

# UNDERWOOD

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January 22, 2020

John Villarreal  
Stephanie Jones  
Economic Development and Analysis Division  
Texas Comptroller of Public Accounts  
111 E. 17th St.  
Austin, TX 78774

*Via Email and Federal Express*

Re: 313 Application – Goat Mountain Renewables, LLC

Dear John and Stephanie:

Enclosed please find an application for appraised value limitation on qualified property submitted to Bushland ISD by Goat Mountain Renewables, LLC on January 21, 2020, along with the schedules in Excel format. A CD containing these documents is also enclosed.

The Bushland ISD Board elected to accept for consideration the application on January 21, 2020. The application was determined to be complete by the District on January 22, 2020. We ask that the Comptroller's Office prepare the economic impact report for this application.

A copy of the application will also be submitted to the Potter-Randall Appraisal District in accordance with 34 Tex. Admin. Code §9.1054. Please feel free to contact me if you have any questions or concerns.

Sincerely,



Fred A. Stormer

Encl.  
0D1ST6

cc: Chief Appraiser, Potter-Randall Appraisal District  
Jamie Sobieski, Manager  
Mike Fry, Director-Energy Services

*via US Mail*  
*via email: jamiesobieski.gmr@gmail.com*  
*via email: mfry@keatax.com*

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UNDERWOOD LAW FIRM, P.C.

AMARILLO

AUSTIN

FORT WORTH

LUBBOCK

PAMPA



# Goat Mountain Renewables, LLC

***Application for Appraised Value Limitation on Qualified  
Property with Bushland Independent School District***



*Tab 1: Pages 1 through 11 of Application*

# 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

January 21, 2020

Date Application Received by District

Chris

First Name

Wigington

Last Name

Superintendent

Title

Bushland Independent School District

School District Name

2400 Wells Street, Bushland, Texas 79012

Street Address

2400 Wells Street

Mailing Address

Bushland

City

806-359-6683

Phone Number

Texas

State

806-359-6769

Fax Number

79012

ZIP

chris.wigington@bushlandisd.net

Email Address

Mobile Number (optional)

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

Yes

No

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

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

<u>Fred</u> First Name	<u>Stormer</u> Last Name
<u>Shareholder</u> Title	
<u>Underwood Law Firm, P.C.</u> Firm Name	
<u>806-379-0306</u> Phone Number	<u>806-379-0316</u> Fax Number
	<u>fred.stormer@uwlaw.com</u> Email Address
<u>Mobile Number (optional)</u>	

4. On what date did the district determine this application complete? ..... January 22, 2020
5. Has the district determined that the electronic copy and hard copy are identical? .....  Yes  No

**SECTION 2: Applicant Information**

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

<u>Jamie</u> First Name	<u>Sobieski</u> Last Name
<u>Manager</u> Title	<u>Goat Mountain Renewables, LLC</u> Organization
<u>7306 34th Avenue #200 Amarillo, Texas 79121</u> Street Address	
<u>7306 34th Avenue #200</u> Mailing Address	
<u>Amarillo</u> City	<u>Texas</u> <u>79121</u> State ZIP
<u>626-437-6339</u> Phone Number	<u>N/A</u> Fax Number
<u>Mobile Number (optional)</u>	<u>jamiesobieski.gmr@gmail.com</u> Business Email Address

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

<u>Ross</u> First Name	<u>McCausland</u> Last Name
<u>Managing Member</u> Title	<u>Protos Energy Advisors, LLC</u> Organization
<u>6215 Gainsborough Road, Amarillo, Texas 79106</u> Street Address	
<u>6215 Gainsborough Road</u> Mailing Address	
<u>Amarillo</u> City	<u>Texas</u> <u>79106</u> State ZIP
<u>806-674-0959</u> Phone Number	<u>806-553-1555</u> Fax Number
<u>Mobile Number (optional)</u>	<u>rossmc@protosenergy.com</u> Business Email Address

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

SECTION 2: Applicant Information (continued)

4. Authorized Company Consultant (If Applicable)

Mike \_\_\_\_\_ Fry \_\_\_\_\_  
 First Name Last Name  
 Director-Energy Services \_\_\_\_\_  
 Title  
 KE Andrews \_\_\_\_\_  
 Firm Name  
 469-331-1356 \_\_\_\_\_ 469-331-1357 \_\_\_\_\_  
 Phone Number Fax Number  
 mfry@keatax.com \_\_\_\_\_  
 Business Email Address

SECTION 3: Fees and Payments

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

SECTION 4: Business Applicant Information

- What is the legal name of the applicant under which this application is made? Goat Mountain Renewables, LLC
- List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32069122011
- List the NAICS code 221115;221114
- Is the applicant a party to any other pending or active Chapter 313 agreements?  Yes  No  
 4a. If yes, please list application number, name of school district and year of agreement \_\_\_\_\_

SECTION 5: Applicant Business Structure

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

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

1. 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:
 

<input checked="" type="checkbox"/> Land has no existing improvements	<input type="checkbox"/> Land has existing improvements ( <i>complete Section 13</i> )
<input type="checkbox"/> Expansion of existing operation on the land ( <i>complete Section 13</i> )	<input type="checkbox"/> 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
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?  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 ..... May 1, 2020
2. Commencement of construction ..... July 1, 2020
3. Beginning of qualifying time period ..... January 1, 2021
4. First year of limitation ..... January 1, 2022
5. Begin hiring new employees ..... January 1, 2022
6. Commencement of commercial operations ..... December 31, 2021
7. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (*date your application is finally determined to be complete*)? .....  Yes  No  
**Note:** Improvements made before that time may not be considered qualified property.  
December 31, 2021
8. When do you anticipate the new buildings or improvements will be placed in service? ..... December 31, 2021

**SECTION 10: The Property**

1. Identify county or counties in which the proposed project will be located Potter County
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Potter-Randall CAD
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: Potter County, .701 100% City: N/A  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Hospital District: N/A Water District: Panhandle Groundwater, .0096 100 %  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Other (describe): N/A Other (describe): N/A  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
5. Is the project located entirely within the ISD listed in Section 1? .....  Yes  No  
 5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? .....  Yes  No  
 6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

**SECTION 11: Investment**

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

1. At the time of application, what is the estimated minimum qualified investment required for this school district? ..... 80,000,000.00
2. What is the amount of appraised value limitation for which you are applying? ..... 80,000,000.00  
**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? ..... 5
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 ..... 886.75
  - b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 1,023.55
  - c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 1,064.33
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? ..... 55,345.40
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 55,345.40
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**.



*Tab 2: Proof of Payment Application Fee*

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: Documentation of Combined Group Membership Under Texas Tax Code 171.0001 (7), history of tax default, delinquencies and/or material litigation (if applicable)*



### *Tab 4: Detailed Description of the Project*

Goat Mountain Renewables, LLC is a renewable energy generation facility located in southwestern Potter County and Bushland Independent School District. The 389.7 MW/AC facility will be comprised of both photovoltaic panels and wind turbines across a 13,614-acre reinvestment zone.

The northeastern portion of the project will contain approximately 640,000 photovoltaic panels and 72 central inverters. The solar electric generating portion of this project will produce approximately 220.5 MW-AC of the project's projected energy production.

Across the remaining project area there will be approximately 60 wind turbines that will generate the remaining 169.2 MW-AC of the project's total energy production capacity.



## *Tab 5: Documentation to Assist in Determining if Limitation is a Determining Factor*

Throughout the United States the production of renewable energy has been increasing as the cost of these systems has decreased and technological advancements have improved efficiency. In 2019, Texas ranked 1<sup>st</sup> in installed wind capacity and 4<sup>th</sup> in installed solar capacity.<sup>1</sup> The state's geographic position and containment of several large population centers has made Texas a favorable location for renewable energy development.

