

## Chapter 313 Annual Eligibility Report Form

## SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2016  
**NOTE:** This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year.
2. Application number: 328  
**NOTE:** You can find your application number and all agreement documents and reports on the website [comptroller.texas.gov/economy/local/ch313/agreement-docs.php](http://comptroller.texas.gov/economy/local/ch313/agreement-docs.php)
3. Name of school district: Seymour ISD
4. Name of project on original application (or short description of facility): Green Pastures Wind I, LLC
5. Name of applicant on original application: Green Pastures Wind I, LLC
6. Name the company entering into original agreement with district: Green Pastures Wind I, LLC
7. Amount of limitation at time of application approval: 10,000,000
8. If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

N/A

## SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Green Pastures Wind II, LLC
2. Complete mailing address of current agreement holder 645 Madison Ave., 19th Floor, New York, NY 10022
3. Company contact person for agreement holder:
- |                        |                             |
|------------------------|-----------------------------|
| <u>Benoit Allehaut</u> | <u>Vice President</u>       |
| Name                   | Title                       |
| <u>(212) 798-3400</u>  | <u>ballehaut@capdyn.com</u> |
| Phone                  | Email                       |
4. Texas franchise tax ID number of current agreement holder: 32051870445
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
- |                                   |                    |
|-----------------------------------|--------------------|
| <u>Green Pastures Wind I, LLC</u> | <u>32045637868</u> |
| Name                              | Tax ID             |
6. If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:
- |  |   |
|--|---|
| <u>Jon Faltis</u>  | <u>Senior Accountant/Vice President</u> |
| Name   | Title                                   |
| <u>8800 N. Gainey Center Dr. Ste. 250 Scottsdale, AZ 85258</u> |   |
| Complete Mailing Address                                       |   |
| <u>(480) 253-3915</u>  | <u>JFaltis@capdyn.com</u>               |
| Phone  | Email                                   |
7. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

N/A

SECTION 3: Applicant Eligibility Information

1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171? (Attach printout from Comptroller website: <https://mycpa.cpa.state.tx.us/coa/>) .....  Yes  No
2. Is the business entity current on all taxes due to the State of Texas? .....  Yes  No
3. Is the business activity of the project an eligible business activity under Section 313.024(b)? .....  Yes  No
  - a) 3a. Please identify business activity: Renewable Energy Electric Generation

SECTION 4: Market Value and Limitation Amount

Please identify the county appraisal district (CAD) in which the project is located: Baylor County

If the project is located in more than one CAD, please identify the name(s) of the other CADs and provide on a separate sheet for each CAD, the responses to items 1 through 5 applicable to the property (or portion of property) that is reflected in each CAD's property tax account records.

For purposes of item 1, "total market value" should reflect the market value as determined by the CAD (and as adjusted after protest) for only eligible property in all of the CAD property tax accounts covered by the 313 agreement in that county. Please note: "qualified property" is defined by Tax Code section 313.021(2) and 34 Tex. Admin. Code § 9.1051(16) and identified in the executed Chapter 313 agreement.

1. Total market value of all qualified property from all CAD property accounts subject to the 313 agreement ..... \$ 1 0 6 0 4 6 2 0
2. Total value of all applicable exemptions for the qualified property included in item 1 ..... \$ 0
3. Total taxable value for school I&S tax purposes for the qualified property (Item 1 less Item 2) ..... \$ 1 0 6 0 4 6 2 0
4. Limitation amount on appraised value specified as qualified in the 313 agreement ..... \$ 2 5 0 0 0 0 0
5. Total taxable value for school M&O tax purposes for the qualified property (lesser of item 3 or item 4) ..... \$ 2 5 0 0 0 0 0

SECTION 5A: Wage and Employment Information for Applications Prior to Jan. 1, 2014 (#1 Through 999)

**ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at [comptroller.texas.gov/economy/local/ch313/agreement-docs.php](http://comptroller.texas.gov/economy/local/ch313/agreement-docs.php)**

**NOTE:** All statutory references in Section 5A are for statute as it existed prior to Jan. 1, 2014. For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement. Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code §313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

1. How many new jobs were based on the qualified property in the year covered by this report? (See note above) ..... 7
2. What is the number of new jobs required for a project in this school district according to §313.021(2)(A)(iv)(b), §313.051(b), as appropriate? ..... 10
3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? .....  Yes  No
  - 3a. If yes, how many new jobs must the approved applicant create under the waiver? ..... 4
4. Calculate 80 percent of new jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) ..... 5.6
5. What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$ 41,259.00
6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:
 

§313.021(5)(A) or  §313.021(5)(B) or  §313.021(3)(E)(ii) or  §313.051(b)

  - 6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? .....  Yes  No
  - 7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? .....
  - 7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? ..... \$ .....

