vote their way on a Chapter 313 application request for Wildcat Creek Wind Farm LLC.

Board members were to consider seeking a 313 agreement with Texas Comptroller Glenn Hegar's Office for the proposed wind farm. However, after taking a break to discuss the matter in closed session, board members unanimously rejected applying for the agreement via a 6-0 vote. Board member Todd Reiter abstained.

A 313 tax abatement is a 10-year limitation on the taxable property value for school district maintenance and operations tax purposes, according to previous Register reports.

Before the vote, board members heard presentations from EDP Renewables, the Houston-based company behind the project; Cooke County Coalition For Property Rights, an opposition group consisting of 47 individuals and families who own more than 30,000 acres; and various area residents who spoke either for or against the project.

David Sampson, who resides within Era ISD with his wife, Karen, spoke on behalf of the Cooke County Coalition For Property Rights.

He said the legislative intent of the tax code board members were looking at was to encourage large-scale capital investments and create new, high-paying jobs.

"Wildcat proposes to create four permanent jobs associated with this project, according to their Muenster Chapter 313 application," Sampson said. "If other recent wind projects are indicative, they are likely to ask for even a waiver of those."

According to a copy of the Cooke County Coalition For Property Rights presentation, "EDP Renewables has said their intent is to construct 53 wind turbines that will each be at least 500' tall."

The wind turbines in Muenster are 250' tall, the presentation states.

The Sampsons are also listed as plaintiffs on a recently filed lawsuit against the wind farm, Cooke County, the Cooke County Commissioners' Court and Precinct 3 Commissioner John Klement.

The suit alleges that a vote on April 8 by members of the commissioners' court to create a tax abatement reinvestment zone was illegal.

According to a presentation by EDP renewables, Wildcat Creek is supported by more than 50 landowners, with roughly 12,000 acres leased to date, and will provide "significant benefits to Era ISD and southwestern Cooke County."

EDP Renewables is a global renewable energy company that entered the U.S. market in 2007, according to the company's website.



Era Independent School District board member Chad Greer listens to public comment during the board's meeting Monday night, Aug. 19.

Sarah Einselen/GDR

Rorik Peterson, an EDP representative, told board members the company started to develop the 180-megawatt facility in 2016 when they began looking for property in North Texas.

"We received mixed feedback. Some enthusiasm, some just interested in learning more," Peterson said of talking to landowners about developing a wind farm.

Peterson also mentioned the company works with county commissioners to upgrade roads to handle the transfer of their heavy equipment.

The company's proposal is to have 52 wind turbines across 15,000 acres and have them set back 1,500 feet from residences to "promote health and safety," according to an EDP handout available to anyone who attended Monday's meeting.

The handout states the estimated \$250 million project could bring in \$14.5 million in tax revenues to the school district over a 30-year project life. The company also expects to make \$72 million in payments to landowners throughout the life of the project.

Rex Corey, who was in the audience, said he's against a property tax abatement for the proposed wind farm, while adding that the federal government already allows for a 30% tax credit.

"I just hope and pray the board is not tempted by a possible short-term benefit to subsidize a project with such a long-term negative impact on the community," Corey said.

Corey is also listed as a plaintiff in the lawsuit against the wind farm, county and county officials.

Susan Schumacher spoke in favor of the wind farm.

She said as a landowner who signed on to lease property to EDP, the agreement with the company wasn't taken lightly even though there has been a good working relationship with company representatives.

An attorney was sought to review the contract, she indicated.

"Bottom line, the contract was satisfactory," Schumacher said. "... We didn't just look at the financial aspects to the individual landowner, such as ourselves; we also looked as to the condition of the land we were left in."

## Conversation

FOLLOW

Join the conversation

LOG IN | SIGN UP

ALL COMMENTS 0

News 1



*Independent Statistics & Analysis*

**U.S. Energy Information  
Administration**

# Electric Power Monthly

## with Data for May 2019

Note: May 2019 data for Puerto Rico in tables 8.1 through 8.4 are not yet available.

July 2019

This report was prepared by the U.S. Energy Information Administration (EIA), the statistical and analytical agency within the U.S. Department of Energy. By law, EIA's data, analyses, and forecasts are independent of approval by any other officer or employee of the United States Government. The views in this report therefore should not be construed as representing those of the Department of Energy or other Federal agencies



---

## Contacts

The Electric Power Monthly is prepared by the U.S. Energy Information Administration.

Questions and comments concerning the contents of the Electric Power Monthly may be directed to:

Brady Tyra  
U.S. Energy Information Administration, EI-23  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC, 20585-0650

Email address: [infoelectric@eia.gov](mailto:infoelectric@eia.gov)

Subject specialists:

<b>Subject</b>	<b>Specialist</b>
U.S. electric net generation	Brady Tyra
U.S. electric consumption of fuels	Christopher Cassar
U.S. electric stocks of fuels	Christopher Cassar
U.S. electric fossil-fuel receipts	Joy Liu
U.S. electric fossil-fuel costs	Joy Liu
U.S. sales of electricity to ultimate consumers	Peter Wong
Sampling and estimation methodologies	Orhan Yildiz.

Requests for additional information on other statistics available from the U.S. Energy Information Administration or questions concerning subscriptions and report distribution may be directed to the Office of Communications of the U.S. Energy Information Administration at [infoctr@eia.gov](mailto:infoctr@eia.gov).

---

## Preface

The Electric Power Monthly (EPM) presents monthly electricity statistics for a wide audience including Congress, Federal and State agencies, the electric power industry, and the general public. The purpose of this publication is to provide energy decision makers with accurate and timely information that may be used in forming various perspectives on electric issues that lie ahead. In order to provide an integrated view of the electric power industry, data in this report have been separated into two major categories: electric power sector and combined heat and power producers. The U.S. Energy Information Administration (EIA) collected the information in this report to fulfill its data collection and dissemination responsibilities as specified in the Federal Energy Administration Act of 1974 (Public Law 93 275) as amended.

## Background

The Office of Electricity, Renewables & Uranium Statistics, U.S. EIA, U.S. Department of Energy, prepares the EPM. This publication provides monthly statistics at the State (lowest level of aggregation), Census Division, and U.S. levels for net generation, fossil fuel consumption and stocks, cost, quantity, and quality of fossil fuels received, sales of electricity to ultimate consumers, associated revenue, and average price of electricity sold. In addition, the report contains rolling 12-month totals in the national overviews, as appropriate.

## Data sources

The EPM contains information from the following data sources: Form EIA-923, "Power Plant Operations Report;" Form EIA-826, "Monthly Electric Sales and Revenue With State Distributions Report;" Form EIA-860, "Annual Electric Generator Report;" Form EIA-860M, "Monthly Update to the Annual Electric Generator Report;" and Form EIA-861, "Annual Electric Power Industry Report." Forms and their instructions may be obtained from: <http://www.eia.gov/survey/#electricity>. A detailed description of these forms and associated algorithms are found in Appendix C, "Technical Notes."

---

### ***Chapter 5. Sales to Ultimate Consumers, Revenue, and Average Price of Electricity to Ultimate Consumers***

Table 5.1.	Sales of Electricity to Ultimate Customers: Total by End-Use Sector
Table 5.2.	Revenue from Sales of Electricity to Ultimate Customers: Total by End-Use Sector
Table 5.3.	Average Price of Electricity to Ultimate Customers: Total by End-Use Sector
Table 5.4.A.	Sales of Electricity to Ultimate Customers by End-Use Sector, by State
Table 5.4.B.	Sales of Electricity to Ultimate Customers by End-Use Sector, by State, Year-to-Date
Table 5.5.A.	Revenue from Sales of Electricity to Ultimate Customers by End-Use Sector, by State
Table 5.5.B.	Revenue from Sales of Electricity to Ultimate Customers by End-Use Sector, by State, Year-to-Date
Table 5.6.A.	Average Price of Electricity to Ultimate Customers by End-Use Sector, by State
Table 5.6.B.	Average Price of Electricity to Ultimate Customers by End-Use Sector, by State, Year-to-Date
Table 5.7.	Number of Ultimate Consumers Served, by Sector
Table 5.8.	Number of Ultimate Consumers Served, by Sector and State

### ***Chapter 6. Capacity***

Table 6.1.	Electric Generating Summer Capacity Changes (MW) for Utility Scale Units
Table 6.1.A.	Net Summer Capacity for Utility Scale Solar Photovoltaic and Distributed Solar Photovoltaic Capacity (Megawatts), 2008-September 2015
Table 6.1.B.	Net Summer Capacity for Estimated Distributed Solar Photovoltaic Capacity by Sector
Table 6.2.A.	Net Summer Capacity of Utility Scale Units by Technology and by State
Table 6.2.B.	Net Summer Capacity Using Primarily Renewable Energy Sources by State
Table 6.2.C.	Net Summer Capacity of Utility Scale Units Using Primarily Fossil Fuels by State
Table 6.3.	New Utility Scale Generating Units by Operating Company, Plant, and Month
Table 6.4.	Retired Utility Scale Generating Units by Operating Company, Plant, and Month
Table 6.5.	Planned U.S. Electric Generating Unit Additions
Table 6.6.	Planned U.S. Electric Generating Unit Retirements
Table 6.7.A.	Capacity Factors for Utility Scale Generators Primarily Using Fossil Fuels
Table 6.7.B.	Capacity Factors for Utility Scale Generators Not Primarily Using Fossil Fuels
Figure 6.1.A.	Utility Scale Generating Units Added
Figure 6.1.B.	Utility Scale Generating Units Retired
Figure 6.1.C.	Utility Scale Generating Units Planned to Come Online
Figure 6.1.D.	Utility Scale Generating Units Planned to Retire

### ***Chapter 7. Imports and Exports***

Table 7.1.	U.S. Electricity Imports from and Electricity Exports to Canada and Mexico (Megawatthours)
------------	--

### ***Chapter 8. Puerto Rico***

Table 8.1	Sales of Electricity to Ultimate Customers by End-Use Sector
Table 8.2	Revenue from Sales of Electricity to Ultimate Consumers by End-Use Sector
Table 8.3	Number of Ultimate Customers Served by Sector by End-Use Sector
Table 8.4	Average Price of Electricity to Ultimate Consumers by End-Use Sector
Table 8.5	Table 8.5. Net Summer Capacity (MW) of Existing Utility Scale Units by Technology for Puerto Rico, 2007-April 2018

# Chapter 6

## Capacity





GINR Activity: Jul 01, 2019 to Jul 31, 2019

## **Table of Contents**

### **Disclaimer and References**

### **Acronyms**

### **Summary**

### **Project Commissioning Update**

### **Project Cancellation Update**

### **Project Details**

### **GINR Trends**

Disclaimer on the use of this report, and references to associated ERCOT Binding Documents \*\*\*Please read\*\*\*

A list of the various acronyms used throughout the report

Tables that provide project aggregate counts and megawatt capacities by GINR phase and fuel type

A table listing project commissioning approval milestones met for the month: energization, synchronization, and commercial operations approval

A table listing the projects cancelled for the month

A table that lists project details; only includes projects for which a Full Interconnection Study has been requested

Charts and tables that show historical and projected interconnection study trends

Time of Report Run: Aug 1, 2019 8:00:24 AM



## Acronyms

GINR = Generation Interconnection or Change Request

COD = Commercial Operation Date

SS = Security Screening Study

FIS = Full Interconnection Study

IA = Interconnection Agreement; can be either of the following:

- Standard Generation Interconnection Agreement (SGIA)

- Public financially binding agreement

- An official letter from a Municipally Owned Utility or Electric Cooperative signifying developer intent to build and operate generation facilities and interconnect with the MOU or EC

POI = Point of Interconnection

INR = Interconnection Request Number

TSP = Transmission Service Provider

NtP = Notice-to-Proceed given to the TSP for interconnection construction

CDR = Capacity, Demand and Reserves Report

SFS = Sufficient Financial Security provided to the TSP for construction of the interconnection facilities

QSA = Quarterly Stability Assessment

### Fuel Types

BIO = Biomass

COA = Coal

GAS = Gas

GEO = Geothermal

HYD = Hydrogen

NUC = Nuclear

OIL = Fuel Oil

OTH = Other

PET = Petcoke

SOL = Solar

WAT = Water

WIN = Wind

### Technology Types

BA = Battery Energy Storage

CC = Combined-Cycle

CE = Compressed Air Energy Storage

CP = Concentrated Solar Power

EN = Energy Storage

FC = Fuel Cell

GT = Combustion (gas) Turbine, but not part of a Combined-Cycle

HY = Hydroelectric Turbine

IC = Internal Combustion Engine, eg. Reciprocating

OT = Other

PV = Photovoltaic Solar

ST = Steam Turbine other than Combined-Cycle

WT = Wind Turbine



**GINR Project Details**

**NOTES:**

Due to Protocol confidentiality provisions, only those projects for which a Full Interconnection Study has been requested are included

The megawatt capacities for projects identified as repowering are reported on a net change basis with respect to the original capacity amount, and thus may have zero or negative values. For projects where increased self-serve load is part of the interconnection studies, the reported capacity is the maximum net MW available to the grid.

The construction start date is the date physical on-site work of a significant nature (such as excavation for footings or foundations or pouring of concrete for foundations) has begun and is on-going. Additionally, major equipment items (such as turbines or step-up transformers) are on-site, in route to the site, or being manufactured under a binding contract with significant financial commitments. The construction end date is the date when all plant systems are ready for commissioning/startup activities. Note that the reporting of Construction Start and End Dates will not begin until ERCOT's online GINR system is available to project developers for data entry.

Blank cells on Air Permit, GHG Permit and Water Availability indicate the emission permits/proof of water supplies are required but have not been obtained or reported to ERCOT yet.

**Project Attributes**

**Changes from Last Report**

INR	Project Name	GINR Study Phase	Interconnecting Entity	POI Location	County	CDR Reporting Zone	Projected COD	Fuel	Technology	Capacity (MW)	Change indicators: Proj Name, MW Size, COD, SFS/NIP, FIS Request
09INR0019b	Grandview 5 W	SS Completed, FIS Started, No IA	Eon	79005 Raihead 345kV	Gray	PANHANDLE	12/15/2020	WIN	WT	249	
11INR0054	Midway Wind	SS Completed, FIS Completed, IA	Apex Clean	8961 Whitepoint 138kV	San Patricio	COASTAL	06/29/2019	WIN	WT	162.9	
11INR0062	Shaffer	SS Completed, FIS Completed, IA	Clearway Energy	85000 Nelson Sharpe 345kV	Nueces	COASTAL	08/15/2019	WIN	WT	226	COD
12INR0055	S_Hills Wind	SS Completed, FIS Completed, IA	SEYMOUR HILLS WIND PROJECT, LLC	33728 Mabelle 69kV	Baylor	WEST	07/31/2019	WIN	WT	30.24	COD
12INR0059b	HOVEY (Barilla Solar 1B)	SS Completed, FIS Completed, IA	First Solar	60385 Solstice 138kV	Pecos	WEST	12/31/2019	SOL	PV	7.4	COD
12INR0060	Wilson Ranch	SS Completed, FIS Completed, IA	ENGIE	76003 Big Hill 345kV	Schleicher	WEST	10/31/2019	WIN	WT	199.5	
13INR0010a	Marlah Del Este	SS Completed, FIS Started, IA	Marlah Acquisition	141765 Marlah 345kV	Parmer	PANHANDLE	10/30/2020	WIN	WT	152.5	
13INR0025	Northdraw Wind	SS Completed, FIS Started, IA	National Renewable Solutions	79504 AJ Swope 345kV	Randall	PANHANDLE	08/01/2020	WIN	WT	150	
13INR0026	Canadian Breaks Wind	SS Completed, FIS Completed, IA	Macquarie Cap	Tap 345kV 79502 Windmill - 79504 AJ Swope	Oldham	PANHANDLE	08/30/2019	WIN	WT	210	
13INR0038	Wildrose Wind	SS Completed, FIS Started, IA	S Power	79501 Ogallala 345kV	Swisher	PANHANDLE	12/30/2021	WIN	WT	302.5	
14INR0009	WKN Amadeus Wind	SS Completed, FIS Started, IA	WKN	tap 345kV 11305 Dermott - 60704 Kirchof	Fisher	WEST	05/15/2020	WIN	WT	245.9	
14INR0030c	Panhandle Wind 3	SS Completed, FIS Started, IA	Pattern Energy	79005 Railhead 345kV	Carson	PANHANDLE	12/01/2020	WIN	WT	248	
14INR0033	Goodnight Wind	SS Completed, FIS Completed, IA	FGE Power	tap 345kV 79500 Alibates - 79503 Tule Canyon	Armstrong	PANHANDLE	10/15/2020	WIN	WT	504.4	
14INR0044	West of Pecos Solar	SS Completed, FIS Completed, IA	Eon	11083 Riverton 138kV	Reeves	WEST	12/15/2019	SOL	PV	100	
14INR0045	Torreillas Wind	SS Completed, FIS Completed, IA	Nextera	161252, 161301 Torreillas 34 5kV	Webb	SOUTH	06/17/2019	WIN	WT	300.5	
15INR0034	El Algodon Alto W	SS Completed, FIS Started, No IA	Eon	tap 345kV 8455 Lon Hill - 5725 Pawnee	San Patricio	COASTAL	12/31/2020	WIN	WT	201	
15INR0044	Corazon Solar	SS Completed, FIS Started, No IA	Enerverse	80219 Lobo 345kV	Webb	SOUTH	05/31/2020	SOL	PV	200	
15INR0051	Tierra Blanca W	SS Completed, FIS Started, No IA	Eon	79501 Ogallala 345kV	Randall	PANHANDLE	12/15/2021	WIN	WT	200	
15INR0059	Emerald Grove Solar	SS Completed, FIS Started, IA	Cypress Creek Renewables	76602 Horse Crossing 138kV	Pecos	WEST	04/10/2021	SOL	PV	108	COD
15INR0063	Easter Wind	SS Completed, FIS Completed, IA	TriGlobal	79502 Windmill 345kV	Castro	PANHANDLE	10/31/2021	WIN	WT	307.5	
15INR0064b	Harald (BearKat Wind B)	SS Completed, FIS Completed, IA	CIP	59903 Bearkat 345kV	Glasscock	WEST	12/13/2019	WIN	WT	162.1	
15INR0090	Pflugerville Solar	SS Completed, FIS Started, IA	RRE Solar	tap 138kV 7336 Gillie - 3650 Elgin	Travis	SOUTH	12/31/2020	SOL	PV	144	
16INR0003	LEVEE (Freeport LNG)	SS Completed, FIS Completed, IA	Freeport LNG	43336 Oyster Cr 138kV	Brazoria	COASTAL	12/15/2019	GAS	GT	11	
16INR0010	FGE Texas 1 Gas	SS Completed, FIS Started, IA	FGE Power	Tap 345kV 1030 Morgan - 1025 Falcon	Mitchell	WEST	04/30/2021	GAS	CC	742.9	
16INR0012	Stella 2 Wind	SS Completed, FIS Started, No IA	Eon	tap 345kV 80076 Ajo - 80071 Zorillo	Kenedy	COASTAL	12/30/2020	WIN	WT	201	
16INR0014	Cattelman Wind A	SS Completed, FIS Started, No IA	Eon	tap 345kV 79501 Ogallala - 79502 Windmill	Castro	PANHANDLE	09/01/2021	WIN	WT	201.6	
16INR0014b	Cattelman Wind B	SS Completed, FIS Started, No IA	Eon	tap 345kV 79501 Ogallala - 79502 Windmill	Castro	PANHANDLE	09/01/2021	WIN	WT	201.6	
16INR0019	BlueBell Solar	SS Completed, FIS Completed, IA	Nextera	76090 Divide 345kV	Coke	WEST	06/17/2019	SOL	PV	30	
16INR0033	Hart Wind	SS Completed, FIS Started, IA	Orion	79501 Ogallala 345kV	Castro	PANHANDLE	12/31/2021	WIN	WT	150	
16INR0037c	Pumpkin Farm Wind	SS Completed, FIS Completed, IA	Apex Clean	79505 White River 345kV	Floyd	PANHANDLE	12/01/2020	WIN	WT	280.9	
16INR0044	Halyard Wharton	SS Completed, FIS Started, IA	Halyard Energy	tap 345kV 9073 Holman - 44200 Hillje	Wharton	SOUTH	06/01/2021	GAS	GT	484	
16INR0045	Halyard Henderson	SS Completed, FIS Started, IA	Halyard Energy	tap 345kV 3109 Stryker - 3123 Trinidad	Henderson	NORTH	05/01/2021	GAS	GT	484	
16INR0049	Nazareth Solar	SS Completed, FIS Started, IA	Lendlease Energy	79501 Ogallala 345kV	Castro	PANHANDLE	05/31/2021	SOL	PV	201	
16INR0054	NA	SS Completed, FIS Completed, IA	NASA	42970 Nasa 138kV	Harris	HOUSTON	09/01/2018	GAS	CC	12	
16INR0062b	Lockett Wind	SS Completed, FIS Completed, IA	Lincoln Clean	141355-6 Electra 34 5kV	Wilbarger	WEST	09/30/2019	WIN	WT	184	
16INR0074	Chocolate Bayou W	SS Completed, FIS Completed, No IA	Engie	tap 138kV 42109 Hudson - 42960 Mustang	Brazoria	COASTAL	05/01/2021	WIN	WT	149.5	
16INR0076	Hudson (Ineos/Brazoria)	SS Completed, FIS Completed, IA	Ineos	42100 Hudson 138kV	Brazoria	COASTAL	08/30/2019	GAS	GT	96	
16INR0081	Mesteno Windpower	SS Completed, FIS Completed, IA	Mesteno Windpower, LLC	80355 Del Sol 345kV	Starr	SOUTH	03/01/2020	WIN	WT	201.6	
16INR0085	Pnddy Wind	SS Completed, FIS Started, No IA	Invenery	tap 345kV 1444 Brown - 3422 Killen	Mills	NORTH	12/31/2020	WIN	WT	300	

Project Attributes						Changes from Last Report					
INR	Project Name	GINR Study Phase	Interconnecting Entity	POI Location	County	CDR Reporting Zone	Projected COD	Fuel	Technology	Capacity (MW)	Change indicators: Proj Name, MW
											Size, COD, SFS/NTP, FIS Request
19INR0156	Grape Creek Wind	SS Completed, FIS Started, IA	Apex Clean	76090 Divide 345kV	Coke	WEST	10/01/2020	WIN	WT	525	
19INR0159	Reiher Solar	SS Completed, FIS Started, No IA	EnergieKontor US Texas SP 7 LLC	76597 Robb Sw 138kV	Upton	WEST	05/31/2021	SOL	PV	120	MW Size
19INR0161	Pierce Wind	SS Completed, FIS Started, No IA	Seventus	345kV ROW between Hillje & WAP or 345kV Bailey to Hillje	Wharton	SOUTH	12/31/2021	WIN	WT	300	COD
19INR0163	Sage Draw Wind	SS Completed, FIS Completed, IA	Lincoln Clean	79641 Farmland 345kV	Lynn	WEST	03/31/2020	WIN	WT	338	
19INR0165	Barranca Wind	SS Completed, FIS Started, No IA	Lincoln Clean Energy, LLC	tap 345kV 80307 Delsol - 80225 Cenizo	Zapata	SOUTH	01/30/2022	WIN	WT	201.6	
19INR0166	Loma Pinta II	SS Completed, FIS Started, No IA	Enerverse	5705 Fowerton 138kV	La Salle	SOUTH	05/31/2020	WIN	WT	201.6	
19INR0167	Gold Creek Solar	SS Completed, FIS Started, No IA	S Power	1163 Lamesa 138kV	Dawson	WEST	12/15/2021	SOL	PV	140	
19INR0169	Sun Valley	SS Completed, FIS Started, No IA	Alpin Sun	tap 345kV 68090 Sam Sw - 3405 or 13405 Tradinghouse	Hill	NORTH	12/01/2021	SOL	PV	135	COD
19INR0171	Concho Valley Solar	SS Completed, FIS Started, No IA	Ment SI	tap 138kV 6480 SAPOWER - 6490 Santiago	Tom Green	WEST	11/01/2021	SOL	PV	150	COD
19INR0172	Dillon Gulch	SS Completed, FIS Started, No IA	AES	tap 345kV 11420 Sweetwater: East - 11405 Central Bluff	Nolan	WEST	12/15/2020	WIN	WT	175	
19INR0173	Magnet Wind	SS Completed, FIS Started, No IA	Seventus	43190 South Lane City 138kV	Wharton	SOUTH	12/31/2021	WIN	WT	125	COD
19INR0174	Elbow Creek repower	SS Completed, FIS Completed, IA	NRG	1058 Longshore 345kV	Howard	WEST	09/10/2019	WIN	WT	0	
19INR0175	Changing Winds	SS Completed, FIS Started, No IA	Triglobal	79501 Ogallala 345kV	Castro	PANHANDLE	10/31/2021	WIN	WT	289	
19INR0176	Roughneck Storage	SS Completed, FIS Started, No IA	Glidepath	43380 W Columbia 138kV	Brazoria	COASTAL	07/01/2021	OTH	BA	50	
19INR0177	Shanghai Wind	SS Completed, FIS Started, No IA	Seventus	8104 Lane City PM 138kV	Wharton	SOUTH	12/31/2021	WIN	WT	153.3	COD
19INR0179	Barranca Wind II	SS Completed, FIS Started, No IA	Lincoln Clean Energy, LLC	tap 345kV 80307 Delsol - 80225 Cenizo	Zapata	SOUTH	12/31/2021	WIN	WT	201.6	
19INR0180	Friendswood II	SS Completed, FIS Completed, No IA	Quantium	47170 HOC 138kV	Brazoria	COASTAL	02/21/2020	GAS	GT	117	
19INR0182	Blue Summit Wind III	SS Completed, FIS Completed, IA	Nextera	61001 Jim Trece 345kV	Wilbarger	WEST	11/01/2019	WIN	WT	200	
19INR0184	Oxy Solar	SS Completed, FIS Completed, IA	Oxy Renewable Energy	11256 Goldsmith 138kV	Ector	WEST	08/01/2019	SOL	PV	16.2	COD
19INR0185	Lapetus Solar	SS Completed, FIS Completed, IA	7x Energy	tap 138kV 1284 Shafter Lake - 1272 Fullerton	Andrews	WEST	12/31/2019	SOL	PV	100	
19INR0186	SP TX-12B Phase II	SS Completed, FIS Started, No IA	ConEd Development	132943 SPTX12B 138kV	Upton	WEST	06/01/2020	SOL	PV	25	COD
19INR0187	John Paul Jones	SS Completed, FIS Started, No IA	Diflex Power	46510 Tomball 138kV	Harris	HOUSTON	05/31/2020	GAS	GT	18.6	
19INR0188	Millhouse Storage	SS Completed, FIS Started, No IA	Cypress Creek Renewables	tap 69kV 8500 Alice - 8889 Stadium	Jim Wells	SOUTH	12/31/2020	OTH	BA	38	
19INR0189	SP TX-12B Phase III	SS Completed, FIS Started, No IA	ConEd Development	76040 Castillo 138kV	Upton	WEST	05/24/2021	SOL	PV	40	
19INR0203	Angelo Solar	SS Completed, FIS Started, No IA	ANGELO SOLAR LLC	76009 Twin Buttes 345kV	Tom Green	WEST	03/15/2021	SOL	PV	195	COD
19INR0205	RIO NOGALES AGP UPGRADE CT1	SS Completed, FIS Completed, IA	CPS Energy	Existing gen 345kV Rio Nogales Power Project (# 5362)	Guadalupe	SOUTH	06/30/2019	GAS	CC	19	
20INR0011	Ranchero Wind	SS Completed, FIS Completed, IA	Scout Clean Energy	7053 Noelke 345kV	Crockett	WEST	09/30/2019	WIN	WT	300	
20INR0012	Luaders Solar	SS Completed, FIS Started, No IA	Innovative Solar	Tap 138kV 6161 Paint Creek - 6200 Ft Phantom	Haskell	WEST	08/01/2020	SOL	PV	40	
20INR0013	Basalt Solar	SS Completed, FIS Started, No IA	Innovative Solar	tap 138kV 8234 Uvalde - 8241 Razorback	Uvalde	SOUTH	08/01/2020	SOL	PV	20	
20INR0014	Obsidian Solar	SS Completed, FIS Started, No IA	Innovative Solar	6131 Pdr 69kV	Cottle	WEST	08/01/2020	SOL	PV	60	
20INR0015	Citrus Solar	SS Completed, FIS Started, No IA	Innovative Solar	Tap 138kV 6135 Paducah Clare - 6117 E Munday	Cottle	WEST	08/01/2020	SOL	PV	45	
20INR0016	Opal Solar	SS Completed, FIS Started, No IA	Innovative Solar	tap 345kV 60501 Tesla - 60500 Edith Clark	Hardeman	WEST	08/01/2020	SOL	PV	45	
20INR0019	Trinity Hills Wind repower	SS Completed, FIS Completed, IA	Trinity Hills Wind Farm LLC	150751 & 150752 Trinity Hills 34.5kV	Young	WEST	08/10/2020	WIN	WT	-27	COD
20INR0021	Gamet Solar	SS Completed, FIS Completed, IA	Innovative Solar	tap 69kV 3548 Granger - 3649 Taylor	Williamson	SOUTH	12/18/2020	SOL	PV	20	
20INR0022	Sandine Solar	SS Completed, FIS Started, No IA	Innovative Solar	tap 138kV 5135 Paducah - 6320 Tardis	Cottle	WEST	08/01/2020	SOL	PV	30	
20INR0023	Agate Solar	SS Completed, FIS Completed, IA	Innovative Solar	new 345kV sub Forbes in 68090 Sam - 1906 Venus S	Ellis	NORTH	08/01/2020	SOL	PV	60	
20INR0024	Fluente Solar	SS Completed, FIS Completed, No IA	Innovative Solar	5817 FerrisSw 69kV	Uvalde	SOUTH	08/01/2020	SOL	PV	25	
20INR0025	Spinel Solar	SS Completed, FIS Completed, IA	Innovative Solar	tap 138kV 5225 Hondo - 5813 Pearson	Medina	SOUTH	12/17/2020	SOL	PV	30	
20INR0026	Longbow Solar	SS Completed, FIS Started, No IA	Cypress Creek Renewables	42870 Liverpool 138kV	Brazoria	COASTAL	03/01/2020	SOL	PV	70	
20INR0029	Lutum	SS Completed, FIS Started, No IA	EDF Renewable Energy	tap 345kV 6101 Riley - 1730 W Krum	Clay	WEST	10/01/2021	WIN	WT	242	
20INR0031	Rippey Solar	SS Completed, FIS Completed, IA	Belltown Power	tap 138kV 1988 ValleyV - 1710 Gainvi	Cooke	NORTH	05/15/2020	SOL	PV	60	
20INR0032	IP Titan	SS Completed, FIS Started, IA	Intersect Power	71097 LCRA Culberson 138kV	Culberson	WEST	06/30/2021	SOL	PV	272	
20INR0033	ERAWIND	SS Completed, FIS Started, No IA	Wildcat Creek	tap 345kV 1730 KrumW - 2373 Anna	Cooke	NORTH	12/15/2020	WIN	WT	180	COD
20INR0035	Angus Solar	SS Completed, FIS Started, No IA	Cypress Creek Renewables	tap 138kV 177 Bosque - 181 Cayote	Bosque	NORTH	08/31/2020	SOL	PV	113	
20INR0037	Coniglio Solar	SS Completed, FIS Completed, No IA	Belltown Power	1809 Boistret 138kV	Fannin	NORTH	09/01/2020	SOL	PV	135	
20INR0038	Red Mud Creek	SS Completed, FIS Started, No IA	Eon	tap 345kV 11318 Scurry - 59905 Faraday or 11318-59900 Long Draw	Borden	WEST	12/31/2020	WIN	WT	201	
20INR0040	Montgomery Ranch Wind	SS Completed, FIS Started, No IA	Eon	tap 345kV 80500 EdithC - 60700 Gauss	Foard	WEST	12/15/2021	WIN	WT	200.2	
20INR0042	Chalupa Wind	SS Completed, FIS Started, IA	Acciona	8640 Kelvin 138kV	Cameron	COASTAL	12/21/2020	WIN	WT	174	
20INR0043	Gulf Wind 2	SS Completed, FIS Started, No IA	Pattern Energy	80071 Zorillo 345kV	Kenedy	COASTAL	06/01/2020	WIN	WT	178.6	
20INR0044	French Goldston Solar	SS Completed, FIS Started, No IA	Belltown Power	tap 345kV 1430 Graham - 1445 Bunwick Switch	Young	WEST	02/01/2021	SOL	PV	144	MW Size
20INR0045	Mavenck Creek I	SS Completed, FIS Completed, IA	RES Americas	tap 345kV 6444 RedCr - 76006 Bow or tap 345kV 76009 Twin - 1444 Brown	Concho	WEST	09/01/2020	WIN	WT	373.2	MW Size