Renewable energy developers face many challenges in the determination of project location—one of these factors being the selection of an area where the greatest return on investment can be achieved. There are several factors that contribute to Texas favorability for development, one however that does not is the state's notoriously high property tax burden—ranking in the top 10 across the United States.

An appraised value limitation on qualified property allows developers to significantly diminish the property tax liability that composes a substantial ongoing cost of operation that directly impacts the economic rate of return for the project. In the absence of an appraised value limitation, the development of renewable energy facilities becomes financially uncertain as the rate of return often fails to meet the minimum return required to proceed. In the event an appraised value limitation agreement is not received by Goat Mountain Renewables, LLC it is rather certain that the capital allotted for the development of this project will be reallocated for use in another state where either the property tax burden is lower or economic incentives can be secured, namely Oklahoma, Louisiana, Arkansas, or New Mexico. Thus, an appraised value limitation agreement between Goat Mountain Renewables, LLC and Bushland Independent School District is the determining factor in the decision to locate this facility within the state of Texas.

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<sup>1</sup> U.S. Energy Information Administration



*Tab 6: Description of how Project is Located in More than One District, Including List of Percentage in Each District and, if Determined to be a Single Unified Project, Documentation from the Office of the Governor (if applicable)*

Not Applicable.



## *Tab 7: Description of Qualified Investment*

Goat Mountain Renewables, LLC requests that the limitation covers all qualified investment and qualified property located within Bushland ISD. It is our request that the limitation includes all eligible and axillary equipment including the following:

- Turbines
- Substation
- Transmission Line
- Inverter Boxes
- Foundations
- Paving & Fencing
- Racking & Mounting Structures
- Meteorological Towers & Equipment
- Interconnection Facilities
- Solar Modules & Panels
- Associated Towers
- Combiner Boxes
- Operation & Maintenance Buildings
- Underground Electrical Collection Cables



### *Tab 8: Description of Qualified Property*

Goat Mountain Renewables, LLC requests that the limitation covers all qualified investment and qualified property located within Bushland ISD. It is our request that the limitation includes all eligible and axillary equipment including the following:

- Turbines
- Substation
- Transmission Line
- Inverter Boxes
- Foundations
- Paving & Fencing
- Racking & Mounting Structures
- Meteorological Towers & Equipment
- Interconnection Facilities
- Solar Modules & Panels
- Associated Towers
- Combiner Boxes
- Operation & Maintenance Buildings
- Underground Electrical Collection Cables



*Tab 9: Description of Land*

Please See Attached.

EXHIBIT "A"

The Property is 11,743.985 acres, more or less, in Potter County, Texas, as follows:

**The "Blackburn Pasture" (PD 20180PR0001405)**

The owner is: James Louis Sobieski, Emeline Sobieski, and James B. Sobieski, as Co-Trustees of the Emeline Bush O'Brien/Sobieski Trust.

Sections 6, 7, 8, 9, 10, 11, 14, 15 and 16, Block JAD, B. S. & F. Survey, Potter County, Texas, and Sections 1, 2 and 3, Block 20-F, E.L. & R.R. R.R. Co. Survey, Potter County, Texas, a 4867.60+/- acre tract of land being a portion of Sections 6, 7 and 8, all of Sections 9, 10, 11, 14 and 15, and a portion of Section 16, Block JAD, B. S. & F. Survey, and a portion of Sections 1, 2 and 3, Block 20-F, E.L. & R.R.R.R. Co. Survey, all in Potter County, Texas, further being a part of those tracts of land conveyed by that certain instrument recorded in Volume 1552, Page 117 of the Official Public Records of Potter County, Texas, said 4867.60+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. July 2 thru 12, 2007 and being described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the West Right-of-Way line of the B. N. & S. F. Railroad Right-of-Way and in the common line between Section 8, Block JAD and Section 153, Block 9, B. S. & F. Survey for the Southeast corner of this tract of land;

THENCE N. 89° 52' 18" W. along said common line of Section 8, Block JAD and Section 153, Block 9, at 1393 .21 feet pass a 3/4 inch iron rod with an aluminum cap stamped "Furman Land Surveyors Section Corner RPLS 5759" set for the common corner of Sections 8 and 9, Block JAD and Sections 153 and 154, Block 9 for a total distance of 6676.44 feet along the common line of said Section 9, Block JAD and Section 154, Block 9 to a 1 inch iron pipe and stone found for the common corner of Sections 9 and 16, Block JAD and Sections 153 and 154, Block 9;

THENCE S. 89° 57' 33" W. 4721.22 feet along the common line of Section 16, Block JAD and Section 187, Block 9 to a point in the centerline of RM Road 1061 (Tascosa Road) for the Southwest corner of this tract of land from whence a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 89° 57' 33" E. 52.24 feet and a stone found for the Southwest corner of said Section 16 bears S. 89° 57' 33" W. 556.12 feet;

THENCE N. 16° 53' 36" W. 5019.96 feet along said centerline of RM Road 1061 to a point for the beginning of a curve to the left whose center bears S. 73° 06' 24" W 5729.58 feet and a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 73° 06' 24" E 50.00 feet;



THENCE Northwesterly 248.71 feet along said curve to the left and along said centerline of RM Road 1061 to a point at the end of said curve from whence a 1/2 inch iron rod with aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N 70° 37' 11" E. 50.00 feet;

THENCE N. 19° 22' 49" W. 4115.33 feet along said centerline of RM Road 1061 to a point for the beginning of a curve to the right whose center bears N. 70° 37' 11" E. 2864.79 feet and a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 70° 37' 11" E. 50.00 feet;

THENCE Northwesterly 271.67 feet along said centerline of RM Road 1061 and along said curve to the right to a point at the end of said curve from whence a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 76° 03' 11" E. 50.00 feet;

THENCE N. 13° 56' 49" W. 5498.84 feet along said centerline of RM Road 1061 to a point for the beginning of a curve to the right whose center bears N. 76° 03' 11" E. 5729.58 feet and a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 76° 03' 11" E. 50.00 feet;

THENCE Northwesterly 325.00 feet along said centerline of RM Road 1061 to a point at the end of said curve from whence a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 bears N. 79° 18' 11" E. 50.00 feet;

THENCE N. 10° 41' 49" W. 1028.68 feet along said center line of RM Road 1061 to a point in the common line of Section 3 and Section 4, Block 20-F for the Northwest corner of this tract of land from whence a 1 inch iron pipe and a stone found for the Northwest corner of said Section 3 bears N. 89° 47' 52" W. 1269.90 feet;

THENCE S. 89° 47' 52" E. along the common line of said Sections 3 and 4, Block 20-F at 50.92 feet pass a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the East Right-of-Way line of said RM Road 1061 for a total distance of 4014.46 feet to a 3/4 inch iron pipe and a stone found for the common corner of Sections 3 and 4, Block 20-F and Sections 13 and 14, Block JAD;

THENCE N. 89° 56' 18" E. 5295.58 feet along the common line of Sections 13 and 14, Block JAD to a 3/4 inch iron pipe and scattered stones found for the common corner of Sections 11, 12, 13 and 14, Block JAD;



THENCE S. 89° 41' 23" E. 5284.25 feet along the common line of said Sections 11 and 12 to a stone mound found for the common corner of Sections 5, 6, 11 and 12, Block JAD;

THENCE S. 89° 58' 37" E. 1154.13 feet along the common line of said Sections 5 and 6 to a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set in the West Right-of-Way line of the B. N. & S. F. Railroad Right-of-Way;

