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FILED

NOV 25 2024

Montana Tax Appeal Board

6 Attorneys for Appellant, Calumet Montana Refining, LLC
7

8 BEFORE THE MONTANA TAX APPEAL BOARD
9 OF THE STATE OF MONTANA

10 CALUMET MONTANA REFINING, LLC,

11 Appellant,

12 v.

13 STATE OF MONTANA, DEPARTMENT
14 OF REVENUE,

15 Respondent.

Case No. SPT-2024- 80
Tax Year in Dispute: 2024

**COMPLAINT OF CALUMET MONTANA
REFINING, LLC**

16 Pursuant to Montana Code Annotated §15-2-302(3), Calumet Montana Refining, LLC
17 (“Calumet”), through its attorneys, Browning, Kaleczyc, Berry & Hoven, P.C., files this
18 Complaint.

19 1. The property at the Great Falls Legacy Refinery includes the following geocodes:

- | | |
|-------------------------------|-----------------------------|
| 20 1. 02-3015-01-1-11-02-0000 | 8. 02-3015-01-2-06-01-0000 |
| 21 2. 02-3015-01-1-11-05-0000 | 9. 02-3015-01-2-06-03-0000 |
| 22 3. 02-3015-01-2-02-02-0000 | 10. 02-3015-01-2-07-08-0000 |
| 4. 02-3015-01-2-02-03-0000 | 11. 02-3015-01-2-07-13-0000 |
| 23 5. 02-3015-01-2-04-06-0000 | 12. 02-3015-01-2-07-17-0000 |
| 6. 02-3015-01-2-05-01-0000 | 13. 02-3015-01-2-07-22-0000 |
| 24 7. 02-3015-01-2-05-02-0000 | 14. 02-3015-01-2-07-24-0000 |

25 2. Calumet asserts that the correct value for the Great Falls Legacy Refinery as of
26 January 1, 2024 in the aggregate is approximately \$100,000,000. In support of this value,
27 Calumet states as follows:

- 1 1. The value of the Great Falls Legacy Refinery is approximately \$100,000,000, though
2 an exact amount will not be known until CMR's independent appraiser, Kroll, LLC,
3 has completed its appraisal.
- 4 2. In determining the value of the Great Falls Legacy Refinery Property in dispute, MT
5 DOR did not properly value or appraise CMR's property. MT DOR and its assessors
6 and appraisers failed to properly consider the three approaches to value or to properly
7 weight those three approaches. Its assessors and appraisers abused their discretion and
8 judgment and reached incorrect values.

9 DATED this 25th day of November, 2024.

10 BROWNING, KALECZYC, BERRY & HOVEN, P.C.

11
12 By 

13 Stanley T. Kaleczyc
14 Kimberly A. Beatty

15 Attorneys for Appellant, Calumet Montana Refining, LLC

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on the 25th day of November, 2024, a true copy of the foregoing was
18 e-mailed and mailed by first-class mail, postage prepaid, addressed as follows:

19 Anthony R. Zammit
20 Katherine Talley
21 Special Assistant Attorneys General
22 Montana Department of Revenue
23 Legal Services Office
24 125 N. Roberts St.
25 P.O. Box 7701
26 Helena, MT 59604-7701
27 AZammit@mt.gov
KTalley@mt.gov

28 
29 _____
30 BROWNING, KALECZYC, BERRY & HOVEN, P.C.

APPEAL TO THE MONTANA TAX APPEAL BOARD MTAB-801

Complete this document to appeal a decision issued by either a County Tax Appeal Board (CTAB) or the ~~Department of Revenue (DOR)~~. This appeal will be heard by the Montana Tax Appeal Board (MTAB or "the Board"). MTAB is an independent state agency, not part of the county or DOR.