GINR Project Milestone Dates																
Screening Study Started	Screening Study Complete	FIS Requested	FIS Approved	IA Signed	Financial Security and Notice to Proceed Provided	Air Permit	GHG Permit	Water Availability	Meets Planning Guide Section 6.9(1) Requirements for Inclusion in Planning Models	Meets All Planning Guide Section 6.9 Requirements for Inclusion in Planning Models	Meets Planning Guide QSA (Section 5.9) Prerequisites	Construction Start	Construction End	Approved for Energization	Approved for Synchronization	Comment
07/21/2006	10/02/2006	07/21/2006			No	Not Required	Not Required	Not Required								
02/26/2009	05/28/2009	11/30/2009	04/19/2018	11/05/2017	Yes	Not Required	Not Required	Not Required	04/24/2018	09/28/2018	05/01/2018			10/23/2018	12/04/2018	
04/23/2009	06/16/2009	07/21/2009	06/13/2018	07/02/2013	Yes	Not Required	Not Required	Not Required	04/18/2018	09/28/2018	07/31/2018			03/27/2019	04/05/2019	
09/28/2010	12/20/2010	08/17/2016	06/19/2018	12/04/2017	Yes	Not Required	Not Required	Not Required	10/04/2018	10/04/2018	08/01/2018			04/11/2019	04/19/2019	
12/01/2010	02/25/2011	08/09/2011	01/16/2014	12/26/2013	Yes	Not Required	Not Required	Not Required								
12/03/2010	03/21/2014	06/06/2011	05/31/2018	05/21/2018	Yes	Not Required	Not Required	Not Required	05/21/2018	09/28/2018	04/30/2018			10/11/2018	11/29/2018	
06/29/2009	09/25/2009	03/26/2010		01/31/2013	Yes	Not Required	Not Required	Not Required	04/30/2018	04/30/2018						
06/15/2010	09/02/2010	03/01/2011		04/25/2016	No	Not Required	Not Required	Not Required								
07/06/2010	10/04/2010	04/01/2011	03/16/2017	05/20/2016	Yes	Not Required	Not Required	Not Required	09/04/2018	10/30/2018	10/30/2018			07/08/2019	07/18/2019	
05/01/2011	05/26/2011	11/02/2011		09/06/2015	Yes	Not Required	Not Required	Not Required	05/04/2017							
01/24/2011	03/18/2011	09/12/2011		03/15/2018	Yes	Not Required	Not Required	Not Required								
07/03/2012	08/17/2012	03/26/2014		08/25/2014	Yes	Not Required	Not Required	Not Required	Date Not Available							
07/24/2012	09/19/2012	03/04/2013	09/25/2017	03/07/2018	No	Not Required	Not Required	Not Required								
01/21/2013	02/19/2013	06/12/2013	04/25/2019	02/05/2019	Yes	Not Required	Not Required	Not Required	05/04/2017	04/24/2019	04/24/2019					
01/30/2013	03/14/2013	01/30/2013	05/14/2018	04/12/2018	Yes	Not Required	Not Required	Not Required	04/26/2018	04/26/2018	05/14/2018			11/09/2018	02/26/2019	
02/04/2013	03/25/2013	08/16/2013			No	Not Required	Not Required	Not Required								
09/06/2013	09/16/2013	08/20/2013			No	Not Required	Not Required	Not Required								
10/01/2013	10/18/2013	02/05/2014			No	Not Required	Not Required	Not Required								
11/13/2013	12/23/2013	11/12/2013		06/27/2018	Yes	Not Required	Not Required	Not Required	Date Not Available	04/17/2019						
12/18/2013	02/27/2014	04/15/2014	12/06/2017	06/01/2018	No	Not Required	Not Required	Not Required								
11/27/2013	01/27/2014	04/15/2014	09/27/2017	05/30/2018	Yes	Not Required	Not Required	Not Required	05/30/2018	09/19/2018	01/22/2019					
04/28/2015	07/01/2015	09/30/2015		06/13/2017	No	Not Required	Not Required	Not Required								
12/16/2011	02/15/2012	01/04/2012	01/22/2018	01/13/2014	Yes	07/16/2014	Not Required	Not Required	10/09/2018	10/09/2018	10/09/2018			03/15/2019		
04/24/2013	05/29/2013	05/14/2013		08/31/2016	No	12/16/2016	12/12/2016	01/29/2014								
06/13/2013	03/15/2013	09/10/2013			No	Not Required	Not Required	Not Required								
10/01/2013	11/18/2013	02/10/2014			No	Not Required	Not Required	Not Required								
10/01/2013	11/18/2013	02/10/2014			No	Not Required	Not Required	Not Required								
11/15/2013	12/30/2013	11/07/2013	05/01/2018	08/19/2015	Yes	Not Required	Not Required	Not Required	05/01/2018	09/12/2018	05/01/2018			10/12/2018	10/25/2018	
02/10/2014	03/20/2014	10/27/2014		08/06/2018	No	Not Required	Not Required	Not Required								
02/24/2014	04/08/2014	02/18/2014	01/12/2018	03/24/2017	Yes	Not Required	Not Required	Not Required	03/24/2017	09/19/2018						
03/17/2014	04/28/2014	11/11/2014		01/26/2016	No	10/09/2015	Not Required	09/21/2015								
03/20/2014	04/15/2014	07/21/2014		04/01/2016	No	12/08/2015	Not Required	01/05/2016								
06/19/2014	07/25/2014	07/01/2014		05/10/2018	Yes	Not Required	Not Required	Not Required								
03/10/2015	04/01/2015	03/10/2015	01/28/2016	10/27/2016	Yes	Not Required	Not Required	Not Required	06/06/2019							
09/15/2014	12/10/2014	12/05/2014	10/31/2018	03/31/2015	Yes	Not Required	Not Required	Not Required	11/10/2016	09/28/2018						11/27/2017
12/08/2014	03/02/2015	12/04/2014	02/26/2019		No	Not Required	Not Required	Not Required	10/31/2016	10/31/2018	10/31/2018			05/21/2019	05/31/2019	
01/12/2015	03/19/2015	06/24/2015	08/24/2017	12/05/2017	Yes	02/10/2017	02/10/2017	01/10/2018								
12/30/2014	03/09/2015	12/30/2014	01/29/2016	04/25/2018	Yes	Not Required	Not Required	Not Required	10/09/2018	02/12/2019	08/01/2018			02/12/2019		
01/14/2015	02/10/2015	03/06/2015			No	Not Required	Not Required	Not Required	04/25/2018	03/28/2019	04/01/2019					



COMPTROLLER QUERY RELATED TO TAX CODE CHAPTER 313.026(c)(2)  
– Muenster ISD – Wildcat Creek Wind Farm LLC App. #1394 –

Comptroller Questions (via email on August 22, 2019; August 29, 2019):

- 1) Is this project known by any specific names not otherwise mentioned in this application?
- 2) Please also list any other names by which this project may have been known in the past--in media reports, investor presentations, or any listings with any federal or state agency.
- 3) Has this project applied to ERCOT at this time? If so, please provide the project's GINR number and when was it assigned.

Company Response (via email on August 29, 2019):

- 1) *Yes. Project name is ERAWIND for ERCOT Interconnection Studies.*
- 2) *Project name for ERCOT Interconnection studies was originally Cooke Wind II.*
- 3) *Yes. GINR is 20INR0033, assigned 10/18/2017.*

Attachment D

Summary of Financial Impact

**CHAPTER 313 PROPERTY VALUE LIMITATION  
FINANCIAL IMPACT OF THE PROPOSED WILDCAT CREEK  
WIND FARM LLC PROJECT IN THE MUENSTER  
INDEPENDENT SCHOOL DISTRICT  
(PROJECT # 1394)**

**PREPARED BY**



**SEPTEMBER 6, 2019**

## Executive Summary

Wildcat Creek Wind Farm LLC (Company) has requested that the Muenster Independent School District (MISD) consider granting a property value limitation under Chapter 313 of the Tax Code, also known as the Texas Economic Development Act. In an application submitted to MISD on June 12, 2019 the Company plans to invest \$44.3 million to construct a renewable energy electric generation facility. Moak, Casey & Associates (MCA) has been retained to prepare an analysis of this value limitation and help the district navigate the overall application and agreement process.

The Wildcat Creek Wind project is consistent with the state's goal to "encourage large scale capital investments in this state." When enacted as House Bill 1200 in 2001, Chapter 313 of the Tax Code granted eligibility to companies engaged in manufacturing, research and development, and renewable electric energy production to apply to school districts for property value limitations. Subsequent legislative changes expanded eligibility to clean coal projects, nuclear power generation and data centers, among others, although few of these other types of projects have been the basis for Chapter 313 applications.

Under the provisions of Chapter 313, MISD may offer a minimum value limitation of \$30 million. This value limitation, under the proposed application, will begin in the 2021-22 school year and remain at that level of taxable value for Maintenance and Operations (M&O) tax purposes for ten years. The entire project value will remain taxable for I&S or debt service purposes for the term of the agreement.

MCA's initial school finance analysis is detailed in this report. This analysis incorporates to the fullest extent possible the changes approved in House Bill 3 as approved in 2019, the most significant school finance revisions in more than 30 years. The overall conclusions are as follows, but please read all of the subsequent details in the report below for more information.

Total Revenue Loss Payment owed to MISD	\$143,107
Total Savings to Company after Revenue Loss Payment. (This does not include any supplemental benefit payments to the district.)	\$225,910

## Application Process

After the school district has submitted an application to the Comptroller's Office (Comptroller), the Comptroller begins reviewing the application for completeness. The purpose of this review is to ensure all necessary information and attachments are included in the application before moving forward with the formal review process. At the time the application is determined complete—typically 4-6 weeks after receipt—the Comptroller will deliver a Completeness Letter to the company and the school district. The Completeness Letter for this project was delivered on August 22, 2019.

The issuance of a Completeness Letter is important because it sets the timeline for the rest of process. From the date of issuance, the Comptroller has 90 days to conduct its full review of the project and provide its certificate for a limitation on appraised value. After the certificate is received, the district has until the 150<sup>th</sup> day from the receipt of the Completeness Letter to adopt an agreement, although extensions may be requested by the Company and granted by the District.

After the Comptroller's certificate is received, O'Hanlon, Demerath & Castillo (ODC) will contact the school district to discuss the value limitation agreement and begin negotiations of the supplemental benefit payment with the Company. A final version of the agreement must be submitted to the Comptroller for review 30 days prior to final adoption by the school district's board of trustees.

Prior to final board meeting, ODC will provide the district with the necessary agenda language and any additional action items. The school board will review the Value Limitation Agreement and Findings of Fact that detail the project's conformance with state law. The school board will also be required to adopt a job waiver during this meeting.

## **How the 313 Agreement Interacts with Texas School Finance**

A taxpayer receiving a value limitation pays M&O taxes on the reduced value for the project in years 1-10 and receives a tax bill for I&S taxes based on the full project value throughout the qualifying and value limitation period (and thereafter).

M&O funding for Texas schools relies on two methods of finance: local school district property taxes and state aid. State aid consists of two components: Tier I (based on ADA, special student populations and M&O taxes at the compressed tax rate) and Tier II (based on weighted ADA for each penny of tax effort above a specified level). Recapture costs are primarily a Tier I issue, although Tier II also can involve recapture costs for some school districts.

The basic allotment is now set at \$6,160 per weighted ADA (WADA) and is the basis for Tier I calculations. In the case of Tier II, the first eight cents of additional tax effort can be used to generate state aid of up to \$98.56 per WADA for what are known as "golden" pennies. Tax effort for golden pennies is not subject to recapture. Up to an additional nine cents may be levied to generate \$49.28 per WADA for what are known as "copper" pennies (generating half the revenue per WADA of the golden pennies).

Changes in the recapture calculation are an important part of HB 3, for those districts subject to recapture under the new law. Rather than being tied to property wealth exceeding an equalized wealth level per WADA, recapture is now defined as the amount of revenue collected in excess of a district's Tier I allotment, or for Tier II the amount of collections in excess of the entitlement provided for tax effort generating copper-penny level state aid. (Golden pennies are not subject to recapture.)

The changes in the recapture methodology may affect the results of revenue protection payments relative to what was calculated when the equalized wealth level was used to determine the amount of recapture owed the state by school districts subject to recapture. It does not appear to be an issue for MISD, based on the calculations shown below.

Another significant school funding change is establishing current-year property values to determine state funding and recapture under the Foundation School Program. The traditional approach for the last 30 years has been to rely upon prior-year state property values as determined annually under the Comptroller's State Property Value Study (Section 403 of the Government Code). The change in House Bill 3 calls for using current-year property values as determined by the Comptroller's Property Value Study, without an explanation as to how the property value study is to be completed on a real-time basis.

While school district funding will now be determined based on current-year property values, House Bill 3 included language that addressed the property values to be used in determining calculating revenue protection payments under Chapter 313 agreements. This information is contained in Section 48.256(d), Education Code, as shown below:

- d) This subsection applies to a school district in which the board of trustees entered into a written agreement with a property owner under Section 313.027, Tax Code, for the implementation of a limitation on appraised value under Subchapter B or C, Chapter 313, Tax Code. For purposes of determining "DPV" under Subsection (a) for a school district to which this subsection applies, the commissioner shall exclude a portion of the market value of property not otherwise fully taxable by the district under Subchapter B or C, Chapter 313, Tax Code, before the expiration of the subchapter. The comptroller shall provide information to the agency necessary for this subsection. **A revenue protection payment required as part of an agreement for a limitation on appraised value shall be based on the district's taxable value of property for the preceding tax year [emphasis added].**

Given the directive with regard to the use of preceding-tax-year values to calculate revenue protection payments required under Chapter 313 agreements, the amounts collected are expected to be consistent with the patterns shown since these calculations were first calculated under the standard Chapter 313 agreement language, dating back to 2004. The most significant impact is typically in the first limitation year, although major value increases in project values in later limitation years may also trigger a revenue protection payment. The additional factor that may generate a variance with the traditional pattern of revenue protection amounts is the new methodology in the calculation of recapture, as noted previously.

The calculations shown below are based on the Section 48.254(d), Education Code directive to use preceding-tax-year property values to determine the revenue protection payment, if any, owed to the school district under the terms of the Chapter 313 Agreement between the Applicant and the School District. These calculations are to be made for each of the 10 limitation years under the terms of the Agreement. Chapter 313 will be subject to legislative renewal in 2021 and any changes made may impact these calculations moving forward.

(For more detailed information on the school finance funding system, please review the Texas Education Agency's (TEA) website. [The current information is expected to be updated as the details of House Bill 3 implementation are determined by TEA.](#)

The implementation of recent legislative action on school funding in House Bill 3 could potentially affect the impact of the value limitation on the school district's finances and result in revenue-loss estimates that differ from the estimates presented in this report.

## Underlying School District Data Assumptions

The agreement between the school district and the applicant calls for a calculation of the revenue impact of the value limitation in years 1-10 of the agreement, under whatever school finance and property tax laws are in effect in each of those years. The Basic Allotment is now set to \$6,160, the Tier II golden penny yield is set to \$98.56 per WADA for up to eight cents, while the copper penny yield is \$49.28 per WADA for up to nine cents of local tax effort. These are maintained for future years at this time.

Static school district enrollment and property values are used to isolate the effects of the value limitation under the school finance system. Any previously-approved Chapter 313 projects are also factored into the M&O tax bases used.

ADA:	470
Local M&O Tax Base	\$482.9 million
2019-20 M&O Tax Rate:	\$0.9700 per \$100 of Taxable Value
2020-21 Projected M*O Tax Rate:	\$0.9565 per \$100 of Taxable Value
I&S Tax Rate:	\$0.3554 per \$100 of Taxable Value

Table 1 summarizes the enrollment and property value assumptions for the 15 years that are the subject of this analysis.

**Table 1 - Base District Information with Wildcat Creek Wind Project Value and Limitation Values**

Year of Agreement	School Year	ADA	WADA	M&O Tax Rate	I&S Tax Rate	Sec. 48.256(d) District Revenue Protection District Property Value with Project	Sec. 48.256(d) District Revenue Protection District Property Value with Limitation	DPV Value with Project per WADA	DPV Value with Limitation per WADA
QTP0	2019-20	469.67	795.75	\$0.9700	\$0.3554	\$363,445,568	\$363,445,568	\$456,734	\$456,734
QTP1	2020-21	469.67	784.21	\$0.9565	\$0.3554	\$363,411,040	\$363,411,040	\$463,410	\$463,410
QTP2/VL1	2021-22	469.67	784.21	\$0.9565	\$0.3554	\$348,785,520	\$348,785,520	\$444,760	\$444,760
VL2	2022-23	469.67	784.21	\$0.9565	\$0.3554	\$393,037,520	\$378,785,520	\$501,188	\$483,015
VL3	2023-24	469.67	784.21	\$0.9565	\$0.3554	\$389,497,520	\$378,785,520	\$496,674	\$483,015
VL4	2024-25	469.67	784.21	\$0.9565	\$0.3554	\$386,240,520	\$378,785,520	\$492,521	\$483,015
VL5	2025-26	469.67	784.21	\$0.9565	\$0.3554	\$383,244,520	\$378,785,520	\$488,701	\$483,015
VL6	2026-27	469.67	784.21	\$0.9565	\$0.3554	\$429,899,430	\$428,197,430	\$548,194	\$546,023
VL7	2027-28	469.67	784.21	\$0.9565	\$0.3554	\$421,810,477	\$421,810,477	\$537,879	\$537,879
VL8	2028-29	469.67	784.21	\$0.9565	\$0.3554	\$414,368,760	\$414,368,760	\$528,389	\$528,389
VL9	2029-30	469.67	784.21	\$0.9565	\$0.3554	\$412,221,760	\$412,221,760	\$525,652	\$525,652
VL10	2030-31	469.67	784.21	\$0.9565	\$0.3554	\$410,246,760	\$410,246,760	\$523,133	\$523,133
VP1	2031-32	469.67	784.21	\$0.9565	\$0.3554	\$408,429,760	\$408,429,760	\$520,816	\$520,816
VP2	2032-33	469.67	784.21	\$0.9565	\$0.3554	\$406,757,760	\$406,757,760	\$518,684	\$518,684
VP3	2033-34	469.67	784.21	\$0.9565	\$0.3554	\$405,219,760	\$405,219,760	\$516,723	\$516,723
VP4	2034-35	469.67	784.21	\$0.9565	\$0.3554	\$403,804,760	\$403,804,760	\$514,919	\$514,919
VP5	2035-36	469.67	784.21	\$0.9565	\$0.3554	\$402,502,760	\$402,502,760	\$513,258	\$513,258

\*Basic Allotment: \$6,160; Golden Penny Yield: \$98.56; Copper Penny Yield: \$49.28

QTP=	Qualifying Time Period
VL=	Value Limitation
VP=	Viable Presence

## M&O Impact of the Wildcat Creek Wind Project on MISD

A model is established to make a calculation of the “Baseline Revenue Model” (Table 2) by adding the total value of the project to the model, without assuming a value limitation is approved. A separate model is established to make a calculation of the “Value Limitation Revenue Model” (Table 3) by adding the project’s limited value of \$30 million to the model. The difference between the two models (Table 4) indicates there will be a total revenue loss of \$143,107 over the course of the Agreement, all the loss reflected in the first limitation year (2021-22).

**Table 2- “Baseline Revenue Model” --Project Value Added to DPV with No Value Limitation**

Year of Agreement	School Year	M&O Taxes @ Compressed Rate	State Aid	Recapture Costs	Additional Local M&O Collections	State Aid from Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Other State Aid (includes HH Funds)	Total General Fund
<b>QTP0</b>	2019-20	\$4,284,462	\$1,553,081	\$0	\$184,278	\$213,368	\$0	\$0	\$6,235,189
<b>QTP1</b>	2020-21	\$4,093,102	\$1,602,469	\$0	\$178,641	\$201,478	\$0	\$0	\$6,075,690
<b>QTP2/VL1</b>	2021-22	\$4,493,172	\$1,736,511	\$0	\$196,102	\$238,363	\$0	\$0	\$6,664,148
<b>VL2</b>	2022-23	\$4,460,728	\$1,330,942	\$0	\$194,686	\$188,041	\$0	\$0	\$6,174,397
<b>VL3</b>	2023-24	\$4,430,878	\$1,363,386	\$0	\$193,383	\$190,177	\$0	\$0	\$6,177,824
<b>VL4</b>	2024-25	\$4,403,419	\$1,393,237	\$0	\$192,185	\$192,565	\$0	\$0	\$6,181,406
<b>VL5</b>	2025-26	\$4,821,954	\$1,420,695	\$0	\$210,451	\$213,931	\$0	\$0	\$6,667,031
<b>VL6</b>	2026-27	\$4,748,989	\$993,104	\$0	\$207,267	\$165,335	\$0	\$0	\$6,114,695
<b>VL7</b>	2027-28	\$4,682,150	\$1,067,239	\$0	\$204,350	\$169,936	\$0	\$0	\$6,123,675
<b>VL8</b>	2028-29	\$4,662,866	\$1,135,442	\$0	\$203,508	\$176,048	\$0	\$0	\$6,177,864
<b>VL9</b>	2029-30	\$4,645,127	\$1,155,119	\$0	\$202,734	\$177,463	\$0	\$0	\$6,180,443
<b>VL10</b>	2030-31	\$4,628,808	\$1,173,220	\$0	\$202,021	\$178,435	\$0	\$0	\$6,182,484
<b>VP1</b>	2031-32	\$4,613,790	\$1,189,873	\$0	\$201,366	\$179,693	\$0	\$0	\$6,184,722
<b>VP2</b>	2032-33	\$4,599,977	\$1,205,197	\$0	\$200,763	\$180,884	\$0	\$0	\$6,186,821
<b>VP3</b>	2033-34	\$4,587,267	\$1,219,292	\$0	\$200,208	\$181,643	\$0	\$0	\$6,188,410
<b>VP4</b>	2034-35	\$4,575,573	\$1,232,261	\$0	\$199,698	\$182,712	\$0	\$0	\$6,190,244
<b>VP5</b>	2035-36	\$4,564,822	\$1,244,194	\$0	\$199,229	\$183,356	\$0	\$0	\$6,191,601

QTP=	Qualifying Time Period
VL=	Value Limitation
VP=	Viable Presence

### M&O Impact on the Taxpayer

Under the assumptions used here, the potential tax savings from the value limitation total \$0.4 million over the life of the agreement. The MISD revenue losses are expected to total approximately \$143,107 over the course of the agreement. In total, the potential net tax benefits (after hold-harmless payments are made) are estimated to total \$225,910, prior to any negotiations with Wildcat Creek Wind on supplemental payments.