THENCE S. 23° 07' 24" E. 28.58 feet along said Railroad Right-of-Way to a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set at the beginning of a curve to the right whose center bears S. 66° 52' 36" W. 2765.00 feet;

THENCE Southerly 1512.23 feet along said Railroad Right-of-Way and along said curve to the right to a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set at the end of said curve;

THENCE S. 08° 12' 46" W. 6130.29 feet along said Railroad Right-of-Way to a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set at the beginning of a curve to the left whose center bears S. 81° 47' 14" E. 3653.72 feet;

THENCE Southerly 970.98 feet along said Railroad Right-of-Way and along said curve to the left to a 1/2 inch iron rod with an aluminum cap stamped "Furman RPLS 1959, RPLS 5374, RPLS 5759" set at the end of said curve;

THENCE S. 07° 00' 49" E. (Base line) 7333.30 feet to the PLACE OF BEGINNING and containing 4867.60 acres of land, more or less of which 18.95+/- acres of land, more or less are in RM Road 1061 of which 40.00 foot of the 50.00 foot strip was deeded to Potter County, Texas, by that certain instrument recorded in Volume 210, Page 64 Deed Records of Potter County, Texas, and 10 foot is Right-of-Way easement by that certain instrument recorded in Volume 745, Page 31 Deed Records of Potter County, Texas.

**East 117 (PD 2018OPR0001381)**

The East one-third of Section 117, Block 9, B.S. & F. Survey, Potter County, Texas, containing 216.83 acres more or less.



**The "Sobieski Pasture" (PD 20180PR0007802)**

The owners are: James L. Sobieski as Trustee of the Mona Powers Sobieski Trust dated September 14, 1984, as to an undivided 1/3; Emeline Sobieski, as Trustee of the Emeline Sobieski Revocable Trust dated March 26, 2008, as amended, as to an undivided 1/3; and James B. Sobieski, as Trustee of the James Sobieski Trust dated effective November 23, 2011, as to an undivided 1/3.

The West portion of Section 117, Block 9, B.S. & F. Survey, Potter County, Texas, containing 425.46 acres more or less;

Section 121, Block 9, B.S. & F. Survey, Potter County, Texas, containing 655 acres more or less;

A portion of Section 123, Block 9, B.S. & F. Survey, Potter County, Texas, containing 564.70 acres more or less, lying North of FM 1061;

A portion of Section 150, Block 9, B.S. & F. Survey, Potter County, Texas, containing 302.12 acres more or less, lying North of FM 1061;

Section 151, Block 9, B.S. & F. Survey, Potter County, Texas, containing 649.60 acres more or less, lying West of railroad;

A portion of Section 152, Block 9, B.S. & F. Survey, Potter County, Texas, containing 381 acres more or less, lying West of railroad;

A portion of Section 153, Block 9, B.S. & F. Survey, Potter County, Texas, containing 236.95 acres more or less, lying West of railroad;

Section 154, Block 9, B.S. & F. Survey, Potter County, Texas, containing 566.20 acres more or less;

Section 155, Block 9, B.S. & F. Survey, Potter County, Texas, containing 650 acres more or less;

A portion of Section 156, Block 9, B.S. & F. Survey, Potter County, Texas, containing 554.50 acres more or less, lying East of FM 1061;

A portion in the Northeast corner of Section 157, Block 9, B.S. & F. Survey, Potter County, Texas, containing 47.5 acres more or less, lying North of FM 1061;

A portion of Section 185, Block 9, B.S. & F. Survey, Potter County, Texas, containing 21.70 acres more or less, lying East of FM 1061;

A portion of Section 186, Block 9, B.S. & F. Survey, Potter County, Texas, containing 276.435 acres more or less, lying East of FM 1061, including a 1 acre homesite;

*ELS ES*  
*AS*

A portion of Section 187, Block 9, B.S. & F. Survey, Potter County, Texas, containing 488.78 acres more or less, lying East of FM 1061;

**"Goat Mountain" (PD 2018OPR0007808)**

The owners are: James Louis Sobieski, Emeline Sobieski, and James B. Sobieski, as Co-Trustees of the Emeline Bush O'Brien/Sobieski Trust as to an undivided seventy-five percent (75%); James L. Sobieski as Trustee of the Mona Powers Sobieski Trust dated September 14, 1984, as to an undivided 1/3 of an undivided twenty-five percent (25%); Emeline Sobieski, as Trustee of the Emeline Sobieski Revocable Trust dated March 26, 2008, as amended, as to an undivided 1/3 of an undivided twenty-five percent (25%); and James B. Sobieski, as Trustee of the James Sobieski Trust dated effective November 23, 2011, as to an undivided 1/3 of an undivided twenty-five percent (25%).

A portion in the Southeast corner of Section 157, Block 9, B.S. & F. Survey, Potter County, Texas, containing 195.61 acres more or less, lying South of FM 1061 and East of FM 2381;

A portion of Section 158, Block 9, B.S. & F. Survey, Potter County, Texas, containing 644 acres more or less, lying East of FM 2381;





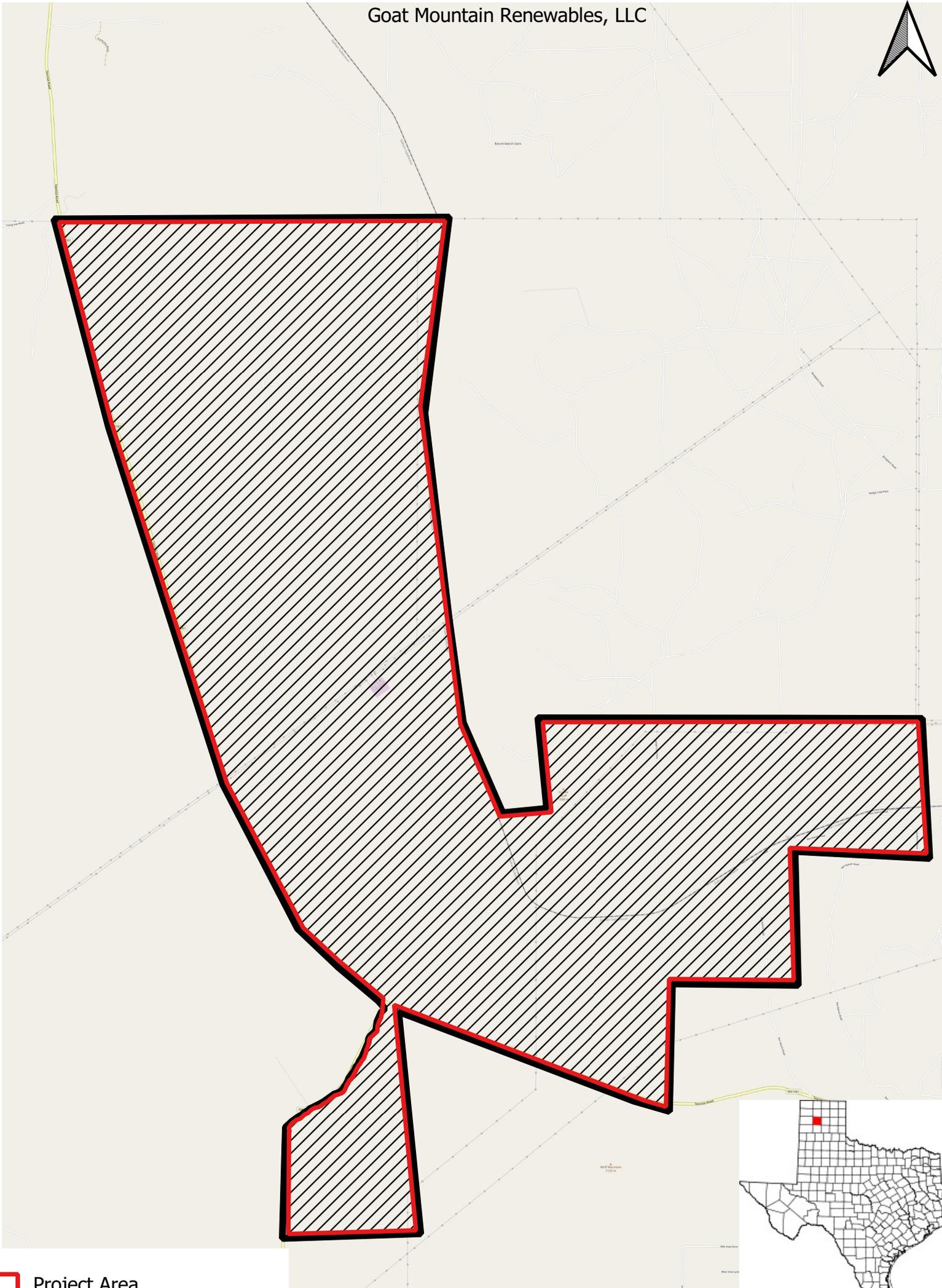
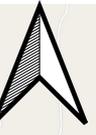
*Tab 10: Description of All Property Not Eligible to Become  
Qualified Property (if applicable)*

