



**APPLICATION FOR 1-d-1 (OPEN-SPACE) AGRICULTURAL APPRAISAL**

**Appraisal Year 2020**

**IMPORTANT INFORMATION FOR APPLICANTS**

This application and all supporting documentation **MUST** be filed with the Appraisal District office in the County the property is located in **before May 1** of the year you are applying for agricultural appraisal so that the chief appraiser is able to determine whether the statutory qualifications have been met. **Do not file this document with the Texas Comptroller of Public Accts.** If you have questions on completing this application or on the information concerning additional taxes and penalties created by a change of use of the land, you may consult the State Comptroller's Manual for the Appraisal of Agricultural Land and/or an appraiser at the Appraisal District office.

**\*\*\*SEE PAGE 4 FOR ADDITIONAL IMPORTANT INFORMATION\*\*\***


**MAKE CORRECTIONS HERE if needed:**

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The applicant is the following type of property owner:		
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation
<input type="checkbox"/> Other (specify):		
Applicant's Name:	Primary Phone #:	Other Phone #:
*Applicant's Birth Date:	**Email Address:	
Physical (911) Address (if different from mailing address):		

**If you are an individual property owner filing this application on your own behalf, skip to Step 2; all other applicants are required to complete this section.** Please indicate the basis for your authority to represent the property owner in filing this application:

<input type="checkbox"/> Officer of the Company	<input type="checkbox"/> General Partner of the Company	<input type="checkbox"/> Attorney for property owner
<input type="checkbox"/> Agent for tax matters appointed under Tax Code Section 1.111 with completed and signed Form 50-162		
<input type="checkbox"/> Other (explain basis):		
Name of Authorized Representative:		Title:
**Email Address:		Primary Phone #:
Mailing Address:	City:	ST: Zip:

\*Provide date of birth if property owner is an individual (Failure to provide date of birth does not affect your eligibility for special appraisal.

\*\*An email address of a member of the public could be confidential under Government Code Section 552.137; however, by including the email address on this form, you are affirmatively consenting to its release under the Public Information Act.

**STEP 2: DESCRIBE THE PROPERTY**

**MAKE CORRECTIONS HERE if needed:**

<b>ACCOUNT #:</b>	<b>SCH:</b>

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→	
→	
→	
→	

Continue on Page 2

FOR OFFICE USE ONLY		1,2,3,NC	# of acs	# of acs	# of acs	# of acs	# of acs	# of acs/describe
APPROVED	DENIED	AREA	T	IP	NP	WASTE	NON-AG	OTHER
Additional Instructions:								

<input type="checkbox"/> Yes <input type="checkbox"/> No	1. Has the ownership of the property changed since January 1 of last year or since the last application was submitted? <b>If yes, the new owner must complete all applicable questions, including Step 3 and Step 4, if the land is used to manage wildlife.</b>
<input type="checkbox"/> Yes <input type="checkbox"/> No	2. Last year, were you allowed 1-d-1 appraisal on this property by the chief appraiser of this appraisal district? <b>If no, you must complete</b> all applicable questions, including Step 3 and 4, if the land is used to manage wildlife. <b>If yes, you need only complete</b> those parts of Steps 3 and 4 that have changed since your earlier application or any information in Steps 3 and 4 requested by the chief appraiser.
<input type="checkbox"/> Yes <input type="checkbox"/> No	3. Is this property located within the corporate limits of a city or town?

### STEP 3: DESCRIBE THE PROPERTY'S USE

Provide complete answers to the following questions. List the agricultural use of the property according to the agricultural land categories listed in the Important Information section on Page 4. Divide the total acreage according to individual uses to which the land is principally devoted.

1. Describe the current and past agricultural uses of this property as described in Step 2, starting with the current year and working back 5 years or until 5 out of 7 years of agricultural use is shown. Five (5) years of continuous agricultural use may be required if the land is located within the corporate limits of a city or town.

Year	Agricultural Use Category*	Acres	Year	Agricultural Use Category*	Acres
Current <b>2020</b>			<b>2016</b>		
<b>2019</b>			<b>2015</b>		
<b>2018</b>			<b>2014</b>		
<b>2017</b>			<b>2013</b>		

2. (a) List the livestock, exotic animals, exotic fowl raised or the type of wildlife managed on the property and the number of acres used for each activity. Attach a list if the space is not sufficient.

Livestock/exotics/wildlife	Acres	Livestock/exotics/wildlife	Acres
Example: cattle	48		

(b) How many head of livestock or exotic animals are raised on the property (average per year)?

Livestock/exotics	# of Head	Livestock/exotics	# of Head
Example: cattle	20		

3. List the crops grown (including ornamental plants, flowers or grapevines) and the number of acres devoted to each crop. Attach a list if the space is not sufficient.

