SARA LEON & ASSOCIATES, LLC

October 25, 2019

Via Electronic Mail: Michelle.Luera@cpa.texas.gov Ms. Michelle Luera, CTCM Senior Research Analyst Data Analysis and Transparency Division Texas Comptroller of Public Accounts 111 E. 17th St. Austin, TX 78774

Re: Application #1433 between the Wink-Loving Independent School District and MarkWest Tornado GP, L.L.C.-Amendment 001 transmittal

Dear Ms. Luera:

Per your email on October 10, 2019, MarkWest Tornado GP, L.L.C. has made the following corrections to Application No. 1433. Enumerated below are the changes contained in Amendment 001:

- 1. Section 1 Authorized School District Consultant: Question 3, Email Address updated
- 2. Section 9 Projected Timeline: Question 3, Start of Qualifying Time Period corrected
 January 2, 2021
- 3. Tab 4 Detailed Description of the Project:

Updated the language on this tab to include additional details about pipelines and infrastructure of Tornado I and Tornado II. The sections that were added and updated include Feedstock & Logistics, Products & Logistics, and Tornado II Major Equipment List.

4. Tab 7 Description of Qualified Investment:

Updated the language on this tab to include additional details about pipelines and infrastructure of Tornado I and Tornado II. The sections that were added and updated include Feedstock & Logistics, Products & Logistics, and Tornado II Major Equipment List.

5. Tab 8 Description of Qualified Property:

Updated the language on this tab to include additional details about pipelines and infrastructure of Tornado I and Tornado II. The sections that were added and updated include Feedstock & Logistics, Products & Logistics, and Tornado II Major Equipment List.

6. Tab 10 Description of all property not eligible to become qualified property:

Updated the language on this tab to include additional details about Tornado I and Tornado II in sections Existing Improvements & Equipment/Non-Qualified Property and added sections Tornado I Gas Plant and Tornado I Gas Plant-Shared Improvements/Equipment. Additional details were included to clarify the \$50 million market value of the existing property. This tab is also inclusive of an updated detailed plot plan that is colored coded as outlined in the plot plan legend.

7. Tab 11 Maps:

Updated the Qualified Investment/Qualified Property Map to include additional details about the location and equipment of Tornado I, Tornado II, and the shared equipment between Tornado I and Tornado II. This tab is also inclusive of an updated detailed plot plan that is colored coded as outlined in the plot plan legend.

8. Tab 12 Request for Waiver of Job Creation:

Updated the language on this tab to include additional details about the jobs needed for Tornado II as it correlates with the jobs necessary for Tornado I.

- 9. Tab 14 Schedules:
 - A1. QTP updated to 2020

C1. Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? Yes

C1a. Will the application request a job waiver, as provided under 313.025 (f-1)? Yes

10. Tab 17 Signature Page: A new signature page has been attached

Thank you for your kind attention to this matter.

Respectfully submitted,

Sara Hardner Leon

SHL:vr Enclosures cc: *Via Electronic Mail: <u>scarman@wlisd.net</u>* Scotty Carman, Superintendent of Schools, Wink-Loving Independent School District

Via Electronic Mail: <u>nmbusey@marathonpetroleum.com</u> Nicole Busey, Assistant Secretary, MarkWest Tornado GP, L.L.C.

Via Electronic Mail: <u>smkrzyzak@marathonpetroleum.com</u> Stephen Krzyzak, Tax Agent, MarkWest Tornado GP, L.L.C.

Via Electronic Mail: <u>trey.novosad@ryan.com</u> Trey Novosad, Principal, Ryan, LLC Texas Comptroller of Public Accounts

SECTION 1: School District Information (continued)

3. Authorized School District Consultant (If Applicable)

First Name	Last Name	
Title		
Firm Name		
Phone Number	Fax Number	
Mobile Number (optional)	Email Address	
4. On what date did the district determine this application complete?		
5. Has the district determined that the electronic copy and hard copy are iden	ntical?	Yes No
SECTION 2: Applicant Information		
1. Authorized Company Representative (Applicant)		
First Name	Last Name	
Title	Organization	
	-	
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	Business Email Address	
2. Will a company official other than the authorized company representative b information requests?		Yes No
2a. If yes, please fill out contact information for that person.		
First Name	Last Name	
Title	Organization	
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	Business Email Address	
3. Does the applicant authorize the consultant to provide and obtain informat	tion related to this application?	Yes No
For more information, visit our website: comp	troller texas gov/economy/local/ch313/	Page 2