Not Applicable.



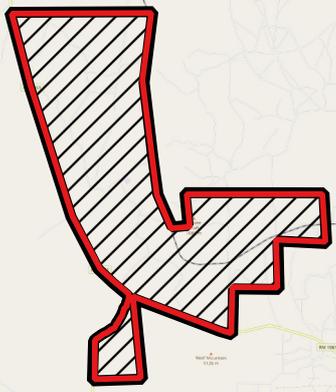
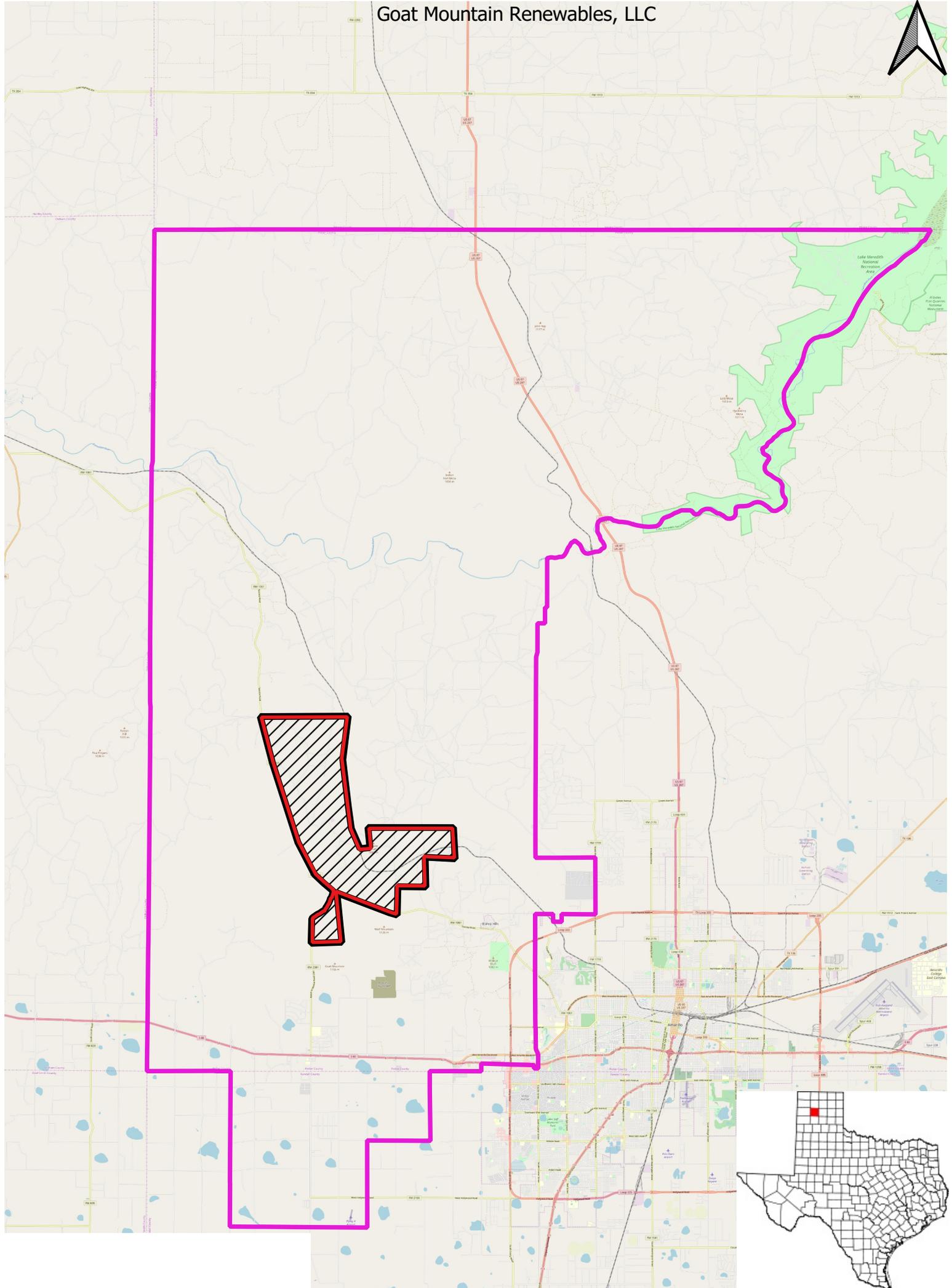
*Tab 11: Maps*

Please See Attached.