Crop	Acres	Crop	Acres
Example: wheat	200		

4. List the participation in any government programs for planting cover crops or land lying idle and the number of acres devoted to each program. Attach a list if the space is not sufficient.

Program	Acres	Program	Acres
Example: CRP	100		

5. If the property is now used for any nonagricultural activities, list all nonagricultural uses and the number of acres devoted to each use. Attach a list if the space is not sufficient.

Non-agricultural	Acres	Non-agricultural	Acres
Example: homesite	1		

**STEP 4: DESCRIBE WILDLIFE MANAGEMENT USE**

*Complete this section only if the land is used for wildlife management. DO NOT complete this step if the land is not used for wildlife management.*

1.	If the land is used to manage wildlife, list at least three of the wildlife management practices being used (listed and described in the Important Information section on Page 4)
A.	
B.	
C.	
2.	Indicate the property's agricultural land use category (listed and described in the Important Information section on Page 4) for the tax year preceding the land's conversion to wildlife management use. For example, if the land was categorized as native pasture before conversion to wildlife management, native pasture would be the response as it is the category of use prior to conversion. <b>**A response to this request is necessary.</b>
3.	Attach the wildlife management plan for the property using the appropriate Texas Parks & Wildlife Department form ( <b><i>A form may be obtained at: <a href="http://www.tpwd.texas.gov/landwater/land/private/agricultural_land/">www.tpwd.texas.gov/landwater/land/private/agricultural_land/</a></i></b> ).
4.	Was the land subject to wildlife management a part of a larger tract of land qualified for 1-d-1 or timberland appraisal on January 1 of the previous year? <input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Is any part of the land subject to wildlife management managed through a wildlife management property association? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a written agreement obligating the owners in the association to perform wildlife management practices necessary to qualify wildlife management land for 1-d-1 appraisal.
6.	Is any part of the land located in an area designated by the Texas Parks and Wildlife Department as a habitat for an endangered species, a threatened species or a candidate species for listing by as threatened or endangered? <input type="checkbox"/> Yes <input type="checkbox"/> No
7. (a)	Is the land that is the subject of this application subject to a permit issued under Federal Endangered Species Act Section 7 or 10(a)? <input type="checkbox"/> Yes <input type="checkbox"/> No
(b)	If yes, is the land included in a habitat preserve and subject to a conservation easement created under Texas Natural Resources Code Chapter 183 or part of a conservation development under a federally approved habitat conservation plan? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes to questions 7 (a) and (b), provide evidence of the permit and of the conservation easement or habitat conservation plan. <b><i>Your application cannot be approved without this evidence.</i></b>
8.	Is the land that is the subject of this application actively used for a conservation or restoration project providing compensation for natural resources damage under one or more of the following laws: <input type="checkbox"/> Yes <input type="checkbox"/> No Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601 et seq.) <input type="checkbox"/> Yes <input type="checkbox"/> No Oil Pollution Act (33 U.S.C. Section 2701 et seq.) <input type="checkbox"/> Yes <input type="checkbox"/> No Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.) <input type="checkbox"/> Yes <input type="checkbox"/> No Texas Natural Resources Code Chapter 40 If yes to any of the above, provide evidence of the conservation easement, deed restriction or settlement agreement with the Texas Commission on Environmental Quality. <b><i>Your application cannot be approved without this evidence.</i></b>

**STEP 5: CONVERSION TO TIMBER PRODUCTION**

<input type="checkbox"/> Yes <input type="checkbox"/> No	1. Was the land subject to this application converted to timber production after September 1, 1997? If yes, on what date was it converted to timber production?      Date:
<input type="checkbox"/> Yes <input type="checkbox"/> No	2. Does the property owner wish to have the land subject to this application continue to be appraised as 1-d-1 land?

**STEP 6: READ, SIGN AND DATE**

**NOTICE REGARDING PENALTIES FOR MAKING OR FILING AN APPLICATION CONTAINING A FALSE STATEMENT: *If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Section 37.10 Penal Code.***

Your signature on this application constitutes swearing or affirming the following:

- That each fact contained in this application is true and correct;
- That the property described in this application meets the qualifications under Texas law for the special appraised claimed; and
- That you have read and understood the *Notice Regarding Penalties for Making or Filing an Application Containing a False Statement.*

	Signature of Property Owner or Authorized Representative	Title	Date
<b>SIGN HERE ►</b>			

# IMPORTANT INFORMATION

## GENERAL INFORMATION

Agricultural use includes, but is not limited to, the following activities: (1) cultivating the soil; (2) producing crops for human food, animal feed, or planting seed or for the production of fibers; (3) floriculture, viticulture and horticulture; (4) raising or keeping livestock; (5) raising or keeping exotic animals or fowl for the production of human food or fiber, leather, pelts or other tangible products having a commercial value; (6) planting cover crops or leaving land idle for the purpose of participating in a governmental program provided the land is not used for residential purposes or a purpose inconsistent with agricultural use or leaving the land idle in conjunction with normal crop or livestock rotation procedures; (7) producing or harvesting logs and posts used for construction or repair of fences, pens, barns or other agricultural improvements on adjacent open-space land having the same owner and devoted to a different agricultural use; (8) wildlife management; and (9) beekeeping.

