

Chapter 313 Annual Eligibility Report Form

SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2017
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: 74
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
3. Name of school district: Borden County ISD
4. Name of project on original application (or short description of facility): Bull Creek Wind LLC
5. Name of applicant on original application: Bull Creek Wind LLC
6. Name the company entering into original agreement with district: Bull Creek Wind 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.)

NA

SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Bull Creek Wind LLC
2. Complete mailing address of current agreement holder 9225 Towne Centre Dr., Suite 840, San Diego, CA 92121
3. Company contact person for agreement holder:
- | | |
|----------------------|---------------------------------|
| <u>Butch Mederos</u> | <u>AVP Manager</u> |
| Name | Title |
| <u>858-587-5850</u> | <u>bmederos@eurusenergy.com</u> |
| Phone | Email |
4. Texas franchise tax ID number of current agreement holder: 12085872880
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
- | | |
|-----------|-----------|
| <u>NA</u> | <u>NA</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>Shana Davis</u> | <u>Property Tax Analyst</u> |
| Name | Title |
| <u>Cummings Westlake LLC, 12837 Louetta Rd, Suite 201, Cypress, TX 77429</u> | |
| Complete Mailing Address | |
| <u>713-266-4456 ext 6</u> | <u>sdavis@cwlp.net</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

- 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? 0
- 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? 13
 - 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 0
 - 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 13
 - 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.

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(1) **This section is not applicable to Bull Creek Wind LLC.** 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.

Not Applicable

- 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?
3. Was any of the qualified investment leased under a capitalized lease?
4. Was any of the qualified investment leased under an operating lease?
5. Was any property not owned by the applicant part of the qualified investment?

SECTION 7: Partial Interest

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.

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.

Not Applicable

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

Not Applicable

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

Shana Davis

Print Name (Authorized Company Representative)

Property Tax Analyst

Title

sign here

Handwritten signature of Shana Davis

Signature (Authorized Company Representative)

5/2/18

Date

print here

Shana Davis - Cummings Westlake LLC

Print Name of Preparer (Person Who Completed the Form)

713-266-4456

Phone



Franchise Tax Account Status

As of : 05/02/2018 14:05:03

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

BULL CREEK WIND LLC DBA BULL CREEK WIND LLC

Texas Taxpayer Number 12085872880

Mailing Address 9255 TOWNE CENTRE DR STE 840 SAN DIEGO, CA
92121-3041

Right to Transact Business in Texas ACTIVE

State of Formation DE

Effective SOS Registration Date 03/29/2007

Texas SOS File Number 0800794974

Registered Agent Name C T CORPORATION SYSTEM

Registered Office Street Address 1999 BRYAN ST., STE. 900 DALLAS, TX 75201

Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2007	4th Qtr	Burden County	Total All	00	0	.10	Total, All Industries	\$546

x 52
28,392
x 110%
31,200