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P.O. Box 13231, 1700 N. Congress Ave.

Austin, TX 78711-3231, www.twdb.texas.gov

Phone (512) 463-7847, Fax (512) 475-2053

# Application for FINANCIAL ASSISTANCE

For agricultural conservation projects



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Please label each attachment with the number of the pertinent application section (e.g. “Part B5”).

# Instructions for Agricultural Water Conservation Loans

The Texas Water Development Board's Agricultural Water Conservation Loan program offers loans to political subdivisions of the State of Texas for agricultural water conservation projects or programs.

**When to apply:** Applications may be filed at any time, however funding is subject to availability.

**Who may apply:** Eligible applicants include political subdivisions and eligible lending institutions (as defined by 31 Texas Administrative Code, Chapter 367) for their use either for improvements on their facilities or as loans to individuals.

**Application submittal:** Please submit onedouble-sided original and oneindexed, electronic copy, via electronic storage media such as CD or flash drive using MS Word, Excel and/or Adobe Acrobat.:

Please submit your application to**:**

Texas Water Development Board

Water Supply and Infrastructure - Regional Water Project Development

P O Box 13231

1700 N. Congress Avenue, 5th Floor

Austin, Texas 78711-3231

(78701 for courier deliveries)

A complete application consists of all the applicable information and forms requested in this document. Technical review of applications begin only after the document is deemed administratively complete. When preparing this application, you may use the checklist provided at the end of this document to help ensure submittal of an administratively complete application. If a question does not apply, please indicate or choose Not Applicable (N/A)

For more information, please contact your Regional Project Implementation Team at:

<http://www.twdb.texas.gov/financial/programs/swift/regional_project_teams.asp>

Thank you.

# Part A. General/Legal Information

1. Official name and address of the applicant.

|  |  |
| --- | --- |
| **Name:** |            |
| **County:** |            |
| **Physical Address:** |            |
| **Mailing Address:** |            |
| **Phone:** |            |
| **Fax:** |            |
| **Website**: |            |

1. Applicant is requesting funding in the amount of           .
2. Constitutional and statutory authority creating the applicant and under which the applicant currently operates:

a) [ ]  ALL DISTRICTS (Texas Water Code (TWC) ([Chapter 49)](http://www.statutes.legis.state.tx.us/Docs/WA/htm/WA.49.htm)

b) [ ]  TYPE A GENERAL-LAW MUNICIPALITY ([Texas Local Gov’t Code Sec. 5.001](http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.5.htm#5.001))

c) [ ]  TYPE B GENERAL-LAW MUNICIPALITY ([Texas Local Gov’t Code Sec. 5.002](http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.5.htm#5.002))

d) [ ]  TYPE C GENERAL-LAW MUNICIPALITY ([Texas Local Gov’t Code Sec. 5.003](http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.5.htm#5.003))

e) [ ]  HOME-RULE MUNICIPALITY ([Texas Local Gov’t Code Sec. 5.004](http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.5.htm#5.004))

f) [ ]  SPECIAL-LAW MUNICIPALITY ([Texas Local Gov’t Code Sec. 5.005](http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.5.htm#5.005))

g) [ ]  NONPROFIT WATER SUPPLY OR SEWER SERVICE CORP. (TWC [Chapter 67)](http://www.statutes.legis.state.tx.us/Docs/WA/htm/WA.67.htm)

h) [ ]  Institution of higher education as defined by §61.003, Education Code

i) [ ]  COUNTY

j) [ ]  OTHER (attach)

1. Vendor ID Form (AP-152) - must be submitted by every person (sole owner, individual recipient, partnership, corporation or other organization) who utilizes state funds.