MTAB must receive your appeal within 30 days from when you received the decision you are appealing, or your appeal will not be considered.¹

Name	Calumet Montana Refining, LLC		
Address	1900 10th St. NE, Great Falls, MT 59401		
Email	phil.murphy@clmt.com	Phone	317-328-5660

Optional: 3rd Party Representation ²			
I hereby authorize <small>Stanley T. Kaleczyc & Kimberly A. Beatty Browning, Kaleczyc, Berry & Hoven, P.C.</small> to represent me in this appeal.			
Address	PO Box 1697, Helena, MT 59624		
Email	stan@bkbh.com kim@bkbh.com	Phone	406-443-6820
Date	11 / 21 / 2024		
		Taxpayer signature	

Taxpayer's Name(s) (Please include all owners of the property) <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Calumet Montana Refining, LLC</div> <div style="border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 20px;"></div> <p style="text-align: right; margin-top: 10px;"><i>Appellant(s),</i></p>	v.
State of Montana, Department of Revenue,	<i>Respondent.</i>

Case No. SPT-2024-80
 (Leave this blank)

FILED

APPEAL
 NOV 25 2024

Montana Tax Appeal Board

¹ Montana Code Annotated Section 15-2-301(1)(b) and 15-2-302(3).
² MTAB is the court of record in a tax appeal. *Mont. Code Ann.* §§ 2-4-704, 15-2-303(5).

APPEAL TO THE MONTANA TAX APPEAL BOARD

MTAB-801

This document can be used for two different kinds of appeals. Only fill out the column that applies to your case. Please attach a copy of the decision being appealed.

Where are you appealing a decision from? (Circle one):

<p style="text-align: center;">County Tax Appeal Board (CTAB)³</p> <p>If your property taxes become due before this appeal is resolved, they must be paid under protest if you want a refund.⁴</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Tax year appealed:</td> </tr> <tr> <td style="padding: 2px;">County Board appealed from:</td> </tr> <tr> <td style="padding: 2px;">Date of the decision appealed:</td> </tr> <tr> <td style="padding: 2px;">Address of Property:</td> </tr> <tr> <td style="padding: 2px;">Lot, Block, Addition/Subdivision:</td> </tr> <tr> <td style="padding: 2px;">Section, Township, Range:</td> </tr> <tr> <td style="padding: 2px;">Geocode or Assessor code:</td> </tr> <tr> <td style="padding: 2px;"> <p>Kind of property: (Circle one)</p> <ul style="list-style-type: none"> • Residential • Commercial • Forest • Agricultural • Exempt • Personal • Other: _____ </td> </tr> </table>	Tax year appealed:	County Board appealed from:	Date of the decision appealed:	Address of Property:	Lot, Block, Addition/Subdivision:	Section, Township, Range:	Geocode or Assessor code:	<p>Kind of property: (Circle one)</p> <ul style="list-style-type: none"> • Residential • Commercial • Forest • Agricultural • Exempt • Personal • Other: _____ 	OR	<p style="text-align: center;">Other, <u>not</u> a County Tax Appeal Board⁵</p> <p>For example:</p> <ul style="list-style-type: none"> • <u>Department of Revenue (DOR)</u> • Office of Dispute Resolution (ODR) • Department of Transportation (DOT) • Department of Environmental Quality (DEQ) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Tax year(s) appealed:</td> </tr> <tr> <td style="padding: 2px; text-align: center; font-size: 1.2em;">2024</td> </tr> <tr> <td style="padding: 2px;"> <p>Type of tax: (Circle one)</p> <ul style="list-style-type: none"> • Individual Income • <u>Corporate</u> • Pass-Through Entities • Withholding • Tobacco • Residency • Other: _____ </td> </tr> </table>	Tax year(s) appealed:	2024	<p>Type of tax: (Circle one)</p> <ul style="list-style-type: none"> • Individual Income • <u>Corporate</u> • Pass-Through Entities • Withholding • Tobacco • Residency • Other: _____
Tax year appealed:													
County Board appealed from:													
Date of the decision appealed:													
Address of Property:													
Lot, Block, Addition/Subdivision:													
Section, Township, Range:													
Geocode or Assessor code:													
<p>Kind of property: (Circle one)</p> <ul style="list-style-type: none"> • Residential • Commercial • Forest • Agricultural • Exempt • Personal • Other: _____ 													
Tax year(s) appealed:													
2024													
<p>Type of tax: (Circle one)</p> <ul style="list-style-type: none"> • Individual Income • <u>Corporate</u> • Pass-Through Entities • Withholding • Tobacco • Residency • Other: _____ 													

³ Appeal from county tax appeal boards is covered by Montana Code Annotated section 15-2-301.

