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Midtex Oil, L.P.

Main office Located at: 3455 I H 35 SOUTH
NEW BRAUNFELS, TX 78132
(830)625-4214

Remit to: P.O. BOX 310339
NEW BRAUNFELS, TX 78131-0339

FULL LEGAL NAME OF FIRM OR INDIVIDUAL \_\_\_\_\_ EIN OR SS# \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_
(CITY/STATE/ZIP)

PHYSICAL ADDRESS \_\_\_\_\_
(CITY/STATE/ZIP)

TELEPHONE NO. \_\_\_\_\_ CELL NO. \_\_\_\_\_

TYPE OF BUSINESS \_\_\_\_\_ YEARS IN BUSINESS \_\_\_\_\_

\_\_\_\_ CORPORATION \_\_\_\_ PARTNERSHIP \_\_\_\_ INDIVIDUAL \_\_\_\_ OTHER

ACCOUNTS PAYABLE CONTACT \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_ AP Email \_\_\_\_\_

PRINCIPALS OR OWNERS OF COMPANY:

NAME \_\_\_\_\_ TITLE \_\_\_\_\_ SS # \_\_\_\_\_

NAME \_\_\_\_\_ TITLE \_\_\_\_\_ SS # \_\_\_\_\_

IF SUBSIDIARY, NAME OF PARENT COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

CREDIT LINE ANTICIPATED FUEL \$ \_\_\_\_\_ LUBRICANT ONLY \$ \_\_\_\_\_
(Minimum \$20,000) (Minimum \$5,000)

SALES TAX EXEMPT? YES OR NO PURCHASE ORDERS REQUIRED? YES OR NO DYED DIESEL PERMIT? YES OR NO
(IF YES -. CERTIFICATE REQUIRED) (IF YES - PERMIT REQUIRED)

BANK REFERENCE \_\_\_\_\_
(Bank Name) (Name Business Banker) (Telephone Number)

TRADE REFERENCES (INCLUDE NAME, ADDRESS, TELEPHONE NUMBER AND FAX NUMBER) DUN & BRADSTREET NO. \_\_\_\_\_

- 1. \_\_\_\_\_
current petroleum supplier
2. \_\_\_\_\_
3. \_\_\_\_\_

CREDIT AGREEMENT

I/We the undersigned applicant, do hereby jointly and individually guarantee to pay I'm' all goods, service and merchandise applied to any of us at the above business. I/We understand that Midtex Oil, L. P. may charge finance charges at 1 1/2 % per month on the past due balance calculated from the date of default until the full amount is paid. In the event that any accounts are placed for collection, I/We agree to pay all costs including reasonable attorney fees, collection fees, court costs and finance charges. I/We authorize Midtex Oil, L.P. to investigate our credit history, bank references and any other information deemed necessary to extend credit. I/We authorize our suppliers/banks to release all pertinent credit information. I/We agree to immediately notify Midtex Oil, L.P. of any change in ownership, address, person of contact or form of said business. This agreement shall remain enforce until written notice revocation is received by Midtex Oil, L.P. A fee of \$30.00 shall be charged for each returned check item or returned electronic draft item. I/We also agree that all court proceedings will take place in Comal County, Texas and no change of venue will be requested.

APPLICANT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

APPLICANT'S PRINTED NAME AND TITLE \_\_\_\_\_

GUARANTEE AGREEMENT

For value received, and to induce you, your divisions and subsidiaries to undertake or continue to sell goods and/or lease property, the undersigned, jointly and severally, hereby unconditionally and absolutely guarantee payment when due of any and all present and future indebtedness owed Midtex Oil, L.P. by the debtor and hereby agree to pay such indebtedness punctually if default in payment thereof be made by the debtor. Guarantor'(s) further agrees that exclusive venue for the interpretation or enforcement of this Guarantee Agreement shall be in Comal County, Texas.

Guarantor Name (Print or Type) \_\_\_\_\_ Guarantor SS# \_\_\_\_\_ Guarantor Phone # \_\_\_\_\_

Guarantor Signature \_\_\_\_\_ Date \_\_\_\_\_ Guarantor Address \_\_\_\_\_

FOR MIDTEX USE ONLY

SUBMITTED BY ACCOUNT MANAGER \_\_\_\_\_ WAREHOUSE # \_\_\_\_\_ CODE# \_\_\_\_\_

APPROVED BY \_\_\_\_\_ AMOUNT Approved \_\_\_\_\_ DATE \_\_\_\_\_

Things to Note:

1. You are responsible for the confirming and verifying the status and validity of your customer's dyed diesel permit. You can use the following website to confirm the information they provide.