<https://fmx.cpa.texas.gov/mt/fmx/forms/index.php>

 [ ]  **Attached**

1. Cite the legal authority under which the Applicant can issue the proposed debt including the authority to make a proposed pledge.
2. Name, address, and title of the designated representative. Please include phone number and email address.

|  |  |
| --- | --- |
| **Name:** |            |
| **Title:** |            |
| **Address:** |            |
| **Phone:** |            |
| **Fax:** |            |
| **Email**: |            |

1. Applicant’s **primary contact person** for the project and financing (if different from the designated representative)

|  |  |
| --- | --- |
| **Name:** |            |
| **Title:** |            |
| **Address:** |            |
| **Phone:** |            |
| **Fax:** |            |
| **Email**: |            |

1. Names, addresses, and title of position for each individual with the legal authority to perform the acts of the entity.

|  |  |  |
| --- | --- | --- |
| **Name** | **Office Held/Title** | **Addresses** |
|            |            |            |
|            |            |            |
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1. An affidavit from an individual with the authority to act on behalf of the applicant, or a certified copy of a resolution adopted or minutes approved by the governing body with the authority to act on behalf of the applicant, which:
	1. identifies the amount that the applicant is requesting;
	2. authorizes the submission of an application on behalf of the entity; and
	3. designates an authorized representative to submit the application and perform all reasonable and necessary action in support of the application and, if approved by the TWDB, to perform the terms and conditions of the award of money from the Fund.**:**

 Attach the Application Affidavit

TWDB-0201 (<http://www.twdb.texas.gov/financial/instructions/>)

[ ]  **Attached Applicant Affidavit**

**Or**

Attach the certified copy of resolution from the governing body requesting financial assistance.

[ ]  **Attached Resolution**

**Or**

Attach minutes approved by the governing body with the authority to act on behalf of the applicant

[ ]  **Attached Approved Minutes**

1. What type of pledge will be used to repay the proposed debt?

 [ ]  Systems Revenue

[ ]  Taxes

[ ]  Combination of systems revenues and taxes

 [ ]  Other (Contract Revenue, etc.)

1. List the counties within the Applicant’s service area.
2. Identify the Applicant’s total service area population:
3. Provide the full legal name of the security for the proposed debt issue(s).
4. Describe the pledge being offered and any existing rate covenants.
5. Is the applicant a Water Supply Corporation (WSC)?

[ ]  Yes If yes, attach each of the following:

 [ ]  Articles of Incorporation

 [ ]  Certificate of Incorporation from the Texas Secretary of

State evidencing that the current Articles of Incorporation are on file with the Secretary

 [ ]  By-laws and any amendments

[ ]  Certificate of Status from the Texas Secretary of State (i.e. Certificate of Existence)

[ ]  Certificate of Account Status from the Texas Comptroller of Public Accounts (certifies that the WSC is exempt from the franchise tax and that the WSC is in good standing).

 [ ]  No

1. Is the applicant proposing to issue revenue bonds?

[ ]  Yes If yes, attach copies of the most recent resolution/ordinance(s) authorizing any outstanding parity debt. This is essential to insure outstanding bond covenants are consistent with covenants that might be required for TWDB financing.

[ ]  **Attached resolution/ordinance(s)**

[ ]  No

1. Does the applicant provide retail water services?

[ ]  Yes If yes, has the applicant already submitted to the TWDB the annual water use survey of groundwater and surface water for the last **THREE** years?

 If not submitted, please download survey forms and attach a copy of the completed water use surveys to the application. <http://www.twdb.texas.gov/waterplanning/waterusesurvey/index.asp>

[ ]  **Attached Water Use Survey**

[ ]  No, the applicant does not provide retail water services.

Part B. Program/Project Information**:**

1. Map and description of the geographic area in which the applicant is authorized to conduct such actions as are necessary for the proposed conservation program or project.

 [ ]  **Attached**

1. Description of the proposed program or project that includes the geographic area and time schedule in which it will occur:
2. Proposed budget for the program or project that identifies:
	1. The total cost
	2. The cost of each significant element of the program or project
	3. Other sources of funds, if any.

[ ]  **Attached**

1. Identify the predicted water conservation and other benefits that will be created from the proposed program or project. Additionally, please include a baseline estimate of water use before improvements, along with an estimate of irrigation efficiency improvements—or, water savings—to be realized using TWDB funds.