	Texas Comptroller of Public Accounts	
S	ECTION 9: Projected Timeline	
1.	Application approval by school board	
2.		
3.	Beginning of qualifying time period	
4.	First year of limitation	
	Begin hiring new employees	
	Commencement of commercial operations	
ю. 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)?	No
0	Note: Improvements made before that time may not be considered qualified property. When do you anticipate the new buildings or improvements will be placed in service?	
S	ECTION 10: The Property	
1.	Identify county or counties in which the proposed project will be located	
2.	Identify Central Appraisal District (CAD) that will be responsible for appraising the property	
3.	Will this CAD be acting on behalf of another CAD to appraise this property? Yes 📃 N	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: City: (Name, tax rate and percent of project) City: (Name, tax rate and percent of project)	
	Hospital District: Water District:	
	(Name, tax rate and percent of project) (Name, tax rate and percent of project)	
	Other (describe):	
5.	Is the project located entirely within the ISD listed in Section 1?	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)?	No
	6a. If yes, attach in Tab 6 supporting documentation from the Office of the Governor.	
S	ECTION 11: Investment	
lim	DTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value nitation 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 strict. For assistance in determining estimates of these minimums, access the Comptroller's website at comptroller.texas.gov/economy/local/ch313/ .	ol
1.	At the time of application, what is the estimated minimum qualified investment required for this school district?	
2.	What is the amount of appraised value limitation for which you are applying?	
	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.	
		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, 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?	No
	For more information, visit our website: comptroller.texas.gov/economy/local/ch313/ Page 5	

Detailed Description of the Project

Proposed Project Description

MarkWest Tornado GP, L.L.C. is considering building a new 200 million standard cubic feet per day gas processing plant in Loving County, Texas on approximately 80 acres of land located in the northwestern part of the County. The proposed project is internally named Tornado II and will be located adjacent to Tornado I, a 200 million standard cubic feet per day gas processing plant, which is currently under construction but is not part of this application or any other application.

Feedstock & Logistics

Tornado II will receive raw Natural Gas via a to-be-built and/or a currently being constructed high-pressure gas pipelines. Existing and new Gathering lines located throughout the Permian Basin will be used to collect the natural gas produced at the well-head. The gas in the gathering lines will connect to the high-pressure lines that will feed the plants.

Some of the inlet feed and gathering pipelines are already being constructed to feed Tornado I. Should the Tornado II project proceed, additional gathering lines, compression and inlet metering systems will be needed. The identified shared inlet pipelines are highlighted pink on the attached plot plan. Depending on customers' needs and the location of the raw gas, additional lines that are not yet identified may be needed and built.

The applicant is not requesting a value limitation on any of the existing or to-be-built gathering or inlet lines or inlet metering station. The applicant is only requesting a value limitation for the equipment that is required after the gas leaves the inlet pipeline usually starting with the inlet compressors. The assets are delineated on the plot plan by the location of the pink highlighted pipelines meeting the yellow highlighted compression at the beginning of Tornado II.

Products & Logistics

Tornado II will process the raw natural gas gathered in the field into pipeline grade natural gas by removing impurities, water, and heavier liquid hydrocarbons such that the natural gas meets the shipping pipeline's purity requirements. The products leaving the plant via pipeline will be pipeline grade natural gas and a natural gas liquid "NGL" stream. The composition of the NGL product stream will vary depending on the quality and mix of the raw gas being captured from the field but will typically include hydrocarbon molecules heavier than C2 (Ethane).

Tornado II will have its own condensate product storage tanks as shown on the plot plan.

Tornado I and Tornado II will be connected by new to-be-built and/or currently being constructed connector pipelines that will connect to existing long-haul pipeline grade natural gas and natural gas liquid "NGL" pipelines. These pipelines will deliver the products to the Gulf Coast markets.