-  Project Area
-  Proposed Reinvestment Zone

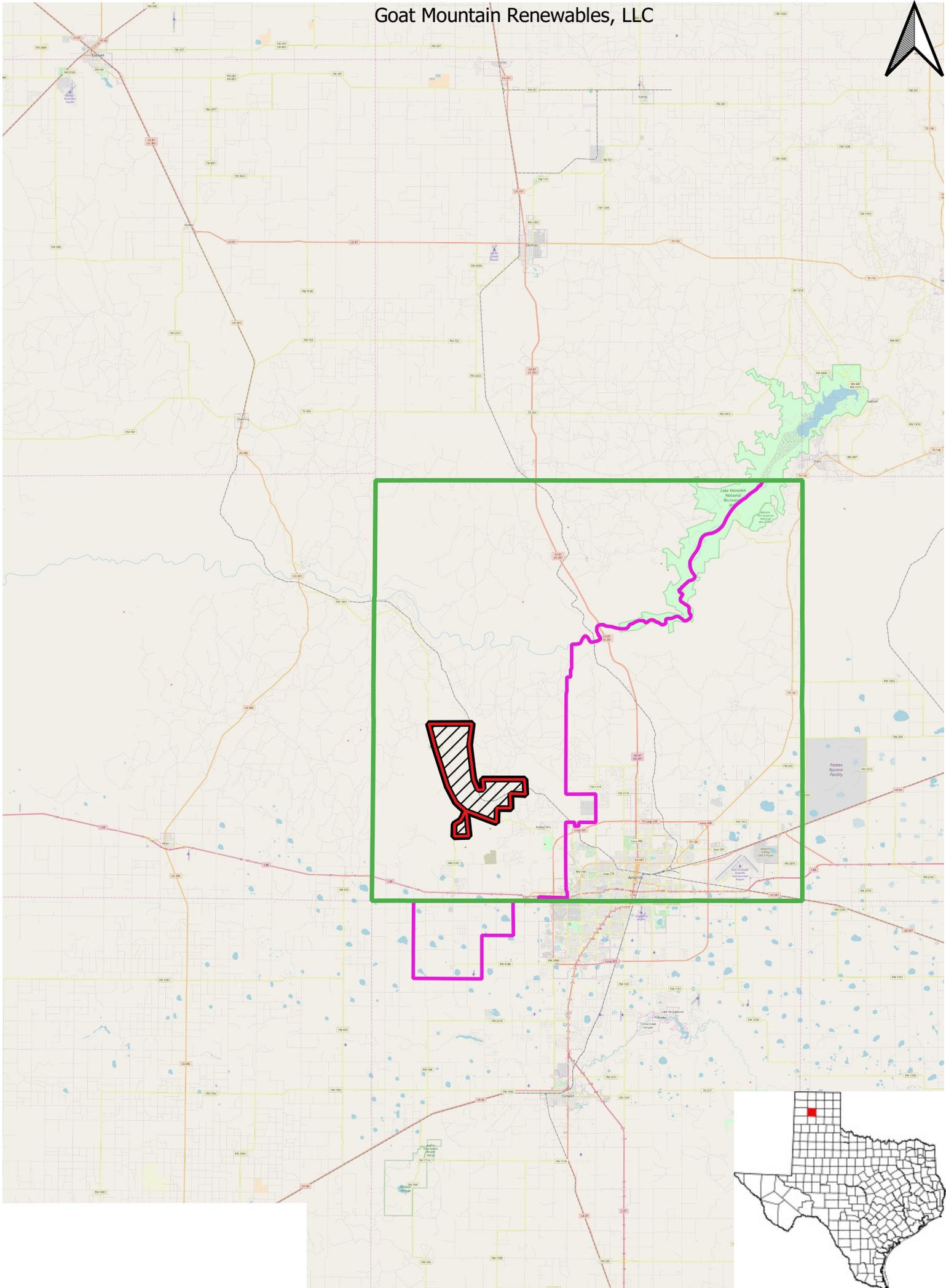




0 2.5 5 mi

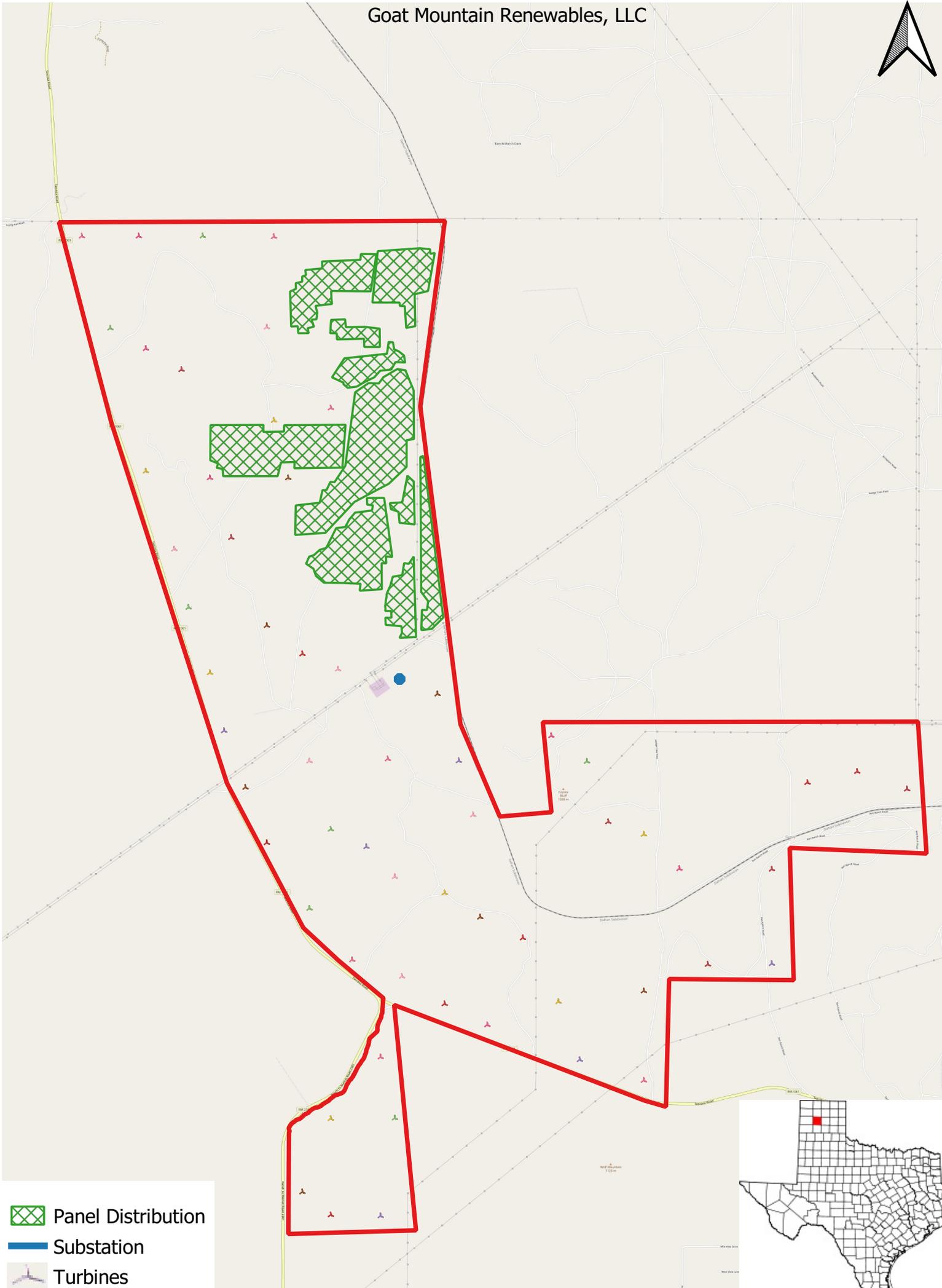
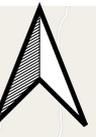


# Goat Mountain Renewables, LLC



0 5 10 mi





-  Panel Distribution
-  Substation
-  Turbines
-  Project Area

0 0.5 1 mi





*Tab 12: Request for Waiver of Job Creation Requirement and  
Supporting Information (if applicable)*

Please See Attached.



January 7, 2020

Bushland Independent School District  
ATT: Superintendent Wigington  
2400 Wells Street  
Bushland, Texas 79012

**RE: Goat Mountain Renewables, LLC Application for Appraised Value Limitation on Qualified Property Job Waiver Request**

Dear Superintendent Wigington:

Goat Mountain Renewables, LLC is requesting that Bushland ISD's Board of Trustees waive the job requirement provision as allowed by Section 313.025 (f-1) of the Texas Property Tax Code. This waiver would be based on the school district's board findings that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of this facility.

Goat Mountain Renewables, LLC requests that Bushland ISD makes such finding and waive the job creation requirement for 10 permanent jobs. Goat Mountain Renewables, LLC has committed to create 5 full time permanent positions for the operation and maintenance of the facility. These positions will be compensated at the rate of 110% of the regional manufacturing wage as well as offer full benefits.

Renewables energy project create many jobs during the development of the facility. It is anticipated that 300 construction jobs will be created; however, once construction is complete the facility will require a relatively low number of permanent workers. The number of jobs (5) that Goat Mountain Renewables, LLC has committed to create is congruent with industry standards for renewable energy facilities. The current industry standard for wind and solar energy sites is 1 worker per 15-20 turbines and 1 worker per 115 MW, respectively.