<https://mycpa.cpa.state.tx.us/fuels/>

2. For a dyed diesel permit/bonded user registration to be usable the name and tax ID must match what is provided on the customer application. If it does not, we must obtain documentation that the license holder is the owner/parent company of the applicant. If this documentation is not provided, we cannot use the permit.

3. You are responsible for the confirming and verifying the status and validity of your customer's AG/Timber registration. You can use the following website to confirm the information they provide.

<https://mycpa.cpa.state.tx.us/regagexsearch/>

4. All applicable forms MUST be received prior to a new account being set up and product being sold.

## State Sales Tax on non-fuel Products

Taxable items are taxed at a total rate of 8.25% (6.25% state and 2% local)

According to Rule 3.322 "Exempt Organizations", the following list are the types of organizations that may qualify for exemption.

- Religious Organizations
- Charitable Organizations
- Educational Organizations
- Youth Athletic Organizations
- Volunteer Fire Departments
- Chambers of Commerce and Tourist promotional agencies
- Political subdivisions
- Other organizations that qualify for exemption from federal income tax under IRS code Section 501(c)(3), (c)(4), (c)(8), or (c)(19).

For a person or business to be considered sales tax exempt we must have one of the following certificates on file according to the type of organization.

Texas State Sales and Use Tax Resale or Exemption certificate	_____ RECEIVED _____ N/A
Agriculture sales & use tax certificate (For AG exemption registrants, refer to attached list of exempt and non-exempt items before completing form)	_____ RECEIVED _____ N/A
Timber operations sales & use tax certificate. (For Timber exemption registrants, refer to attached list of exempt and non-exempt items before completing form)	_____ RECEIVED _____ N/A

The following are the responsibilities and regulations regarding the acceptance of one of the above certificates.

- You must make sure that the certificate is properly completed and that the purchases made under the certificate will normally be resold or consumed in accordance with exemptible practices according to the above-mentioned list of exempt items/actions.

The applicable forms are following. Please ask your customer to complete the form that is relevant to their entity.

# Texas Sales and Use Tax Resale Certificate

Name of purchaser, firm or agency as shown on permit	Phone (Area code and number)											
Address (Street & number, P.O. Box or Route number)												
City, State, ZIP code												
Texas Sales and Use Tax Permit Number (must contain 11 digits)												
<table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td><td style="width: 10%;"></td> </tr> </table>												
Out-of-state retailer's registration number or Federal Taxpayers Registry (RFC) number for retailers based in Mexico												
<table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%;"></td> </tr> </table> (Retailers based in Mexico must also provide a copy of their Mexico registration form to the seller.)												

I, the purchaser named above, claim the right to make a non-taxable purchase (for resale of the taxable items described below or on the attached order or invoice) from:

Seller: \_\_\_\_\_

Street address: \_\_\_\_\_

City, State, ZIP code: \_\_\_\_\_

Description of items to be purchased on the attached order or invoice:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of the type of business activity generally engaged in or type of items normally sold by the purchaser:

\_\_\_\_\_


\_\_\_\_\_

\_\_\_\_\_

The taxable items described above, or on the attached order or invoice, will be resold, rented or leased by me within the geographical limits of the United States of America, its territories and possessions or within the geographical limits of the United Mexican States, in their present form or attached to other taxable items to be sold.

I understand that if I make any use of the items other than retention, demonstration or display while holding them for sale, lease or rental, I must pay sales tax on the items at the time of use based upon either the purchase price or the fair market rental value for the period of time used.

*I understand that it is a criminal offense to give a resale certificate to the seller for taxable items that I know, at the time of purchase, are purchased for use rather than for the purpose of resale, lease or rental, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.*

 Purchaser	Title	Date
--	-------	------

**This certificate should be furnished to the supplier.  
Do not send the completed certificate to the Comptroller of Public Accounts.**

# Texas Sales and Use Tax Exemption Certification

*This certificate does not require a number to be valid.*

Name of purchaser, firm or agency	
Address (Street & number, P.O. Box or Route number)	Phone (Area code and number)
City, State, ZIP code	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: \_\_\_\_\_

Street address: \_\_\_\_\_ City, State, ZIP code: \_\_\_\_\_

Description of items to be purchased or on the attached order or invoice:

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Purchaser claims this exemption for the following reason:

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I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

*I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.*

Purchaser 	Title	Date
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NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.

**THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.**

Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

**This certificate should be furnished to the supplier.  
Do not send the completed certificate to the Comptroller of Public Accounts.**

## Texas Sales & Use Tax Exemption Certificate

For a company/customer that is not a reseller to be considered exempt from Sales and Use tax they must be included in one of the following categories.

- Non-Profit Charity organization
- Educational Organization
- Scientific Organization
- Literary Organization
- Religious Organization

# Texas Agricultural Sales and Use Tax Exemption Certificate

Commercial agricultural producers must use this form to claim exemption from Texas sales and use tax when buying, leasing or renting qualifying agricultural items they will use exclusively in the production of agricultural products for sale.

You cannot use this form to claim exemption from motor vehicle tax when buying motor vehicles, including trailers. To claim motor vehicle tax exemption, you must give a properly completed Texas Motor Vehicle Tax Exemption Certificate for Agricultural and Timber Operations (Form 14-319) to the vehicle's seller or dealer. You must also claim the exemption on the Application for Texas Title (Form 130-U) when titling or registering the vehicle with the local County Tax Assessor-Collector.

This form is **not required** when purchasing the following types of agricultural items:

- horses, mules and work animals commonly used in agricultural production;
- animal life, the products of which ordinarily constitute food for human consumption, such as cows, goats, sheep, chickens, turkeys and pigs;
- feed for farm and ranch animals, including oats, corn, chicken scratch and hay; and
- seeds and annual plants, the products of which are commonly recognized as food for humans or animals (such as corn, oats and soybeans) or are usually only raised to be sold in the regular course of business (such as cotton seed).

All other purchases of agricultural items require this properly completed form to claim a sales tax exemption. See *the back of this form for examples of exempt and taxable items.*

Name of retailer
Address (Street and number, P.O. Box or route number)
City, State, ZIP code

### Proper use of this certificate

**Purchasers** - You can only use this certificate for items you purchase for exclusive use in an exempt manner. You should be familiar with qualifying items. Any non-agricultural or personal use disqualifies the purchase from exemption. See the back of this form for examples of exempt and taxable items.

**Retailers** - You can accept this certificate in good faith at the time of sale if it is properly completed with an ag/timber number and expiration date. You can also accept it as a blanket certificate covering all sales made during the time this certificate is valid on qualifying items that can reasonably be used to produce agriculture products for sale.

Name of purchaser	
Address (Street and number, P.O. Box or route number)	
City, State, ZIP code	Phone (Area code and number)
Ag/Timber number _____	Name of person to whom number is registered, if different than purchaser
This exemption certificate expires on <b>Dec. 31, 20</b> _____	

I understand that I am required to keep records to verify eligibility for the exemption(s) claimed and that I will be required to pay sales or use tax on purchases that do not qualify for the exemption(s), in addition to any applicable interest and penalties.

I understand that it is a criminal offense to issue an exemption certificate to the seller for taxable items that I know will be used in a manner that does not qualify for the exemptions found in Tax Code Section 151.316. The offense may range from a Class C misdemeanor to a felony of the second degree.

Purchaser's signature	Purchaser's name (print or type)	Date
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This certificate should be given to the retailer. Do **not** send the completed certificate to the Comptroller of Public Accounts.



## Always Exempt

These items are always exempt and do not require an exemption certificate or an ag/timber number.

- Horses, mules and work animals commonly used in agricultural production;
- Animal life, the products of which ordinarily constitute food for human consumption, such as cattle, goats, sheep, chickens, turkeys and hogs;
- Feed such as oats, hay, chicken scratch, wild bird seed and deer corn for livestock and wild game (pet food is not exempt); and
- Seeds and annual plants, the products of which are commonly recognized as food for humans or animals, such as corn, oats and soybeans or for fiber, such as cotton seed.

## Exempt

Here are examples of items that are exempt from sales tax when used exclusively on a farm or ranch to produce agricultural products for sale and purchased by a person with a current ag/timber number.