⁴ See Montana Code Annotated sections 15-1-402 and 15-2-306.

⁵ Direct appeal from a Department of Revenue decision is covered by Montana Code Annotated section 15-2-302.

APPEAL TO THE MONTANA TAX APPEAL BOARD

MTAB-801

This section is your opportunity to describe what you think was incorrect about the prior decision and to describe what you think the Board should do to correct the problem.

What was incorrect about the prior decision?
(Ex: The value assigned to my home was too high.)

See attached.

What are you asking for to correct the problem?
(Ex: My home should be valued at \$75,000.)


\$100,000,000.00 for the total value of the Calumet Great Falls Legacy Refinery.

APPEAL TO THE MONTANA TAX APPEAL BOARD

MTAB-801

The Board holds hearings in person at MTAB, 560 N. Park Ave., Suite 201 in Helena, MT 59601.⁶ These hearings take approximately two hours.

To assist the Board in scheduling deadlines, please answer the following questions:

<p>To prepare for your hearing, are you planning on: Having an appraisal prepared? Asking the DOR questions? Asking the DOR for documents? Other?</p> <p>Yes to all of the above. Calumet anticipates a multi-day contested hearing.</p>	
<p>How much time will you need to complete everything in the previous answer?</p> <p>9-12 months</p>	
<p>Do you plan to make any prehearing motions? (Ex: Summary Judgment, Dismissal, Extension of Time) If so, describe.</p> <p>unknown at this time</p>	
<p>By what date will you be prepared for a hearing?</p> <p>Fall 2025; CMR plans to file a motion to consolidate this matter with its 2022 and 2023 tax years.</p>	
<p>List dates you are unavailable for a hearing.</p> <p>January - May 2025</p>	
<p>How long will you need to present your case and ask the DOR questions after it presents its case? (Typically, one hour)?</p> <p>At this time, if the 3 tax year proceedings are consolidated into one case and one hearing, CMR anticipates a two week hearing may be required.</p>	
<p>11 / 21 / 2024</p> <p>Date</p>	 <p>Your Signature</p>

Don't forget to attach a copy of the decision you are appealing.

⁶ The Board may consider alternatives to in-person hearings in Helena, to be determined on a case-by-case basis, for reasons which may include health or financial hardship.

Certificate of Service

Throughout the appeal process, for every document you send to the Board you must also send a copy to the Department of Revenue, and you must certify that you did so with a certificate of service. Below is a sample that you can use.


I hereby certify that I mailed a true and accurate copy of the attached:

Post AB-26 Revised Assessment Notice Calumet Montana Refining, LLC Issued by Montana Department of Revenue on October 29, 2024
Name or description of the document(s)

to: Montana Tax Appeal Board
P.O. Box 200138
Helena, MT 59620-0138

and to: Office of Legal Affairs
Department of Revenue
P.O. Box 7701
Helena, MT 59604-7701

on the following date:

11 / 21 / 2024	
Date of Mailing	Your Signature

Finally, make two copies of this document and all attachments, including the prior decisions you are appealing.

- Send the original to the Montana Tax Appeal Board (address above).
- Send one copy to the Department of Revenue (address above).
- Keep one copy for your records.

What Happens Next?

The Montana Tax Appeal Board will contact you to arrange a telephonic scheduling conference with you and the Department of Revenue. On that call the Board will consult with both parties to determine deadlines for exchanging information and will schedule a date and time for your hearing. After the hearing, the Montana Tax Appeal Board will mail you a written decision, explaining your right to appeal to the District Court.

Geocode or Assessor Code:

The property at the Great Falls Legacy Refinery includes the following geocodes:

- | | |
|----------------------------|-----------------------------|
| 1. 02-3015-01-1-11-02-0000 | 8. 02-3015-01-2-06-01-0000 |
| 2. 02-3015-01-1-11-05-0000 | 9. 02-3015-01-2-06-03-0000 |
| 3. 02-3015-01-2-02-02-0000 | 10. 02-3015-01-2-07-08-0000 |
| 4. 02-3015-01-2-02-03-0000 | 11. 02-3015-01-2-07-13-0000 |
| 5. 02-3015-01-2-04-06-0000 | 12. 02-3015-01-2-07-17-0000 |
| 6. 02-3015-01-2-05-01-0000 | 13. 02-3015-01-2-07-22-0000 |
| 7. 02-3015-01-2-05-02-0000 | 14. 02-3015-01-2-07-24-0000 |

What was incorrect about the prior decision?