[ ]  **Attached**

1. Please provide a conservation plan and program of work or other sufficient description of the applicant’s commitment to water conservation.

[ ]  **Attached**

1. Identification of a water conservation water management strategy identified in the most recent applicable regional water plan or state water plan that will be implemented by using the loan.

# Part C. Financial Information

1. Please attach a debt service schedule showing the applicant’s repayment capacity, and includes all existing outstanding debt.

 **[ ]  Attached**

1. Does the applicant have any outstanding debt? (Check all that apply)

 [ ]  Yes, General obligation debt

 [ ]  Yes, Revenue debt

 [ ]  Yes, Authorized but unissued debt

 [ ]  No

1. Disclose all issues that may affect the project or the applicant's ability to issue and/or repay debt (such as anticipated lawsuits, judgments, bankruptcies, major customer closings, etc.).

1. Has the applicant ever defaulted on any debt?

 [ ]  Yes Ifyes, disclose all circumstances surrounding prior default(s).

 [ ]  No

1. Attach a **FIVE** year comparative system operating statement (not condensed) including audited prior years and an unaudited year-to-date statement. Unaudited year-to-date statement must reflect the financial status for a period not exceeding the latest six months.

[ ]  **Attached Comparative Operating Statement.**

1. Attach **ONE** copy of an annual audit of financial statements, including the management letter, for the preceding fiscal year prepared by a certified public accountant or firm of accountants and, if the last annual audit was more than 6 months ago, then, provide interim financial information.

[ ]  **Attached Annual Audit**

[ ]  **Attached Management Letter**

[ ]  **If applicable, attached interim financial information; or if CPA audited statements are not available, please provide federal tax return.**

1. If the political subdivision intends to use the board's loan to provide loans to persons, please answer questions A-D. **If not**, please mark **N/A** [ ] :
2. a description of the types of conservation projects which will be funded by the loans provided to the political subdivision's applicants;

[ ]  **Attached**

1. the standards applied by the political subdivision for the applications, security, repayment, and financial integrity for the loans;

[ ]  **Attached**

1. the procedures for considering and approving loan applications submitted to the political subdivision and to assess the financial integrity of the person applying for the loan; and

[ ]  **Attached**

1. a sample or adequate description of the agreement pursuant to which the funds will be provided.

[ ]  **Attached**

1. Does the conservation project or program include use of funds for construction of a conservation project? If the project involves construction of a conservation project, the application must include an engineering feasibility report signed and sealed by a professional engineer licensed in the State of Texas and the required environmental assessment information in accordance with the Texas Administrative Code rules, Chapter 367 Sections 367.6, 367.7 and 367.12.

[ ]  Yes, funds will be used for the construction, alteration, or repair of a fixed improvement to real property requiring the preparation of plans, designs or drawings that are required to be prepared by a professional engineer licensed in the State of Texas. **If yes, please answer questions in Section Part D. below. 31-35.**

[ ]  No, funds will not be used for construction of a conservation project. (**Stop here; no further information in Part D below is required**).

Part D. Program or Project with Construction **Requirements (Only complete if you checked Yes to question 30 on previous page.)**

1. Engineering Feasibility Report (EFR): The EFR must contain:

(1) a description and purpose of the project;

(2) the cost of the project; 1201 Budget Template for Projects. <http://www.twdb.texas.gov/financial/instructions/doc/TWDB-1201.xlsx>

(3) a description of alternatives considered and reasons for the selection of the project proposed;

(4) sufficient information to evaluate the engineering feasibility;

(5) maps and drawings as necessary to locate and describe the project area;

(6) a statement as to whether the proposed construction will require surface or

 subsurface disturbance of the soil or alter the existing vegetation; and

(7) such other information or data as necessary to evaluate the project and requested the executive administrator.

[ ]  **Attached EFR**

[ ]  **Attached -** TWDB-1201 Budget Template for projects with construction activities.