Air tanks	Discs	Grain handling equipment	Rotary hoes
Augers	Drags	Greases, lubricants and oils for qualifying farm machinery and equipment	Salt stands
Bale transportation equipment	Dryers	Harrows	Seed cleaners
Baler twine	Dusters	Head gates	Shellers
Baler wrap	Egg handling equipment	Hoists	Silo unloaders
Balers	Ensilage cutters	Husking machines	Soilmovers used to grade farmland
Binders	Farm machinery and repair or replacement parts	Hydraulic fluid	Sorters
Branding irons	Farm tractors	Hydro-coolers	Sowers
Brush hogs	Farm wagons	Implements of husbandry	Sprayers
Bulk milk coolers	Farrowing houses (portable and crates)	Incubators	Spreaders
Bulk milk tanks	Feed carts	Irrigation equipment	Squeeze chutes
Calf weaners and feeders	Feed grinders	Manure handling equipment	Stalls
Cattle currying and oiling machines	Feeders	Manure spreaders	Stanchions
Cattle feeders	Fertilizer	Milking equipment	Subsoilers
Chain saws used for clearing fence lines or pruning orchards	Fertilizer distributors	Mowers (hay and rotary blade)	Telecommunications services used to navigate farm machinery and equipment*
Choppers	Floats for water troughs	Pesticides	Threshing machines
Combines	Foggers	Pickers	Tillers
Conveyors	Forage boxes	Planters	Tires for exempt equipment
Corn pickers	Forage harvesters	Poultry feeders	Troughs, feed and water
Corral panels	Fruit graters	Poultry house equipment	Vacuum coolers
Cotton pickers, strippers	Fruit harvesters	Pruning equipment	Vegetable graders
Crawlers – tractors	Grain binders	Rollbar equipment	Vegetable washers
Crushers	Grain bins	Rollers	Vegetable waxers
Cultipackers	Grain drills	Root vegetable harvesters	

\* As of Sept. 1, 2015, telecommunications services used to navigate farm machinery and equipment are exempt.

## Taxable

These items DO NOT qualify for sales and use tax exemption for agricultural production.

- Automotive parts, such as tires, for vehicles licensed for highway use, even if the vehicle has farm plates
- Clothing, including work clothing, safety apparel and shoes
- Computers and computer software used for any purposes other than agricultural production
- Furniture, home furnishings and housewares
- Golf carts, dirt bikes, dune buggies and go-carts
- Guns, ammunition, traps and similar items
- Materials used to construct roads or buildings used for shelter, housing, storage or work space (examples include general storage barns, sheds or shelters)
- Motor vehicles and trailers\*
- Pet food
- Taxable services such as nonresidential real property repairs or remodeling, security services, and waste removal

\* See [www.comptroller.texas.gov/taxes/ag-timber/](http://www.comptroller.texas.gov/taxes/ag-timber/).

Tax Help: [www.comptroller.texas.gov/taxes/](http://www.comptroller.texas.gov/taxes/) • Window on State Government: [www.comptroller.texas.gov](http://www.comptroller.texas.gov)

Tax Assistance: 1-800-252-5555

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# Texas Timber Operations Sales and Use Tax Exemption Certificate

Commercial timber producers must use this form to claim exemption from Texas sales and use tax when buying, leasing or renting qualifying timber items they will use exclusively in the production of timber products for sale.

You cannot use this form to claim exemption from motor vehicle tax when buying motor vehicles, including trailers. To claim motor vehicle tax exemption, you must give a properly completed Texas Motor Vehicle Tax Exemption Certificate for Agricultural and Timber Operations (Form 14-319) to the vehicle's seller or dealer. You must also claim the exemption on the Application for Texas Title (Form 130-U) when titling or registering the vehicle with the local County Tax Assessor-Collector.

Name of retailer
Address (Street and number, P.O. Box or route number)
City, State, ZIP code

**Proper use of this certificate**

**Purchasers** - You can only use this certificate for items you purchase for exclusive use in an exempt manner. You should be familiar with qualifying items. Any non-timber or personal use disqualifies this purchase from exemption. See the back of this form for examples of exempt and taxable items.

**Retailers** - You can accept this certificate in good faith at the time of sale if it is properly completed with an ag/timber number and expiration date. You can also accept it as a blanket certificate covering all sales made during the time this certificate is valid of qualifying items that can reasonably be used to produce timber products for sale.