Goat Mountain Renewables, LLC kindly requests that you consider the approval of the job waiver request for this project. Undoubtedly, the establishment of this facility will be very beneficial to Bushland ISD, Potter County, and the advancement of renewable energy in Texas.

Your consideration of this request is greatly appreciated. If you have any questions, please contact us.

Mike Fry  
Director, Energy Services  
[mfry@keatax.com](mailto:mfry@keatax.com)



### Tab 13: Calculation of Three Possible Wage Requirements and Supporting Information (if applicable)

#### Calculation 1: Potter County Average Weekly Wage: \$886.75

Quarter	Area	Ownership	Industry	Average Weekly Wage
Q3 2018	Potter County, TX	Total All	All Industries	\$852.00
Q4 2018	Potter County, TX	Total All	All Industries	\$933.00
Q1 2019	Potter County, TX	Total All	All Industries	\$875.00
Q2 2019	Potter County, TX	Total All	All Industries	\$887.00

#### Quarterly Census of Employment and Wages (QCEW) Report

[Customize the report/Help with Accessibility](#)

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2018	01	Potter	Total All	Total, All Industries	847
2018	02	Potter	Total All	Total, All Industries	860
2018	03	Potter	Total All	Total, All Industries	852
2018	04	Potter	Total All	Total, All Industries	933
2019	01	Potter	Total All	Total, All Industries	875
2019	02	Potter	Total All	Total, All Industries	887



## Calculation 2: 110% Potter County Average Manufacturing Weekly Wage: \$1023.55

Quarter	Area	Ownership	Industry	Average Weekly Wage
Q3 2018	Potter County, TX	Private	Manufacturing	\$928.00
Q4 2018	Potter County, TX	Private	Manufacturing	\$952.00
Q1 2019	Potter County, TX	Private	Manufacturing	\$922.00
Q2 2019	Potter County, TX	Private	Manufacturing	\$920.00

### Quarterly Census of Employment and Wages (QCEW) Report

[Customize the report/Help with Accessibility](#)

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2018	01	Potter	Private	Manufacturing	930
2018	02	Potter	Private	Manufacturing	902
2018	03	Potter	Private	Manufacturing	928
2018	04	Potter	Private	Manufacturing	952
2019	01	Potter	Private	Manufacturing	922
2019	02	Potter	Private	Manufacturing	920



**Calculation 3: 110% Regional Manufacturing Wage: \$1064.33 weekly or \$55,345.40 annually**

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

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



*Tab 14: Schedules A1, A2, B, C and D completed and signed  
Economic Impact (if applicable)*

Please See Attached.

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

**Date** 1/7/2020  
**Applicant Name** Goat Mountain Renewables, LLC  
**ISD Name** Bushland 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	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2020-2021	2020	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									
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				\$	38,921,216.00				\$
Complete tax years of qualifying time period	QTP1	2021-2022	2021	\$	321,725,296.00	\$	1,600,000.00	\$	323,325,296.00
	QTP2	2022-2023	2022						
<b>Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]</b>				\$	360,646,512.00	\$	1,600,000.00	\$	362,246,512.00
				<b>Enter amounts from TOTAL row above in Schedule A2</b>					
<b>Total Qualified Investment (sum of green cells)</b>				\$	362,246,512.00				

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 **1/7/2020**  
 Applicant Name **Goat Mountain Renewables, LLC**  
 ISD Name **Bushland ISD**

Form 50-296A

*Revised May 2014*

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
			Tax Year (Fill in actual tax year below) YYYY	Column A New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property	Column B New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> that will become Qualified Property	Column C Other investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Column D Other investment made during this year that will become Qualified Property (SEE NOTE)	Column E <b>Total Investment (A+B+C+D)</b>
Total Investment from Schedule A1*	--	<b>TOTALS FROM SCHEDULE A1</b>		\$ 360,646,512.00	\$ 1,600,000.00			\$ 362,246,512.00
Each year prior to start of value limitation period	0	2020-2021	2020	\$ 38,921,216.00				\$ 38,921,216.00
Each year prior to start of value limitation period	0	2021-2022	2021	\$ 321,725,296.00	\$ 1,600,000.00			\$ 323,325,296.00
Value limitation period***	1	2022-2023	2022					
	2	2023-2024	2023					
	3	2024-2025	2024					
	4	2025-2026	2025					
	5	2026-2027	2026					
	6	2027-2028	2027					
	7	2028-2029	2028					
	8	2029-2030	2029					
	9	2030-2031	2030					
	10	2031-2032	2031					
<b>Total Investment made through limitation</b>				\$ 360,646,512.00	\$ 1,600,000.00			\$ 362,246,512.00
Continue to maintain viable presence	11	2032-2033	2032					
	12	2033-2034	2033					
	13	2034-2035	2034					
	14	2035-2036	2035					
	15	2036-2037	2036					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037					
	17	2038-2039	2038					
	18	2039-2040	2039					
	19	2040-2041	2040					
	20	2041-2042	2041					
	21	2042-2043	2042					
	22	2043-2044	2043					
	23	2044-2045	2044					
	24	2045-2046	2045					
	25	2046-2047	2046					

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

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

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

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

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

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

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

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

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

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

Date **1/7/2020**  
 Applicant Name **Goat Mountain Renewables, LLC**  
 ISD Name **Bushland ISD**

**Form 50-296A**

*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
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2020-2021	2020						
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2021-2022	2021			\$ 19,439,063	\$ 19,439,063	\$ 19,439,063	\$ 19,439,063
Value Limitation Period	1	2022-2023	2022		\$ 1,600,000.00	\$ 360,646,512	\$ 362,246,512	\$ 362,246,512	\$ 80,000,000.00
	2	2023-2024	2023		\$ 1,552,000.00	\$ 331,907,571	\$ 333,459,571	\$ 333,459,571	\$ 80,000,000.00
	3	2024-2025	2024		\$ 1,504,000.00	\$ 303,168,630	\$ 304,672,630	\$ 304,672,630	\$ 80,000,000.00
	4	2025-2026	2025		\$ 1,456,000.00	\$ 274,429,689	\$ 275,885,689	\$ 275,885,689	\$ 80,000,000.00
	5	2026-2027	2026		\$ 1,408,000.00	\$ 245,690,747	\$ 247,098,747	\$ 247,098,747	\$ 80,000,000.00
	6	2027-2028	2027		\$ 1,360,000.00	\$ 216,951,806	\$ 218,311,806	\$ 218,311,806	\$ 80,000,000.00
	7	2028-2029	2028		\$ 1,312,000.00	\$ 188,212,865	\$ 189,524,865	\$ 189,524,865	\$ 80,000,000.00
	8	2029-2030	2029		\$ 1,264,000.00	\$ 159,473,924	\$ 160,737,924	\$ 160,737,924	\$ 80,000,000.00
	9	2030-2031	2030		\$ 1,216,000.00	\$ 130,734,983	\$ 131,950,983	\$ 131,950,983	\$ 80,000,000.00
	10	2031-2032	2031		\$ 1,168,000.00	\$ 123,409,273	\$ 124,577,273	\$ 124,577,273	\$ 80,000,000.00
Continue to maintain viable presence	11	2032-2033	2032		\$ 1,120,000.00	\$ 116,083,563	\$ 117,203,563	\$ 117,203,563	\$ 117,203,563
	12	2033-2034	2033		\$ 1,072,000.00	\$ 108,757,853	\$ 109,829,853	\$ 109,829,853	\$ 109,829,853
	13	2034-2035	2034		\$ 1,024,000.00	\$ 101,432,143	\$ 102,456,143	\$ 102,456,143	\$ 102,456,143
	14	2035-2036	2035		\$ 976,000.00	\$ 94,106,433	\$ 95,082,433	\$ 95,082,433	\$ 95,082,433
	15	2036-2037	2036		\$ 928,000.00	\$ 86,780,723	\$ 87,708,723	\$ 87,708,723	\$ 87,708,723
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037		\$ 880,000.00	\$ 79,455,012	\$ 80,335,012	\$ 80,335,012	\$ 80,335,012
	17	2038-2039	2038		\$ 832,000.00	\$ 72,129,302	\$ 72,961,302	\$ 72,961,302	\$ 72,961,302
	18	2039-2040	2039		\$ 784,000.00	\$ 72,129,302	\$ 72,913,302	\$ 72,913,302	\$ 72,913,302
	19	2040-2041	2040		\$ 736,000.00	\$ 72,129,302	\$ 72,865,302	\$ 72,865,302	\$ 72,865,302
	20	2041-2042	2041		\$ 688,000.00	\$ 72,129,302	\$ 72,817,302	\$ 72,817,302	\$ 72,817,302
	21	2042-2043	2042		\$ 640,000.00	\$ 72,129,302	\$ 72,769,302	\$ 72,769,302	\$ 72,769,302
	22	2043-2044	2043		\$ 592,000.00	\$ 72,129,302	\$ 72,721,302	\$ 72,721,302	\$ 72,721,302
	23	2044-2045	2044		\$ 544,000.00	\$ 72,129,302	\$ 72,673,302	\$ 72,673,302	\$ 72,673,302
	24	2045-2046	2045		\$ 496,000.00	\$ 72,129,302	\$ 72,625,302	\$ 72,625,302	\$ 72,625,302
	25	2046-2047	2046		\$ 448,000.00	\$ 72,129,302	\$ 72,577,302	\$ 72,577,302	\$ 72,577,302