It should be noted that a key element in the revenue-loss calculation appears to be linked to the retention of prior-year property values in the calculation of the revenue protection amount for the 2022-23 school year. Under the standard agreement, these calculations are based on whatever school finance and property tax laws are in effect each year. With a legislative session occurring in 2021, there could be changes made to current school finance law. While the District will still be protected against revenue losses, these calculations may be reduced below what we are projecting under what is now current law.

**Table 3- "Value Limitation Revenue Model" --Project Value Added to DPV with Value Limitation in Effect**

Year of Agreement	School Year	M&O Taxes @		Recapture Costs	Additional Local M&O Collections	State Aid from Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Other State Aid (includes HH Funds)	Total General Fund
		Compressed Rate	State Aid						
<b>QTP0</b>	2019-20	\$4,284,462	\$1,553,081	\$0	\$184,278	\$213,368	\$0	\$0	\$6,235,189
<b>QTP1</b>	2020-21	\$4,093,102	\$1,602,469	\$0	\$178,641	\$201,478	\$0	\$0	\$6,075,690
<b>QTP2/VL1</b>	2021-22	\$4,362,553	\$1,736,511	\$0	\$190,401	\$231,576	\$0	\$0	\$6,521,041
VL2	2022-23	\$4,362,553	\$1,461,562	\$0	\$190,401	\$198,249	\$0	\$0	\$6,212,765
VL3	2023-24	\$4,362,553	\$1,461,562	\$0	\$190,401	\$198,249	\$0	\$0	\$6,212,765
VL4	2024-25	\$4,362,553	\$1,461,562	\$0	\$190,401	\$198,249	\$0	\$0	\$6,212,765
VL5	2025-26	\$4,806,355	\$1,461,562	\$0	\$209,770	\$218,350	\$0	\$0	\$6,696,037
VL6	2026-27	\$4,748,989	\$1,008,702	\$0	\$207,267	\$166,844	\$0	\$0	\$6,131,802
VL7	2027-28	\$4,682,150	\$1,067,239	\$0	\$204,350	\$169,936	\$0	\$0	\$6,123,675
VL8	2028-29	\$4,662,866	\$1,135,442	\$0	\$203,508	\$176,048	\$0	\$0	\$6,177,864
VL9	2029-30	\$4,645,127	\$1,155,119	\$0	\$202,734	\$177,463	\$0	\$0	\$6,180,443
VL10	2030-31	\$4,628,808	\$1,173,220	\$0	\$202,021	\$178,435	\$0	\$0	\$6,182,484
<b>VP1</b>	2031-32	\$4,613,790	\$1,189,873	\$0	\$201,366	\$179,693	\$0	\$0	\$6,184,722
<b>VP2</b>	2032-33	\$4,599,977	\$1,205,197	\$0	\$200,763	\$180,884	\$0	\$0	\$6,186,821
<b>VP3</b>	2033-34	\$4,587,267	\$1,219,292	\$0	\$200,208	\$181,643	\$0	\$0	\$6,188,410
<b>VP4</b>	2034-35	\$4,575,573	\$1,232,261	\$0	\$199,698	\$182,712	\$0	\$0	\$6,190,244
<b>VP5</b>	2035-36	\$4,564,822	\$1,244,194	\$0	\$199,229	\$183,356	\$0	\$0	\$6,191,601

QTP= Qualifying Time Period  
 VL= Value Limitation  
 VP= Viable Presence

**Table 4 - Value Limitation Revenue Model Less Baseline Revenue Model with No Limitation**

Year of Agreement	School Year	M&O Taxes @		Recapture Costs	Additional Local M&O Collections	State Aid from Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Other State Aid (includes HH Funds)	Total General Fund
		Compressed Rate	State Aid						
<b>QTP0</b>	2019-20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>QTP1</b>	2020-21	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>QTP2/VL1</b>	2021-22	-\$130,619	\$0	\$0	-\$5,701	-\$6,787	\$0	\$0	-\$143,107
VL2	2022-23	-\$98,175	\$130,620	\$0	-\$4,285	\$10,208	\$0	\$0	\$38,368
VL3	2023-24	-\$68,325	\$98,176	\$0	-\$2,982	\$8,072	\$0	\$0	\$34,941
VL4	2024-25	-\$40,866	\$68,325	\$0	-\$1,784	\$5,684	\$0	\$0	\$31,359
VL5	2025-26	-\$15,599	\$40,867	\$0	-\$681	\$4,419	\$0	\$0	\$29,006
VL6	2026-27	\$0	\$15,598	\$0	\$0	\$1,509	\$0	\$0	\$17,107
VL7	2027-28	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VL8	2028-29	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VL9	2029-30	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VL10	2030-31	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>VP1</b>	2031-32	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>VP2</b>	2032-33	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>VP3</b>	2033-34	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>VP4</b>	2034-35	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>VP5</b>	2035-36	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

QTP= Qualifying Time Period  
 VL= Value Limitation  
 VP= Viable Presence

**Table 5 - Estimated Financial Impact of the Wildcat Creek Wind Project Property Value Limitation Request Submitted to MISD at \$0.9700 M&O Tax Rate**

Year of Agreement	School Year	Project Taxable Value for M&O If No Limitation	Project Taxable Value for M&O with Limitation	Assumed M&O Tax Rate	Tax Savings to Company	School District Revenue Protection	Estimated Net Tax Benefits
QTP0	2019-20	\$0	\$0	\$0.97000	\$0	\$0	\$0
QTP1	2020-21	\$0	\$0	\$0.95650	\$0	\$0	\$0
QTP2/VL1	2021-22	\$44,252,000	\$30,000,000	\$0.95650	\$136,320	-\$143,107	-\$6,787
VL2	2022-23	\$40,712,000	\$30,000,000	\$0.95650	\$102,460	\$0	\$102,460
VL3	2023-24	\$37,455,000	\$30,000,000	\$0.95650	\$71,307	\$0	\$71,307
VL4	2024-25	\$34,459,000	\$30,000,000	\$0.95650	\$42,650	\$0	\$42,650
VL5	2025-26	\$31,702,000	\$30,000,000	\$0.95650	\$16,280	\$0	\$16,280
VL6	2026-27	\$29,166,000	\$29,166,000	\$0.95650	\$0	\$0	\$0
VL7	2027-28	\$26,833,000	\$26,833,000	\$0.95650	\$0	\$0	\$0
VL8	2028-29	\$24,686,000	\$24,686,000	\$0.95650	\$0	\$0	\$0
VL9	2029-30	\$22,711,000	\$22,711,000	\$0.95650	\$0	\$0	\$0
VL10	2030-31	\$20,894,000	\$20,894,000	\$0.95650	\$0	\$0	\$0
VP1	2031-32	\$19,222,000	\$19,222,000	\$0.95650	\$0	\$0	\$0
VP2	2032-33	\$17,684,000	\$17,684,000	\$0.95650	\$0	\$0	\$0
VP3	2033-34	\$16,269,000	\$16,269,000	\$0.95650	\$0	\$0	\$0
VP4	2034-35	\$14,967,000	\$14,967,000	\$0.95650	\$0	\$0	\$0
VP5	2035-36	\$13,770,000	\$13,770,000	\$0.95650	\$0	\$0	\$0
					\$369,017	-\$143,107	\$225,910

QTP=	Qualifying Time Period
VL=	Value Limitation
VP=	Viable Presence

**Note: School district revenue-loss estimates are subject to change based on numerous factors, including:**

- Legislative and Texas Education Agency administrative changes to the underlying school finance formulas used in these calculations, which could be significant under HB 3.
- Legislative changes addressing property value appraisals and exemptions.
- Year-to-year appraisals of project values and district taxable values.
- Changes in school district tax rates and student enrollment.

### I&S Funding Impact on School District

The project remains fully taxable for debt services taxes, with MISD currently levying a \$0.3554 I&S rate. As shown in the Table 6 below, local taxpayers could see a modest benefit from the addition of the Wildcat Creek Wind project to the local I&S tax roll, although additional analysis is needed to evaluate the impact of the value increases on funding from the state’s facilities programs (EDA and IFA), if any.

The project is not expected to affect school district enrollment and is expected to depreciate over the life of the agreement and beyond. Continued expansion of the project and related development could result in additional employment in the area and an increase in the school-age population, but this project is unlikely to have much impact on a stand-alone basis.

**Table 6 - Estimated Impact of the Wildcat Creek Wind Project Property Value Limitation Request on MISD I&S Tax Rate**

Year of Agreement	School Year	I&S Rate w/out Project	Local Value w/out Project	I&S Taxes w/out Project	Project Full Taxable Value	I&S Rate with Project Value	Change in I&S Rate
<b>QTP0</b>	2019-20	\$0.3554	\$482,876,113	\$1,716,142	\$0	\$0.355400	\$0.0000
<b>QTP1</b>	2020-21	\$0.3554	\$468,250,593	\$1,664,163	\$0	\$0.355400	\$0.0000
QTP2/VL1	2021-22	\$0.3554	\$468,250,593	\$1,664,163	\$44,252,000	\$0.324713	-\$0.0307
VL2	2022-23	\$0.3554	\$468,250,593	\$1,664,163	\$40,712,000	\$0.326971	-\$0.0284
VL3	2023-24	\$0.3554	\$468,250,593	\$1,664,163	\$37,455,000	\$0.329077	-\$0.0263
VL4	2024-25	\$0.3554	\$468,250,593	\$1,664,163	\$34,459,000	\$0.331039	-\$0.0244
VL5	2025-26	\$0.3554	\$468,250,593	\$1,664,163	\$31,702,000	\$0.332864	-\$0.0225
VL6	2026-27	\$0.3554	\$468,250,593	\$1,664,163	\$29,166,000	\$0.334561	-\$0.0208
VL7	2027-28	\$0.3554	\$468,250,593	\$1,664,163	\$26,833,000	\$0.336138	-\$0.0193
VL8	2028-29	\$0.3554	\$468,250,593	\$1,664,163	\$24,686,000	\$0.337602	-\$0.0178
VL9	2029-30	\$0.3554	\$468,250,593	\$1,664,163	\$22,711,000	\$0.338960	-\$0.0164
VL10	2030-31	\$0.3554	\$468,250,593	\$1,664,163	\$20,894,000	\$0.340219	-\$0.0152
<b>VP1</b>	2031-32	\$0.3554	\$468,250,593	\$1,664,163	\$19,222,000	\$0.341386	-\$0.0140
<b>VP2</b>	2032-33	\$0.3554	\$468,250,593	\$1,664,163	\$17,684,000	\$0.342466	-\$0.0129
<b>VP3</b>	2033-34	\$0.3554	\$468,250,593	\$1,664,163	\$16,269,000	\$0.343467	-\$0.0119
<b>VP4</b>	2034-35	\$0.3554	\$468,250,593	\$1,664,163	\$14,967,000	\$0.344392	-\$0.0110
<b>VP5</b>	2035-36	\$0.3554	\$468,250,593	\$1,664,163	\$13,770,000	\$0.345247	-\$0.0102

IFA and EDA state aid are now based on current-year values, which could affect the tax rate needed for bond payments in districts eligible for these funds.

# Attachment E

## Taxable Value of Property

# 049-Cooke

## 049-902/Muenster ISD

Category	Local Tax Roll Value	2018 WTD Mean Ratio	2018 PTAD Value Estimate	2018 Value Assigned
A. SINGLE-FAMILY RESIDENCES	117,719,882	0.9269	127,003,864	117,719,882
B. MULTIFAMILY RESIDENCES	819,914	N/A	819,914	819,914
C1. VACANT LOTS	3,013,298	N/A	3,013,298	3,013,298
C2. COLONIA LOTS	0	N/A	0	0
D1. QUALIFIED AG LAND	10,006,861	1.4973	6,683,276	10,006,861
D2. REAL PROP:FARM & RANCH	4,748,309	N/A	4,748,309	4,748,309
E. REAL PROP NONQUAL ACREAGE	68,640,951	0.9218	74,464,039	68,640,951
F1. COMMERCIAL REAL	20,331,948	0.8888	22,875,729	20,331,948
F2. INDUSTRIAL REAL	166,900,361	N/A	166,900,361	166,900,361
G. OIL,GAS,MINERALS	44,168,440	0.9942	44,426,111	44,168,440
J. UTILITIES	21,105,406	0.8548	24,690,461	21,105,406
L1. COMMERCIAL PERSONAL	17,276,883	1.1671	14,803,259	17,276,883
L2. INDUSTRIAL PERSONAL	33,261,622	N/A	33,261,622	33,261,622
M. MOBILE HOMES	527,579	N/A	527,579	527,579
N. INTANGIBLE PERSONAL PROP	0	N/A	0	0
O. RESIDENTIAL INVENTORY	658,876	N/A	658,876	658,876
S. SPECIAL INVENTORY	579,421	N/A	579,421	579,421
Subtotal	509,759,751	0	525,456,119	509,759,751
Less Total Deductions	146,314,183	0	150,300,162	146,314,183
Total Taxable Value	363,445,568	0	375,155,957	363,445,568

The taxable values shown here will not match the values reported by your appraisal district

See the ISD DEDUCTION Report for a breakdown of deduction values

Government code subsections 403.302(J) AND(K) require the Comptroller to certify alternative measures of school district wealth. These measures are reported for taxable values for maintenance and operation(M & O) tax purposes and for interest and sinking fund(I & S) tax purposes. For districts that have not entered into value limitation agreements, T1 through T4 will be the same as T7 through T10.

## Value Taxable For M & O Purposes

T1	T2	T3	T4
371,193,895	363,445,568	371,193,895	363,445,568

Loss To the Additional \$10,000 Homestead Exemption	50% of the loss to the Local Optional Percentage Homestead Exemption
7,748,327	0

T1 = School district taxable value for M & O purposes before the loss to the additional \$10,000 homestead exemption

T2 = School district taxable value for M & O purposes after the loss to the additional \$10,000 homestead exemption and the tax ceiling reduction

T3 = T1 minus 50% of the loss to the local optional percentage homestead exemption

T4 = T2 minus 50% of the loss to the local optional percentage homestead exemption

## Value Taxable For I & S Purposes

T7	T8	T9	T10
475,622,205	467,873,878	475,622,205	467,873,878

T7 = School district taxable value for I & S purposes before the loss to the additional \$10,000 homestead exemption

T8 = School district taxable value for I & S purposes after the loss to the additional \$10,000 homestead exemption and the tax ceiling reduction

T9 = T7 minus 50% of the loss to the local optional percentage homestead exemption

T10 = T8 minus 50% of the loss to the local optional percentage homestead exemption

THE PVS FOUND YOUR LOCAL VALUE TO BE VALID, AND LOCAL VALUE WAS CERTIFIED

# 049-902-02/Muenster ISD

Category	Local Tax Roll Value	2018 WTD Mean Ratio	2018 PTAD Value Estimate	2018 Value Assigned
A. SINGLE-FAMILY RESIDENCES	117,719,882	0.9269	127,003,864	117,719,882
B. MULTIFAMILY RESIDENCES	819,914	N/A	819,914	819,914
C1. VACANT LOTS	3,013,298	N/A	3,013,298	3,013,298
C2. COLONIA LOTS	0	N/A	0	0
D1. QUALIFIED AG LAND	10,006,861	1.4973	6,683,276	10,006,861
D2. REAL PROP:FARM & RANCH	4,748,309	N/A	4,748,309	4,748,309
E. REAL PROP NONQUAL ACREAGE	68,640,951	0.9218	74,464,039	68,640,951
F1. COMMERCIAL REAL	20,331,948	0.8888	22,875,729	20,331,948
F2. INDUSTRIAL REAL	166,900,361	N/A	166,900,361	166,900,361
G. OIL,GAS,MINERALS	44,168,440	0.9942	44,426,111	44,168,440
J. UTILITIES	21,105,406	0.8548	24,690,461	21,105,406
L1. COMMERCIAL PERSONAL	17,276,883	1.1671	14,803,259	17,276,883
L2. INDUSTRIAL PERSONAL	33,261,622	N/A	33,261,622	33,261,622
M. MOBILE HOMES	527,579	N/A	527,579	527,579
N. INTANGIBLE PERSONAL PROP	0	N/A	0	0
O. RESIDENTIAL INVENTORY	658,876	N/A	658,876	658,876
S. SPECIAL INVENTORY	579,421	N/A	579,421	579,421
Subtotal	509,759,751		525,456,119	509,759,751
Less Total Deductions	146,314,183		150,300,162	146,314,183
Total Taxable Value	363,445,568		375,155,957	363,445,568

The taxable values shown here will not match the values reported by your appraisal district

See the ISD DEDUCTION Report for a breakdown of deduction values

Government code subsections 403.302(J) AND(K) require the Comptroller to certify alternative measures of school district wealth. These measures are reported for taxable values for maintenance and operation(M & O) tax purposes and for interest and sinking fund(I & S) tax purposes. For districts that have not entered into value limitation agreements, T1 through T4 will be the same as T7 through T10.

## Value Taxable For M & O Purposes

T1	T2	T3	T4
371,193,895	363,445,568	371,193,895	363,445,568

Loss To the Additional \$10,000 Homestead Exemption	50 % of the loss to the Local Optional Percentage Homestead Exemption
7,748,327	0

T1 = School district taxable value for M & O purposes before the loss to the additional \$10, 000 homestead exemption

T2 = School district taxable value for M & O purposes after the loss to the additional \$10, 000 homestead exemption and the tax ceiling reduction

T3 = T1 minus 50 % of the loss to the local optional percentage homestead exemption

T4 = T2 minus 50 % of the loss to the local optional percentage homestead exemption

## Value Taxable For I & S Purposes

T7	T8	T9	T10
475,622,205	467,873,878	475,622,205	467,873,878

T7 = School district taxable value for I & S purposes before the loss to the additional \$10, 000 homestead exemption

T8 = School district taxable value for I & S purposes after the loss to the additional \$10, 000 homestead exemption and the tax ceiling reduction

T9 = T7 minus 50 % of the loss to the local optional percentage homestead exemption

T10 = T8 minus 50 % of the loss to the local optional percentage homestead exemption

# Attachment F

## TEA's Facilities Value

# Attachment G

## Participation Agreement

**AGREEMENT FOR LIMITATION ON APPRAISED VALUE  
OF PROPERTY FOR SCHOOL DISTRICT  
MAINTENANCE AND OPERATIONS TAXES**

---

by and between

**MUENSTER INDEPENDENT SCHOOL DISTRICT**

and

**WILDCAT CREEK WIND FARM LLC**

*(Texas Taxpayer ID #32066001960)*

Comptroller Application # 1394

---

Dated

December 18, 2019

**AGREEMENT FOR LIMITATION ON APPRAISED VALUE OF PROPERTY FOR  
SCHOOL DISTRICT MAINTENANCE AND OPERATIONS TAXES**

*STATE OF TEXAS*  
*COUNTY OF COOKE*

§  
§

THIS AGREEMENT FOR LIMITATION ON APPRAISED VALUE OF PROPERTY FOR SCHOOL DISTRICT MAINTENANCE AND OPERATIONS TAXES, hereinafter referred to as this “Agreement,” is executed and delivered by and between the **MUENSTER INDEPENDENT SCHOOL DISTRICT**, hereinafter referred to as the “District,” a lawfully created independent school district within the State of Texas operating under and subject to the TEXAS EDUCATION CODE, and **WILDCAT CREEK WIND FARM LLC**, Texas Taxpayer Identification Number 32066001960, hereinafter referred to as the “Applicant.” The Applicant and the District are hereinafter sometimes referred to individually as a “Party” and collectively as the “Parties.”

**RECITALS**

**WHEREAS**, on June 12, 2019, the Superintendent of Schools of the MUENSTER Independent School District, acting as agent of the Board of Trustees of the District, received from the Applicant an Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the TEXAS TAX CODE;

**WHEREAS**, on June 12, 2019, the Board of Trustees has acknowledged receipt of the Application, and along with the requisite application fee as established pursuant to Section 313.025(a) of the TEXAS TAX CODE and Local District Policy CCG (Local), and agreed to consider the Application;

**WHEREAS**, the Application was delivered to the Texas Comptroller’s Office for review pursuant to Section 313.025 of the TEXAS TAX CODE;

**WHEREAS**, the District and the Texas Comptroller’s Office have determined that the Application is complete and August 22, 2019 is the Application Review Start Date as that term is defined by 34 TEXAS ADMIN. CODE Section 9.1051;

**WHEREAS**, pursuant to 34 TEXAS ADMIN. CODE Section 9.1054, the Application was delivered to the Cooke County Appraisal District established in Cooke County, Texas (the “Cooke County Appraisal District”), pursuant to Section 6.01 of the TEXAS TAX CODE;

**WHEREAS**, the Texas Comptroller’s Office reviewed the Application pursuant to Section 313.025 of the TEXAS TAX CODE, conducted an economic impact evaluation pursuant to Section 313.026 of the TEXAS TAX CODE, and on November 18, 2019, issued a certificate for limitation on appraised value of the property described in the Application and provided the certificate to the District;

**WHEREAS**, the Board of Trustees has reviewed and carefully considered the economic impact evaluation and certificate for limitation on appraised value submitted by the Texas Comptroller's Office pursuant to Section 313.025 of the TEXAS TAX CODE;

**WHEREAS**, on December 18, 2019, the Board of Trustees conducted a public hearing on the Application at which it solicited input into its deliberations on the Application from all interested parties within the District;

**WHEREAS**, on December 18, 2019, the Board of Trustees made factual findings pursuant to Section 313.025(f) of the TEXAS TAX CODE, including, but not limited to findings that: (i) the information in the Application is true and correct; (ii) the Applicant is eligible for the limitation on appraised value of the Applicant's Qualified Property; (iii) the project proposed by the Applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the District's maintenance and operations ad valorem tax revenue lost as a result of the Agreement before the 25th anniversary of the beginning of the limitation period; (iv) the limitation on appraised value is a determining factor in the Applicant's decision to invest capital and construct the project in this State; and (v) this Agreement is in the best interest of the District and the State of Texas;

**WHEREAS**, on December 18, 2019, pursuant to the provisions of 313.025(f-1) of the TEXAS TAX CODE, the Board of Trustees waived the job creation requirement set forth in Section 313.051(b) of the TEXAS TAX CODE;

**WHEREAS**, on December 18, 2019, the Texas Comptroller's Office approved the form of this Agreement for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes; and

**WHEREAS**, on December 18, 2019, the Board of Trustees approved the form of this Agreement for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes, and authorized the Board President and Secretary, or in the event the Board President and Secretary are unavailable or have disclosed a conflict of interest, the Board of Trustees has authorized the Board Vice President to execute and deliver such Agreement to the Applicant.

**NOW, THEREFORE**, for and in consideration of the premises and the mutual covenants and agreements herein contained, the Parties agree as follows:

## **ARTICLE I** **DEFINITIONS**

**Section 1.1. DEFINITIONS.** Wherever used in this Agreement, the following terms shall have the following meanings, unless the context in which used clearly indicates another meaning. Words or terms defined in 34 TEXAS ADMIN. CODE Section 9.1051 and not defined in this Agreement shall have the meanings provided by 34 TEXAS ADMIN. CODE Section 9.1051.

“*Act*” means the Texas Economic Development Act set forth in Chapter 313 of the TEXAS TAX CODE, as amended.

“Agreement” means this Agreement, as the same may be modified, amended, restated, amended and restated, or supplemented as approved pursuant to Sections 10.2 and 10.3.

“Applicant” means WILDCAT CREEK WIND FARM LLC, (Texas Taxpayer ID #32066001960) the entity listed in the Preamble of this Agreement and that is listed as the Applicant on the Application as of the Application Approval Date. The term “Applicant” shall also include the Applicant’s assigns and successors-in-interest as approved according to Sections 10.2 and 10.3 of this Agreement.

“Applicant’s Qualified Investment” means the Qualified Investment of the Applicant during the Qualifying Time Period and as more fully described in **EXHIBIT 3** of this Agreement.

“Applicant’s Qualified Property” means the Qualified Property of the Applicant to which the value limitation identified in the Agreement will apply and as more fully described in **EXHIBIT 4** of this Agreement.

“Application” means the Application for Appraised Value Limitation on Qualified Property (Chapter 313, Subchapter B or C of the TEXAS TAX CODE) filed with the District by the Applicant on June 12, 2019. The term includes all forms required by the Comptroller, the schedules attached thereto, and all other documentation submitted by the Applicant for the purpose of obtaining an Agreement with the District. The term also includes all amendments and supplements thereto submitted by the Applicant.

“Application Approval Date” means the date that the Application is approved by the Board of Trustees of the District and as further identified in Section 2.3.B of this Agreement.

“Application Review Start Date” means the later date of either the date on which the District issues its written notice that the Applicant has submitted a completed Application or the date on which the Comptroller issues its written notice that the Applicant has submitted a completed Application and as further identified in Section 2.3.A of this Agreement.

“Appraised Value” shall have the meaning assigned to such term in Section 1.04(8) of the TEXAS TAX CODE.

“Appraisal District” means the Cooke County Appraisal District.

“Board of Trustees” means the Board of Trustees of the MUEENSTER Independent School District.

“Commercial Operation” means the date on which the project becomes commercially operational, has installed or constructed Qualified Property on the Land, is able to generate electricity, and is connected to the grid with an interconnection agreement.

“Comptroller” means the Texas Comptroller of Public Accounts, or the designated representative of the Texas Comptroller of Public Accounts acting on behalf of the Comptroller.

“Comptroller’s Rules” means the applicable rules and regulations of the Comptroller set forth in Chapter 34 TEXAS ADMIN. CODE Chapter 9, Subchapter F, together with any court or administrative decisions interpreting same.

“County” means Cooke County, Texas.

“District” or “School District” means the MUENSTER Independent School District, being a duly authorized and operating school district in the State, having the power to levy, assess, and collect ad valorem taxes within its boundaries and to which Subchapter C of the Act applies. The term also includes any successor independent school district or other successor governmental authority having the power to levy and collect ad valorem taxes for school purposes on the Applicant’s Qualified Property or the Applicant’s Qualified Investment.

“Final Termination Date” means the last date of the final year in which the Applicant is required to Maintain Viable Presence and as further identified in Section 2.3.E of this Agreement.

“Force Majeure” means those causes generally recognized under Texas law as constituting impossible conditions. Each Party must inform the other in writing with proof of receipt within sixty (60) business days of the existence of such Force Majeure or otherwise waive this right as a defense.

“Land” means the real property described on **EXHIBIT 2**, which is attached hereto and incorporated herein by reference for all purposes.

“Maintain Viable Presence” means (i) the operation during the term of this Agreement of the facility or facilities for which the tax limitation is granted; and (ii) the Applicant’s maintenance of jobs and wages as required by the Act and as set forth in its Application.

“Market Value” shall have the meaning assigned to such term in Section 1.04(7) of the TEXAS TAX CODE.

“New Qualifying Jobs” means the total number of jobs to be created by the Applicant after the Application Approval Date in connection with the project that is the subject of its Application that meet the criteria of Qualifying Job as defined in Section 313.021(3) of the TEXAS TAX CODE and the Comptroller’s Rules.

“New Non-Qualifying Jobs” means the number of Non-Qualifying Jobs, as defined in 34 TEXAS ADMIN. CODE Section 9.1051(14), to be created by the Applicant after the Application Approval Date in connection with the project which is the subject of its Application.

“Qualified Investment” has the meaning set forth in Section 313.021(1) of the TEXAS TAX CODE, as interpreted by the Comptroller’s Rules.

“Qualified Property” has the meaning set forth in Section 313.021(2) of the TEXAS TAX CODE and as interpreted by the Comptroller’s Rules and the Texas Attorney General, as these provisions existed on the Application Review Start Date.

“Qualifying Time Period” means the period defined in Section 2.3.C, during which the Applicant shall make investment on the Land where the Qualified Property is located in the amount required by the Act, the Comptroller’s Rules, and this Agreement.