Name of purchaser	
Address (Street and number, P.O. Box or route number)	
City, State, ZIP code	Phone (Area code and number)
Ag/Timber number <input type="text"/>	Name of person to whom number is registered, if different than purchaser
This exemption certificate expires on <b>Dec. 31, 20</b> <input type="text"/>	

I understand that I am required to keep records to verify eligibility for the exemption(s) claimed and that I will be required to pay sales or use tax on purchases that do not qualify for the exemption(s), in addition to any applicable interest and penalties.

I understand that it is a criminal offense to issue an exemption certificate to the seller for taxable items that I know will be used in a manner that does not qualify for the exemptions found in Tax Code Section 151.3162. The offense may range from a Class C misdemeanor to a felony of the second degree.

Purchaser's signature	Purchaser's name (print or type)	Date
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This certificate should be given to the retailer. Do **not** send the completed certificate to the Comptroller of Public Accounts.

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## Exempt

These items are exempt from sales tax when purchased with a current ag/timber number for exclusive use in producing timber products for sale.

Axes	Fertilizer fungicides	Recycler grinders
Boards or mats used for access to commercial timber sites	Fertilizer spreaders	Repair/replacement parts for qualified equipment
Bobcats	Front end loaders	Ropes
Brush cutters	Grapples	Seedlings of trees grown for commercial timber
Bulldozers	Hand saws	Skidders
Chain saws	Harnesses for tree climbing	Slasher saws
Chippers	Harvesters	Sprinkler systems components
Compressors	Herbicides	Stackers
Crawler carriers	Hot saws	Stump grinders
Defoliant	Hydro-axes	Tractors
Delimbers	Insecticides	Tree cutters
Desiccants	Knucklebooms	Tree measurement devices
Ear protection devices	Loaders	Tree spades
Excavators	Lubricants	Welding machines
Eye protection goggles	Mobile yarders	Winches
Feller bunchers	Mulching machines	
	Prehaulers	

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## Taxable

These items DO NOT qualify for sales and use tax exemption for timber production.

- Clothing, including work clothing, safety apparel and shoes
- Computers and computer software used for any purposes other than timber production
- Furniture, home furnishings and housewares
- Golf carts, dirt bikes, dune buggies and go-carts
- Guns, ammunition, traps and similar items
- Materials used to construct roads or buildings used for shelter, housing, storage or work space (examples include general storage barns, sheds or shelters)
- Motor vehicles and trailers\*
- Taxable services such as nonresidential real property repairs or remodeling, security services and waste removal

\* See [www.comptroller.texas.gov/taxes/ag-timber/](http://www.comptroller.texas.gov/taxes/ag-timber/).

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Tax Assistance: 1-800-252-5555

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### State Fuel Tax on Gasoline Products

Gasoline products are taxed at .20 per gallon.

According to Title 34 (1)(3)(S) Rule 3.432 (h), fuel that is normally taxed (i.e., Gasoline products) can be sold tax free to exempt entities that fall into the following categories without any certificate needed:

- Federal Government
- Texas Public School
- A transportation company contacted with Texas Public Schools
- Non-Profit Electric or Telephone Co-Op
- Volunteer Fire Department

When you submit the customer's application, please make sure to let the credit manager know if your customer falls into one of the above categories so that their account can be set up accordingly.

### State Fuel Tax on Diesel Products

Clear or Highway Diesel products are taxed at .20 per gallon.

Dyed or Red Diesel products are not a taxed product (except for L.U.S.T. Tax of .01 per gallon) and can only be purchases by license or bond holders or for the specific use of off-highway equipment (i.e., Generators, heaters, heavy equipment) and must be pumped directly into the equipment.

To obtain a license to purchase dyed diesel, a person or organization must submit Form AP-197; Dyed Diesel Fuel End User Signed Statement Registration Application (for AG or DD permits) or AP-133; Texas Application for Fuels Tax License (for bonded user permits) to the Texas State Comptroller's Office.

For a person or business to be considered exempt we must have one of the following certificates on file according to the type of exemption.

**For Agriculture End Users:**

Form 06-710 Texas AG Signed Statement for Purchasing Tax-Free Dyed Diesel.

\_\_\_\_\_ RECEIVED \_\_\_\_\_ N/A

**For Non-Agriculture End Users:**

Form 06-352 Texas DD Signed Statement for Purchasing Tax-Free Dyed Diesel.