The applicant is not requesting a value limitation on any of the existing or to-be-built product connecting pipelines or existing long-haul product pipelines. The applicant is only requesting a value limitation for the equipment that is required to deliver the pipeline grade natural gas and natural gas liquids to the

TAB 4 Continued

respective pipelines. The assets are delineated on the plot plan by the location of the end of the yellow highlighted equipment for Tornado II connects to the pink product pipelines on the plot plan.

In addition, the applicant is not requesting a value limitation for any of the shared equipment that may be used by Tornado I and Tornado II.

Tornado II Major Equipment List

- o Amine Unit
- o Inlet Slug Catcher
- o Condensate Stabilizer
- Distillation Towers
- o Heaters
- o Coolers
- o Pumps
- Distributed Control System "DCS" (Computer Control)

- o Valves
- o Piping
- o Heat Exchangers
- o Flare System
- o Fire Protection
- o Electricity and Steam
- o Waste Water Processing
- o Compression Equipment
- o Condensate Tanks

Description of Qualified Investment

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TAB 7 Continued

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Description of Qualified Property

Proposed Project Description

MarkWest Tornado GP, L.L.C. is considering building a new 200 million standard cubic feet per day gas processing plant in Loving County, Texas on approximately 80 acres of land located in the northwestern part of the County. The proposed project is internally named Tornado II and will be located adjacent to Tornado I, a 200 million standard cubic feet per day gas processing plant, which is currently under construction but is not part of this application or any other application.

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TAB 8 Continued

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Description of all property not eligible to become qualified property (*if applicable*)

Existing Improvements & Equipment / Non-Qualified Property

- o Caliche Road
- o Fence
- Existing or to-be-built Pipelines
 - o 10" NGL Line
 - o 20" Residue Line
 - 20" Inlet Gas line from Poker Lake
 - o 20" Inlet Gas line from Bell Lake

Tornado I Gas Plant (identified by green highlighting on plot plan)

- o Amine Unit
- o Inlet Slug Catcher
- o Condensate Stabilizer
- o Distillation Towers
- o Heaters
- o Coolers
- o Pumps
- Compression Equipment
- o Distributed Control System "DCS" (Computer Control)
- o Valves
- o Piping
- o Heat Exchangers
- o Fire Protection
- o Electricity and Steam
- Waste Water Processing

Tornado I Gas Plant – Shared Improvements/Equipment (identified by pink highlighting on plot plan)

- Control Room & Septic System
- Portable Trailers/Offices
- o SCAD Tower
- o Flare System
- Metering System

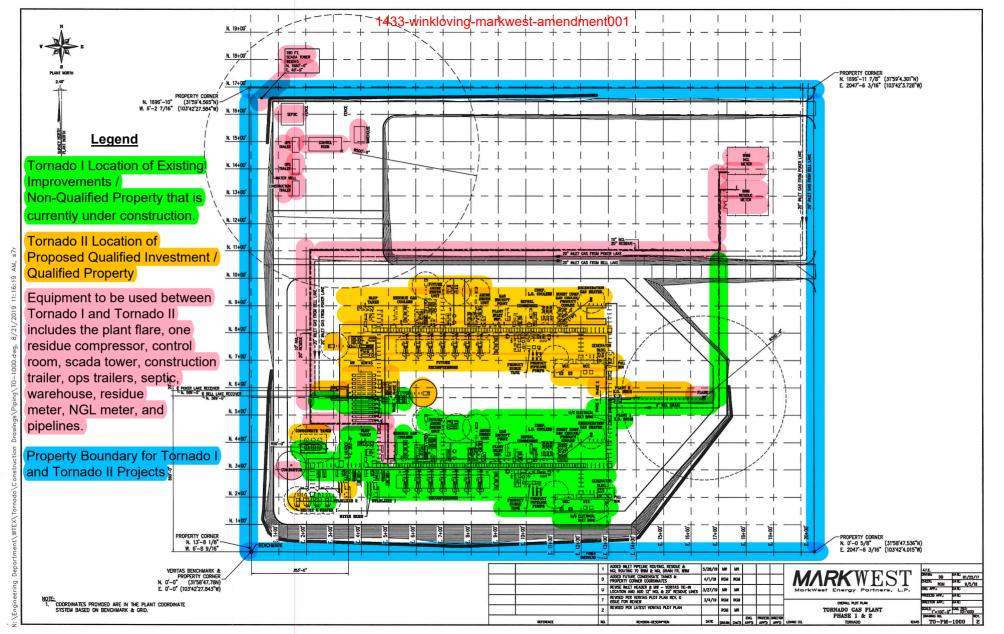
The Tornado I Gas Plant is a 200 million standard cubic feet per day gas processing plant that is currently