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 1/7/2020  
 Applicant Name Goat Mountain Renewables, LLC  
 ISD Name Bushland ISD

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

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A Number of Construction FTE's or man-hours (specify)	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Average annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period	0	2020-2021	2020	300	\$ 53,345.40			
Each year prior to start of Value Limitation Period	0	2021-2022	2021	300	\$ 53,345.40			
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2022-2023	2022				5 \$	53,345.40
	2	2023-2024	2023				5 \$	53,345.40
	3	2024-2025	2024				5 \$	53,345.40
	4	2025-2026	2025				5 \$	53,345.40
	5	2026-2027	2026				5 \$	53,345.40
	6	2027-2028	2027				5 \$	53,345.40
	7	2028-2029	2028				5 \$	53,345.40
	8	2029-2030	2029				5 \$	53,345.40
	9	2030-2031	2030				5 \$	53,345.40
	10	2031-2032	2031				5 \$	53,345.40
Years Following Value Limitation Period	11 through 25	2032-2047	2032-2047				5 \$	53,345.40

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** 1/7/2020  
**Applicant Name** Goat Mountain Renewables, LLC  
**ISD Name** Bushland ISD

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

State and Local Incentives for which the Applicant intends to apply (Estimated)						
Incentive Description	Taxing Entity (as applicable)	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:					
	City:					
	Other:					
Tax Code Chapter 312	County: Potter County	2022	2022-2031 (10 year)	\$ 1,588,089.00	100% w/ PILOT of \$327,000.00 per year	\$ 327,000.00
	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>				\$ 1,588,089.00	100% w/ PILOT of \$327,000.00 per year	\$ 327,000.00

Additional information on incentives for this project:



*Tab 15: Economic Impact Analysis, other payments made in the state or other economic information (if applicable)*

Please See Attached.



### *Tab 16: Description of Reinvestment or Enterprise Zone*

Currently, it is anticipated that Potter County will create the reinvestment zone sometime within the first quarter of 2020. In the event Potter County does not create the reinvestment zone it will be requested that Bushland Independent School District creates the reinvestment zone at or before the anticipated execution of the agreement. Upon designation of the reinvestment zone, the ordinance establishing the zone will be submitted to the Texas Comptroller of Public Accounts. Please find attached the guidelines for tax abatement agreements in Potter County.

**IN THE  
POTTER COUNTY COMMISSIONERS COURT  
POTTER COUNTY, TEXAS**

**RESOLUTION and**

**GUIDELINES FOR TAX ABATEMENT AGREEMENTS**

**10-14-2019**

On the 14th day of October, 2019 the Potter County Commissioners Court met in regular session and passed this RESOLUTION, DECLARATION, and ORDER by unanimous vote of a quorum of the court:

IT IS HEREBY RESOLVED, DECLARED, and ORDERED by the Potter County Commissioners Court that Potter County elects to become eligible to participate in tax abatements, and establishes the following guidelines for the approval of tax abatement requests pursuant to Chapter 312 of the Texas Tax Code and Chapter 381 of the Texas Local Government Code.

**A. Definitions**

(a) "Abatement" means the full or partial exemption from ad valorem taxes on certain real or personal property located in Potter County for economic development purposes.

(b) "Base Year Value" means the assessed value of an applicant's existing property, for which a tax abatement is approved, as of the date the tax abatement agreement is signed.

(c) "Economic Life" means the number of years a property improvement or project is expected to remain in service or in operation.

(d) "Expansion" means the addition of buildings and other structures, fixed machinery and equipment, and other fixed personal property, for the purpose of increasing production or distribution capacity.

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

(f) "Project" means the proposed creation or expansion of a business enterprise in Potter County, Texas.

**B. Reinvestment Zones**

(a) The designation of any area as a reinvestment zone, and the granting of any tax abatement in such a zone, shall be governed by the provisions of Chapter 312 of the Texas Tax Code, as well as these guidelines.

(b) Designation of any area as a reinvestment zone requires a showing that the designation will contribute to the retention or expansion of employment opportunities, or the attraction of major investment, within the reinvestment zone.

(c) Designations of reinvestment zones expire five years following the date of designation, and may be renewed for periods not to exceed a total of five additional years.

### **C. Conditions for Consideration of Requests for Tax Abatements**

Consideration and approval of a request for tax abatement is subject to a finding by the Potter County Commissioners Court (the Court) that the proposed project will, in reasonable probability, meet the following conditions and criteria, provided that the court may waive or modify one or more of these conditions upon a finding that the overall benefits of a particular project, to Potter County and its citizens, outweigh strict adherence to one or more of these conditions.

(a) The applicant shall not be indebted to or delinquent in payment of any obligation to Potter County;

(b) The applicant has sufficient resources, access to financing, and expertise to complete the project, with or without a tax abatement from Potter County, but will not proceed with the project *in Potter County* without the benefit of the proposed abatement.

(c) The proposed project will increase the aggregate appraised value of the property upon which it is situated, including taxable improvements added to the property by the project, in an amount acceptable to the Court, and in no event less than 30 percent as of the date of expiration of the abatement period.

(d) The proposed project will generate no significant adverse environmental impacts on the property upon which it is situated, or adjoining property, or the community at large.

(e) The project and resulting business activities will utilize Potter County businesses for a minimum of 25 percent of the total costs of construction contracts for the project, and for annual supply and service contracts and trade accounts going forward.

(f) The project owner or operator will hire Potter County residents for a minimum of 25 percent of new full-time jobs created by the project.

(g) The project owner or operator will at all times offer a high quality health benefit plan to its full-time employees and their dependents with premium allocations, deductibles, and co-pays that are affordable for participating employees.

(h) The economic life of the project and improvements will exceed the life of the abatement agreement.