\_\_\_\_\_ RECEIVED \_\_\_\_\_ N/A

**For Bonded Users:**

a copy of the bond permit from the comptroller's office.

\_\_\_\_\_ RECEIVED \_\_\_\_\_ N/A

The applicable forms are following. Please ask your customer to complete the form that is relevant to their entity.

# TEXAS END USER AGRICULTURAL SIGNED STATEMENT FOR PURCHASING TAX-FREE DYED DIESEL FUEL

Selling supplier  
 or distributor: \_\_\_\_\_

Address: \_\_\_\_\_

Purchasing entity name	End user agricultural signed statement number
Address	Beginning effective date
	Taxpayer number

*If the purchaser is a division of a corporation, give the name and address of the parent corporation, not the division DBA name.*

Parent corporation name: \_\_\_\_\_

Address: \_\_\_\_\_

### PLEASE READ CAREFULLY BEFORE SIGNING

1. Will you use any of this diesel fuel in a motor vehicle on public highways, streets or roads? .....  YES  NO
2. Will you resell any of this diesel fuel? .....  YES  NO
3. Will you purchase more than 25,000 gallons per month? .....  YES  NO

**If any answer is "YES," you may not legally sign this statement.**

**NOTE: THIS IS YOUR MASTER COPY. PLEASE RETAIN IN YOUR FILES AND MAKE COPIES AS NEEDED.**

I DECLARE THAT:

- all of the dyed diesel fuel purchased on this signed statement will be used exclusively in agricultural non-highway equipment in Texas;
- all of the dyed diesel fuel purchased on this signed statement will be consumed by the purchaser in Texas and will not be resold; and
- none of the dyed diesel fuel purchased on this signed statement will be delivered or permitted to be delivered into the fuel supply tanks of motor vehicles operating on public highways, streets or roads in this state.

I am aware that certain fines and criminal penalties are provided by law for giving a false diesel fuel signed statement.



For information, call (800) 252-1383  
 or (512) 463-4600.

Name of purchaser (Type or print) \_\_\_\_\_

By:  
 Purchaser or authorized representative (Type or print) \_\_\_\_\_

Signature of authorized representative \_\_\_\_\_

**sign here** ▶

Date \_\_\_\_\_

# TEXAS END USER SIGNED STATEMENT FOR PURCHASING TAX-FREE DYED DIESEL FUEL

Selling supplier  
 or distributor: \_\_\_\_\_

Address: \_\_\_\_\_

Purchasing entity name	End user signed statement number
Address	Beginning effective date
	Taxpayer number

*If the purchaser is a division of a corporation, give the name and address of the parent corporation, not the division DBA name.*

Parent corporation name: \_\_\_\_\_

Address: \_\_\_\_\_

### PLEASE READ CAREFULLY BEFORE SIGNING

- Will you use any of this diesel fuel in a motor vehicle on public highways, streets or roads? .....  YES  NO
- Will you resell any of this diesel fuel? .....  YES  NO
- Will you purchase more than 10,000 gallons per month? .....  YES  NO

**If any answer is "YES," you may not legally sign this statement.**

*EXCEPTION: A purchaser using an End User Signed Statement Number to purchase dyed diesel fuel for exclusive use in oil or gas production must also furnish a Letter of Exception issued by the Comptroller to authorize the purchase of up to 25,000 gallons per month.*

**NOTE: THIS IS YOUR MASTER COPY. PLEASE RETAIN IN YOUR FILES AND MAKE COPIES AS NEEDED.**

I DECLARE THAT:

- none of the dyed diesel fuel purchased on this signed statement will be used on public highways, streets or roads;
- all of the dyed diesel fuel purchased on this signed statement will be consumed by the purchaser in Texas and will not be resold; and
- none of the dyed diesel fuel purchased on this signed statement will be delivered or permitted to be delivered into the fuel supply tanks of motor vehicles operating on public highways, streets or roads in this state.

I am aware that certain fines and criminal penalties are provided by law for giving a false diesel fuel signed statement.



For information, call (800) 252-1383  
 or (512) 463-4600.

Name of purchaser (Type or print) \_\_\_\_\_

By:  
 Purchaser or authorized representative (Type or print) \_\_\_\_\_

Signature of authorized representative \_\_\_\_\_

**sign here** ▶

Date \_\_\_\_\_

### Federal Fuel Tax on Gasoline and Diesel Products

Gasoline products are taxed at .184 per gallon and include .01 for L.U.S.T.