TAB 10 Continued

under construction on the 80 acres identified in this application. If constructed, the Tornado II gas plant will sit next to the Tornado I Gas Plant. If built, Tornado I and Tornado II will have nearly identical equipment. They will each have their own footprint with major equipment being labeled and easily identifiable as to its association with Tornado I or Tornado II.

We estimate that the value of Tornado 1, as of the date of this application, is not greater than \$50 million. As of the 2019 property tax assessment date, Tornado 1 had zero value and was not assessed by the appraisal district.

See attached Tornado I and Tornado II Plot Plan for additional details.

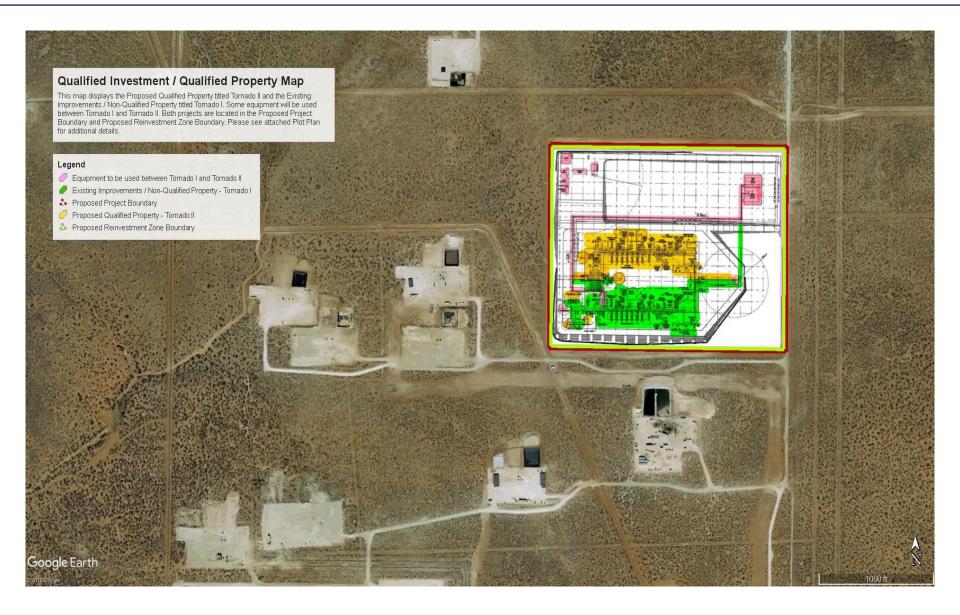


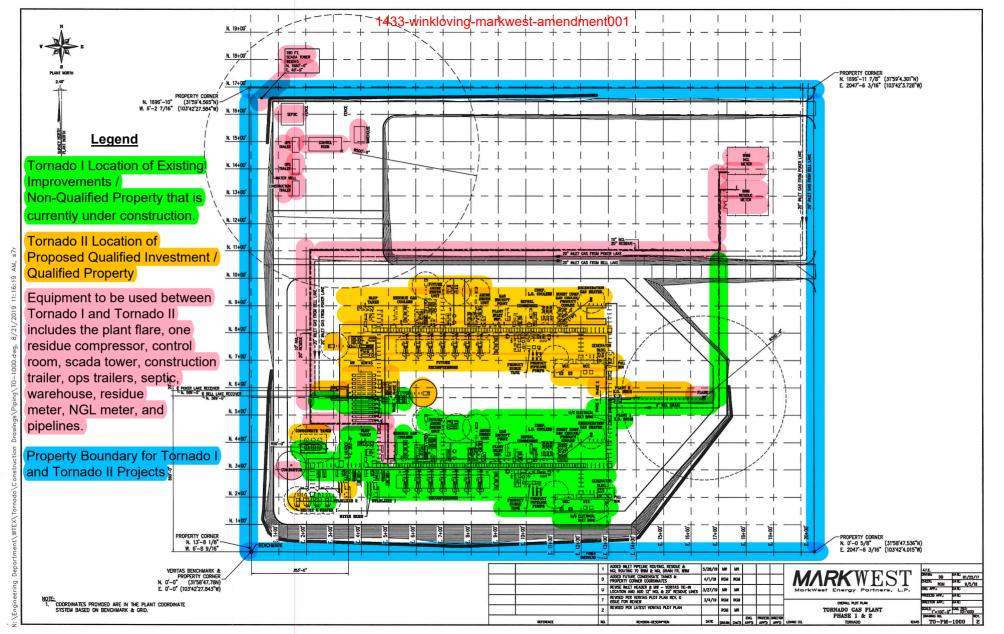
Maps of Project

Maps that clearly show:

- a) Project vicinity
 - a. See the following attached map labeled "Project Vicinity Map"
- 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
 - a. See the following attached map labeled "Qualified Investment/Qualified Property Map"
- c) Qualified property including location of new buildings or new improvements
 - a. See the following attached map labeled "Qualified Investment/Qualified Property Map"
- d) Existing property
 - a. No existing property. See Tab #10.
- e) Land location with vicinity map
 - a. See the following attached map labeled "Project Vicinity Map"
- f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size
 - a. See the following attached map labeled "Reinvestment Zone Map"

MARKWEST MarkWest Tornado GP, L.L.C. CHAPTER 313 APPLICATION TO WINK-LOVING ISD





Request for Waiver of Job Creation Requirement and Supporting Information (if applicable)

MarkWest is currently constructing a 200 million standard cubic feet per day gas processing plant, Tornado I, on the same site as the proposed Tornado II gas plant would be constructed. Tornado I will have 10 plus jobs associated with it. These jobs include the jobs required to operate the plant itself plus maintenance jobs, management jobs, electrical technician jobs and others.

MarkWest is requesting the job waiver because the gas plant/qualified property itself will only require 3 full-time employees to operate.

As a comparison, the additional jobs associated with Tornado I and the MarkWest Pecos-Barstow-Toyah ISD Application #1421 include ancillary/non-operator jobs such as a maintenance person, a site manager, an IT technician etc.