“State” means the State of Texas.

“Supplemental Payment” means any payments or transfers of things of value made to the 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 and that is not authorized pursuant to Sections 313.027(f)(1) or (2) of the TEXAS TAX CODE, and specifically includes any payments required pursuant to Article VI of this Agreement.

“Tax Limitation Amount” means the maximum amount which may be placed as the Appraised Value on the Applicant’s Qualified Property for maintenance and operations tax assessment in each Tax Year of the Tax Limitation Period of this Agreement pursuant to Section 313.054 of the TEXAS TAX CODE.

“Tax Limitation Period” means the Tax Years for which the Applicant’s Qualified Property is subject to the Tax Limitation Amount and as further identified in Section 2.3.D of this Agreement.

“Tax Year” shall have the meaning assigned to such term in Section 1.04(13) of the TEXAS TAX CODE (*i.e.*, the calendar year).

“Taxable Value” shall have the meaning assigned to such term in Section 1.04(10) of the TEXAS TAX CODE.

**Section 1.2. NEGOTIATED DEFINITIONS.** Wherever used in Articles IV, V, and VI, the following terms shall have the following meanings, unless the context in which used clearly indicates another meaning or otherwise; provided however, if there is a conflict between a term defined in this section and a term defined in the Act, the Comptroller’s Rules, or Section 1.1 of Agreement, the conflict shall be resolved by reference to Section 10.9.C.

“Aggregate Limit” means, for any Tax Year during the term of this Agreement, the cumulative total of the Annual Limit amount for such Tax Year and for all previous Tax Years during the term of this Agreement, less all amounts paid by the Applicant to or on behalf of the District under Article VI.

“Applicable School Finance Law” means Chapters 41, 42, 48 and 49 of the TEXAS EDUCATION CODE, the Texas Economic Development Act (Chapter 313 of the TEXAS TAX CODE), Chapter 403, Subchapter M, of the TEXAS GOVERNMENT CODE applicable to District, and the Constitution and general laws of the State applicable to the school districts of the State for each and every year of this Agreement, including specifically, the applicable rules and regulations of the agencies of the State having jurisdiction over any matters relating to the public school systems and school districts of the State, and judicial decisions construing or interpreting any of the above. The term includes any and all amendments or successor statutes that may be adopted in the future

that could impact or alter the calculation of Applicant's ad valorem tax obligation to District, either with or without the limitation of property values made pursuant to this Agreement. For each year of this Agreement, the "Applicable School Finance Law" shall be interpreted to include all provisions made applicable for any calculations made for the specific year for which calculations are being made.

"Maintenance and Operations Revenue" means (i) those revenues which the District receives from the levy of its annual ad valorem maintenance and operations tax pursuant to Section 45.002 of the TEXAS EDUCATION CODE and Article VII § 3 of the TEXAS CONSTITUTION, plus (ii) all State revenues to which the District is or may be entitled under Chapter 42 of the TEXAS EDUCATION CODE or any other statutory provision as well as any amendment or successor statute to these provisions, plus (iii) any indemnity payments received by the District under other agreements similar to this Agreement to the extent that such payments are designed to replace the District's Maintenance and Operations Revenue lost as a result of such similar agreements, minus (iv) any amounts necessary to reimburse the State of Texas or another school district for the education of additional students pursuant to Chapter 41 of the TEXAS EDUCATION CODE, in each case, as any of the items in clauses (i), (ii), and (iv) above may be amended by Applicable School Finance Law from time to time, and plus or minus, as applicable, any other revenues, payments or amounts received or required to be reimbursed by the District from State and local funding for maintenance and operations purposes under Applicable School Finance Law, such that Maintenance and Operations Revenue shall be the net amount of all such revenues, payments or other amounts which the District is entitled to receive and retain from State and local funding for maintenance and operations purposes under Applicable School Finance Law.

"Revenue Protection Amount" means the amount to be paid by Applicant to compensate District for loss of Maintenance and Operations Revenue resulting from, or on account of, this Agreement for each year starting in the year of the Application Review Start Date and ending on the Final Termination Date as set forth in Section 4.2 of this Agreement.

"Net Tax Benefit" means, (i) the amount of maintenance and operations *ad valorem* taxes that the Applicant would have paid to the District for all Tax Years if this Agreement had not been entered into by the Parties, (ii) less the sum of (A) all maintenance and operations ad valorem school taxes actually due to the District or any other governmental entity, including the State of Texas, for all Tax Years of this Agreement, plus (B) any payments due to the District under Articles IV and V under this Agreement.

"New M&O Revenue" means the total State and local Maintenance and Operations Revenue that the District would have actually received for such school year, if calculated based on the District's taxable value of property for the preceding tax year.

"Original M&O Revenue" means the total State and local Maintenance & Operations Revenue that the District would have received for the school year under the Applicable School Finance Law had this Agreement not been entered into by the Parties and the Qualified Property and/or Qualified Investment been subject to the ad valorem maintenance & operations tax at the tax rate actually adopted by the District for the applicable year. For purposes of this calculation, the Third Party will base its calculations upon the District's taxable value of property for the prior

school year as certified by, as appropriate the County Appraisal District or the Texas Comptroller's Office for all other taxable accounts in the District, save and except for the Qualified Property subject to this Agreement, plus the taxable value of the Qualified Property for the prior school year subject to this Agreement. (For clarification, the taxable value used by the District in calculating the taxes payable for Interest and Sinking Fund taxation purposes on Applicant's Qualified Property will be used for the Qualified Property in lieu of the property's M&O taxable value.)

## **ARTICLE II**

### **AUTHORITY, PURPOSE AND LIMITATION AMOUNTS**

**Section 2.1. AUTHORITY.** This Agreement is executed by the District as its written agreement with the Applicant pursuant to the provisions and authority granted to the District in Section 313.027 of the TEXAS TAX CODE.

**Section 2.2. PURPOSE.** In consideration of the execution and subsequent performance of the terms and obligations by the Applicant pursuant to this Agreement, identified in Sections 2.5 and 2.6 and as more fully specified in this Agreement, the value of the Applicant's Qualified Property listed and assessed by the County Appraiser for the District's maintenance and operation ad valorem property tax shall be the Tax Limitation Amount as set forth in Section 2.4 of this Agreement during the Tax Limitation Period.

#### **Section 2.3. TERM OF THE AGREEMENT.**

- A. The Application Review Start Date for this Agreement is August 22, 2019, which will be used to determine the eligibility of the Applicant's Qualified Property and all applicable wage standards.
- B. The Application Approval Date for this Agreement is December 18, 2019.
- C. The Qualifying Time Period for this Agreement:
  - i. Starts on December 18, 2019, the Application Approval Date; and
  - ii. Ends on December 31, 2021, the last day of the second complete Tax Year following the Qualifying Time Period start date.
- D. The Tax Limitation Period for this Agreement:
  - i. Starts on January 1, 2021, first complete tax year that begins after the date of the commencement of Commercial Operation; and
  - ii. Ends on December 31, 2030.
- E. The Final Termination Date for this Agreement is December 31, 2035.

F. This Agreement, and the obligations and responsibilities created by this Agreement, shall be and become effective on the Application Approval Date identified in Section 2.3.B. This Agreement, and the obligations and responsibilities created by this Agreement, terminate on the Final Termination Date identified in Section 2.3.E, unless extended by the express terms of this Agreement.

**Section 2.4. TAX LIMITATION.** So long as the Applicant makes the Qualified Investment as required by Section 2.5, during the Qualifying Time Period, and unless this Agreement has been terminated as provided herein before such Tax Year, on January 1 of each Tax Year of the Tax Limitation Period, the Appraised Value of the Applicant's Qualified Property for the District's maintenance and operations ad valorem tax purposes shall not exceed the lesser of:

- A. The Market Value of the Applicant's Qualified Property; or
- B. Thirty Million Dollars (\$30,000,000) based on Section 313.054 of the TEXAS TAX CODE.

This Tax Limitation Amount is based on the limitation amount for the category that applies to the District on the Application Approval Date, as set out by Section 313.052.

**Section 2.5. TAX LIMITATION ELIGIBILITY.** In order to be eligible and entitled to receive the value limitation identified in Section 2.4 for the Qualified Property identified in Article III, the Applicant shall:

- A. have completed the Applicant's Qualified Investment in the amount of \$30,000,000 during the Qualifying Time Period;
- B. have created and maintained, subject to the provisions of Section 313.0276 of the TEXAS TAX CODE, New Qualifying Jobs as required by the Act; and
- C. pay an average weekly wage of at least \$900.50 for all New Non-Qualifying Jobs created by the Applicant.

**Section 2.6. TAX LIMITATION OBLIGATIONS.** In order to receive and maintain the limitation authorized by Section 2.4, Applicant shall:

- A. provide payments to District sufficient to protect future District revenues through payment of revenue offsets and other mechanisms as more fully described in Article IV;
- B. provide payments to the District that protect the District from the payment of extraordinary education- related expenses related to the project, as more fully specified in Article V;
- C. provide such Supplemental Payments as more fully specified in Article VI;

D. create and Maintain Viable Presence on or with the Qualified Property and perform additional obligations as more fully specified in Article VIII of this Agreement; and

E. No additional conditions are identified in the certificate for a limitation on appraised value by the Comptroller for this project.

### **ARTICLE III** **QUALIFIED PROPERTY**

**Section 3.1. LOCATION WITHIN ENTERPRISE OR REINVESTMENT ZONE.** At the time of the Application Approval Date, the Land is within an area designated either as an enterprise zone, pursuant to Chapter 2303 of the TEXAS GOVERNMENT CODE, or a reinvestment zone, pursuant to Chapter 311 or 312 of the TEXAS TAX CODE. The legal description, and information concerning the designation, of such zone is attached to this Agreement as **EXHIBIT 1** and is incorporated herein by reference for all purposes.

**Section 3.2. LOCATION OF QUALIFIED PROPERTY AND INVESTMENT.** The Land on which the Qualified Property shall be located and on which the Qualified Investment shall be made is described in **EXHIBIT 2**, which is attached hereto and incorporated herein by reference for all purposes. The Parties expressly agree that the boundaries of the Land may not be materially changed from its configuration described in **EXHIBIT 2** unless amended pursuant to the provisions of Section 10.2 of this Agreement.

**Section 3.3. DESCRIPTION OF QUALIFIED PROPERTY.** The Qualified Property that is subject to the Tax Limitation Amount is described in **EXHIBIT 4**, which is attached hereto and incorporated herein by reference for all purposes. Property which is not specifically described in **EXHIBIT 4** shall not be considered by the District or the Appraisal District to be part of the Applicant's Qualified Property for purposes of this Agreement, unless by official action the Board of Trustees provides that such other property is a part of the Applicant's Qualified Property for purposes of this Agreement in compliance with Section 313.027(e) of the TEXAS TAX CODE, the Comptroller's Rules, and Section 10.2 of this Agreement.

**Section 3.4. CURRENT INVENTORY OF QUALIFIED PROPERTY.** In addition to the requirements of Section 10.2 of this Agreement, if there is a material change in the Qualified Property described in **EXHIBIT 4**, then within 60 days from the date commercial operation begins, the Applicant shall provide to the District, the Comptroller, the Appraisal District or the State Auditor's Office a specific and detailed description of the tangible personal property, buildings, and/or permanent, nonremovable building components (including any affixed to or incorporated into real property) on the Land to which the value limitation applies including maps or surveys of sufficient detail and description to locate all such described property on the Land.

**Section 3.5. QUALIFYING USE.** The Applicant's Qualified Property described in Section 3.3 qualifies for a tax limitation agreement under Section 313.024(b)(5) property used for renewable energy electric generation.

**ARTICLE IV**  
**PROTECTION AGAINST LOSS OF FUTURE DISTRICT REVENUES**

**Section 4.1. INTENT OF THE PARTIES.** Subject only to the limitations contained in Section 7.1 of this Agreement, it is the intent of the Parties that the District shall, in accordance with the provisions of Section 313.027(f)(1) of the TEXAS TAX CODE, be compensated by Applicant for any loss that District incurs in its Maintenance and Operations Revenue in each year of this Agreement for which this Agreement was, in any manner, a producing cause, solely and directly resulting because of or on account of the execution of this Agreement. Such payments shall be independent of, and in addition to such other payments as set forth in Article V and Article VI in this Agreement. Subject only to the limitations contained in Section 7.1 of this Agreement, it is the intent of the Parties that the risk of any and all negative financial consequences to the District's total annual Maintenance and Operations Revenue, for which the execution of this Agreement was a sole and direct producing cause, will be borne solely by Applicant and not by District.

The Parties hereto expressly understand and agree that, for all years to which this Agreement may apply, the calculation of negative financial consequences will be defined for each applicable year in accordance with the Applicable School Finance Law, as defined in Section 1.2 above, and that such definition specifically contemplates that calculations made under this Agreement may well periodically change in accordance with changes made from time to time in the Applicable School Finance Law. The Parties further agree that the printouts and projections produced during the negotiations and approval of this Agreement are: (i) for illustrative purposes only, are not intended to be relied upon, and have not been relied upon by the Parties as a prediction of future consequences to either Party to the Agreement; (ii) are based upon current Applicable School Finance Law, which is subject to change by statute, by administrative regulation, or by judicial decision at any time; and (iii) may change in future years to reflect changes in the Applicable School Finance Law.

**Section 4.2. CALCULATING THE AMOUNT OF LOSS OF REVENUES BY THE DISTRICT**

A. Calculation of the Revenue Protection Amount.

The amount to be paid by the Applicant to compensate the District for loss of Maintenance and Operations Revenue resulting from, or on account of, this Agreement for each year during the term of this Agreement (the "Revenue Protection Amount") shall be determined in compliance with the Applicable School Finance Law in effect for such year and according to the following formula:

The Revenue Protection Amount owed by the Applicant to District means the Original M&O Revenue minus the New M&O Revenue;

Where:

1. "*Original M&O Revenue*" means the total State and local Maintenance & Operations Revenue that the District would have received for the school year

under the Applicable School Finance Law had this Agreement not been entered into by the Parties and the Qualified Property and/or Qualified Investment been subject to the ad valorem maintenance & operations tax at the tax rate actually adopted by the District for the applicable year. For purposes of this calculation, the Third Party will base its calculations upon the District's taxable value of property for the prior school year as certified by, as appropriate by the County Appraisal District or the Texas Comptroller's Office for all other taxable accounts in the District, save and except for the Qualified Property subject to this Agreement, plus the taxable value of the Qualified Property for the prior school year subject to this Agreement. (For clarification, the taxable value used by the District in calculating the taxes payable for Interest and Sinking Fund taxation purposes on Applicant's Qualified Property will be used for the Qualified Property in lieu of the property's M&O taxable value.)

2. "New M&O Revenue" means the total State and local Maintenance & Operations Revenue that the District would have actually received for such school year, if calculated based on the District's taxable value of property for the preceding tax year.

B. In making the calculations required by this Section 4.2 of this Agreement:

- i. The Taxable Value of property for each school year will be determined under the Applicable School Finance Law as that law exists for each year for which the calculation is made.
- ii. For purposes of this calculation, the tax collection rate on the Applicant's Qualified Property will be presumed to be one hundred percent (100%).
- iii. If, for any year of this Agreement, the difference between the Original M&O Revenue and the New M&O Revenue, as calculated under this Section 4.2 of this Agreement, results in a negative number, the negative number will be considered to be zero.
- iv. For all calculations made for years during the Tax Limitation Period under Section 4.2.A.2. of this Agreement will reflect the Tax Limitation Amount for such year.

**Section 4.3. CALCULATIONS TO BE MADE BY THIRD PARTY.** All calculations under this Agreement shall be made annually by an independent third party (the "Third Party") approved each year by the District. To the extent not inconsistent with a statutory change to Applicable School Finance Law, all calculations made by the Third Party under this Agreement shall be made using a methodology which isolates only the revenue impact caused by this Agreement. Applicant shall not be responsible to reimburse District for other revenue losses created by other agreements or any other factors.

**Section 4.4. DATA USED FOR CALCULATIONS.** The calculations for payments under this Agreement shall be initially based upon the valuations placed upon the Applicant's Qualified Investment and/or the Applicant's Qualified Property by the Appraisal District in its annual certified tax roll submitted to the District for each Tax Year pursuant to Texas Tax Code § 26.01 on or about July 25 of each year of this Agreement. Immediately upon receipt of the valuation information by the District, the District shall submit the valuation information to the Third Party selected under Section 4.5. The certified tax roll data shall form the basis of the calculation of any and all amounts due under this Agreement. All other data utilized by the Third Party to make the calculations contemplated by this Agreement shall be based upon the best available current estimates. The data utilized by the Third Party shall be adjusted from time to time by the Third Party to reflect actual amounts, subsequent adjustments by the Appraisal District to the District's certified tax roll or any other changes in student counts, tax collections, or other data.

**Section 4.5. DELIVERY OF CALCULATIONS.** On or before November 1 of each year for which this Agreement is effective, the Third Party appointed pursuant to Section 4.3 of this Agreement shall forward to the Parties a certification containing the calculations required under Article IV, Article VI, and/or Section 7.1 of this Agreement in sufficient detail to allow the Parties to understand the manner in which the calculations were made. The Third Party shall simultaneously submit his, her or its invoice for fees for services rendered to the Parties, if any fees are being claimed, which fee shall be the sole responsibility of the Applicant, but subject to the provisions of Section 4.7, below. Upon reasonable prior notice, the employees and agents of the Applicant shall have access, at all reasonable times, to the Third Party's calculations, records, and correspondence pertaining to the calculation and fee for the purpose of verification. The Third Party shall maintain supporting data consistent with generally accepted accounting practices, and the employees and agents of the Applicant shall have the right to reproduce and retain for purpose of audit, any of these documents. The Third Party shall preserve all documents pertaining to the calculation until the Final Termination Date of this Agreement. The Applicant shall not be liable for any of the Third Party's costs resulting from an audit of the Third Party's books, records, correspondence, or work papers pertaining to the calculations contemplated by this Agreement.

**Section 4.6. PAYMENT BY APPLICANT.** The Applicant shall pay any amount determined by the Third Party to be due and owing to the District under this Agreement on or before the January 31 next following the tax levy for each year for which this Agreement is effective; provided, however, that the District and the Applicant may mutually agree in writing to extend the date of payment. By such date, the Applicant shall also pay any amount billed by the Third Party, plus any reasonable and necessary legal expenses paid by the District to its attorneys, auditors, or financial consultants for the preparation and filing of any financial reports, disclosures, or other reimbursement applications filed with or sent to the State of Texas which are, or may be required under the terms or because of the execution of this Agreement. For no Tax Year during the term of this Agreement shall the Applicant be responsible for the payment of an aggregate amount of fees and expenses under this Section 4.6 which exceeds Fifteen Thousand Dollars (\$15,000.00). For any Tax Year outside of the Tax Limitation Period, Applicant shall not be responsible for the payment of an aggregate amount of fees and expenses under this Section 4.6 which exceeds Seven Thousand Five Hundred Dollars (\$7,500.00).

**Section 4.7. EFFECT OF PROPERTY VALUE APPEAL OR OTHER ADJUSTMENT.** If at the time the Third Party selected under Section 4.6 makes its calculations under this Agreement, the Applicant has appealed any matter relating to the valuations placed by the Appraisal District on the Applicant's Qualified Property, and/or the Applicant's Qualified Property and such appeal remains unresolved, the Third Party shall base its calculations upon the values placed upon the Applicant's Qualified Property and/or the Applicant's Qualified Property by the Appraisal District.

If as a result of an appeal or for any other reason, the Taxable Value of the Applicant's Qualified Investment and/or the Applicant's Qualified Property is changed, once the determination of the new Taxable Value becomes final, the Parties shall immediately notify the Third Party who shall immediately issue new calculations for the applicable year or years using the new Taxable Value. In the event the new calculations result in a change in any amount paid or payable by the Applicant under this Agreement, the Party from whom the adjustment is payable shall remit such amounts to the other Party within thirty (30) days of the receipt of the new calculations from the Third Party.

**Section 4.8. STATUTORY CHANGES AFFECTING M&O REVENUE.** Notwithstanding any other provision in this Agreement, but subject to the limitations contained in Section 7.1 of this Agreement, in the event that, by virtue of statutory changes to the Applicable School Finance Law, administrative interpretations by Comptroller, Commissioner of Education, or the Texas Education Agency, or for any other reason attributable to statutory change, District will receive less Maintenance and Operations Revenue, or, if applicable, will be required to increase its payment of funds to the State, as a sole and direct cause of its participation in this Agreement, Applicant shall make payments to District, up to the limit set forth in Section 7.1, that are necessary to offset any negative impact on District's Maintenance and Operations Revenue, as a sole and direct cause of its participation in this Agreement. Such calculation shall take into account any adjustments to the amount calculated for the current fiscal year that should be made in order to reflect the actual impact on District.

**Section 4.9. REVENUE PROTECTION PAYMENT FOR FIRST YEAR OF LIMITATION.** The parties agree that the amount calculated by the third party for the first year of the Tax Limitation Period will be paid to the school district in four equal installments. Each installment payment is due on or before the January 31 next following the tax levy for each of the first four years of the Tax Limitation Period. All payments made by the Applicant to the District under this Section 4.9 will be independent of, and in addition to any payments due in the future from the Applicant to the District under the Tax Limitation Agreement.

## **ARTICLE V**

### **PAYMENT OF EXTRAORDINARY EDUCATION-RELATED EXPENSES**

**Section 5.1. EXTRAORDINARY EXPENSES.** In addition to the amounts determined pursuant to Section 4.2 of this Agreement above, Applicant on an annual basis shall also indemnify and reimburse District for the following: all non-reimbursed costs, certified by District's external auditor to have been incurred by District for extraordinary education-related expenses related to the project that are not directly funded in state aid formulas, including expenses for the purchase of portable

classrooms and the hiring of additional personnel to accommodate a temporary increase in student enrollment attributable to the project during any project construction year.

**ARTICLE VI**  
**SUPPLEMENTAL PAYMENTS**

**Section 6.1. INTENT OF PARTIES WITH RESPECT TO SUPPLEMENTAL PAYMENTS**

A. Amounts Exclusive of Indemnity Amounts. In addition to undertaking the responsibility for the payment of all of the amounts set forth under Articles IV and V, and as further consideration for the execution of this Agreement by the District, the Applicant shall also be responsible for the supplemental payments set forth in this Article VI, (the “Supplemental Payments”). The Applicant shall not be responsible to the District or to any other person or persons in any form for the payment or transfer of money or any other thing of value in recognition of, anticipation of, or consideration for this Agreement for limitation on appraised value made pursuant to Chapter 313, Texas Tax Code, unless it is explicitly set forth in this Agreement. It is the express intent of the Parties that the Applicant’s obligation to make Supplemental Payments under this Article VI is separate and independent of the obligation of the Applicant to pay the amounts described in Articles IV and V; provided, however, that all payments under Articles IV and V are subject to the limitations contained in Section 7.1, and that all payments under this Article IV are subject to the separate limitations contained in Section 6.2.

B. Adherence to Statutory Limits on Supplemental Payments. It is the express intent of the Parties that any Supplemental Payments made to or on behalf of the District by the Applicant under this Article VI shall not exceed the limit imposed by the provisions of Texas Tax Code §313.027(i), as such limit is allowed to be increased by the legislature for any future year of this Agreement.

**Section 6.2. SUPPLEMENTAL PAYMENT LIMITATION.** Notwithstanding the foregoing:

A. The total of the Supplemental Payments made pursuant to this Article shall: not exceed for any calendar year of this Agreement an amount equal to the greater of One Hundred Dollars (\$100.00) per student per year in average daily attendance, as defined by Section 42.005 of the TEXAS EDUCATION CODE, or Fifty Thousand Dollars (\$50,000.00) per year times the number of years beginning with the first complete or partial year of the Qualifying Time Period identified in Section 2.3.C and ending with the year for which the Supplemental Payment is being calculated minus all Supplemental Payments previously made by the Application;

B. Supplemental Payments may only be made during the period starting the first year of the Qualifying Time Period and ending December 31 of the third year following the end of the Tax Limitation Period;

C. The limitation in Section 6.2.A does not apply to amounts described by Section 313.027(f)(1)– (2) of the TEXAS TAX CODE as implemented in Articles IV and V of this Agreement; and

D. For purposes of this Agreement, the calculation of the limit of the annual Supplemental Payment shall be the greater of \$50,000 or \$100 multiplied by the District's Average Daily Attendance as calculated pursuant to Section 42.005 of the TEXAS EDUCATION CODE, based upon the District's 2017-2018 Average Daily Attendance of 465.

**Section 6.3. STIPULATED SUPPLEMENTAL PAYMENT AMOUNT – SUBJECT TO AGGREGATE LIMIT**

In addition to the Supplemental Payment limitation set forth in Section 6.2 of this Agreement, during the term of this Agreement, the District shall not be entitled to receive Supplemental Payments that exceed the lesser of:

- (a) the “Applicant’s Stipulated Supplemental Payment Amount,” which is hereby defined as forty percent (40%) of the Applicant’s “Net Tax Benefit,” as such term is defined in Section 1.2, above; or
- (b) the “Aggregate Limit,” as such term is defined in Section 1.2, above.

**Section 6.4. PROCEDURES FOR SUPPLEMENTAL PAYMENT CALCULATIONS.**

A. All calculations required by this Article shall be calculated by the Third Party selected pursuant to Section 4.3, above.

B. The calculations made by the Third Party shall be made at the same time and on the same schedule as the calculations made pursuant to Section 4.6, above.

C. The payment of all amounts due under this Article shall be made shall be paid on the date set forth in the schedule included in Section 6.3 above.

**Section 6.5. DISTRICT’S OPTION TO DESIGNATE SUCCESSOR BENEFICIARY.** At any time during this Agreement, the District’s Board of Trustees may, in its sole discretion, so long as such decision does not result in additional costs to the Applicant under this Agreement, direct that the Applicant’s payment obligations under Article VI of this agreement be made to its educational foundation, or to a similar entity. The alternative entity may only use such funds received under this Article to support the educational mission of the District and its students. Any designation of an alternative entity must be made by recorded vote of the District’s Board of Trustees at a properly posted public Board meeting. Any such designation will become effective after public vote and the delivery of notice of said vote to the Applicant in conformance with the provisions of Section 10.1, below. Such designation may be rescinded, with respect to future payments only, by action of the District’s Board of Trustees at any time.

Any designation of a successor beneficiary under this Section shall not alter the Supplemental Payments calculated as described in Section 6.5, above.

**ARTICLE VII**  
**ANNUAL LIMITATION OF PAYMENTS BY APPLICANT**

**Section 7.1. ANNUAL LIMITATION.** Notwithstanding anything contained in this Agreement to the contrary, and with respect to each Tax Year of the Tax Limitation Period beginning after the first Tax Year of the Tax Limitation Period, in no event shall (i) the sum of the maintenance and operations ad valorem taxes paid by the Applicant to the District for such Tax Year, plus the sum of all payments otherwise due from the Applicant to the District under Articles IV, V, and VI of this Agreement with respect to such Tax Year, exceed (ii) the amount of the maintenance and operations ad valorem taxes that the Applicant would have paid to the District for such Tax Year (determined by using the District's actual maintenance and operations tax rate for such Tax Year) if the Parties had not entered into this Agreement. The calculation and comparison of the amounts described in clauses (i) and (ii) of the preceding sentence shall be included in all calculations made pursuant to Article IV of this Agreement, and in the event the sum of the amounts described in said clause (i) exceeds the amount described in said clause (ii), then the payments otherwise due from the Applicant to the District under Articles IV, V, and VI shall be reduced until such excess is eliminated.