1. Will construction of the conservation project require surface or subsurface disturbance of the soil or alter the existing vegetation?

[ ]  Yes If yes, answer the remaining questions below.

 [ ]  No (no additional environmental review information is required)

1. Has a Categorical Exclusion (CE), Determination of No Effect (DNE), Finding of No Significant Impact (FONSI), Record of Decision (ROD), or any other environmental determination been issued for this project?

[ ]  Yes If yes, attach a copy of the finding **[ ]  Attached**

[ ]  No

1. Is the project potentially eligible for a Categorical Exclusion (CE) or Determination of No Effect (DNE) because it involves only minor rehabilitation or the functional replacement of existing equipment?

[ ]  Yes

[ ]  No

1. Are there potentially adverse environmental or social impacts that may require mitigation or extensive regulatory agency or public coordination (e.g. known impacts to properties eligible for listing on the National Register of Historic Places; potentially significant public controversy; need for an individual permit from the U.S. Army Corps of Engineers)?

[ ]  Yes If yes, attach additional information [ ]  **Attached**

[ ]  No

# Part E: Summary of Attachments to Application

Following is a list of the documents that may be necessary to process this application. While all information listed below may not be required for all projects, an applicant should review each question in the application carefully to ensure that all required information has been provided. Incomplete applications will not be processed until all required information has been received. In addition, please make sure your entity name appears on every attachment. **Label each attachment with the number of the pertinent application section (e.g. “Part B5”).**

Check list for your convenience

***Part A* General/Legal Information**

[ ] No. 3 Vendor Id Form (AP-152) <https://fmx.cpa.texas.gov/mt/fmx/forms/index.php>

[ ] No. 9 Application Affidavit (TWDB-0201) or Resolution or Approved Minutes

[ ] No. 15 Water Supply Corporations

[ ] Articles of Incorporation

[ ] Certificate of incorporation from the Texas Secretary of State

[ ] By-laws and any amendments

[ ] Certificate of status from the Texas Secretary of State

[ ] Certificate of account status from Texas Comptroller

[ ] No. 16 Resolution/ordinance authorizing the issuance of parity debt

[ ] No. 17 Water use surveys

 <http://www.twdb.texas.gov/waterplanning/waterusesurvey/index.asp>

***Part B* Program/Project Information**

[ ] No. 18 Project Map and Description

[ ] No. 19 Project Schedule

[ ] No. 20 Project Cost Estimate Budget

[ ] No. 21 Predicted water conservations; baseline estimate of water use.

[ ] No. 22 Conservation plan and program of work or other sufficient description of the applicant’s commitment to water conservation.

***Part C*  Financial Information**

[ ] No. 24 Debt Service Schedule Repayment Capacity w/outstanding debt.

[ ] No. 28 Five year comparative system operating statement.

[ ] No. 29 [ ]  Annual audit

 [ ]  Management Letter

 [ ]  If applicable, attached interim financial information; or if CPA audited statements are not available, please provide federal tax return.

[ ] No. 30 Loans to person

[ ]  (a) a description of the types of conservation projects which will be funded by the loans provided to the political subdivision's applicants;

[ ]  (b) the standards applied by the political subdivision for the applications, security, repayment, and financial integrity for the loans;

[ ]  (c) the procedures for considering and approving loan applications submitted to the political subdivision and to assess the financial integrity of the person applying for the loan; and

[ ]  (d) a sample or adequate description of the agreement pursuant to which the funds will be provided.

 ***Part D* Program or Project with Construction Requirements**

[ ] No. 32 [ ] Engineering Feasibility Report (EFR)

 [ ] TWDB-1201 Budget Template for Projects <http://www.twdb.texas.gov/financial/instructions/doc/TWDB-1201.xlsx>

[ ] No. 34 Categorical Exclusion (CE), Finding of No Significant Impact (FONSI), Record of Decision or any other supporting document

[ ] No. 36 Social or environmental issues