1. The value of the Great Falls Legacy Refinery is approximately \$100,000,000, though an exact amount will not be known until CMR's independent appraiser, Kroll, LLC, has completed its appraisal.
2. In determining the value of the Great Falls Legacy Refinery Property in dispute, MT DOR did not properly value or appraise CMR's property. MT DOR and its assessors and appraisers failed to properly consider the three approaches to value or to properly weight those three approaches. Its assessors and appraisers abused their discretion and judgment and reached incorrect values.

Industrial Unit
Dept of Revenue Office
P.O. Box 8018
Helena, MT 59604-8018
(406) 444-6900
0001876725



MONTANA REFINING COMPANY INC
C/O INDUSTRIAL VALUATION SERVICES
PO BOX 92108
AUSTIN, TX 78709-2108

Assessment Code: 0001876725

Date: 10/29/2024

THIS IS YOUR PROPERTY CLASSIFICATION AND APPRAISAL NOTICE

This notice is to inform you how your property is classified and valued for property assessment and tax billing. Residential, commercial, agricultural, and industrial real property is valued every two years. 2024 is the final year of the two-year valuation cycle, 2023-2024.

We **revised** your original classification and appraisal notice because a portion of your property was not previously valued or was omitted from taxation, or because we made an adjustment to your property value.

THIS IS NOT A TAX BILL. Your county treasurer will bill your 2024 general property taxes based upon the values shown on this notice.

Informal Classification and Appraisal Review and Appeal Process

You have the right to request that the department conduct an informal classification and appraisal review once each valuation cycle if you disagree with the information on this notice. Submit a Request for Informal Classification and Appraisal Review (Form AB-26) within 30 days from the date shown above. Any valuation adjustments will apply only to Tax Year 2024.

You may appeal the classification or values shown on this notice directly to your local county tax appeal board (CTAB) rather than submitting a Form AB-26. If you choose to appeal directly to the CTAB, you must submit your appeal to your county clerk and recorder within 30 days from the date shown above.

If you miss the 30-day deadline, your next opportunity to submit a request for informal review or appeal directly to CTAB will be in 2025 after you receive your classification and appraisal notice for the 2025-2026 valuation cycle.

For forms and more information on the informal review and appeal processes, call our office at (406) 444-6900 or go to MTRevenue.gov.

Paying Taxes Under Protest

If you want to be eligible for a property tax refund from an informal classification and appraisal review or appeal, you need to pay the property taxes under protest before they become delinquent. (15-1-402, MCA)

Your county treasurer can give you more information about protesting your taxes.

Exhibit B

Property Tax Assistance Programs

Several assistance programs are available to qualifying Montana property owners. For more information about the programs listed below and other property tax exemptions, call our office at (406) 444-6900 or go to *MTRevenue.gov*.

- Property Tax Assistance Program (15-6-305, MCA)
- Montana Disabled Veterans Program (15-6-311, MCA)
- Elderly Homeowner/Renter Income Tax Credit (15-30-2337 through 15-30-2341, MCA)
- Land Value Property Tax Assistance for Residential Property (15-6-240, MCA)

This Is Not A Tax Bill

2024 Revised Classification and Appraisal Notice

Industrial Unit

Please review the information below carefully. The current assessed value column shows the value of real property as of January 1, 2022, and, if applicable, the depreciated value of personal property (i.e., business equipment) minus any exempt amount as of January 1, 2024. Go to property.mt.gov for more detailed information about your property's characteristics and valuation.

If a real property's current assessed value increased by more than 10 percent from the prior appraisal cycle, the reason for the value increase is displayed above the property's geocode in the table below. Detailed explanations for the value increase reasons are provided below the table.