Due to the proximity of Tornado I, MarkWest anticipates that some of the ancillary jobs normally created as a result of these types of projects will be shared with Tornado I and not necessary as a duplicative stand-alone position for Tornado II. Only the specific jobs to operate the gas plant will be needed.

Three full-time equivalent jobs are considered current industry standard to operate a state-of-the art, fully-automated, gas plant.



100 Congress Avenue Suite 1900 Austin, TX 78701 Tel. 512,476,0022 Fax 512,476,0033

www.ryan.com

September 16, 2019

Mr. Scotty Carman Wink-Loving Independent School District 200 North Rosey Austin, Texas, 78711-3087

Re: MarkWest Tornado GP, L.L.C. Chapter 313 New Qualifying Jobs Waiver Request

Dear Superintendent Carman,

Please consider this letter to be MarkWest Tornado GP, L.L.C's formal request to waive the minimum new job creation requirement, as provided under Texas Tax Code 313.025(f-1).

The governing body of a school district may waive the new job creation requirement in Section 313.021(2)(A)(iv)(b) or 313.051(b) and approve an application if the governing body makes a finding that the new job creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property that is described in this application.

During construction, this project will create as many as 100 full-time equivalent jobs, over a one-year construction period however, those jobs are temporary. Gas Plants and industrial plants in general, are becoming more and more automated. As such, a project of this type will only require a small full-time crew to operate the facility once the plant is up and running. Based on current standards and advanced automation, we anticipate that three full-time employees will be needed to operate this gas plant. As such, we will commit to creating three full-time jobs to fill those positions. All the full-time jobs created would be qualifying jobs as described in Section 313.021(3) of the Texas Tax Code.

Additional jobs may be created to service, supervise and operate pipelines and compression assets directly associated with this project but not part of this application. The applicant requests that the Wink-Loving ISD's Board of Trustees make a finding that the jobs creation requirement may be waived for this facility.

If you have any questions regarding this application, please contact me at 512.960.1129 or email at trey.novosad@ryan.com.

Sincerely,

Trey Novosad Principal Ryan, LLC

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

See Attached.