**Section 7.2. OPTION TO TERMINATE AGREEMENT.** In the event that any payment otherwise due from the Applicant to the District under Article IV, Article V, or Article VI of this Agreement with respect to a Tax Year is subject to reduction in accordance with the provisions of Section 7.1, then the Applicant shall have the option to terminate this Agreement. The Applicant may exercise such option to terminate this Agreement by notifying the District of its election in writing not later than the July 31 of the year following the Tax Year with respect to which a reduction under Section 7.1 is applicable. Any termination of this Agreement under the foregoing provisions of this Section 7.2 shall be effective immediately prior to the second Tax Year next following the Tax Year in which the reduction giving rise to the option occurred.

**Section 7.3. EFFECT OF OPTIONAL TERMINATION.** Upon the exercise of the option to terminate pursuant to Section 7.2, this Agreement shall terminate and be of no further force or effect; provided, however, that:

A. the Parties respective rights and obligations under this Agreement with respect to the Tax Year or Tax Years (as the case may be) through and including the Tax Year during which such notification is delivered to the District, shall not be impaired or modified as a result of such termination and shall survive such termination unless and until satisfied and discharged; and

B. the provisions of this Agreement regarding payments (including liquidated damages and tax payments), records and dispute resolution shall survive the termination or expiration of this Agreement.

**ARTICLE VIII**  
**ADDITIONAL OBLIGATIONS OF APPLICANT**

**Section 8.1. APPLICANT'S OBLIGATION TO MAINTAIN VIABLE PRESENCE.** In order to receive and maintain the limitation authorized by Section 2.4 in addition to the other obligations required by this Agreement, the Applicant shall Maintain Viable Presence in the District commencing at the start of the Tax Limitation Period through the Final Termination Date of this Agreement. Notwithstanding anything contained in this Agreement to the contrary, the Applicant shall not be in breach of, and shall not be subject to any liability for failure to Maintain Viable Presence to the extent such failure is caused by Force Majeure, provided the Applicant makes commercially reasonable efforts to remedy the cause of such Force Majeure.

**Section 8.2. REPORTS.** In order to receive and maintain the limitation authorized by Section 2.4 in addition to the other obligations required by this Agreement, the Applicant shall submit all reports required from time to time by the Comptroller, listed in 34 TEXAS ADMIN. CODE Section 9.1052 and as currently located on the Comptroller's website, including all data elements required by such form to the satisfaction of the Comptroller on the dates indicated on the form or the Comptroller's website and starting on the first such due date after the Application Approval Date.

**Section 8.3. COMPTROLLER'S REPORT ON CHAPTER 313 AGREEMENTS.** During the term of this Agreement, both Parties shall provide the Comptroller with all information reasonably necessary for the Comptroller to assess performance under this Agreement for the purpose of issuing the Comptroller's report, as required by Section 313.032 of the TEXAS TAX CODE.

**Section 8.4. DATA REQUESTS.** Upon the written request of the District, the State Auditor's Office, the Appraisal District, or the Comptroller during the term of this Agreement, the Applicant, the District or any other entity on behalf of the District shall provide the requesting party with all information reasonably necessary for the requesting party to determine whether the Applicant is in compliance with its rights, obligations or responsibilities, including, but not limited to, any employment obligations which may arise under this Agreement.

**Section 8.5. SITE VISITS AND RECORD REVIEW.** The Applicant shall allow authorized employees of the District, the Comptroller, the Appraisal District, and the State Auditor's Office to have reasonable access to the Applicant's Qualified Property and business records from the Application Review Start Date through the Final Termination Date, in order to inspect the project to determine compliance with the terms hereof or as necessary to properly appraise the Taxable Value of the Applicant's Qualified Property.

A. All inspections will be made at a mutually agreeable time after the giving of not less than forty-eight (48) hours prior written notice and will be conducted in such a manner so as not to unreasonably interfere with either the construction or operation of the Applicant's Qualified Property.

B. All inspections may be accompanied by one or more representatives of the Applicant and shall be conducted in accordance with the Applicant's safety, security, and operational

standards. Notwithstanding the foregoing, nothing contained in this Agreement shall require the Applicant to provide the District, the Comptroller, or the Appraisal District with any technical or business information that is proprietary, a trade secret, or is subject to a confidentiality agreement with any third party.

**Section 8.6. RIGHT TO AUDIT; SUPPORTING DOCUMENTS; AUTHORITY OF STATE AUDITOR.** By executing this Agreement, implementing the authority of, and accepting the benefits provided by Chapter 313 of the TEXAS TAX CODE, the Parties agree that this Agreement and their performance pursuant to its terms are subject to review and audit by the State Auditor as if they are parties to a State contract and subject to the provisions of Section 2262.154 of the TEXAS GOVERNMENT CODE and Section 313.010(a) of the TEXAS TAX CODE. The Parties further agree to comply with the following requirements:

A. The District and the Applicant shall maintain and retain supporting documents adequate to ensure that claims for the Tax Limitation Amount are in accordance with applicable Comptroller and State of Texas requirements. The Applicant and the District shall maintain all such documents and other records relating to this Agreement and the State's property for a period of four (4) years after the latest occurring date of:

- i. date of submission of the final payment;
- ii. Final Termination Date; or
- iii. date of resolution of all disputes or payment.

B. During the time period defined under Section 8.6.A, the District and the Applicant shall make available at reasonable times and upon reasonable notice, and for reasonable periods, all information related to this Agreement; the Applicant's Application; and the Applicant's Qualified Property, Qualified Investment, New Qualifying Jobs, and wages paid for New Non-Qualifying Jobs such as work papers, reports, books, data, files, software, records, calculations, spreadsheets and other supporting documents pertaining to this Agreement, for purposes of inspecting, monitoring, auditing, or evaluating by the Comptroller, State Auditor's Office, State of Texas or their authorized representatives. The Applicant and the District shall cooperate with auditors and other authorized Comptroller and State of Texas representatives and shall provide them with prompt access to all of such property as requested by the Comptroller or the State of Texas. By example and not as an exclusion to other breaches or failures, the Applicant's or the District's failure to comply with this Section shall constitute a Material Breach of this Agreement.

C. In addition to and without limitation on the other audit provisions of this Agreement, the acceptance of tax benefits or funds by the Applicant or the District or any other entity or person directly under this Agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Under the direction of the legislative audit committee, the Applicant or the District or other entity that is the subject of an audit or investigation by the State Auditor must provide the State Auditor with access to any information the State Auditor considers relevant to the investigation or

audit. The Parties agree that this Agreement shall for its duration be subject to all rules and procedures of the State Auditor acting under the direction of the legislative audit committee.

D. The Applicant shall include the requirements of this Section 8.6 in its subcontract with any entity whose employees or subcontractors are subject to wage requirements under the Act, the Comptroller's Rules, or this Agreement, or any entity whose employees or subcontractors are included in the Applicant's compliance with job creation or wage standard requirement of the Act, the Comptroller's Rules, or this Agreement.

**Section 8.7. FALSE STATEMENTS; BREACH OF REPRESENTATIONS.** The Parties acknowledge that this Agreement has been negotiated, and is being executed, in reliance upon the information contained in the Application, and any supplements or amendments thereto, without which the Comptroller would not have approved this Agreement and the District would not have executed this Agreement. By signature to this Agreement, the Applicant:

A. represents and warrants that all information, facts, and representations contained in the Application are true and correct to the best of its knowledge;

B. agrees and acknowledges that the Application and all related attachments and schedules are included by reference in this Agreement as if fully set forth herein; and

C. acknowledges that if the Applicant submitted its Application with a false statement, signs this Agreement with a false statement, or submits a report with a false statement, or it is subsequently determined that the Applicant has violated any of the representations, warranties, guarantees, certifications, or affirmations included in the Application or this Agreement, the Applicant shall have materially breached this Agreement and the Agreement shall be invalid and void except for the enforcement of the provisions required by Section 9.2 of this Agreement.

## **ARTICLE IX** **MATERIAL BREACH OR EARLY TERMINATION**

**Section 9.1. EVENTS CONSTITUTING MATERIAL BREACH OF AGREEMENT.** The Applicant shall be in Material Breach of this Agreement if it commits one or more of the following acts or omissions (each a "Material Breach"):

A. The Application, any Application Supplement, or any Application Amendment on which this Agreement is approved is determined to be inaccurate as to any material representation, information, or fact or is not complete as to any material fact or representation or such application;

B. The Applicant failed to complete Qualified Investment as required by Section 2.5.A. of this Agreement during the Qualifying Time Period;

C. The Applicant failed to create and maintain the number of New Qualifying Jobs required by the Act;

D. The Applicant failed to create and maintain the number of New Qualifying Jobs specified in Schedule C of the Application;

E. The Applicant failed to pay at least the average weekly wage of all jobs in the county in which the jobs are located for all New Non-Qualifying Jobs created by the Applicant;

F. The Applicant failed to provide payments to the District sufficient to protect future District revenues through payment of revenue offsets and other mechanisms as more fully described in Article IV of this Agreement;

G. The Applicant failed to provide the payments to the District that protect the District from the payment of extraordinary education-related expenses related to the project to the extent and in the amounts that the Applicant agreed to provide such payments in Article V of this Agreement;

H. The Applicant failed to provide the Supplemental Payments to the extent and in the amounts that the Applicant agreed to provide such Supplemental Payments in Article VI of this Agreement;

I. The Applicant failed to create and Maintain Viable Presence on or with the Qualified Property as more fully specified in Article VIII of this Agreement;

J. The Applicant failed to submit the reports required to be submitted by Section 8.2 to the satisfaction of the Comptroller;

K. The Applicant failed to provide the District or the Comptroller with all information reasonably necessary for the District or the Comptroller to determine whether the Applicant is in compliance with its obligations, including, but not limited to, any employment obligations which may arise under this Agreement;

L. The Applicant failed to allow authorized employees of the District, the Comptroller, the Appraisal District, or the State Auditor's Office to have access to the Applicant's Qualified Property or business records in order to inspect the project to determine compliance with the terms hereof or as necessary to properly appraise the Taxable Value of the Applicant's Qualified Property under Sections 8.5 and 8.6;

M. The Applicant failed to comply with a request by the State Auditor's office to review and audit the Applicant's compliance with this Agreement;

N. The Applicant has made any payments to the District or to any other person or persons in any form for the payment or transfer of money or any other thing of value in recognition of, anticipation of, or consideration for this Agreement for limitation on Appraised Value made pursuant to Chapter 313 of the TEXAS TAX CODE, in excess of the amounts set forth in Articles IV, V and VI of this Agreement;

O. The Applicant failed to comply with the conditions included in the certificate for limitation issued by the Comptroller.

## **Section 9.2. DETERMINATION OF BREACH AND TERMINATION OF AGREEMENT.**

A. Prior to making a determination that the Applicant has failed to comply in any material respect with the terms of this Agreement or to meet any material obligation under this Agreement, the District shall provide the Applicant with a written notice of the facts which it believes have caused the breach of this Agreement, and if cure is possible, the cure proposed by the District. After receipt of the notice, the Applicant shall be given ninety (90) days to present any facts or arguments to the Board of Trustees showing that it is not in breach of its obligations under this Agreement, or that it has cured or undertaken to cure any such breach.

B. If the Board of Trustees is not satisfied with such response or that such breach has been cured, then the Board of Trustees shall, after reasonable notice to the Applicant, conduct a hearing called and held for the purpose of determining whether such breach has occurred and, if so, whether such breach has been cured. At any such hearing, the Applicant shall have the opportunity, together with their counsel, to be heard before the Board of Trustees. At the hearing, the Board of Trustees shall make findings as to:

- i. whether or not a breach of this Agreement has occurred;
- ii. whether or not such breach is a Material Breach;
- iii. the date such breach occurred, if any; and
- iv. whether or not any such breach has been cured; and

C. In the event that the Board of Trustees determines that such a breach has occurred and has not been cured, it shall at that time determine:

- i. the amount of recapture taxes under Section 9.4.C (net of all credits under Section 9.4.C);
- ii. the amount of any penalty or interest under Section 9.4.E that are owed to the District; and
- iii. in the event of a finding of a Material Breach, whether to terminate this Agreement.

D. After making its determination regarding any alleged breach, the Board of Trustees shall cause the Applicant to be notified in writing of its determination (a "Determination of Breach and Notice of Contract Termination") and provide a copy to the Comptroller.

## **Section 9.3. DISPUTE RESOLUTION.**

A. After receipt of notice of the Board of Trustee's Determination of Breach and Notice of Contract Termination under Section 9.2, the Applicant shall have 60 days in which either to tender payment or evidence of its efforts to cure, or to initiate mediation of the dispute by written notice to

the District, in which case the District and the Applicant shall be required to make a good faith effort to resolve, without resort to litigation and within sixty (60) days after the Applicant initiates mediation, such dispute through mediation with a mutually agreeable mediator and at a mutually convenient time and place for the mediation. If the Parties are unable to agree on a mediator, a mediator shall be selected by the senior state district court judge then presiding in Cooke County, Texas. The Parties agree to sign a document that provides the mediator and the mediation will be governed by the provisions of Chapter 154 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE and such other rules as the mediator shall prescribe. With respect to such mediation, (i) the District shall bear one-half of such mediator's fees and expenses and the Applicant shall bear one-half of such mediator's fees and expenses and (ii) otherwise each Party shall bear all of its costs and expenses (including attorneys' fees) incurred in connection with such mediation.

B. In the event that any mediation is not successful in resolving the dispute or that payment is not received within the time period described for mediation in Section 9.3.A, either the District or the Applicant may seek a judicial declaration of their respective rights and duties under this Agreement or otherwise, in a judicial proceeding in a state district court in Cooke County, assert any rights or defenses, or seek any remedy in law or in equity, against the other Party with respect to any claim relating to any breach, default, or nonperformance of any contract, agreement or undertaking made by a Party pursuant to this Agreement.

C. If payments become due under this Agreement and are not received before the expiration of the 60 days provided for such payment in Section 9.3.A, and if the Applicant has not contested such payment calculations under the procedures set forth herein, including judicial proceedings, the District shall have the remedies for the collection of the amounts determined under Section 9.4 as are set forth in Chapter 33, Subchapters B and C, of the TEXAS TAX CODE for the collection of delinquent taxes. In the event that the District successfully prosecutes legal proceedings under this section, the Applicant shall also be responsible for the payment of attorney's fees to the attorneys representing the District pursuant to Section 6.30 of the TEXAS TAX CODE and a tax lien shall attach to the Applicant's Qualified Property and the Applicant's Qualified Investment pursuant to Section 33.07 of the TEXAS TAX CODE to secure payment of such fees.

#### **Section 9.4. CONSEQUENCES OF EARLY TERMINATION OR OTHER BREACH BY APPLICANT.**

A. In the event that the Applicant terminates this Agreement without the consent of the District, except as provided in Section 7.2 of this Agreement, the Applicant shall pay to the District liquidated damages for such failure within thirty (30) days after receipt of the notice of breach.

B. In the event that the District determines that the Applicant has failed to comply in any material respect with the terms of this Agreement or to meet any material obligation under this Agreement, the Applicant shall pay to the District liquidated damages, as calculated by Section 9.4.C, prior to, and the District may terminate the Agreement effective on the later of: (i) the expiration of the sixty (60) days provided for in Section 9.3.A, and (ii) thirty (30) days after

any mediation and judicial proceedings initiated pursuant to Sections 9.3.A and 9.3.B are resolved in favor of the District.

C. The sum of liquidated damages due and payable shall be the sum total of the District ad valorem taxes for all of the Tax Years for which a tax limitation was granted pursuant to this Agreement prior to the year in which the default occurs that otherwise would have been due and payable by the Applicant to the District without the benefit of this Agreement, including penalty and interest, as calculated in accordance with Section 9.4.E. For purposes of this liquidated damages calculation, the Applicant shall be entitled to a credit for all payments made to the District pursuant to Articles IV, V, and VI. Upon payment of such liquidated damages, the Applicant's obligations under this Agreement shall be deemed fully satisfied, and such payment shall constitute the District's sole remedy.

D. In the event that the District determines that the Applicant has committed a Material Breach identified in Section 9.1, after the notice and mediation periods provided by Sections 9.2 and 9.3, then the District may, in addition to the payment of liquidated damages required pursuant to Section 9.4.C, terminate this Agreement.

E. In determining the amount of penalty or interest, or both, due in the event of a breach of this Agreement, the District shall first determine the base amount of recaptured taxes less all credits under Section 9.4.C owed for each Tax Year during the Tax Limitation Period. The District shall calculate penalty or interest for each Tax Year during the Tax Limitation Period in accordance with the methodology set forth in Chapter 33 of the TEXAS TAX CODE, as if the base amount calculated for such Tax Year less all credits under Section 9.4.C had become due and payable on February 1 of the calendar year following such Tax Year. Penalties on said amounts shall be calculated in accordance with the methodology set forth in Section 33.01(a) of the TEXAS TAX CODE, or its successor statute. Interest on said amounts shall be calculated in accordance with the methodology set forth in Section 33.01(c) of the TEXAS TAX CODE, or its successor statute.

**Section 9.5. LIMITATION OF OTHER DAMAGES.** Notwithstanding anything contained in this Agreement to the contrary, in the event of default or breach of this Agreement by the Applicant, the District's damages for such a default shall under no circumstances exceed the amounts calculated under Section 9.4. In addition, the District's sole right of equitable relief under this Agreement shall be its right to terminate this Agreement. The Parties further agree that the limitation of damages and remedies set forth in this Section 9.5 shall be the sole and exclusive remedies available to the District, whether at law or under principles of equity.

**Section 9.6. STATUTORY PENALTY FOR INADEQUATE QUALIFIED INVESTMENT.** Pursuant to Section 313.0275 of the TEXAS TAX CODE, in the event that the Applicant fails to make \$30,000,000 of Qualified Investment, in whole or in part, during the Qualifying Time Period, the Applicant is liable to the State for a penalty. The amount of the penalty is the amount determined by: (i) multiplying the maintenance and operations tax rate of the school district for that tax year that the penalty is due by (ii) the amount obtained after subtracting (a) the Tax Limitation Amount identified in Section 2.4.B from (b) the Market Value of the property identified on the Appraisal District's records for the Tax Year the penalty is due. This penalty shall be paid on or

before February 1 of the year following the expiration of the Qualifying Time Period and is subject to the delinquent penalty provisions of Section 33.01 of the TEXAS TAX CODE. The Comptroller may grant a waiver of this penalty in the event of Force Majeure which prevents compliance with this provision.

**Section 9.7. REMEDY FOR FAILURE TO CREATE AND MAINTAIN REQUIRED NEW QUALIFYING JOBS.** Pursuant to Section 313.0276 of the TEXAS TAX CODE, for any full Tax Year that commences after the project has become operational, in the event that it has been determined that the Applicant has failed to meet the job creation or retention requirements defined in Sections 9.1.C, the Applicant shall not be deemed to be in Material Breach of this Agreement until such time as the Comptroller has made a determination to rescind this Agreement under Section 313.0276 of TEXAS TAX CODE, and that determination is final.

**Section 9.8. REMEDY FOR FAILURE TO CREATE AND MAINTAIN COMMITTED NEW QUALIFYING JOBS**

A. In the event that the Applicant fails to create and maintain the number of New Qualifying Jobs specified in Schedule C of the Application, an event constituting a Material Breach as defined in Section 9.1.D, the Applicant and the District may elect to remedy the Material Breach through a penalty payment.

B. Following the notice and mediation periods provided by Sections 9.2 and 9.3, the District may request the Applicant to make a payment to the State in an amount equal to: (i) multiplying the maintenance and operations tax rate of the school district for that Tax Year that the Material Breach occurs by (ii) the amount obtained after subtracting (a) the Tax Limitation Amount identified in Section 2.4.B from (b) the market value of the property identified on the Appraisal District's records for each tax year the Material Breach occurs.

C. In the event that there is no tax limitation in place for the tax year that the Material Breach occurs, the payment to the State shall be in an amount equal to: (i) multiplying the maintenance and operations tax rate of the School District for each tax year that the Material Breach occurs by (ii) the amount obtained after subtracting (a) the tax limitation amount identified in Section 2.4.B from (b) the Market Value of the property identified on the Appraisal District's records for the last Tax Year for which the Applicant received a tax limitation.

D. The penalty shall be paid no later than 30 days after the notice of breach and is subject to the delinquent penalty provisions of Section 33.01 of the TEXAS TAX CODE.

**ARTICLE X.**  
**MISCELLANEOUS PROVISIONS**

**Section 10.1. INFORMATION AND NOTICES.**

A. Unless otherwise expressly provided in this Agreement, all notices required or permitted hereunder shall be in writing and deemed sufficiently given for all purposes hereof if (i) delivered in person, by courier (*e.g.*, by Federal Express) or by registered or certified United

States Mail to the Party to be notified, with receipt obtained, or (ii) sent by facsimile or email transmission, with notice of receipt obtained, in each case to the appropriate address or number as set forth below. Each notice shall be deemed effective on receipt by the addressee as aforesaid; provided that, notice received by facsimile or email transmission after 5:00 p.m. at the location of the addressee of such notice shall be deemed received on the first business day following the date of such electronic receipt.

B. Notices to the District shall be addressed to the District's Authorized Representative as follows:

Steven Self  
Superintendent  
Muenster Independent School District  
113 East 7<sup>th</sup> Street  
P.O. Box 608  
Muenster, TX 76252  
Phone: (940) 759-2281  
Email: steven.self@muensterisd.org

C. Notices to the Applicant shall be addressed to its Authorized Representative as follows:

Steve Irvin  
Executive Vice President  
EDP Renewables North America LLC  
808 Travis Street, Suite 700  
Houston, TX 77022  
Phone: (713) 265-0350  
Email: steve.irvin@edpr.com

or at such other address or to such other facsimile transmission number and to the attention of such other person as a Party may designate by written notice to the other.

D. A copy of any notice delivered to the Applicant shall also be delivered to any lender for which the Applicant has provided the District notice of collateral assignment information pursuant to Section 10.3.C, below.

## **Section 10.2. AMENDMENTS TO APPLICATION AND AGREEMENT; WAIVERS.**

A. This Agreement may not be modified or amended except by an instrument or instruments in writing signed by all of the Parties and after completing the requirements of Section 10.2.B. Waiver of any term, condition, or provision of this Agreement by any Party shall only be effective if in writing and shall not be construed as a waiver of any subsequent

breach of, or failure to comply with, the same term, condition, or provision, or a waiver of any other term, condition, or provision of this Agreement.

B. By official action of the District's Board of Trustees, the Application and this Agreement may only be amended according to the following:

i. The Applicant shall submit to the District and the Comptroller:

a. a written request to amend the Application and this Agreement, which shall specify the changes the Applicant requests;

b. any changes to the information that was provided in the Application that was approved by the District and considered by the Comptroller;

c. and any additional information requested by the District or the Comptroller necessary to evaluate the amendment or modification;

ii. The Comptroller shall review the request and any additional information for compliance with the Act and the Comptroller's Rules and provide a revised Comptroller certificate for a limitation within 90 days of receiving the revised Application and, if the request to amend the Application has not been approved by the Comptroller by the end of the 90-day period, the request is denied; and

iii. If the Comptroller has not denied the request, the District's Board of Trustees shall approve or disapprove the request before the expiration of 150 days after the request is filed.

C. Any amendment of the Application and this Agreement adding additional or replacement Qualified Property pursuant to this Section 10.2 of this Agreement shall:

i. require that all property added by amendment be eligible property as defined by Section 313.024 of the TEXAS TAX CODE; and

ii. clearly identify the property, investment, and employment information added by amendment from the property, investment, and employment information in the original Agreement.

D. The Application and this Agreement may not be amended to extend the value limitation time period beyond its ten-year statutory term.

E. The Comptroller determination made under Section 313.026(c)(2) of the TEXAS TAX CODE in the original certificate for a limitation satisfies the requirement of the Comptroller to make the same determination for any amendment of the Application and this Agreement, provided that the facts upon which the original determination was made have not changed.

### **Section 10.3. ASSIGNMENT.**

A. Any assignment of any rights, benefits, obligations, or interests of the Parties in this Agreement, other than a collateral assignment purely for the benefit of creditors of the project, is considered an amendment to the Agreement and such Party may only assign such rights, benefits, obligations, or interests of this Agreement after complying with the provisions of Section 10.2 regarding amendments to the Agreement. Other than a collateral assignment to a creditor, this Agreement may only be assigned to an entity that is eligible to apply for and execute an agreement for limitation on appraised value pursuant to the provisions of Chapter 313 of the TEXAS TAX CODE and the Comptroller's Rules.

B. In the event of a merger or consolidation of the District with another school district or other governmental authority, this Agreement shall be binding on the successor school district or other governmental authority.

C. In the event of an assignment to a creditor, the Applicant must notify the District and the Comptroller in writing no later than 30 days after the assignment. This Agreement shall be binding on the assignee.

**Section 10.4. MERGER.** This Agreement contains all of the terms and conditions of the understanding of the Parties relating to the subject matter hereof. All prior negotiations, discussions, correspondence, and preliminary understandings between the Parties and others relating hereto are superseded by this Agreement.

**Section 10.5. GOVERNING LAW.** This Agreement and the transactions contemplated hereby shall be governed by and interpreted in accordance with the laws of the State of Texas without giving effect to principles thereof relating to conflicts of law or rules that would direct the application of the laws of another jurisdiction. Venue in any legal proceeding shall be in a state district court in Cooke County.

**Section 10.6. AUTHORITY TO EXECUTE AGREEMENT.** Each of the Parties represents and warrants that its undersigned representative has been expressly authorized to execute this Agreement for and on behalf of such Party.

**Section 10.7. SEVERABILITY.** If any term, provision or condition of this Agreement, or any application thereof, is held invalid, illegal, or unenforceable in any respect under any Law (as hereinafter defined), this Agreement shall be reformed to the extent necessary to conform, in each case consistent with the intention of the Parties, to such Law, and to the extent such term, provision, or condition cannot be so reformed, then such term, provision, or condition (or such invalid, illegal or unenforceable application thereof) shall be deemed deleted from (or prohibited under) this Agreement, as the case may be, and the validity, legality, and enforceability of the remaining terms, provisions, and conditions contained herein (and any other application such term, provision, or condition) shall not in any way be affected or impaired thereby. Upon such determination that any term or other provision is invalid, illegal, or incapable of being enforced, the Parties hereto shall negotiate in good faith to modify this Agreement in an acceptable manner

so as to effect the original intent of the Parties as closely as possible so that the transactions contemplated hereby are fulfilled to the extent possible. As used in this Section 10.7, the term "Law" shall mean any applicable statute, law (including common law), ordinance, regulation, rule, ruling, order, writ, injunction, decree, or other official act of or by any federal, state or local government, governmental department, commission, board, bureau, agency, regulatory authority, instrumentality, or judicial or administrative body having jurisdiction over the matter or matters in question.

**Section 10.8. PAYMENT OF EXPENSES.** Except as otherwise expressly provided in this Agreement, or as covered by the application fee, each of the Parties shall pay its own costs and expenses relating to this Agreement, including, but not limited to, its costs and expenses of the negotiations leading up to this Agreement, and of its performance and compliance with this Agreement.

**Section 10.9. INTERPRETATION.**

A. When a reference is made in this Agreement to a Section, Article, or Exhibit, such reference shall be to a Section or Article of, or Exhibit to, this Agreement unless otherwise indicated. The headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

B. The words "include," "includes," and "including" when used in this Agreement shall be deemed in such case to be followed by the phrase, "but not limited to". Words used in this Agreement, regardless of the number or gender specifically used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine or neuter, as the context shall require.

C. The provisions of the Act and the Comptroller's Rules are incorporated by reference as if fully set forth in this Agreement. In the event of a conflict, the conflict will be resolved by reference to the following order of precedence:

- i. The Act;
- ii. The Comptroller's Rules as they exist at the time the Agreement is executed, except as allowed in the definition of Qualified Property in Section 1.1; and
- iii. This Agreement and its Attachments including the Application as incorporated by reference.