Clear or Highway Diesel products are taxed at .244 per gallon and include .01 for L.U.S.T.

Both State and Local Government entities and Non-Profit Educational Organizations can purchase both gasoline and clear diesel tax free (with the exception of L.U.S.T. as no entity is exempt from this tax)

In order for an entity to be considered exempt we must have **BOTH** of the following Certificates on file.

Model Cert M – Certificate of Non-Profit Educational Organization or State Use	_____ RECEIVED _____ N/A
Model Cert P – Certificate of State Use	_____ RECEIVED _____ N/A

The applicable forms are following. Please ask your customer to complete the form that is relevant to their entity.

# Model Certificate M

## CERTIFICATE FOR STATE USE OR NONPROFIT EDUCATIONAL ORGANIZATION USE

(To support vendor's claim for a credit or payment under § 6416(a)(4) of the Internal Revenue Code.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name, address, and employer identification number of ultimate vendor

The undersigned ultimate purchaser ("Buyer") hereby certifies the following under the penalties of perjury:

Buyer will use the gasoline or aviation gasoline to which this certificate relates (check one):

\_\_\_\_ For the exclusive use of a state or local government; or

\_\_\_\_ For the exclusive use of a nonprofit educational organization.

This certificate applies to the following (complete as applicable):

\_\_\_\_ This is a single purchase certificate:

1. \_\_\_\_\_ Invoice or delivery ticket number

2. \_\_\_\_\_ Number of gallons

\_\_\_\_ This is a certificate covering all purchases under a specified account or order number:

1. Effective date \_\_\_\_\_

2. Expiration date \_\_\_\_\_ (period not to exceed 1 year after the effective date)

3. Buyer's account number \_\_\_\_\_

Buyer will provide a new certificate to the vendor if any information in this certificate changes.

Buyer understands that by signing this certificate, Buyer gives up its right to claim any credit or payment for the gasoline or aviation gasoline to which this certificate relates.

Buyer acknowledges that it hasn't and won't claim any credit or payment for the gasoline or aviation gasoline to which this certificate relates.

Buyer understands that the fraudulent use of this certificate may subject Buyer and all parties making such fraudulent use of this certificate to a fine or imprisonment, or both, together with the costs of prosecution.

\_\_\_\_\_  
Printed or typed name of person signing

\_\_\_\_\_  
Title of person signing

\_\_\_\_\_  
Name of Buyer

\_\_\_\_\_  
Buyer Email

\_\_\_\_\_  
Employer identification number

\_\_\_\_\_  
Address of Buyer

\_\_\_\_\_  
Signature and date signed



**Model Certificate P**

**CERTIFICATE OF STATE USE**

(To support vendor's claim for credit or payment under section 6427 of the Internal Revenue Code.)

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Name, Address, and Employer Identification Number of Vendor

The undersigned buyer ("Buyer") hereby certifies the following under penalties of perjury:

A. Buyer will use the diesel fuel or kerosene to which this certificate relates for the exclusive use of a state or local government, or the District of Columbia.

B. This certificate applies to the following (complete as applicable):

1. If this is a single purchase certificate, check here  and enter:

a. Invoice or delivery ticket number \_\_\_\_\_

b. Number of gallons \_\_\_\_\_

2. If this is a certificate covering all purchases under a specified account or order number, check here  and enter:

a. Effective date \_\_\_\_\_

b. Expiration date \_\_\_\_\_  
(period not to exceed 1 year after effective date)

c. Buyer's account or order number \_\_\_\_\_

- Buyer will provide a new certificate to the vendor if any information in this certificate changes.
- If Buyer uses the diesel fuel or kerosene to which this certificate relates for a purpose other than stated in the certificate, Buyer will be liable for any tax.
- Buyer acknowledges that it hasn't and won't claim any credit or payment for the diesel fuel or kerosene to which this certificate relates.
- Buyer understands that the fraudulent use of this certificate may subject Buyer and all parties making such fraudulent use of this certificate to a fine or imprisonment, or both, together with the costs of prosecution.

Printed or typed name of person signing

Title of person signing

Name of Buyer

Employer identification number

Address of Buyer

Signature and date signed