1433-winkloving-markwest-amendment001 Schedule A1: Total Investment for Economic Impact (through the Qualitying Time Period)

Date 9/16/2019

Applicant Name MarkWest Tornado GP, L.L.C.

					PROPERTY INVESTMENT AMOUNTS			
				(Estimated In	nvestment 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 tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings 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]	Total Investment (Sum of Columns A+B+C+D)
Investment made before filing complete application with district				Not eligible to becon	Not eligible to become Qualified Property		[The only other investment made before filing complete application with district that may become Qualified Property is land.]	0
Investment made after filing complete oplication with district, but before final board approval of application	QTP0	2020-2021	2020	0	0	0	0	0
vestment made after final board approval of oplication and before Jan. 1 of first complete tax year of qualifying time period				100,000,000	Qualified Investment	Qualified Investment	0	100,000,000
complete tax years of qualifying time period	QTP1	2021-2022	2021	10,000,000	Qualified Investment	Qualified Investment	0	10,000,000
omplete tax years of qualitying time period	QTP2	2022-2023	2022	0	Qualified Investment	Qualified Investment	0	0
Total Investment through Qualifying	Time Per	riod [ENTER this	row in Schedule A2]	110,000,000	0	0	0	110,000,000
					En	ter amounts from TOTAL row above in Schedule	A2	
1	otal Qua	lified Investment	(sum of green cells)	110,000,000				

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.

1433-winkloving-markwest-amendment001

Schedule C: Employment Information

Date	9/16/2019
Applicant Name	MarkWest Torndado GP, L.L.C.
ISD Name	Wink-Loving ISD

Form 5	50-296A
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Revised May 2014

	Wink-Loving IOD		Construction		Non-Qualifying Jobs Qualifying Jobs		ng 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
Each year prior to start of Value Limitation Period Insert as many rows as necessary	0	2020-2021	2020	125 FTE	59,270.20	0	3	59,270.20
Each year prior to start of Value Limitation Period Insert as many rows as necessary	0	2021-2022	2021	25 FTE	59,270.20	0	3	59,270.20
	1	2022-2023	2022	N/A	N/A	0	3	59,270.20
	2	2023-2024	2023	N/A	N/A	0	3	59,270.20
	3	2024-2025	2024	N/A	N/A	0	3	59,270.20
	4	2025-2026	2025	N/A	N/A	0	3	59,270.20
Value Limitation Period The qualifying time period could overlap the	5	2026-2027	2026	N/A	N/A	0	3	59,270.20
value limitation period.	6	2027-2028	2027	N/A	N/A	0	3	59,270.20
	7	2028-2029	2028	N/A	N/A	0	3	59,270.20
	8	2029-2030	2029	N/A	N/A	0	3	59,270.20
	9	2030-2031	2030	N/A	N/A	0	3	59,270.20
	10	2031-2032	2031	N/A	N/A	0	3	59,270.20
Years Following Value Limitation Period	11 throug 25	Jh 2032-2046	2032-2046	N/A	N/A	0	3	59,270.20

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? qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts) If yes, answer the following two questions:	(25	x	Yes		No
C1a. Will the applicant request a job waiver, as provided under 313.025(f-1)?		x	Yes		No
C1b. Will the applicant avail itself of the provision in 313.021(3)(F)?			Yes	x	No

Texas Comptroller of Public Accounts

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	Scotty Carman	Super to dart	
Print N	ame (Authorized School District Representative)	Title	
sign here 🕨	Sum la	10-25-19	
Signatu	re (Authorized School District Representative)	Date	

2. Authorized Company Representative (Applicant) Signature and Notarization

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

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

here Nicole M. Busey	Assistant Secretary
Print Name (Authorized Company Representative (Applicant))	Title
sign Mical M.Busch Signature (Authorized Company Representative (Applicant))	Oct. 18, 2019 Date
MEGAN E. PARSSON Notary Public, State of Ohio My Commission Expires September 23, 2024	GIVEN under my hand and seal of office this, the <u>18</u> day of <u>OC</u> , <u>2019</u> <u>Megan E Magan</u> Notary Public in and for the State of Texes Ohio My Commission expires: <u>App - 23, 2024</u>

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.