**Section 10.10. EXECUTION OF COUNTERPARTS.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute but one and the same instrument, which may be sufficiently evidenced by one counterpart.

**Section 10.11. PUBLICATION OF DOCUMENTS.** The Parties acknowledge that the District is required to publish the Application and its required schedules, or any amendment thereto; all

economic analyses of the proposed project submitted to the District; and the approved and executed copy of this Agreement or any amendment thereto, as follows:

A. Within seven (7) days of receipt of such document, the District shall submit a copy to the Comptroller for publication on the Comptroller's Internet website;

B. The District shall provide on its website a link to the location of those documents posted on the Comptroller's website;

C. This Section does not require the publication of information that is confidential under Section 313.028 of the TEXAS TAX CODE.

**Section 10.12. CONTROL; OWNERSHIP; LEGAL PROCEEDINGS.** The Applicant shall immediately notify the District in writing of any actual or anticipated change in the control or ownership of the Applicant and of any legal or administrative investigations or proceedings initiated against the Applicant related to the project regardless of the jurisdiction from which such proceedings originate.

**Section 10.13. DUTY TO DISCLOSE.** If circumstances change or additional information is obtained regarding any of the representations and warranties made by the Applicant in the Application or this Agreement, or any other disclosure requirements, subsequent to the date of this Agreement, the Applicant's duty to disclose continues throughout the term of this Agreement.

**Section 10.14. CONFLICTS OF INTEREST.**

A. The District represents that, after diligent inquiry, each local public official or local government officer, as those terms are defined in Chapters 171 and 176 of the TEXAS LOCAL GOVERNMENT CODE, has disclosed any conflicts of interest in obtaining or performing this Agreement and related activities, appropriately recused from any decisions relating to this Agreement when a disclosure has been made, and the performance of this Agreement will not create any appearance of impropriety. The District represents that it, the District's local public officials or local government officer, as those terms are defined in Chapters 171 and 176 of the TEXAS LOCAL GOVERNMENT CODE, have not given, nor intend to give, at any time hereafter, any future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant, employee, or representative of the other Party or the State of Texas in connection with this Agreement.

B. The Applicant represents that, after diligent inquiry, each of its agents, as defined in Chapter 176 of the TEXAS LOCAL GOVERNMENT CODE, involved in the representation of the Applicant with the District has complied with the provisions of Chapter 176 of the TEXAS LOCAL GOVERNMENT CODE. The Applicant represents that it and its agents, as defined in Chapter 176 of the TEXAS LOCAL GOVERNMENT CODE, have not given, nor intend to give, at any time hereafter, any future employment, gift, loan, gratuity, special discount, trip, favor, or

service to a public servant, employee, or representative of the other Party or the State of Texas in connection with this Agreement.

C. The District and the Applicant each separately agree to notify the other Party and the Comptroller immediately upon learning of any conflicts of interest.

**Section 10.15. PROVISIONS SURVIVING EXPIRATION OR TERMINATION.** Notwithstanding the expiration or termination (by agreement, breach, or operation of time) of this Agreement, the provisions of this Agreement regarding payments (including liquidated damages and tax payments), reports, records, and dispute resolution of the Agreement shall survive the termination or expiration dates of this Agreement until the following occurs:

- A. all payments, including liquidated damage and tax payments, have been made;
- B. all reports have been submitted;
- C. all records have been maintained in accordance with Section 8.6.A; and
- D. all disputes in controversy have been resolved.

**Section 10.16. FACSIMILE OR ELECTRONIC DELIVERY.**

A. This Agreement may be duly executed and delivered in person, by mail, or by facsimile or other electronic format (including portable document format (pdf) transmitted by e-mail). The executing Party must promptly deliver a complete, executed original or counterpart of this Agreement to the other executing Parties. This Agreement shall be binding on and enforceable against the executing Party whether or not it delivers such original or counterpart.

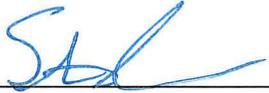
B. Delivery is deemed complete as follows:

- i. When delivered if delivered personally or sent by express courier service;
- ii. Three (3) business days after the date of mailing if sent by registered or certified U.S. mail, postage prepaid, with return receipt requested;
- iii. When transmitted if sent by facsimile, provided a confirmation of transmission is produced by the sending machine; or
- iv. When the recipient, by an e-mail sent to the e-mail address for the executing Parties acknowledges having received that e-mail (an automatic “read receipt” does not constitute acknowledgment of an e-mail for delivery purposes).

IN WITNESS WHEREOF, this Agreement has been executed by the Parties in multiple originals on this 18th day of December, 2019.

**WILDCAT CREEK WIND FARM LLC**

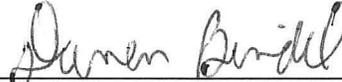
By: \_\_\_\_\_



Steve Irvin  
Executive Vice President,  
Western and Central Regions and Mexico

**MUENSTER INDEPENDENT SCHOOL DISTRICT**

By: \_\_\_\_\_



**PRESIDENT, BOARD OF TRUSTEES**

**ATTEST:**

By: \_\_\_\_\_



**SECRETARY, BOARD OF TRUSTEES**

**IN THE EVENT OF CONFLICT**

By: \_\_\_\_\_

**VICE PRESIDENT, BOARD OF TRUSTEES**

**EXHIBIT 1**

**DESCRIPTION AND LOCATION OF ENTERPRISE OR REINVESTMENT ZONE**

At the time of the Application Approval Date, pursuant to Chapter 312 of the Texas Tax Code, the Cooke County Commissioner's Court designated the below tracts of land as the Cooke County, Texas Tax Abatement Reinvestment Zone No. 2019-01. A map of this contiguous Reinvestment Zone is attached as the last page of this **EXHIBIT 1** following the legal description of the zone. All of the Applicant's Qualified Property and Applicant's Qualified Investment will be located within the boundaries of this Cooke County, Texas Tax Abatement Reinvestment Zone No. 2019-01.

**Cooke County Commissioners Court  
Resolution Designating Reinvestment Zone 2019-01**

WHEREAS, Cooke County, Texas, ("COUNTY"), as authorized by the property Redevelopment and Tax Abatement Act, Chapter 312, TEXAS TAX CODE, ("the Act"), wishes to designate a new reinvestment zone in an effort to attract major investment in the zone that would be a benefit to the property to be included in the zone and would contribute to the economic development of the county; and

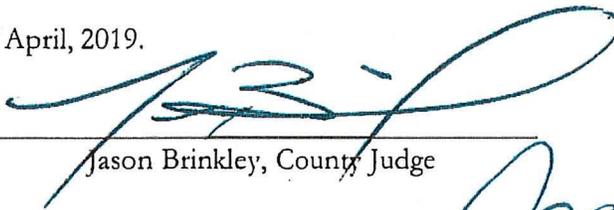
WHEREAS, COUNTY, after conducting a public hearing evidence and testimony of all persons wishing to be heard, hereby makes the following findings and determinations:

- (a) That COUNTY is eligible under Texas Tax Code Section 312.002 to designate the area as a reinvestment zone.
- (b) That a public hearing on the adoption of the Reinvestment Zone 2019-01 has been properly called, held and conducted and that the required notice of such hearing has been given to the public and to all taxing units overlapping the territory inside the proposed reinvestment zone;
- (c) That the creation of Reinvestment Zone 2019-01 as described in Exhibit "A" will result in benefits to the COUNTY and to the land included in the Reinvestment Zone 2019-01 and the improvements sought would contribute to the economic development of the county;
- (d) That Reinvestment Zone 2019-01 as defined in Exhibit "A" meets the criteria for the creation of a reinvestment zone as set forth in the Cooke County Guidelines and Criteria for Tax Abatement; and

THEREFORE, pursuant to the Property Redevelopment and Tax Abatement Act, Chapter 312, Texas Tax Code, the COUNTY hereby creates and designates a reinvestment zone for only the areas as described in Exhibit "A" and hereby designated as Cooke County Reinvestment Zone 2019-01.

FURTHERMORE, if for any reason, any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be held invalid, it shall not affect any valid provision of this or any other Resolution of the COUNTY.

Signed and adopted this 8<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Jason Brinkley, County Judge

  
\_\_\_\_\_  
Gary Hollowell, Commissioner, Pct. 1

  
\_\_\_\_\_  
John Klement, Commissioner, Pct. 3

  
\_\_\_\_\_  
Jason Snuggs, Commissioner, Pct. 2

  
\_\_\_\_\_  
Leon Klement, Commissioner, Pct. 4

Attest:  
  
\_\_\_\_\_  
Pam Harrison, County Clerk

**TAB #9**

Description of Land

The Applicant, Wildcat Creek Wind Farm LLC, currently leases land within Cooke County that could accommodate the potential project.

Parcel	Acres	Landowner	Survey & Abstract Description
115	1	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 1.0
138	75.67	KNIGHT JOE M & GAIL K	NAIL H 0790 ACRES 75.67
139	1	KNIGHT JOE M & GAIL K	NAIL H 0790 ACRES 1.0
142	158	WILLIAMSON LINDA GAIL	TAYLOR J 1007 ACRES 158.0
308	78.02	MARCHANT KENNY JR	MARTIN A 0637 ACRES 78.02
309	10.49	PYLE BETTY ELIZABETH	MARTIN A 0637 ACRES 10.49
310	1	PYLE BETTY ELIZABETH	MARTIN A 0637 ACRES 1.0
440	1.6	FLEITMAN BEN JR & CAROL	BBB & CRR, 0182 ACRES 1.6
441	225	HELLMAN FARM LTD	BBB & CRR, 0182 ACRES 200.8
442	225	HELLMAN FARM LTD	MEP & PRR CO, 0766 ACRES 225.0
456	168.92	SCHUMACHER RICHARD ETUX	MCKNELLY SW, 0656 ACRES 168.92
457	1	SCHUMACHER RICHARD ETUX	MCKNELLY SW, 0656 ACRES 1.0
458	151.08	SCHUMACHER RICHARD ETUX	ROSSON WC, 0887 ACRES 151.08
564	107.44	HARTMAN ROBERT & SHARLENE	LEWIS J, 0567 ACRES 107.44
690	1	SARGENT JERRY D	THOMPSON BJ, 1006 ACRES 1.0
691	1.92	BREWER DAVID & DENISE	THOMPSON BJ, 1006 ACRES 1.92
692	156.44	SARGENT JERRY D	THOMPSON BJ, 1006 ACRES 156.44
929	76	BAYER ANNA MARIE	LINN P, 1407 ACRES 76.0
930	188.5	BAYER ANNA MARIE	LINN JD, 1547 ACRES 188.5
955	130	BAYER REGINALD J & PATRICIA A REV TR	BBB & CRR, 0182 ACRES 130.0
1082	449	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 49.0

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

1083	1	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 1.07
1136	80	LOWREY MONICA	NAIL H, 0790 ACRES 80.0, O'CONNOR PLACE
1138	227.48	BECKER WERNER & LINDA	LANGHAM M, 0564 ACRES 227.48, HOME PLACE
1139	1.41	BECKER MICHAEL & BILLIE	LANGHAM M, 0564 ACRES 1.41
1140	1	BECKER WERNER & LINDA	LANGHAM M, 0564 ACRES 1.
1315	36.81	VILLA GILBERT & AINOHAM	MARTIN A 0637 ACRES 36.81
1344	34	TAYLOR CARRISA BERRY & LEAH BERRY PARKER	SPRR CO, 0981 ACRES 34.0
1345	1	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 1.0
1346	9.39	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 9.39
1478	2.78	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 2.78
2459	158.13	MITCHELL KENNETH JR	CARSON T, 0203 ACRES 158.13, EAST PLACE
2463	332.16	DIXON FOUNDATION	DAVIS J, 0331 ACRES 332.16
2465	88.2	DIXON FOUNDATION	POLK T, 0816 ACRES 88.2
2466	110	DIXON FOUNDATION	WILLIAMSON JM, 1107 ACRES 110.0
2467	1	KLEMENT ROBERT G & GLORIA	BBB & CRR, 0147 ACRES 1.0
2468	46.36	DIXON FOUNDATION	RICE GN, 1742 ACRES 46.36
2475	83.69	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 83.69
2534	32.29	GROCE JARED J & LEAH	TOBY T, 1061 ACRES 32.29
2655	1	MCBEE MARILYN SLIMAN	NAIL H, 0790 ACRES 1.0
2656	3.82	MCBEE HAL D JR	NAIL H, 0790 ACRES 3.82
2657	52	BONILLA VINCENT D ETUX	NAIL H, 0790 ACRES 52.0
2983	80	CANADAY LAURA F REVOCABLE TR	MARTIN A 0637 ACRES 80.0
3218	286.44	HARTMAN THOMAS FAMILY REAL EST LP	THOMPSON BJ, 1006 ACRES 286.44
3363	201.38	STEPHENS MARY	TOBY T, 1061 ACRES 201.38
3364	1	STEPHENS MARY	TOBY T, 1061 ACRES 1.0
4054	1	MORRIS KAREN COURSEY	HENDERSON WH, 1205 ACRES 1.0
4055	103.7	MORRIS KAREN COURSEY	HENDERSON WH, 1205 ACRES 103.7

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

4429	35.67	DANGELMAYR JAMES T ETAL	SA & MG RR, 0973 ACRES 35.67, SOUTH RANCH-HOLLARS
4464	2.79	DANGELMAYR CHARLOTTE TR	MEP & PRR CO, 0766 ACRES 2.79
5497	121.79	FUHRMANN MICHAEL J ETUX	MCKINNEY & WILLIAMS, 0757 ACRES 121.79
5498	93.96	FUHRMANN MICHAEL J ETUX	BBB & CRR, 0182 ACRES 93.96
5517	4.03	LITTLE KEVIN S & KASSIA	CARSON T, 0203 ACRES 4.03
5520	267.8	ENDERBY THOMAS STANLEY	CARSON T, 0203 ACRES 267.8
5549	38.6	BEWLEY GLENN D	TREVINO R, 1219 ACRES 38.6
5908	126.5	DANGELMAYR THOMAS & SHAWN DANGELMAYR	STANLEY CF, 0907 ACRES 126.5
6011	1	MALONE WILLIAM & LINDA	TAYLOR J, 1044 ACRES 1.0, LABEL# TEX0366838, SN1 P4318A; TIT
6012	28.18	MALONE WILLIAM & LINDA	TAYLOR J, 1044 ACRES 28.18
6031	21.52	FLEITMAN DANIEL	LANGHAM M, 0564 ACRES 21.52
6032	1	FLEITMAN DANIEL	LANGHAM M, 0564 ACRES 1.0
6196	56.18	CROSSEN FAMILY RANCH LTD	MILLARD RF 0646 ACRES 56.18
6197	26	COMPADRE CATTLE CO LLC	NOBLE AW 0797 ACRES 26.0
6201	10.73	COMPADRE CATTLE CO LLC	WHALEY JC 1757 ACRES 10.73
6205	8.99	CROSSEN FAMILY RANCH LTD	DILLION C 1685 ACRES 8.99
6207	40	CROSSEN FAMILY RANCH LTD	WATKINS WR 1582 ACRES 40.0
6208	466.52	ELLIS G C MORTON & MARY W	ENGLISH LA 1568 ACRES 466.52
6209	651.35	CROSSEN FAMILY RANCH LTD	HULEN H 1565 ACRES 651.35
6216	1	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 1.0
6217	6.3	CROSSEN FAMILY RANCH LTD	FEARS JT 1253 ACRES 6.3
6219	160	COMPADRE CATTLE CO LLC	WELLS RB 1117 ACRES 160.0
6220	103.03	CROSSEN FAMILY RANCH LTD	WHITTEN JW 1115 ACRES 103.03
6221	1	CROSSEN FAMILY RANCH LTD	WHITTEN JW 1115 ACRES 1.0
6222	160	CROSSEN FAMILY RANCH LTD	TEMPLETON A 1037 ACRES 160.0
6223	320	CROSSEN FAMILY RANCH LTD	TOBY T 1049 ACRES 320.0
6224	20.31	BOYD FAMILY LIVING TRUST	TAYLOR J, 1007 ACRES 200.31

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

6225	440.38	CROSSEN FAMILY RANCH LTD	SA & MG RR 0999 ACRES 41.92
6226	249.54	CROSSEN FAMILY RANCH LTD	MEP & CRR CO 0991 ACRES 249.54
6227	8.55	CROSSEN FAMILY RANCH LTD	DEMORSE C 0332 ACRES 8.55
6232	320	COMPADRE CATTLE CO LLC	HAGGERTY J 0508 ACRES 320.0
6236	160	CROSSEN FAMILY RANCH LTD	FEARS JA 1254 ACRES 160.0
6304	124.23	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 124.23
6308	1	FLEITMAN KENNETH & SUSAN	TOBY T, 1060 ACRES 1.0
6309	60	FLEITMAN KENNETH & SUSAN	TOBY T, 1060 ACRES 60.0
6310	36.13	FLEITMAN KENNETH & SUSAN	TOBY T, 1062 ACRES 36.13
6650	155.17	MITCHELL KENNETH JR	LANGHAM M, 0564 ACRES 155.17
6678	1.91	SICKING BILL	NAIL H, 0790 ACRES 1.91
7087	192.85	SAPPENFIELD MATTIE LIEU LIVING TRUST	MEP & PRR CO, 0766 ACRES 192.85
7231	200	KLEMENT DANIEL	NAIL H, 0790 ACRES 200.0
7518	194.85	KLEMENT ROBERT G & GLORIA, SCOTT M & ZONYA T KLEMENT, JUSTIN R & AMANDA G	NAIL H, 0790 ACRES 194.85
7541	32.46	GREWING HENRY JR & DORIS	I & GN RR CO, 1264 ACRES 32.46
7543	85.48	GREWING HENRY JR & DORIS	CULP JM, 1351 ACRES 85.48
7545	167	GREWING HENRY JR & DORIS	LANGHAM M, 0564 ACRES 167.0
7546	1	GREWING HENRY JR & DORIS	LANGHAM M, 0564 ACRES 1.0
7547	22.86	GREWING HENRY JR & DORIS	LANGFORD E, 0566 ACRES 22.86
7548	29.5	GREWING HENRY JR & DORIS	BBB & CRR, 0182 ACRES 29.5
7652	74.54	WREN MITCHELL	TAYLOR J 1007 ACRES 56.54
7653	1	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 1.0
7654	40.53	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 40.53
7735	213.5	HACKER MAURUS ETAL	GARNER J, 0392 ACRES 213.5
8152	69.41	HARTMAN THOMAS FAMILY REAL EST LP	TOWNSLEY JL, 1551 ACRES 69.41
8153	93.56	HARTMAN THOMAS FAMILY REAL EST LP	CCSL, 1188 ACRES 96.44
8373	50	FLEITMAN CHARLES & BEVERLY	THAMES A 1010 ACRES 50.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

8533	1	KLEMENT SCOTT & ZONYA	TOBY T, 1060 ACRES 1.0
8628	87.66	EVANS VICKIE HENLEY	NAIL H, 0790 ACRES 87.66, N PT
8735	274.43	HERMES C WILLIAM & MARY EVELYN CO TRS OF HERMES FAMILY REV TE=R	DAVIDSON JT, 0302 ACRES 274.43
8737	1	HERMES C WILLIAM & MARY EVELYN CO TRS OF HERMES FAMILY REV TE=R	DAVIDSON JT, 0302 ACRES 1.0
8889	1	HESS CHRIS A	MILLS S, 0631 ACRES 1.0
8890	79.1	HESS CHRIS A	MILLS S, 0631 ACRES 79.1
8893	26.72	HESS CHRIS A	YANTIS JB, 1555 ACRES 26.72
8996	53.5	HILL E D ESTATE	MCCLELLAND W, 0752 ACRES 53.5
9210	1	KILCREASE ROBERT H	MARTIN A 0637 ACRES 1.0
9212	168.42	KILCREASE ROBERT H & KILCREASE JAMES ORVILLE	MARTIN A 0637 ACRES 149.19
9224	156.29	SICKING KENNETH D	CARSON T, 0203 ACRES 156.29
9293	1.5	HOOD COMMUNITY IMP CLUB	DAVIDSON JT, 0302 ACRES 1.5
9504	125.44	BAKER VICKIE,PAUL HUDSPETH & DALE HUDSPETH TRU	MARTIN A 0637 ACRES 125.44
9508	6.24	BAKER VICKIE,PAUL HUDSPETH & DALE HUDSPETH TRU	NOBLE AW 0797 ACRES 6.24
9884	1	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 1.0
9885	482.84	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 482.84
9887	1	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 1.0
9888	27.6	DANGELMAYR CHARLOTTE TR	DAVIS J, 0331 ACRES 27.6
9889	33	DANGELMAYR CHARLOTTE TR	POLK T, 0816 ACRES 33.0
9890	66	DANGELMAYR CHARLOTTE TR	WILLIAMSON JM, 1107 ACRES 66.0
9891	19.5	TRUBENBACH STEVEN & MELISSA	IRVINE AC, 1634 ACRES 19.5
9892	19.32	DANGELMAYR JOE HENRY ETUX	I & GN RR CO, 1264 ACRES 19.32
9893	293	DANGELMAYR JOE HENRY ETUX	I & GN RR CO, 1264 ACRES 394.48
9895	56.6	DANGELMAYR CHARLOTTE TR	CULP JM, 1350 ACRES 56.6
9896	474.53	TRUBENBACH STEVEN & MELISSA	BBB & CRR, 0150 ACRES 474.53
9898	10.69	TRUBENBACH STEVEN & MELISSA	AROCHA J J, 0022 ACRES 10.69

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

9899	84.2	DANGELMAYR CHARLOTTE TR	IRVINE AC, 1634 ACRES 84.2
9904	2.02	DANGELMAYR CHARLOTTE TR	LINN JD, 1547 ACRES 2.02
9905	12.13	DANGELMAYR CHARLOTTE TR	TOWNSLEY JL, 1551 ACRES 12.13
9943	316.29	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 316.29
9944	7.5	MARTIN THURMAN JACK II	WATKINS WR 1582 ACRES 7.5
10145	2	JONES C L MILDRED	TAYLOR J 1007 ACRES 2.0 LABEL# DLS0060114 SN1 C482493 TITLE # 00223786
10503	36.5	LUTKENHAUS LEO G ETUX	MILLS S, 0631 ACRES 36.5
10504	1	LUTKENHAUS LEO G ETUX	MILLS S, 0631 ACRES 1.0
10505	12.5	LUTKENHAUS LEO G ETUX	YANTIS JB, 1555 ACRES 12.5
10579	1	KNABE MARK A & DEBBIE M	TOBY T, 1061 ACRES 1.0
10581	11.2	KNABE MARK A & DEBBIE M	TOBY T, 1061 ACRES 11.2
10611	252.6	SICKING KENNETH D	LANGHAM M, 0564 ACRES 252.6
10612	1	SICKING KENNETH D	LANGHAM M, 0564 ACRES 1.0
10661	1	WALTER PARTNERS LTD	CLEMENT SE, 0272 ACRES 1.0
10732	331.65	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 331.65
10753	208.2	KLEMENT DANIEL	GARNER J, 0392 ACRES 208.2
10755	1	KLEMENT DANIEL	GARNER J, 0392 ACRES 1.0
10772	123.25	KLEMENT ROBERT G	TOBY T, 1062 ACRES 123.25
10773	120.25	KLEMENT ROBERT G	TOBY T, 1062 ACRES 120.25
10774	57.8	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	DAVIDSON JT, 0302 ACRES 57.8
10775	1	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 1.0
10777	132.3	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 132.3
10779	20	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 20.0
10781	168.4	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	MCCLELLAND W, 0752 ACRES 168.4
10783	195	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES 195.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

10785	100.7	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	MCCLELLAND W, 0752 ACRES 100.7
10786	123.74	SICKING KENNETH D	DAVIDSON JT, 0302 ACRES 123.74
10793	163	KLEMENT ROBERT G	DAVIDSON JT, 0302 ACRES 163.0
10797	180	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	STANLEY CF, 0907 ACRES 180.0
10800	3	KLEMENT ROBERT G & GLORIA	WERTZ PR, 1465 ACRES 1.0
10828	0.5	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES .5
10829	4.5	KLEMENT MARY BIERSCHENK REVOCABLE TRUST	NAIL H, 0790 ACRES 4.5
10914	93.68	CROWDER KAREN REAL ESTATE LTD	THAMES A 1010 ACRES 93.68
10941	24.7	CROWDER KAREN REAL ESTATE LTD	THAMES A 1010 ACRES 24.7
10942	1.68	KNIGHT EDWIN & ANN	THAMES A 1010 ACRES 1.68
10943	1	KNIGHT ED & ANN FAMILY LTD	WATKINS WR 1582 ACRES 1.0
10944	7.5	KNIGHT ED & ANN FAMILY LTD	WATKINS WR 1582 ACRES 7.5
10947	176	KLEMENT BRYAN JOSEPH	NAIL H, 0790 ACRES 176.0
10949	167	KLEMENT BRYAN JOSEPH	THAMES A 1010 ACRES 163
10973	97.08	KNIGHT JOE M ETAL	NOBLE AW 0797 ACRES 97.08 LIFE EST WILLIAM H KNIGHT
11301	1	TRES CONDADO LAND CO LP	LANGFORD E, 0566 ACRES 1.
11483	500.01	KLEMENT ROBERT G & GLORIA	NAIL H, 0790 ACRES 500.01
11755	121	WOLF ERNEST J	LANGHAM M, 0564 ACRES 121.0
11757	1	WOLF ERNEST J	LANGHAM M, 0564 ACRES 1.0
11888	236.1	WALTER PARTNERS LTD	TOBY T, 1061 ACRES 236.1
12179	312.49	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	LANGHAM M, 0564 ACRES 312.49
12180	1	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	LANGHAM M, 0564 ACRES 1.0
12183	111.5	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	DAVIDSON JT, 0302 ACRES 111.5
12185	1	ZIMMERER ALBERT & IMOGENE REVOCABLE LIVING TR	DAVIDSON JT, 0302 ACRES 1.0
12208	177	FETSCH GARRY	LANGHAM M, 0564 ACRES 177.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

12516	83	BURNSIDE SHARON TR OF JOETTA KALER TRUST	TAYLOR J 1007 ACRES 83.0
12643	1.9	TREADAWAY JOHN S & PAMELA	THAMES A 1010 ACRES 1.9
12707	57.04	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	MCKNELLY SW, 0656 ACRES 57.04
12708	42.45	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	LANGHAM M, 0564 ACRES 42.45
12789	69.16	LEWTER HERSHEL J & JOHNNY L TR	LANGHAM M, 0564 ACRES 159.0
12791	1	LEWTER HERSHEL J & JOHNNY L TR	LANGHAM M, 0564 ACRES 1.0
12792	1	LEWTER HERSHEL J & JOHNNY L TR	DAVIDSON JT, 0302 ACRES 1.0
12794	124	LEWTER HERSHEL J & JOHNNY L TR	DAVIDSON JT, 0302 ACRES 124.0
12907	1	SCRIBNER TONY	HENDERSON WH, 1205 ACRES 1.0
13053	22.5	LUKE MELVIN & TERRI	MILLS S, 0631 ACRES 22.5
13054	6.5	LUKE MELVIN & TERRI	YANTIS JB, 1555 ACRES 6.5
13055	1	LUKE MELVIN & TERRI	YANTIS JB, 1555 ACRES 1.0
13095	117.82	HESS JUDITH LUTKENHAUS	MOORE JA, 0759 ACRES 117.82
13097	1	SCHUMACHER JANET HOENIG	MOORE JA, 0760 ACRES 1.0
13098	150.15	SCHUMACHER JANET HOENIG	MOORE JA, 0760 ACRES 150.15
13160	550	KNIGHT WALTER MILLER	NAIL H, 0790 ACRES 550.0
13588	205.75	WYRICK LARRY & JOANIE	NAIL H, 0790 ACRES 205.75
14722	3.77	WEBER JOSEPH J ETUX	DAVIDSON JT, 0302 ACRES 3.77
14783	0.9	TESTERMAN RONEY & DEBORAH	DAVIDSON JT, 0302 ACRES .9
14838	210.5	KLEMENT DANIEL	NAIL H, 0790 ACRES 210.5
14839	3.1	MORRISON KATY MAE	NOBLE AW 0797 ACRES 3.1
14840	101.5	MORRISON M B ETUX	NOBLE AW 0797 ACRES 101.5
14843	124	MORRISON KATY M	TAYLOR J 1007 ACRES 124.0
15021	115.3	KLEMENT ROBERT G & GLORIA	LEWIS J, 0567 ACRES 115.0
15022	110	KLEMENT ROBERT G & GLORIA	LEWIS J, 0567 ACRES 110.0
15091	1	WALTER SHAWN AARON	LANGHAM M, 0564 ACRES 1.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