SECTION 4: Market Value and Limitation Amount

Please identify the county appraisal district (CAD) in which the project is located: Knox County

If the project is located in more than one CAD, please identify the name(s) of the other CADs and provide on a separate sheet for each CAD, the responses to items 1 through 5 applicable to the property (or portion of property) that is reflected in each CAD's property tax account records.

For purposes of item 1, "total market value" should reflect the market value as determined by the CAD (and as adjusted after protest) for only eligible property in all of the CAD property tax accounts covered by the 313 agreement in that county. Please note: "qualified property" is defined by Tax Code section 313.021(2) and 34 Tex. Admin. Code § 9.1051(16) and identified in the executed Chapter 313 agreement.

- 1. Total market value of all qualified property from all CAD property accounts subject to the 313 agreement .....\$ 

				1	5	5	5	3	4	4	6	0
--	--	--	--	---	---	---	---	---	---	---	---	---
- 2. Total value of all applicable exemptions for the qualified property included in item 1 .....\$ 

												0
--	--	--	--	--	--	--	--	--	--	--	--	---
- 3. Total taxable value for school I&S tax purposes for the qualified property (Item 1 less Item 2) .....\$ 

				1	5	5	5	3	4	4	6	0
--	--	--	--	---	---	---	---	---	---	---	---	---
- 4. Limitation amount on appraised value specified as qualified in the 313 agreement. ....\$ 

				2	5	0	0	0	0	0	0	0
--	--	--	--	---	---	---	---	---	---	---	---	---
- 5. Total taxable value for school M&O tax purposes for the qualified property (lesser of item 3 or item 4) .....\$ 

				2	5	0	0	0	0	0	0	0
--	--	--	--	---	---	---	---	---	---	---	---	---

- 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? ..... \_\_\_\_\_
8. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... 7
- 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... 7
- 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 0
- 8c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? .....  Yes  No  N/A

**SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)**

**ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at [comptroller.texas.gov/economy/local/ch313/agreement-docs.php](http://comptroller.texas.gov/economy/local/ch313/agreement-docs.php).**

**NOTE:** For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3).

**QUALIFYING JOBS**

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? ..... \_\_\_\_\_
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? .....  Yes  No
- 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? ..... \_\_\_\_\_
3. Which Tax Code section are you using to determine the wage standard required for this project?  §313.021(5)(A) or  §313.021(5)(B)
- 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051.
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? ..... \$ \_\_\_\_\_
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? ..... \$ \_\_\_\_\_
6. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... \_\_\_\_\_
- 6a. Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... \_\_\_\_\_
- 6b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... \_\_\_\_\_
- 6c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? .....  Yes  No  N/A
7. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3) and TAC 9.1051(30)? .....  Yes  No

**NON-QUALIFYING JOBS**

8. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? ..... \_\_\_\_\_
9. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ \_\_\_\_\_
10. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? ..... \$ \_\_\_\_\_

**MISCELLANEOUS**

11. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the minimum qualifying job requirements? .....  Yes  No
- 11a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
12. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? .....  Yes  No
- 12a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each.

**SECTION 6: Qualified Investment During Qualified Time Period**

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? ..... \$ \_\_\_\_\_
2. Was any of the land classified as qualified investment? .....  Yes  No
3. Was any of the qualified investment leased under a capitalized lease? .....  Yes  No
4. Was any of the qualified investment leased under an operating lease? .....  Yes  No
5. Was any property not owned by the applicant part of the qualified investment? .....  Yes  No

**SECTION 7: Partial Interest**

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT. Applicable only to certain 3-digit projects. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement:

1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

1. What was your limitation amount (or portion of original limitation amount) during the year covered by this report? . . . . 5,000,000.00
2. Please describe your interest in the agreement and identify all the documents creating that interest.

The agreement for Application 328 was split and assigned. 50% of the agreement stayed with the original applicant Green Pastures Wind I, LLC and the remaining 50% was assigned to Green Pastures Wind II, LLC.