Owner(s):

MONTANA REFINING COMPANY INC

Assessment Code: 0001876725

Levy District: 1098-1C1

Property Classification	Acres / Quantity	Prior Appraisal Cycle Value	Prior Year Assessed Value	Current Assessed Value	Prior Taxable Value	Current Taxable Value	Prior Year Millage Rate	Estimated 2024 General Taxes**
Situs Address: 1900 10TH ST NE GREAT FALLS MT 59401								
6101 - Tax Rate Adjustment Threshold (TRAT) Portion of Value	-	N/A	235,787,834	177,885,330	3,536,818	2,668,280		02-0001876725-001*
6103 - TRAT Market Value Adjusting Entry	-	N/A	-235,787,834	-177,885,330	0	0		
6311 - Furniture and Fixtures of Commercial Properties	4.00	N/A	123,319	124,365	1,850	1,865		
6510 - Non-Exempt Tools & Other Shop Equipment	1.00	N/A	2,253	1,895	34	28		
6511 - Heavy Equipment & SM Equipment	-	N/A	296,104	47,784	4,442	717		
6514 - Manufacturing Machinery and Manufacturing Tools	141.00	N/A	237,273,018	179,520,160	3,559,095	2,692,802		
6519 - Supplies & Materials	1.00	N/A	438,996	4,102	6,585	62		
6811 - Air and Water Pollution Control Machinery & Equipment	2.00	N/A	1,679,535	1,364,638	50,386	40,939		
6816 - Exempt Air & Water Pollution Ctrl & Carbon Capt M&E	24.00	N/A	24,308,729	19,315,835	0	0		
Situs Address: 1900 10TH ST NE GREAT FALLS MT 59401								
Value Increase Reason: NC - Newly Discovered								
S01, T20 N, R03 E, CR1412 005-2911-02-01 IN GOVT LTS 2-3 MK 8								
2611 - Industrial Land	44.61	274,294	118,944	118,944	2,248	2,248		
3808 - 2nd Year New Industry Improvements (50%) 15-24-1401	-	-	3,333,610	-	31,669	-		
3809 - 3rd Year New Industry Improvements (50%) 15-24-1401	-	-	-	2,735,398	-	25,986		
3817 - All Industrial Imps	-	28,334,817	29,807,374	19,829,701	563,359	374,781		
3856 - Exempt Air and Water Pollution Control and Carbon	-	2,741,643	2,165,156	1,694,878	0	0		
Totals:		31,350,754	299,547,038	224,757,700	7,756,486	5,807,708	702.320	\$4,078,669.48**

This table shows only the total combined value of land and improvements (buildings) if they are valued as a unit.

* The geocode or property ID is the unique identifier for this property.

****The tax amount(s) shown is only an estimate** of your general property taxes for 2024 based upon the 2023 millage rate where your property is located. Your property may be subject to your local government's special assessments and fees in addition to your general taxes. Review your previous tax bill or contact your county treasurer's office for more information about special assessments and fees .

Value Increase Definitions

Market Appreciation - Comparable properties within the area of your property have seen an increase in value and are selling for more today than they were during the time leading up to the last appraisal. This resulted in your property increasing in value over the last appraisal by 10% or more.

Newly Discovered - New buildings, additions, or improvements have been added or discovered on your property since our last appraisal. Additionally, there may have been a change in the percentage of completion of a prior improvement that was started but not completed. This resulted in your property increasing in value over the last appraisal by 10% or more.

Land Change - There was a change in one or more of the land characteristics of your property that resulted in a value increase of 10% or more. This may include but is not limited to: a combination of two or more parcels of land; a change in land classification from agricultural or forest land to tract land; a change in agricultural use type or productivity; a change in agricultural or forest commodity price; or, a change in a forest zone.

Attention Property Owners

Do you have questions about the department's assessed value of your property shown on this notice?

We can help. Review our informal review process below and complete as many steps as needed.

Informal Review Process

- Step 1.** Check your property's characteristics on *property.mt.gov*.
- Step 2.** Get answers from our local staff to any questions about your property's characteristics, classification, or assessed value. Call us at (406) 444-6900 or send a message to DORPADINDUSTRIAL@MT.GOV.
- Step 3.** If you still disagree with our valuation or need us to correct your property's characteristics, you need to submit a Request for Informal Classification and Appraisal Review (Form AB-26) within 30 days from the date on this classification and appraisal notice.