#### **D. Terms**

(a) Abatement will apply only to property identified in the abatement agreement as eligible for the abatement. The following categories of property are not eligible for abatement: (1) land, (2) inventory, supplies, and consumables, (4) tools of trade, office furnishings and other forms of movable personal property, (4) trucks, vehicles, aircraft, and other transportation equipment and devices.

(b) Abatement will apply only to increases in appraised value, above the base year value, during the term of the abatement. During the term of the abatement taxes will be levied and collected on: (1) the full value of property not specifically identified in the agreement as eligible for the abatement, (2) the *base year value* of property that is subject to the agreement, and (3) the full value of existing property that is currently on Potter County tax rolls and is moved from another location and made part of the project. Upon expiration of the abatement period, the full value of all taxable property shall become fully taxable.

(c) If an abatement is granted for a facility under lease, the abatement agreement must be signed by both the lessor and the lessee.

(d) Abatement is effective with the signing of the abatement agreement unless otherwise specified. The granting of an abatement, and the amount of the abatement, if granted, is solely within the discretion of the Potter County Commissioners Court applying the conditions, criteria, and terms stated herein.

#### **E. Agreement.**

Upon approval of a request for tax abatement, the County will prepare a tax abatement agreement, or join in a tax abatement agreement prepared by another taxing entity, which must be approved by order of the Court, and which shall include the following information, in addition to meeting the other terms and conditions stated herein:

- (a) Identification of the property covered by the agreement;
- (b) The base year values of property covered by the agreement;
- (c) The percent of value to be abated each year on such property;
- (d) The beginning and ending dates of the abatement period;
- (e) The nature of the project and its business operations, with a description of improvements to be constructed and installed, and a time-line for construction and installation;
- (f) The amount of capital investment into the project, and the number of jobs that will be created by the project; and

- (g) A description of the health benefit plan that will be offered to employees and their dependents.

**F. Compliance Monitoring and Reporting**

The agreement shall stipulate that the Potter County Judge or his or her designee shall at all reasonable times have access to the project site or reinvestment zone during the term of the abatement to inspect projects to determine if the terms and conditions of the agreement are being met. The agreement shall require annual reporting, on or about the anniversary date(s) of the agreement, regarding the following as of the date of the report:

- (a) Number of full-time and part-time employees and gross total payroll;
- (b) The appraised value of the property and improvements;
- (c) A summary of any notices, complaints, citations, fines, or litigation alleging adverse environmental conditions or activities on the property;
- (d) Documentation to confirm utilization of Potter County businesses for a minimum of 25 percent of the total costs of construction contracts for the project, and for annual supply and service contracts and trade accounts going forward;
- (f) Documentation to confirm the employment of Potter County residents for a minimum of 25 percent of full-time jobs created by the project; and
- (g) Documentation of the health benefit plan offered to full-time employees and their dependents.

**G. Recapture.**

The Potter County Commissioners Court reserves the right to review compliance for full or partial recapture of abatements in the event that applicant fails to perform in good faith. If a project is not completed as specified in the tax abatement agreement, the County has the right to cancel the abatement agreement and declare that abated taxes are immediately due to the County and other affected taxing units. If benchmarks stated in the abatement agreement are not met, the County shall have the right to adjust the terms of abatement, suspend the abatement pending compliance, or cancel the abatement agreement in its entirety.

**H. Miscellaneous Conditions**

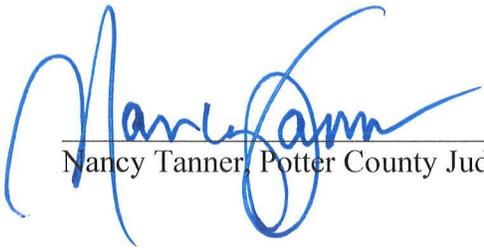
- (a) Pursuant to section 312.003 of the Texas Tax Code, confidential information identified as such by the applicant, shall remain so until the tax abatement is executed, or release of the information is approved by the Attorney General of the State of Texas or ordered by a court having jurisdiction regarding same.

(b) The County will not participate in establishment of a reinvestment zone, or in an abatement, if it finds that the application for same was filed after the commencement of construction, modification, or installation of improvements related to the project for which the abatement is sought.

**I. Assignment.**

Tax abatement agreements may be assigned to a new owner or lessee only with the written consent of the Court, which consent shall not be unreasonably withheld. An assignment must provide that the assignee irrevocably and unconditionally assumes all duties and obligations of the assignor upon the same terms and conditions as set out in the agreement.

ADOPTED and ORDERED on October 14, 2019 by unanimous vote of a quorum of the Potter County Commissioners Court.

  
\_\_\_\_\_  
Nancy Tanner, Potter County Judge

Attest:

\_\_\_\_\_  
Julie Smith, Potter County Clerk

## EXHIBIT A

### TO POTTER COUNTY GUIDELINES FOR TAX ABATEMENT AGREEMENTS

#### APPLICATION FOR CONSIDERATION OF TAX ABATEMENT REQUEST

1. Name and business address of applicant requesting abatement:
2. Location in Potter County for which tax abatement is requested. Please provide street address, legal description, and survey map.
3. Addresses of applicant's other business operations in the Texas Panhandle (top 26 counties)
4. Name, position, telephone number, and e-mail address for applicant's point of contact
5. Summary description of proposed improvements and anticipated time-line for the project.
6. Current appraised value of land for which abatement is requested, and of existing improvements located thereon. Please provide the most recent appraisal of same from the Potter-Randall Appraisal District.
7. Please state: (a) number of current employees and amount of current payroll, if any, (b) projected number of new full-time and part-time jobs that will be created by the project, and (c) total payroll anticipated at 12 months, 18 months, 24 months, 36 months, 48 months, and 60 months into the abatement period.
8. Please provide a complete financial statement for the applicant, including the applicant's most recent balance sheet, P & L statement, and cash flow statement.
9. Applicant represents, to the best of applicant's knowledge and belief, that:
  - (a) The applicant has sufficient resources, access to financing, and expertise to complete the project, with or without a tax abatement from the County.
  - (b) The proposed project will generate no significant adverse environmental impacts on the property upon which it is to be situated, or adjoining property, or the community at large.
  - (c) If applicant is a business entity, applicant affirms that the entity is authorized to do business in the State of Texas and that all tax accounts and public information filings required by the Texas Comptroller and the Texas Secretary of State have been paid and filed, and that the entity is in good standing with the Texas Comptroller and the Texas Secretary of State. Applicant further acknowledges that applicant is current on all federal, state, and Potter County tax obligations, assessments, licensing fees, and any other governmental levies, fees, or and

assessments required of applicant, and that there are no delinquencies with respect to same at this time.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Applicant

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Capacity



*Tab 17: Signature and Certification Page, Signed and Dated by  
Authorized School District Representative and Authorized  
Company Representative (applicant)*

Please 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** → Chris Wiggins Title Superintendent  
Print Name (Authorized School District Representative)

**sign here** → [Signature] Date 1-21-20  
Signature (Authorized School District Representative)

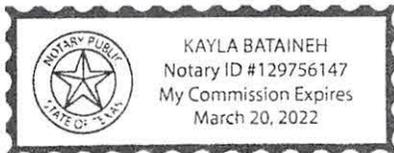
**2. Authorized Company Representative (Applicant) Signature and Notarization**

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** → JAMES SOBIESKI Title Manager  
Print Name (Authorized Company Representative (Applicant))

**sign here** → [Signature] Date 01/21/2020  
Signature (Authorized Company Representative (Applicant))



(Notary Seal)

GIVEN under my hand and seal of office this, the  
21<sup>st</sup> day of January, 2020  
K Bataineh  
 Notary Public in and for the State of Texas  
 My Commission expires: March 20, 2022

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.