**SECTION 8: Approval**

*"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."*

**print here** → Jon Faltis  
Print Name (Authorized Company Representative)

**sign here** →   
Signature (Authorized Company Representative)

**print here** → Brandon Westlake  
Print Name of Preparer (Person Who Completed the Form)

Senior Accountant/Vice President  
Title

10/27/2017  
Date

(713) 266-4456  
Phone



## Franchise Tax Account Status

As of: 07/12/2017 12:26:56

This Page is Not Sufficient for Filings with the Secretary of State

<b>GREEN PASTURES WIND II, LLC</b>	
<b>Texas Taxpayer Number</b>	32051870445
<b>Mailing Address</b>	8800 N GAINNEY CENTER DR STE 250 SCOTTSDALE, AZ 85258-2123
<b>Right to Transact Business in Texas</b>	ACTIVE
<b>State of Formation</b>	DE
<b>Effective SOS Registration Date</b>	08/30/2013
<b>Texas SOS File Number</b>	0801842369
<b>Registered Agent Name</b>	COGENCY GLOBAL INC.
<b>Registered Office Street Address</b>	1601 ELM ST. SUITE 4360 DALLAS, TX 75201



## Franchise Tax Account Status

As of: 11/26/2017 16:20:36

**This Page is Not Sufficient for Filings with the Secretary of State**

GREEN PASTURES WIND I, LLC	
<b>Texas Taxpayer Number</b>	32045637868
<b>Mailing Address</b>	8800 N GAINNEY CENTER DR STE 250 SCOTTSDALE, AZ 85258-2123
<b>Right to Transact Business in Texas</b>	ACTIVE
<b>State of Formation</b>	TX
<b>Effective SOS Registration Date</b>	11/14/2011
<b>Texas SOS File Number</b>	0801507123
<b>Registered Agent Name</b>	COGENCY GLOBAL INC.
<b>Registered Office Street Address</b>	1601 ELM ST. SUITE 4360 DALLAS, TX 75201

**CHECKLIST ITEM 14**

**Wage Information**

**Project Wage Summary**

	Baylor Co.	Knox Co.	Project-Wide (Two County Avg.)
110% Avg. Weekly Wage – All Jobs	\$586.58	\$839.30	\$712.94
110% Avg. Weekly Wage – Mfg. Jobs	\$761.20*	\$761.20*	\$761.20
110% Avg. Weekly Regional Wage – Mfg. Jobs	\$784.30	\$802.60	\$793.45
110% Avg. Annual Regional Wage – Mfg. Jobs	\$40,783.60	\$41,735.10	\$41,259.35

\* See methodology for calculating average weekly manufacturing wages below.

**Baylor County**

110% of Baylor County Average Weekly Wage for All Jobs

2012 Q2	\$524
2012 Q3	\$522
2012 Q4	\$531
2013 Q1	\$556

$\$533.25$  (avg last 4 qtrs) x 110% = [REDACTED]

110% of Baylor County Average Weekly Wage for Manufacturing Jobs

Mfg. wage data is not available for Baylor County. Mfg. wages for neighboring Archer, Haskell, and Wilbarger Counties are available, however, and will be used to approximate mfg. wages for Baylor County.

	Archer County	Haskell County	Wilbarger County	3 County Avg.
2012 Q2	\$401	\$538	\$856	\$598
2012 Q3	\$542	\$570	\$876	\$696
2012 Q4	\$589	\$588	\$973	\$717
2013 Q1	\$672	\$604	\$996	\$757

$\$692.00$  (avg last 4 qtrs) x 110% = [REDACTED]

110% of NORTEX Average Annual Wage for Manufacturing Jobs

$\$37,076$  x 110% = [REDACTED]

110% of NORTEX Average Weekly Wage for Manufacturing Jobs

$\$37,076 \div 52$  weeks x 110% = [REDACTED]

**Knox County**

**110% of Knox County Average Weekly Wage for All Jobs**

2012 Q2        \$698  
2012 Q3        \$752  
2012 Q4        \$810  
2013 Q1        \$792

$\$763.00$  (avg last 4 qtrs) x 110% =

**110% of Knox County Average Weekly Wage for Manufacturing Jobs**

Mfg. wage data is not available for Knox County. Mfg. wages for neighboring Archer, Haskell, and Wilbarger Counties are available, however, and will be used to approximate mfg. wages for Knox County.