15577	2	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 2.0
15578	73	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 73.0
15608	77	KNIGHT JOE M & PATRICIA GAIL	NAIL H, 0790 ACRES 77.
15888	69	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 69.0
15890	5.5	MARTIN THURMAN JACK II	BOLIN J 0038 ACRES 5.5
15900	1	MITCHELL PARTNERS & MITCHELL TRUST	RUSK T, 0883 ACRES 1.0
15902	184.5	MITCHELL PARTNERS & MITCHELL TRUST	CARSON T, 0203 ACRES 184.5
15903	431.65	MITCHELL PARTNERS & MITCHELL TRUST	FOREMAN BA, 0390 ACRES 431.65
15904	2.15	MITCHELL PARTNERS & MITCHELL TRUST	TREVINO R, 1581 ACRES 2.15
15906	675	MITCHELL PARTNERS & MITCHELL TRUST	RUSK T, 0883 ACRES 675.0
16065	1	MULLER WELDON C ETUX	TOBY T, 1061 ACRES 1.
16066	19	MULLER WELDON C ETUX	TOBY T, 1061 ACRES 29.
16170	13.5	SCHILLING FRANK JR	SHORT JC, 1720 ACRES 13.5
16171	8.5	SCHILLING FRANK JR	SPRR CO, 0975 ACRES 8.5
16172	1	SCHILLING FRANK JR	MILLS S, 0631 ACRES 1.0
16173	38.58	SCHILLING FRANK JR	MILLS S, 0631 ACRES 38.58
16174	115.42	SCHILLING FRANK JR	EMANUEL A, 1197 ACRES 115.42
16261	2.34	DEGEARE MICHAEL J & VONDA J	LINDHEIMER FJ 0573 ACRES 2.34
16276	49.03	BONITA LAND & CATTLE LP	DANIELS E 0299 ACRES 49.03
16277	5.07	BONITA LAND & CATTLE LP	TREVINO R 1017 ACRES 5.07
16278	33.29	BONITA LAND & CATTLE LP	CLEMENT SE 1193 ACRES 33.29
16279	1	BONITA LAND & CATTLE LP	BOURLAND J 0132 ACRES 1.0
16280	43.83	BONITA LAND & CATTLE LP	BOURLAND J 0132 ACRES 43.83
16283	171.22	BONITA LAND & CATTLE LP	MARTIN A 0637 ACRES 171.22
16500	1	PEYROT B T	TOBY T, 1061 ACRES 1.0
16502	206.65	PEYROT B T	TOBY T, 1061 ACRES 206.65
16715	0.69	WEBER JOSEPH J & BETTI JO	DAVIDSON JT, 0302 ACRES .69, MARY LEE PLEDGER SR LIFE ESTATE

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

17031	53	THOMPSON LINDA SUE	MCCLELLAND W, 0752 ACRES 53.0
17032	6.5	THOMPSON LINDA SUE	DAVIDSON JT, 0302 ACRES 6.5
17130	169.41	FLEITMAN CHARLES & BEVERLY	MARTIN A 0637 ACRES 169.41
17153	10.77	FORTENBERRY MADISON & AARON	MEP & CRR CO 0991 ACRES 10.77
17216	1	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	TREVINO R, 1219 ACRES 1.0
17218	174.51	ROBERTSON PATRICIA J IRREV TR & ROBERT D LEVELL IRREV TR	TREVINO R, 1219 ACRES 174.51
17302	23.13	GREWING MIKE INC	LANGFORD E, 0566 ACRES 23.13
17303	218.03	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 218.03
17304	1	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 1.0
17306	124.08	HELLMAN FARM LTD	TOBY T, 1062 ACRES 124.08
17330	122.05	REITER JOHNNY	LEWIS J, 0567 ACRES 122.05
17331	1	REITER JOHNNY	MEP & PRR CO, 0766 ACRES 1.0
17332	126.5	REITER JOHNNY	MEP & PRR CO, 0766 ACRES 126.5
17668	178.23	MITCHELL KENNETH JR & SHIRLEY	TAYLOR J 1044 ACRES 178.23 WEST PLACE
17920	1	WYRICK LARRY & JOANIE	BELCHER GW, 0187 ACRES 1.0
17921	77.9	WYRICK LARRY & JOANIE	BELCHER GW, 0187 ACRES 77.9
17923	8.3	WYRICK LARRY & JOANIE	CARSON T, 0203 ACRES 8.3
18063	3	GRIFFIN WILLIAM & HOWARD DIANA	DAVIDSON JT, 0302 ACRES 3.0
18132	1	PURCELL ROY	DAVIDSON JT, 0302 ACRES 1.0
18236	322.08	SICKING INVESTMENTS LTD	LANGHAM M, 0564 ACRES 322.08
18305	1	ANGER LYNNE D & CHARLES	SHIELDS J, 0911 ACRES 1.0
18306	200	SADAU CARL B	CARSON T, 0203 ACRES 200.0
18308	200	MITCHELL PARTNERS & MITCHELL TRUST	CARSON T, 0203 ACRES 200.0
18310	22.78	SADAU CARL B	AROCHA J J, 0021 ACRES 22.78
18311	4	WYRICK BENJAMIN C	CARSON T, 0203 ACRES 4.0, LABEL# NTA0037243, SN1 HA000096A;
18312	150.5	SADAU CARL B	SHIELDS J, 0911 ACRES 150.5
18424	138.9	SCHMITZ MICHAEL W & RAY BEZNER	EKEY R, 0356 ACRES 138.9

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

18598	102.7	RGK FARMS	LEWIS J, 0567 ACRES 102.7
18599	396.91	RGK FARMS	LEWIS J, 0567 ACRES 396.91
18616	54.92	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 54.92
18617	54.68	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 54.68
18618	1	SEGRAVES DALE	SOUTHWARD E 0927 ACRES 1.0
18619	319	SEGRAVES DALE	SOUTHWARD E 0927 ACRES 319.0
18621	107.4	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 107.4
18631	46.23	LAWSON JASON T & JEANIE L	CLEMENT SE 1193 ACRES 46.23
18635	56.77	LAWSON JASON T & JEANIE L	BOURLAND J 0132 ACRES 56.77
18644	14.19	NOLES TOMMY	TREVINO R 1017 ACRES 14.19
18645	113.23	NOLES TOMMY	MARTIN A 0637 ACRES 1.0 1010 CR 382, ERA TX 76238
18646	24.88	NOLES TOMMY W	MARTIN A 0637 ACRES 24.88
18924	1	SICKING HERBERT F	LANGFORD E, 0566 ACRES 1.0
18925	90	SICKING HERBERT F	LANGFORD E, 0566 ACRES 90.0
18926	50	SICKING HERBERT F	LANGFORD E, 0566 ACRES 50.0
18927	1	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	FOX JW, 0385 ACRES 1.0, S RANCH-SCHILLING PASTURE
18928	108.96	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	FOX JW, 0385 ACRES 108.96
18949	1	SICKING KENNETH D	LANGHAM M, 0564 ACRES 1.0
18950	4.48	SICKING KENNETH D	LANGHAM M, 0564 ACRES 4.48
18958	128	DANGELMAYR GLEN J	TREVINO R, 1013 ACRES 128.0
19553	500	SPARKS PEYTON B II	LANGHAM M, 0564 ACRES 500.0
19564	3.43	SPEARS GLENDA KAY	DEMORSE C 0332 ACRES 3.43
19566	1	TARABA JASON & TONI	DEMORSE C 0332 ACRES 1.0
20058	216.8	ELLIS G C MORTON & MARY W	GARNER J 0392 ACRES 212.41
20115	90	STORMER ZACHARY	TOWNSLEY JL, 1551 ACRES 90.0
20170	71.5	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 71.5
20171	56.14	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 56.14

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

20172	78	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 78.0
20174	194.39	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 194.39
20179	69.5	MARTIN THURMAN JACK II	BOLIN J, 0038 ACRES 69.5
20180	29	MARTIN THURMAN JACK II	THAMES A 1010 ACRES 29.0
20181	40	MARTIN THURMAN JACK II	BOLIN J, 0038 ACRES 40.0
20437	1	SCHUMACHER SCOTT & STACEY	NAIL H, 0790 ACRES 1.0
20503	55.58	BAYER PAUL & DONNA	LINN P, 1407 ACRES 55.58
20504	6	BAYER ANNA MARIE	MEP & PRR CO, 0769 ACRES 6.0
20637	150	PURCELL ROY	NAIL H, 0790 ACRES 150.0
20886	52.67	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	MARTIN A 0637 ACRES 52.67
20887	0.91	NEEDHAM DONALD RAY	NOBLE AW 0797 ACRES .91
20888	6.98	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	NOBLE AW 0797 ACRES 6.98
20913	3.62	KNIGHT-INGLISH REAL ESTATE LTD	THAMES A 1010 ACRES 3.62
20914	144.38	KNIGHT-INGLISH REAL EST LTD	THAMES A 1010 ACRES 144.38
20959	320	FETSCH GARRY	YARBOROUGH PG, 1175 ACRES 320.0
20965	92.5	TRES CONDADO LAND CO LP	STUMP J, 1497 ACRES 92.5, FELDERHOFF PLACE
20968	268.5	TRES CONDADO LAND CO LP	STUTZMAN A, 1444 ACRES 268.5, FELDERHOFF PLACE
20980	486.31	TRES CONDADO LAND CO LP	LANGFORD E, 0566 ACRES 486.31
20985	148.26	KARL TRUBENBACH LAND LP	CARTER C, 1190 ACRES 148.26
20986	63.07	KARL TRUBENBACH LAND LP	CCSL, 1188 ACRES 63.07, CASON PLACE
21395	99.2	VOGEL WILBERT	SPRR CO, 0975 ACRES 99.2
21467	53.64	VOTH EMILIA MARY & RAY	PIERCE C, 1577 ACRES 53.64
21602	1	FUHRMANN MICHAEL & BEVERLY	LANGFORD E, 0566 ACRES 1.0
21603	82.66	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 82.66, DAD'S
21613	17.69	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 17.61, CORBIN 3 CORNER
21619	199	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 199.0
21620	1	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 1.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

21635	129.8	SCHILLING MICHAEL D & JO A	TREVINO R, 1013 ACRES 129.8
21648	69.78	WALTERSCHEID JULIAN	TOBY T, 1048 ACRES 69.78
21664	81.8	WALTERSCHEID PEGGY TRUSTEE	LANGFORD E, 0566 ACRES 81.8
21674	221.41	WALTERSCHEID SYLVAN	TOBY T, 1048 ACRES 221.41, SOWDER PLACE
21944	519.41	SPAETH JOHN DAVID TRUSTEE	MEP & PRR CO, 0769 ACRES 519.41
21944	519.41	SPAETH LOU ANN ETAL	MEP & PRR CO, 0769 ACRES 519.41
21958	13.41	SPAETH JOHN DAVID TRUSTEE	EMANUEL A, 1197 ACRES 13.41
21959	34.32	SPAETH JOHN DAVID TRUSTEE	SPRR CO, 0975 ACRES 34.32
21971	1	BERRY FAMILY FARM IRREV TR	DAVIDSON JT, 0302 ACRES 1.0
21972	107.94	BERRY FAMILY FARM IRREV TR	DAVIDSON JT, 0302 ACRES 107.94
22424	48.24	KNIGHT-INGLISH REAL EST LTD	THAMES A 1010 ACRES 48.24
22547	38	SCHUMACHER RICHARD ETUX	LANGHAM M, 0564 ACRES 38.0
23430	34	BOYD FAMILY LIVING TRUST	SPRR CO, 0981 ACRES 34.0
23634	27.47	CIRCLE Z FARM LLC	LANGHAM M, 0564 ACRES 27.47
23637	0.98	ZIMMERER RICHARD E & DELORES M	LANGHAM M, 0564 ACRES .98
23725	11	ZIMMERER RICHARD E	LANGHAM M, 0564 ACRES 11.0
23735	170.23	BELLE FOURCHE RESOURCES LLC	INGLISH LA 1568 ACRES 170.23
23739	5	KNIGHT JOE M ETAL	NOBLE AW 0797 ACRES 5.0 LIFE EST WILLIAM H KNIGHT
23740	20.9	KNIGHT JOE M ETAL	MARTIN A 0637 ACRES 20.9 LIFE EST WILLIAM H KNIGHT
23775	6.53	HARTMAN TIM ETUX	BBB & CRR, 0182 ACRES 6.53
24062	1	JOHNSON BRENDA LOUISE	MEP & CRR CO 0991 ACRES 1.0
24111	2.28	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 2.28
24112	22.93	BIFFLE JIMMY JACK	TOBY T, 1060 ACRES 22.93
24134	24	ENDRES JOHN ETUX	LEWIS J, 0567 ACRES 24.0
24135	1	ENDRES JOHN ETUX	LEWIS J, 0567 ACRES 1.0
24139	2.04	HOOD CEMETERY	TOBY T, 1061 ACRES 2.04, CEMETARY
24714	1	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 1.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

24715	128.13	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 128.13
24716	1	SADAU JEANNE LORRAINE	CARSON T, 0203 ACRES 1.0, LABEL# TEX0321717, SN1 OCO385650A;
24802	29.15	HARTMAN TIM ETUX	EKEY R, 0356 ACRES 29.15
24882	104.9	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0146 ACRES 104.9
25347	2.39	WALTERSCHEID PHILLIP E	LANGFORD E, 0566 ACRES 2.39
25353	21.28	GUESS GAYLE	NOBLE AW 0797 ACRES 21.28
25451	2	TESTERMAN RONEY & DEBORAH	DAVIDSON JT, 0302 ACRES 2.0
25672	4	DOUGHTY MICHAEL W	THOMPSON BJ, 1006 ACRES 4.0
25692	54.54	WALTERSCHEID PHILLIP E	LANGFORD E, 0566 ACRES 54.54
25819	149.4	MITCHELL KENNETH JR & SHIRLEY	SPRR CO 1000 ACRES 149.4 WEST PLACE
26424	82.38	SCHMITZ MICHAEL W & RAY BEZNER	BBB & CRR, 0182 ACRES 82.38
26517	9.39	WEAVER KERRY DON JR & STEPHANIE ANN	DAVIDSON JT, 0302 ACRES 9.39
26545	1	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 1.0
26613	50	LUTKENHAUS LEO ETUX	FOX JW, 0385 ACRES 50.0
26617	100	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 100.0
26808	41.87	SPARKS F MICHAEL	LANGHAM M, 0564 ACRES 41.87
26813	1	LUTKENHAUS DENNIS LAWRENCE	LANGFORD E, 0566 ACRES 1.
26815	31.63	LUTKENHAUS DENNIS LAWRENCE	LANGFORD E, 0566 ACRES 31.63
26817	44.66	SICKING LAND & CATTLE LLC	LANGFORD E, 0566 ACRES 44.66
26818	19.62	SICKING LAND & CATTLE LLC	LANGFORD E, 0566 ACRES 19.62
26819	45.26	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 45.26
26820	19.02	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 19.02
26821	44.28	SICKING PAULINE	LANGFORD E, 0566 ACRES 44.28
26822	1	SICKING WARREN FULTON	LANGFORD E, 0566 ACRES 1.0
26823	1	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 1.0
26824	24.59	LUTKENHAUS CHARLES AUGUST	LEWIS J, 0567 ACRES 24.59
26825	24.59	KLEMENT SCOTT & JUSTIN	LEWIS J, 0567 ACRES 24.59

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

26826	24.59	KLEMENT SCOTT & JUSTIN	LEWIS J, 0567 ACRES 24.59
26827	24.59	SICKING PAULINE	LEWIS J, 0567 ACRES 24.59
26969	1	KNIGHT JOE M & PATRICIA GAIL	NAIL H 0790 ACRES 1.0
26970	7.16	MCBEE MARILYN SLIMAN	NAIL H, 0790 ACRES 7.16
26971	95.08	MCBEE MARILYN S TRUSTEE	NAIL H, 0790 ACRES 95.08
27131	1.48	DANGELMAYR RANCH PARTNERSHIP OF MUENSTER TX	SA & MG RR, 0973 ACRES 1.48, S RANCH-SCHILLING PASTURE
27145	1	HAMMONDS MICHAEL	MEP & CRR CO 0991 ACRES 1.0 LABEL# TEX0515065 CANCELLED TO REAL ESTATE SN1 OC05957086A TITLE # 00741091
27281	107.42	KLEMENT ROBERT G & GLORIA	HENDERSON WH, 1205 ACRES 107.42
27392	6.26	KLEMENT ROBERT G & GLORIA	LINN P, 1407 ACRES 6.26
27403	159	KLEMENT ROBERT G & GLORIA	WERTZ PR, 1465 ACRES 159.0
28508	1	MORRISON KATY M	TAYLOR J 1007 ACRES 1.0 METAL BLDG
28509	99	KNIGHT ED & ANN FAMILY LTD	THAMES A 1010 ACRES 99.0
30968	1	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 1.0, LABEL# TEX0486242, SN1 OC05946051
31444	1	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 1.0
54386	140.15	DANGELMAYR CHARLOTTE TR	BBB & CRR, 0150 ACRES 140.15
54387	44.66	DANGELMAYR CHARLOTTE TR	I & GN RR CO, 1264 ACRES 44.6
54388	124.8	DANGELMAYR CHARLOTTE TR	LOCKHART C, 0606 ACRES 124.8
54389	115.8	DANGELMAYR CHARLOTTE TR	AROCHA J J, 0022 ACRES 115.8
54390	38.7	DANGELMAYR CHARLOTTE TR	SPRR CO, 0981 ACRES 38.7
54391	24.4	DANGELMAYR CHARLOTTE TR	HOWETH WW, 1633 ACRES 24.4
54393	14.02	DANGELMAYR BILLY JOE, THOMAS J & SHAWN RAY	BBB & CRR, 0146 ACRES 14.02
54402	2.26	DANGELMAYR MICHAEL & KERRY	LANGFORD E, 0566 ACRES 2.26
54403	293	DANGELMAYR JOE HENRY ETUX	CULP JM, 1350 ACRES 293.0
54404	108	DANGELMAYR JOE HENRY ETUX	SPRR CO, 0981 ACRES 108.0
54405	2.82	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 2.82
55209	205	ALFORD CARL ETUX	BBB & CRR, 0147 ACRES 205.
56217	211.54	DIXON FOUNDATION	BBB & CRR, 0147 ACRES 211.54

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

56218	215.53	KLEMENT ROBERT G & GLORIA	BBB & CRR, 0147 ACRES 215.53
67446	7.94	DANGELMAYR THOMAS & SHAWN DANGELMAYR	BBB & CRR, 0146 ACRES 7.94, D BAR RANCH
67452	2	SHAFFER CLINTON & JACKIE WELCH	MEP & CRR CO 0991 ACRES 2.0
69218	5	CARTER CHRIS S & CYNTHIA DAWN	BBB & CRR, 0147 ACRES 5.0
69516	85.23	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 85.23
69517	161.02	SCHUMACHER GENE & SUSAN	FOREMAN BA, 0390 ACRES 161.02
69518	1AC	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 1.0
69843	1	BAYER PAUL & DONNA	MEP & PRR CO, 0769 ACRES 1.0
69845	70	BAYER MELVIN R	LINN P, 1407 ACRES 70.0
69918	87.66	DAVIDSON MARSHA HENLEY	NAIL H, 0790 ACRES 87.66, S PT
69939	0.53	ZIMMERER RAY J JR & IDA	LANGHAM M, 0564 ACRES .53
70068	4.99	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	NOBLE AW 0797 ACRES 4.99
70069	34.9	HUDSPETH JERRY GLENN & NELDA FAYE LIVING TR	MARTIN A 0637 ACRES 34.9
74039	1	HAMMONDS JEREMY W	MEP & CRR CO 0991 ACRES 1.0 240 CR 346, GAINESVILLE TX 76240
74055	1	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 1.0
74226	48.96	WREN MITCHELL	TAYLOR J 1007 ACRES 48.96
74227	1	ROMERO JOAQUIN	TAYLOR J 1007 ACRES 1.0
74497	173.84	SICKING KENNETH D	DAVIDSON JT, 0302 ACRES 173.84
77809	33.3	GROCE G JACK & FRANCES B	TOBY T, 1061 ACRES 33.3
79083	141.79	HENNIGAN JANIE & MICHAEL J	SPRR CO, 0975 ACRES 141.79
79655	1	VILLA HECTOR O & STEPHANIE R	NOBLE AW 0797 ACRES 1.0
81494	1	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 1.0
82020	5	TWINER DARRELL & BRUCE TIFFANY	MARTIN A 0637 ACRES 6.0 --515 CR 382 ERA TX 76238-
82139	72.5	ROEHRS MICHAEL	MEP & PRR CO, 0766 ACRES 72.5
82140	77.5	ROEHRS MICHAEL	LEWIS J, 0567 ACRES 77.5
82193	16.79	SHAFFER CLINTON & JACKIE WELCH	MEP & CRR CO 0991 ACRES 16.79
82196	20	HAMMONDS MICHAEL	MEP & CRR CO 0991 ACRES 21.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

82214	1	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 1.0, LABEL# NTA1470303 CANCELLED TO REAL
82349	20	MARSHALL BRENDA JOHNSON	MEP & CRR CO 0991 ACRES 20.0
82468	1	GREWING GARY & KELLY	YARBOROUGH PG, 1175 ACRES 1.0
82542	1.77	SPAETH JOHN DAVID & MICHELLE	MEP & PRR CO, 0769 ACRES 1.77
82811	14.01	COMPADRE CATTLE CO LLC	LINDHEIMER FJ 0573 ACRES 14.01
82917	1	SCHUMACHER GENE & SUSAN	FOREMAN BA, 0390 ACRES 1.0
83657	9	BERRY LINDA SEGRAVES & MICHAEL J	NAIL H, 0790 ACRES 9.0
84727	29.59	POLO LISA A	DEMORSE C 0332 ACRES 29.59
84757	1	FLEITMAN CHARLES & BEVERLY	MARTIN A 0637 ACRES 1.0
84758	8.5	BLUM DALTON & GRACIE	MARTIN A 0637 ACRES 8.5
84803	12.26	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	LOCKHART C 0606 ACRES 12.26
84809	76	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	DAVIS J 0331 ACRES 76.0
84811	13.2	DIAMOND DUKE PROP LTD & ATCHESON DAVID TIMOTHY EXEMPT TR	HOWETH WW 1633 ACRES 13.2
84850	54.72	WYRICK LARRY D, JOAN, JOHN & BEN	YARBOROUGH PG, 1175 ACRES 54.72
85171	10.1	TARABA JASON & TONI	DEMORSE C 0332 ACRES 10.1
85172	10.1	BOWLES RACHEL	DEMORSE C 0332 ACRES 10.1
86814	10.1	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 10.1
86815	10.1	HOLT DUANE CARROLL & CLAUDIA MARIE	DEMORSE C 0332 ACRES 10.1
87463	176.52	BELLE FOURCHE RESOURCES LLC	SA & MG RR 0999 ACRES 176.52
87523	30	HINSHAW CULLEN	MEP & CRR CO 0991 ACRES 30.0
87883	40	SPAETH JOHN DAVID & MICHELLE	MEP & PRR CO, 0769 ACRES 40.00
99416	11.15	HESS JUDITH LUTKENHAUS	MOORE JA, 0760 ACRES 11.15
10846 3	98.87	COMPADRE CATTLE CO LLC	TAYLOR J 1007 ACRES 98.87
10865 6	35.37	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 35.37
10869 2	42.22	BREWER DAVID & DENISE	THOMPSON BJ, 1006 ACRES 42.22
10869 3	9	SICKING WESLEY AUGUSTINE	LANGFORD E, 0566 ACRES 9.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

10869 5	9	SICKING WARREN FULTON	LANGFORD E, 0566 ACRES 9.0
10881 3	1	GROCE JARED J & LEAH	TOBY T, 1061 ACRES 1.0
10888 9	104.77	BOWLES HAROLD & CINDY	GARNER J 0392 ACRES 104.77
10889 6	81.45	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 81.45
10889 7	9	FUHRMANN MICHAEL & BEVERLY	LANGFORD E, 0566 ACRES 9.0
10916 2	1.85	KLEMENT DANIEL	NAIL H, 0790 ACRES 1.85
11085 5	75.2	MITCHELL PARTNERS & MITCHELL TRUST	FOREMAN BA, 0390 ACRES 75.2
11085 6	13.9	BEWLEY GLENN D	LANGHAM M, 0564 ACRES 13.9
11087 2	21.57	VOGEL WELDON A	GATEWOOD HILLS, LOT 1, ACRES 21.57
11087 3	1	HESS BRIAN A & DANNA R	GATEWOOD HILLS, LOT 2, ACRES 1.0
11087 4	1	OPPERMANN ARTHUR C JR & GYNELL A	GATEWOOD HILLS, LOT 3, ACRES 1.0
11087 5	15.65	AMBROSE YVONNE T	GATEWOOD HILLS, LOT 4, ACRES 15.65
11087 6	1	KRUEGER 2015 FAMILY TR	GATEWOOD HILLS, LOT 5, ACRES 1.0
11087 7	14.81	VOGEL WELDON A	GATEWOOD HILLS, LOT 6, ACRES 14.81
11087 8	1	VOGEL WELDON A	GATEWOOD HILLS, LOT 1, ACRES 1.0
11087 9	10.44	ENDRES MONTE S & JACQUE KYLE	GATEWOOD HILLS, LOT 8, ACRES 10.44
11100 5	1.5	LONG DO & MANNAS WE	DAVIDSON JT, 0302 ACRES 1.5
11100 8	11.87	COOKE COUNTY	DAVIDSON JT, 0302 ACRES 11.87, PREC 3 COUNTY BARN
11105 3	185.89	DANGELMAYR PAUL ETUX	LANGFORD E, 0566 ACRES 185.89
11105 4	14.29	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 14.29, DAD'S
11105 6	15.2	WALTERSCHEID DELLA	LANGFORD E, 0566 ACRES 15.2
11105 8	37.8	WALTERSCHEID SYLVAN	LANGFORD E, 0566 ACRES 37.8, CORBIN SOUTH
11105 9	16.62	WALTERSCHEID SYLVAN	TOBY T, 1048 ACRES 16.62, SOWDER 3 CORNER
11106 2	8.98	MORRIS KAREN COURSEY	LINN P, 1407 ACRES 8.98
11106 7	125.11A C	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 125.11
11106 8	48.16	KLEMENT SCOTT MICHAEL	TOBY T, 1062 ACRES 48.16
11110 7	1	MOCKAITIS EDWARD JR & VIRGINIA GAIL	MEP & CRR CO 0991 ACRES 1.0