Wildlife management is defined as actively using land that at the time the wildlife-management use began, was appraised as qualified open-space or timberland under Tax Code, Chapter 23, Subchapter D or E, to propagate a sustaining breeding, migrating or wintering population of indigenous wild animals for human use, including food, medicine or recreation, in at least three of the following ways: (1) habitat control; (2) erosion control; (3) predator control; (4) providing supplemental supplies of water; (5) providing supplement supplies of food; (6) providing shelters; and (7) making census counts to determine population.

Wildlife management is defined as actively using land to protect federally listed endangered species under a federal permit if the land is included in a habitat preserve subject to a conservation easement created under Natural Resources Code Chapter 183 or part of a conservation development under a federally approved habitat conservation plan restricting the use of the land to protect federally listed endangered species or actively using land for a conservation or restoration project under certain federal and state statutes. These two types of wildlife management uses do not require showing a history of agricultural use but do require evidence identified in Step 3, Questions 4 and 5.

Agricultural land use categories include: (1) irrigated cropland; (2) dry cropland; (3) improved pastureland; (4) native pastureland; (5) orchard; (6) wasteland; (7) timber production; (8) wildlife management; and (9) other categories of land that are typical in the area.

## APPLICATION DEADLINES

The completed application must be filed with the chief appraiser before May 1 of the year for which agricultural appraisal is requested. If the application is approved, a new application is not required in later years unless the land ownership changes, eligibility ends or the chief appraiser requests a new application.

A late application may be filed up to midnight the day before the appraisal review board approves appraisal records for the year, which usually occurs in July. If a late application is approved, a penalty will be applied in an amount equal to 10 percent of the difference between the amount of tax imposed on the property and the amount that would be imposed if the property were taxed at market value.

## DUTY TO NOTIFY AND PENALTIES:

The property owner must notify the chief appraiser no later than the April 30 following the change in use or eligibility. A change of land use for all or part of the property will trigger substantial additional tax

plus interest (a rollback tax). Payment of a penalty may also be required for failure to notify the chief appraiser of a change in agricultural use or qualification. Notice must be delivered to the chief appraiser if:

- the property stops being used for agriculture (e.g., voluntarily stopped farming);
- category of land use changes (e.g., from dry cropland to irrigated cropland);
- level of use changes (e.g., a substantial increase or decrease the number of cattle raised);
- nature of use changes (e.g., a switch from growing corn to growing ornamental plants);
- property owner enters, leaves or changes governmental programs
- (e.g., 100 acres placed in a conservation reserve program); or
- the land is used for something other than agriculture (e.g., to build a shopping center on most of the land).

## DUTY TO NOTIFY FOR CERTAIN LANDOWNERS:

If land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area, open-space appraisal may be retained if the chief appraiser is notified as required and the property owner:

- is a member of the armed services who is deployed or stationed outside of Texas who intends to return the land to the manner and
- to the degree of intensity that is generally accepted in the area not later than the 180th day after being deployed or stationed outside this state ceases;
- owns land that has previously been under open-space appraisal primarily based on its citrus production; the land is located in a pest management zone; and an agreement was executed to destroy, remove or treat all the citrus trees located on the land that are or could become infested with pests with one of the following: Texas Citrus Pest and Disease Management Corporation, Inc., the Texas Commissioner of Agriculture or the U.S. Department of Agriculture; or
- owns land that has previously been under open-space appraisal primarily on the basis of livestock; the land is located in a temporary quarantine area established during the tax year by the Texas Animal Health Commission for the purpose of regulating the handling of livestock and eradicating ticks or exposure to ticks under Chapter 167, Agriculture Code.

## OTHER IMPORTANT INFORMATION

If the initial application form does not contain all essential information, the chief appraiser may request additional information that is necessary to determine whether the land qualifies for 1-d-1 appraisal. The chief appraiser may disapprove the application and request additional information. The chief appraiser may deny the application and that determination may be protested to the county appraisal review board in a timely manner. If the chief appraiser requests additional information from an applicant, the information must be furnished within 30 days after the date of the request, or the application is denied. For good cause shown, the chief appraiser may extend the deadline for furnishing the information by written order for a single 15 day period.