	Archer County	Haskell County	Wilbarger County	3 County Avg.
2012 Q2	\$401	\$538	\$856	\$598
2012 Q3	\$542	\$670	\$876	\$696
2012 Q4	\$589	\$588	\$973	\$717
2013 Q1	\$672	\$604	\$996	\$757

$\$692.00$  (avg last 4 qtrs) x 110% =

**110% of WCTCOG Average Annual Wage for Manufacturing Jobs**

$\$37,941$  x 110% =

**110% of WCTCOG Average Weekly Wage for Manufacturing Jobs**

$\$37,941 \div 52$  weeks x 110% =

## Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

<input type="checkbox"/> Year	<input type="checkbox"/> Period	<input type="checkbox"/> Area	<input type="checkbox"/> Ownership	<input type="checkbox"/> Division	<input type="checkbox"/> Level	<input type="checkbox"/> Ind Code	<input type="checkbox"/> Industry	<input type="checkbox"/> Avg Weekly Wages
2012	2nd Qtr	Baylor County	Total All	00	0	10	Total, All Industries	\$524
2012	3rd Qtr	Baylor County	Total All	00	0	10	Total, All Industries	\$522
2012	4th Qtr	Baylor County	Total All	00	0	10	Total, All Industries	\$531
2013	1st Qtr	Baylor County	Total All	00	0	10	Total, All Industries	\$556

## Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

<input type="checkbox"/> Year	<input type="checkbox"/> Period	<input type="checkbox"/> Area	<input type="checkbox"/> Ownership	<input type="checkbox"/> Division	<input type="checkbox"/> Level	<input type="checkbox"/> Ind Code	<input type="checkbox"/> Industry	<input type="checkbox"/> Avg Weekly Wages
2012	2nd Qtr	Knox County	Total All	00	0	10	Total, All Industries	\$698
2012	3rd Qtr	Knox County	Total All	00	0	10	Total, All Industries	\$752

Green Pastures Wind I, LLC  
Application for Ch. 323 AVL Agreement

2012	4th Qtr	Knox County	Total All	00	0	10	Total, All Industries	\$810
2013	1st Qtr	Knox County	Total All	00	0	10	Total, All Industries	\$792

County	Ind Code	Industry	1Q13	4Q12	3Q12	2Q12
Archer County	31-33	Manufacturing	\$672	\$589	\$542	\$401
Haskell County	31-33	Manufacturing	\$604	\$588	\$670	\$538
Wilbarger County	31-33	Manufacturing	\$996	\$973	\$876	\$856

Source: Texas Workforce Commission,  
Labor Market and Career Information Department.  
Quarterly Census of Employment & Wages, 07-24-13 (LS).

**2012 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$23.56	\$48,996
<u>1. Panhandle Regional Planning Commission</u>	\$20.12	\$41,850
<u>2. South Plains Association of Governments</u>	\$16.18	\$33,662
<u>3. NORTEX Regional Planning Commission</u>	\$17.83	\$37,076
<u>4. North Central Texas Council of Governments</u>	\$24.68	\$51,333
<u>5. Ark-Tex Council of Governments</u>	\$16.84	\$35,032
<u>6. East Texas Council of Governments</u>	\$19.61	\$40,797
<u>7. West Central Texas Council of Governments</u>	\$18.24	\$37,941
<u>8. Rio Grande Council of Governments</u>	\$16.17	\$33,631
<u>9. Permian Basin Regional Planning Commission</u>	\$21.93	\$45,624
<u>10. Concho Valley Council of Governments</u>	\$16.33	\$33,956
<u>11. Heart of Texas Council of Governments</u>	\$19.07	\$39,670
<u>12. Capital Area Council of Governments</u>	\$26.03	\$54,146
<u>13. Brazos Valley Council of Governments</u>	\$16.55	\$34,424
<u>14. Deep East Texas Council of Governments</u>	\$16.20	\$33,698
<u>15. South East Texas Regional Planning Commission</u>	\$29.38	\$61,118
<u>16. Houston-Galveston Area Council</u>	\$26.59	\$55,317
<u>17. Golden Crescent Regional Planning Commission</u>	\$21.03	\$43,742
<u>18. Alamo Area Council of Governments</u>	\$18.40	\$38,280
<u>19. South Texas Development Council</u>	\$13.54	\$28,170
<u>20. Coastal Bend Council of Governments</u>	\$22.97	\$47,786
<u>21. Lower Rio Grande Valley Development Council</u>	\$16.33	\$33,961
<u>22. Texoma Council of Governments</u>	\$22.57	\$46,949
<u>23. Central Texas Council of Governments</u>	\$17.16	\$35,689
<u>24. Middle Rio Grande Development Council</u>	\$18.93	\$39,380

Source: Texas Occupational Employment and Wages

Data published: July 2013

Data published annually, next update will be July 31, 2014

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

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

Data intended for TAC 313 purposes only.