

JEFF BYRD  
Superintendent  
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Elementary Principal  
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MARLO BYRD  
Counselor  
806-226-2191 ext 2

October 22, 2013

Wes Jackson  
Cummings Westlake, LLC  
12837 Louetta Road, Suite 201  
Cypress, TX 77429

*Via email: [wjackson@cwlp.net](mailto:wjackson@cwlp.net)*

Re: Request for Extension on Application of Goodnight Wind Energy Project, LLC  
For a Limited Assessed Valuation Agreement

Dear Mr. Jackson:

Please be advised that at a properly called meeting of the Claude Independent School District Board of Trustees on October 21, 2013, the Board took action on the request for an extension to consider the application of Goodnight Wind Energy Project, LLC for a Limited Assessed Valuation Agreement with Claude ISD. The District approved the request, and has granted the extension on the application up to an additional 60 day period (*i.e.*, Saturday, January 11, 2013). *See* enclosed copy of the Resolution granting the extension. The Board's action will be reflected in the Minutes of this meeting.

If you have any further questions concerning your extension, please do not hesitate to contact me or Fred Stormer at the Underwood Law Firm. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Byrd', is written over the word 'Sincerely,'. The signature is fluid and cursive.

Jeff Byrd, Superintendent

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF  
CLAUDE INDEPENDENT SCHOOL DISTRICT**

The Board of Trustees of Claude Independent School District (“the District”) does hereby make the following resolution regarding a pending application by Goodnight Wind Energy Project, LLC (“Goodnight Wind”) for a limitation on appraised value agreement under Texas Tax Code, Chapter 313:

WHEREAS, on or about May 14, 2013, Goodnight Wind submitted to the District an application under Texas Code, Chapter 313 (the “Application”) for a limitation on appraised value agreement (“Agreement”); and

WHEREAS, on or about May 16, 2013, the Application was submitted to the Texas Comptroller; and,

WHEREAS, on or about June 14, 2013, the Texas Comptroller issued a letter deeming the Application complete, advising that it would move forward with its economic impact evaluation, and triggering the effective filing date of the Application; and

WHEREAS, Texas Tax Code § 313.025(b) requires the Board approve or disapprove an application before the 151st day after the date the application is filed (the “Deadline”), unless the Comptroller’s economic impact evaluation has not been received or an extension is agreed to by the Board and the applicant; and,

WHEREAS, due to ongoing negotiations with Goodnight Wind, it is likely the Agreement will not be approved by the Comptroller in time for the Board to issue its Findings of Fact, and approve and execute such an Agreement before the Deadline; and,

WHEREAS, October 18, 2013, Goodnight Wind submitted a request to the District to extend the Deadline, a copy of which is attached here to as Exhibit “A.”

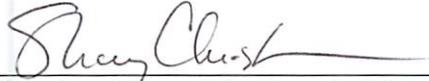
NOW BE IT THEREFORE RESOLVED, that the statements contained in the preamble of this Resolution are true and correct and adopted as findings of fact and operative provisions hereof, and that it is in the District’s best interest to extend the Deadline as requested, and

BE IT FURTHER RESOLVED, that Board of Trustees finds that it is in the best interest of the District to grant Goodnight Wind’s request for an extension of the Deadline for an additional sixty (60) days in order to complete negotiations and allow the Comptroller sufficient time to review and approve the Agreement of the parties; and,

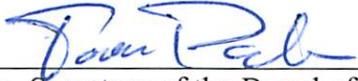
BE IT FURTHER RESOLVED, the superintendent is directed to provide notice to Goodnight Wind of the Board’s decision to grant its request.

Passed and approved by the Claude Independent School District Board of Trustees on this 21<sup>st</sup> day of October, 2013.

Claude Independent School District



By: President of the Board of Trustees



By: Secretary of the Board of Trustees

## EXHIBIT A

### CUMMINGS WESTLAKE LLC

12837 Louetta Road, Suite 201 Cypress, Texas 77429-5611 713-266-4456 Fax: 713-266-2333

October 18, 2013

Jeff Byrd, Superintendent  
Claude ISD  
PO Box 209  
Claude, TX 79019

via email: [jeff.byrd@region16.net](mailto:jeff.byrd@region16.net)

Re: Request for Extension to consider 313 Application

Dear Mr. Byrd:

Due to scheduling conflicts, we do not believe that Goodnight Wind Energy Project, LLC will be ready to execute the Limitation on Appraised Value Agreement within the 151 day deadline imposed by Texas Tax Code Chapter 313, Section 313.025(b). Accordingly, we ask that Claude ISD extend that deadline by no less than 30 days.

Thank you for your consideration.

Sincerely,



J. Weston Jackson  
*Partner*  
Consultant for  
Goodnight Wind Energy Project, LLC