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

11112 4	1	MARTIN THURMAN JACK II	NAIL H, 0790 ACRES 1.0
11113 3	112.5	KLEMENT BROTHERS DAIRY INC	DAVIDSON JT, 0302 ACRES 112.5
11136 7	1	UNKNOWN	UNKNOWN
11146 7	119.72	FETSCH GARRY	YARBOROUGH PG, 1175 ACRES 119.72
11335 9	12.06	KRUEGER 2015 FAMILY TR	GATEWOOD HILLS, LOT 5, ACRES 12.06
11346 2	62.75	TRUBENBACH STEVEN & MELISSA	CULP JM, 1351 ACRES 62.75
11358 8	65	GUESS GAYLE	NOBLE AW 0797 ACRES 65.0
11530 8	109.14	WALTER PARTNERS LTD	SPRR CO, 1000 ACRES 109.14
11530 9	95.21	WALTER PARTNERS LTD	TAYLOR J, 1044 ACRES 95.21
11539 6	71.6	RICHARDSON COY & LINDA	CARRYVAR P, 0235 ACRES 1.0
11539 7	1	ALAGA LA NORMA JEAN	NAIL H, 0790 ACRES 1.0
12795 0	111.2	HAMM SUZETTE BREWER	LEWIS J, 0567 ACRES 111.2
12815 5	1	HINSHAW CULLEN	MEP & CRR CO 0991 ACRES 1.0
12999 5	1	BECKER, WERNER & LINDA, LOWREY MONICA, & BENTON THERESA	LANGHAM M 0564 ACRES 1.0 BLOUNT PLACE
12999 6	149	BECKER, WERNER & LINDA, LOWREY MONICA, & BENTON THERESA	LANGHAM M 0564 ACRES 149.0 BLOUNT PLACE
13001 4	14	BUTCHER CLEO HOYT JR TRUST ETAL	MCCLELLAND W 0752 ACRES 14.0
13001 5	129	BUTCHER CLEO HOYT JR TRUST ETAL	CLEMENT SE 0273 ACRES 129.0
13014 9	120	GRUBER FAMILY TRUST, SCHMITZ ANNETTE CLARA, & GRUBER, ALICE	LEWIS J 0567 ACRES 120.0
13015 0	149.5	GRUBER FAMILY TRUST, SCHMITZ ANNETTE CLARA, & GRUBER, ALICE	CARSON T 0203 ACRES 149.5
13016 5	453.36	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	TOBY T 1060 ACRES 453.36
13016 6	17.17	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	THOMAS A 1696 ACRES 17.17
13016 8	8.01	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	STUTZMAN A 1444 ACRES 8.01
13049 7	1	BUTCHER CLEO H & BUTCHER CLEO HOYT JR TRUST	CLEMENT SE 0273 ACRES 1.0
13049 8	81.5	BUTCHER CLEO HOYT JR TRUST ETAL	TOBY T 1061 ACRES 81.5
13051 5	4.34	DANGELMAYR BILLY JOE & CHARLOTTE REV LIVING TR & TRUBENBACH STEVEN & MELISSA	LANGFORD E 0566 ACRES 4.34

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

13051 6	0.6	DANGELMAYR BILLY JOE & CHARLOTTE REV LIVING TR & TRUBENBACH STEVEN & MELISSA	CULP JM 1351 ACRES .6
13051 7	98.51	KLEMENT ROBERT G & GLORIA & SCOTT MICHAEL	S FM 373 W/S MUENSTER, TX 76252
13571 8	7.57	SPEARS ALAN RAY & LEANN	DEMORSE C 0332 ACRES 7.57
13574 5	34	ROMERO JOAQUIN	TAYLOR J 1007 ACRES 34.0
13582 0	655.71	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 655.71
13582 1	47.68	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 47.68
13582 2	167.46	COMPADRE CATTLE CO LLC	MEP & CRR CO 0991 ACRES 167.46
13582 3	55.6	COMPADRE CATTLE CO LLC	WHITTEN JW 1115 ACRES 55.6
13582 4	31.01	COMPADRE CATTLE CO LLC	DILLION C 1685 ACRES 31.01
13582 5	20.02	COMPADRE CATTLE CO LLC	FEARS JT 1253 ACRES 20.02
13582 6	496.37	COMPADRE CATTLE CO LLC	DEMORSE C 0332 ACRES 496.37
13584 7	124	PURCELL RICKEY & DIANE DURHAM	DAVIDSON JT 0302 ACRES 124.0
13584 9	1	PURCELL RICKEY & DIANE DURHAM	DAVIDSON JT 0302 ACRES 1.0
13587 2	27.04	DANGELMAYR TOM J & HAYLE J REV LIVING TR	BBB & CRR, 0146 ACRES 27.04
13595 8	71.6	ALAGA LA NORMA JEAN	NAIL H, 0790 ACRES 35.3
13611 9	14	VILLA HECTOR O & STEPHANIE R	NOBLE AW 0797 ACRES 14.0
13612 0	28.42	VILLA GILBERT A & ROBBIE	NOBLE AW 0797 ACRES 28.42
13614 7	3	ORTOWSKI CONSTRUCTION CO	LANGHAM M, 0564 ACRES 3.0
13628 2	153.82	SCHUMACHER RUDY & JOANN	FOREMAN BA, 0390 ACRES 153.82
13647 7	86.5	FSS PROPERTIES LTD & T & B FELDERHOFF LP & ALF HOLDINGS LTD	BELCHER GW 0187 ACRES 86.5 ROSSON PLACE
13654 7	39.52	SADAU CARL B	CARSON T, 0203 ACRES 39.52
13657 1	19	HAMMONDS JEREMY W	MEP & CRR CO 0991 ACRES 19.0
13663 2	1	BAYER PAUL & DONNA	LINN P, 1407 ACRES 114.68
13988 0	76.93	SICKING DARWIN	LANGHAM M, 0564 ACRES 177.06
13988 1	85.67	SICKING SHERILYN	LANGHAM M, 0564 ACRES 76.93
13991 5	44.21	TRUBENBACH STEVEN & MELISSA	LANGFORD E, 0566 ACRES 44.21

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

13991 6	156.74	TRUBENBACH STEVEN & MELISSA	CULP JM, 1351 ACRES 156.74
14004 1	39	CARTER MATT	YARBOROUGH PG, 1175 ACRES 40.
14013 0	99	PURCELL ROY	DAVIDSON JT, 0302 ACRES 99.0
14015 0	24	GREWING GARY & KELLY	YARBOROUGH PG, 1175 ACRES 24.0
14024 9	204.96	DANGELMAYR JOSEPH C, DANGELMAYR LAUREN, & SCHOENDORF AMIE & LISA SLINGERLAND	FOREMAN BA 0390 ACRES 204.96 N PT SEARS PLACE - NORBS/ERA PLACE
14029 5	99	SCHUMACHER SCOTT & STACEY	NAIL H, 0790 ACRES 99.0
14029 6	9	UNKNOWN	UNKNOWN
14030 1	153.04	KNIGHT JOE M & PATRICIA GAIL	NAIL H, 0790 ACRES 153.04
14537 4	99	WALTER SHAWN AARON	LANGHAM M, 0564 ACRES 99.0
14538 9	208.73	WALTER PARTNERS LTD	CLEMENT SE, 0272 ACRES 208.73
14539 4	9	KLEMENT SCOTT & ZONYA	TOBY T, 1060 ACRES 9.0
14540 0	15.83	VOGEL WELDON A	GATEWOOD HILLS, LOT 7, ACRES 15.83
14540 1	17.72	HESS BRIAN A & DANNA R	GATEWOOD HILLS, LOT 2, ACRES 17.72
14540 2	19.38	OPPERMANN ARTHUR C JR & GYNELL A	GATEWOOD HILLS, LOT 3, ACRES 19.38
14620 8	63.83	BAYER PAUL & DONNA	MEP & PRR CO, 0769 ACRES 63.83
14649 7	1	GUESS GAYLE	NOBLE AW 0797 ACRES 1.0
14668 9	16.51	ANGER LYNNE D & CHARLES	SHIELDS J, 0911 ACRES 16.51
14669 0	9.85	ANGER LYNNE D & CHARLES	CARSON T, 0203 ACRES 9.85
14670 0	2	BLANTON KENNY D & MARCELLA	BOLIN J 0038 ACRES 2.0
14689 4	1	BOWLES RACHEL	DEMORSE C 0332 ACRES 1.0
14696 5	12.67	SCHUMACHER EUGENE & SUSAN & SCHUMACHER RUDY & JOANN	FOREMAN BA 0390 ACRES 12.67
14927 6	10	CARTER CHRIS S & CYNTHIA DAWN	BBB & CRR, 0147 ACRES 10.0
14929 1	31.65	LUTKENHAUS LEO GEORGE	LANGFORD E, 0566 ACRES 32.63
14953 5	10	MULLER MATTHEW & YANA	TOBY T, 1061 ACRES 10.0
14985 8	6.3	RANEY SHIRLEY	MEP & CRR CO 0991 ACRES 6.3
14985 9	18.97	RAUSCHUBER CHISAM & KACEE	MEP & CRR CO 0991 ACRES 17.97

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD

**Wildcat Creek Wind Farm LLC**  
Chapter 313 Application to Muenster ISD

14988 4	1	CARTER MATT	YARBOROUGH PG, 1175 ACRES 1.0
14994 3	42.18	HESS HEATHER MARIE	MOORE JA, 0759 ACRES 42.18
15017 7	1	DANGELMAYR JAMES T ET AL	SHORT FM 1707 ACRES 1.0 SOUTH RANCH-HOLLARS
15019 3	0.35	DANGELMAYR JAMES T ET AL	SHORT JC 1720 ACRES .35 SOUTH RANCH-HOLLARS
15019 8	309.7	DANGELMAYR JAMES T ETAL	SPRR CO 0975 ACRES 309.7 SOUTH RANCH-HOLLARS
15021 3	45.5	DANGELMAYR JAMES T ETAL	SHORT FM 1707 ACRES 45.5 SOUTH RANCH-HOLLARS
15030 5	112	DANGELMAYR JAMES T ETAL	SPRR CO 0975 ACRES 309.7 SOUTH RANCH-HOLLARS
15245 9	40	LEWTER LANNY & NEDRA	LANGHAM M 0564 ACRES 40.0
15246 0	47	LEWTER DEVIN	LANGHAM M 0564 ACRES 47.0
15248 4	1	UNKNOWN	NAIL H, 0790 ACRES 1.0
15248 6	35.3	UNKNOWN	NAIL H, 0790 ACRES 35.3
15250 7	113.68	BAYER PAUL & DONNA	LINN P 1407 ACRES 113.68
15258 2	85.67	SICKING KENNETH D	LANGHAM M 0564 ACRES 85.67
15662 3	1	HOLT DUANE CARROLL & CLAUDIA MARIE	DEMORSE C 0332 ACRES 1.0
16021 7	1	RAUSCHUBER CHISAM & KACEE	MEP & CRR CO 0991 ACRES 1.0

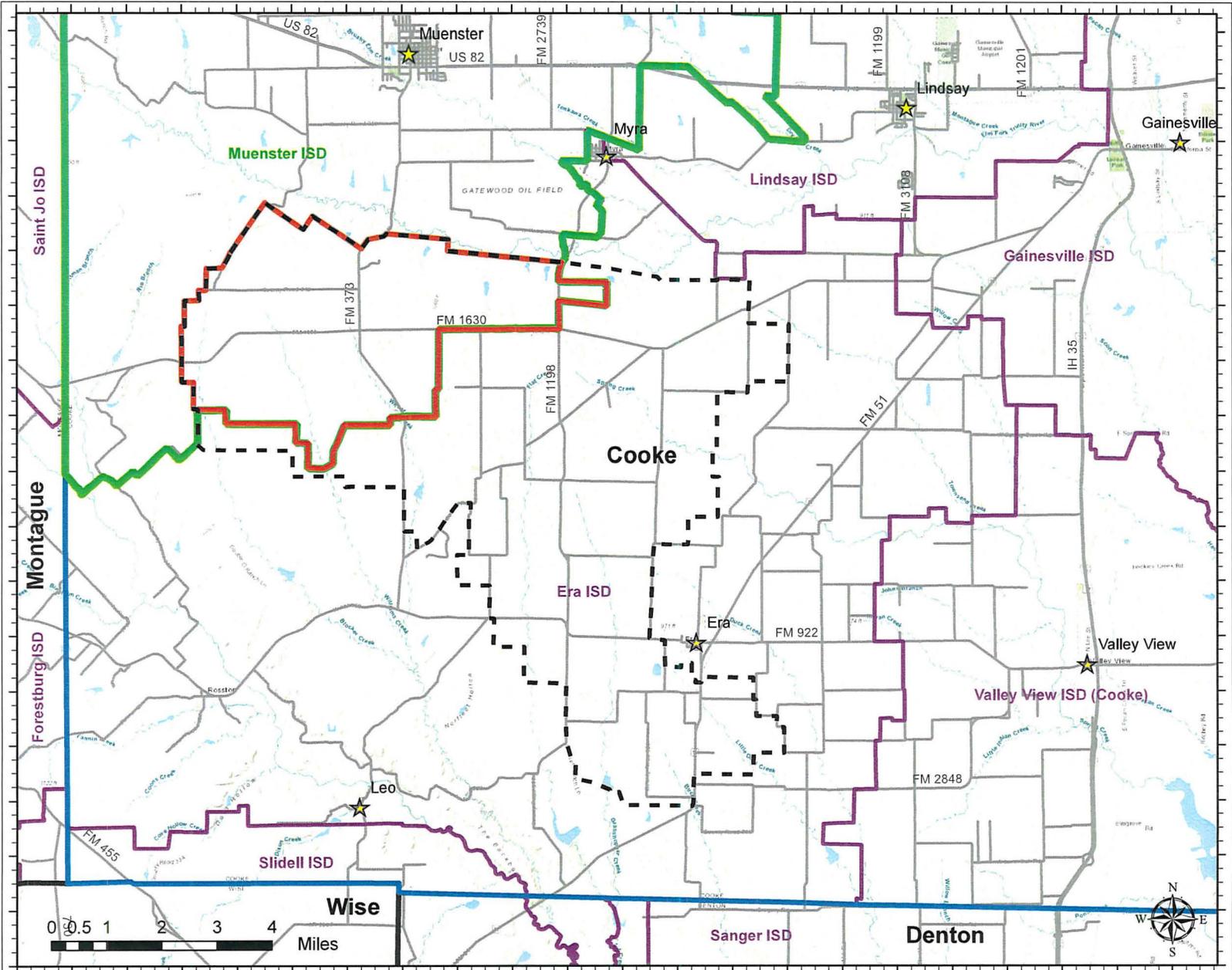
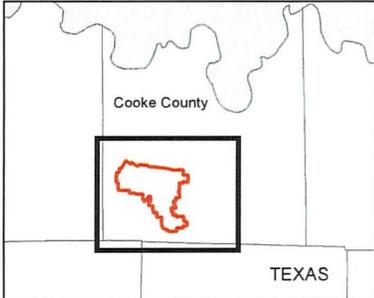
---

ATTACHMENT TO APPLICATION FOR CHAPTER 313 APPRAISED VALUE  
LIMITATION BY WILDCAT CREEK WIND FARM LLC TO MUENSTER ISD



Wildcat Creek  
Wind Farm  
Project Vicinity Map

-  Reinvestment Zone
-  Project Boundary
-  Muenster ISD
-  Cooke County
-  Counties
-  Cities
-  ISD Boundaries
-  Public Roads



**EXHIBIT 2**

**DESCRIPTION AND LOCATION OF LAND**

The Land on which the Qualified Property shall be located and on which the Qualified Investment shall be made is described by the map attached to **Exhibit 1**.

### EXHIBIT 3

#### APPLICANT'S QUALIFIED INVESTMENT

Applicant's Qualified Investment, as more fully described in Tab #7 of the Application, shall be all tangible personal property first placed in service after December 18, 2019, that is owned by the Applicant within the reinvestment zone and project boundaries of the Muenster Independent School District as depicted on the map attached to **Exhibits 1 and 4**.

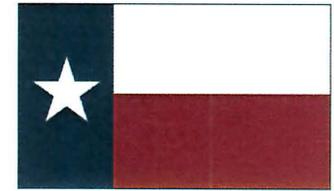
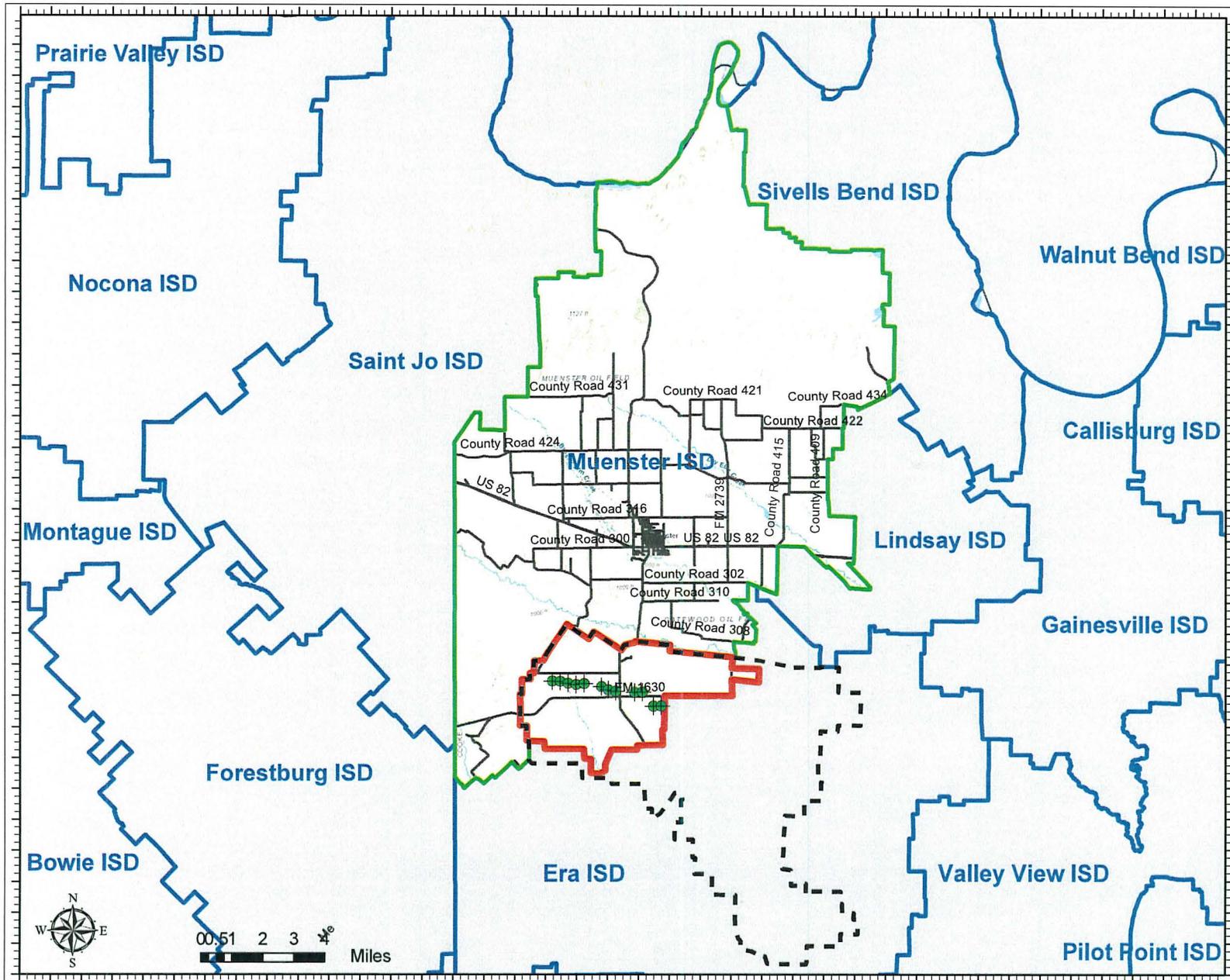
The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile "generator-lead" transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.

## EXHIBIT 4

### DESCRIPTION AND LOCATION OF QUALIFIED PROPERTY

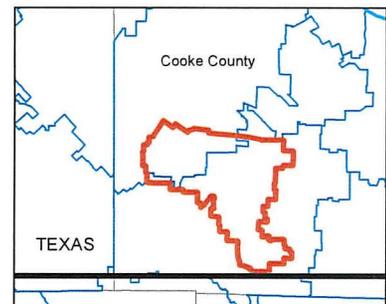
This Agreement covers all qualified property owned by Applicant within the reinvestment zone and project boundaries within Muenster ISD as depicted on the map attached to this **EXHIBIT 4** necessary for the commercial operations of the wind electric generating facility.

The Applicant, Wildcat Creek Wind Farm LLC, is requesting an appraised value limitation for all property constructed or placed upon real property located in Muenster ISD in Cooke County. 12,168 acres of the project are within Muenster ISD boundaries—of those, ~5,500 acres are expected to be leased. The property for which the Applicant is requesting an appraised value limitation will be a wind-powered electric generating facility with an estimated operating capacity of 180 megawatts of power. The Applicant estimates that 62 megawatts of the estimated 180 megawatts of the project will be located in Muenster ISD. The exact number of wind turbines and the size of each turbine will vary depending upon the final wind turbines selected and the megawatt generating capacity of the project, but the current estimated turbine count for Muenster ISD is twelve (12). The Project will also include, but not limited to, the following: reinforced concrete foundations supporting the weight of each turbine tower, conductor cables used to transport electricity from each turbine tower to an electrical substation, access roads, a collection substation, and an approximately nine (9) mile “generator-lead” transmission line. The Project boundaries are within both Era ISD and Muenster ISD. The Project is entirely within a Cooke County Reinvestment Zone. The Applicant estimates that the Project will be constructed and become operational by the end of the year 2020.



Wildcat Creek  
Wind Farm  
Muenster ISD

-  Proposed Turbine Locations
-  Reinvestment Zone
-  Project Boundary
-  Muenster ISD
-  ISD Boundaries
-  Public Roads



## Attachment H

### Consultant Verification Letter



LYNN M. MOAK, PARTNER

DANIEL T. CASEY, PARTNER

December 18, 2019

President and Members  
Board of Trustees  
Muenster Independent School District  
113 East 7<sup>th</sup> Street  
Muenster, Texas 76252

*Re: Recommendations and Findings of the Firm Concerning the Application of Wildcat Creek Wind Farm, LLC (#1394) for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes*

Dear President and Members of the Board of Trustees:

Please accept this letter as formal notification of the completion of due diligence research on behalf of the Muenster Independent School District, with respect to the pending Application of Wildcat Creek Wind Farm, LLC for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes. Since our engagement on behalf of the District, we have been actively engaged in reviewing the pending Application and verifying its contents. Based upon our review, we have drawn the following conclusions:

1. All statements of current fact contained in the Application are true and correct.
2. The project proposed in the Application meets all applicable eligibility criteria of Chapter 313 of the Texas Tax Code.
3. The Applicant has the current means and ability to complete the proposed project.
4. All applicable school finance implications arising from the contemplated Agreement have been explored.
5. The proposed Agreement contains adequate revenue protection provisions to protect the interests of the District over the course of the Agreement.

Because of the foregoing, it is our recommendation that the Board of Trustees approve the Application of Wildcat Creek Wind Farm, LLC for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes.

Sincerely,

A handwritten signature in blue ink that reads "Daniel T. Casey".

Daniel T. Casey  
Partner

[www.moakcasey.com](http://www.moakcasey.com)

# O'HANLON, DEMERATH & CASTILLO

ATTORNEYS & COUNSELORS AT LAW

808 WEST AVE

AUSTIN, TEXAS 78701

TELEPHONE: (512) 494-9949

FACSIMILE: (512) 494-9919

**KEVIN O'HANLON**  
CERTIFIED, CIVIL APPELLATE  
CERTIFIED, CIVIL TRIAL

**JUSTIN DEMERATH**

**BENJAMIN CASTILLO**

December 18, 2019

President and Members  
Board of Trustees  
Muenster Independent School District  
113 East 7<sup>th</sup> Street  
Muenster, Texas 76252

*Re: Recommendations and Findings of the Firm Concerning the Application of Wildcat Creek Wind Farm, LLC (#1394) for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes*

Dear President and Members of the Board of Trustees:

Please accept this letter as formal notification of the completion of due diligence research on behalf of the Muenster Independent School District, with respect to the pending Application of Wildcat Creek Wind Farm, LLC for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes. Since our engagement on behalf of the District, we have been actively engaged in reviewing the pending Application and verifying its contents. We have also negotiated an Agreement between the District and Wildcat Creek Wind Farm, LLC. Based upon our review we have drawn the following conclusions:

1. All statements of current fact contained in the Application are true and correct.
2. The project proposed in the Application meets all applicable eligibility criteria of Chapter 313 of the Texas Tax Code.
3. The Applicant has the current means and ability to complete the proposed project.
4. All applicable school finance implications arising from the contemplated Agreement have been explored.

5. The proposed Agreement contains adequate legal provisions to protect the interests of the District.

As a result of the foregoing conclusions it is our recommendation that the Board of Trustees approve the Application of Wildcat Creek Wind Farm, LLC for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes.

Sincerely,

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

Kevin O'Hanlon  
For the Firm

# Attachment I

## Agreement Review Letter



**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

---

P.O. Box 13528 • Austin, TX 78711-3528

December 18, 2019

Steven Self  
Superintendent  
Muenster Independent School District  
113 East 7<sup>th</sup> Street  
Muenster, Texas 76252

Re: Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Muenster Independent School District and Wildcat Creek Wind Farm LLC, Application 1394

Dear Superintendent Self:

This office has been provided with the Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Muenster Independent School District and Wildcat Creek Wind Farm LLC (Agreement). As requested, the Agreement has been reviewed pursuant to 34 TAC 9.1055(e)(1).

Based on our review, this office concludes that the Agreement complies with the provisions of Tax Code, Chapter 313 and 34 TAC Chapter 9, Subchapter F.

Should you have any questions, please contact Michelle Luera with our office. She can be reached by email at [michelle.luera@cpa.texas.gov](mailto:michelle.luera@cpa.texas.gov) or by phone at 1-800-531-5441, ext. 3-6053, or at 512-463-6053.

Sincerely,

Will Counihan  
Director  
Data Analysis & Transparency Division

cc: Dan Casey, Moak, Casey & Associates  
Steve Irvin, EDP Renewables North America LLC  
Danielle Thurber, EDP Renewables North America LLC  
Renn Neilson, Baker Botts L.L.P.

## Attachment J

# Conflict Of Interest Disclosure

### **Conflicts of Interest Disclosure Procedure**

In its recent audits of Chapter 313 Agreements, The Texas State Auditor's Office has required documentation of inquiries concerning Board Member conflicts of interest at critical junctions in the Chapter 313 approval process. A local public official or a person related to a local public official in the first degree by either affinity or consanguinity has a substantial interest in a business entity or in real property, the local public official, before a vote or decision on any matter involving the business entity or the real property, is required to file an affidavit with an official Board record keeper stating the nature and extent of the interest and shall abstain from further participation in the matter if:

1. In the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
2. In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.
3. A person has a substantial interest in a business entity if:  
The person owns at least:
  - a. Ten percent of the voting stock or shares of the business entity, or
  - b. Either ten percent or \$15,000 of the fair market value of the business entity; or
  - c. Funds received by the person from the business entity exceed ten percent of the person's gross income for the previous year.
4. In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The Board may contract with a business entity in which a Trustee has a substantial interest if the Trustee follows the disclosure and abstention procedure set out above.

Does any Board Member have a conflict of interest as defined above?

If so, has the required Affidavit, set forth at District Policy BBFA (Exhibit) been filed?

Please have the answers to the foregoing 2 questions and a copy of this Procedure included in the minutes of this meeting.