If needed, there are three ways to request an informal classification and appraisal review:

- Go to *MTRevenue.gov* to download, fill out, and email or mail a Form AB-26 to the department;
- Call our office at (406) 444-6900 to request a Form AB-26 be mailed to you to fill out and return to the office address provided within 30 days from the date on this classification and appraisal notice; or
- Check the box on the ticket below to request a Form AB-26 be mailed to you to fill out and return to the office address provided within 30 days from the date on this classification and appraisal notice.

----- Cut line -----

MONTANA REFINING COMPANY INC
C/O INDUSTRIAL VALUATION SERVICES
PO BOX 92108
AUSTIN, TX 78709-2108

Assessment Code: 0001876725

Date: 10/29/2024

I have checked this box because I am requesting the department mail me a Request for Informal Classification and Appraisal Review (Form AB-26). I understand that once I receive the Form AB-26 it must be filled out completely and returned to the department within 30 days from the date on this classification and appraisal notice.

I can be contacted to discuss my appraisal.

Phone _____ Email _____

Mail ticket in an envelope to this address.

Industrial Unit
Dept of Revenue Office
P.O. Box 8018
Helena, MT 59604-8018

Attention:

You do not need to check the box and mail this ticket unless you want to request the form and have an informal review conducted.

This page intentionally left blank.



Request for Informal Classification and Appraisal Review

Rec'd MT DOR

AB-26 V7 06/2023

15-7-102. MCA

Clear Form

Submit this request to the Department of Revenue field office address shown on your classification and appraisal notice within 30 days from the date on the notice.

If you submit an incomplete form, we will send the form back to you for completion. See pages 5-7 for submission instructions.

Part I - Required Information (See page 5 of instructions)

Property Owner Name and Mailing Address
Calumet Montana Refining & Montana Refining
c/o Browning Kaleczyc Berry & Hoven PC
PO Box 1697
Helena MT 59601

Property Address 1900 10th St. Ne
Great Falls, MT 59401
County Cascade
Geocode (# can be found on your classification and appraisal notice)

[X] Update my property record with this mailing address. Mail all future property assessment correspondence to this address.

Contact Phone (406) 443-6820

Email stan@bkbh.com; kim@bkbh.com

Assessment Code Attached

Type of Property: [] Residential [] Mobile Home
[] Vacant Land [X] Industrial [] Commercial
[] Personal Property [] Ag/Forest Land [] Other

Part II - Request for an Informal Classification and Appraisal Review and Property Inspection
15-7-139(6). MCA (Please be specific; attach a separate page if needed. See page 5 of instructions.)

My request for an informal property review is based on the following facts:

- 1. The Department failed to properly consider capitalized interest;
2. The Department failed to properly consider and account for all forms of obsolescence;
3. The Department gave improper weight to, or improperly weighed, the sales, income, and cost approaches to value;
4. The Department failed to properly consider pollution control equipment;
5. The Department failed to properly account for working capital, inventory value, and intangibles resulting in a Business Enterprise Value not the taxable property value of the assets; and
6. The Department improperly calculated the sales comparison approach.

If the department determines an on-site property inspection is required to complete your informal property review, do you want to be present during the inspection?

[X] Yes [] No

(An appraiser will contact you to schedule an appointment to meet you at your property if you mark the Yes check box.)

X Property Owner Signature [Signature] Date 09/10/2024

If applicable, provide the name and contact information of the person completing this form on behalf of the property owner.

Name Stanley Kaleczyc and Kimberly Beatty Phone (406) 443-6820

Mailing Address PO Box 1697, Helena MT 59601

Signature [Signature] Date 9/12/2024

Part III – Property Owner Documentation to be Considered (This section must be completed if you are requesting a change to the property’s current assessed value. See page 5 of instructions.)

[15-7-102\(3\), MCA](#), [ARM 42.20.454](#), [ARM 42.20.455](#)

Current Assessed Value on Classification and Appraisal Notice
(as of January 1, 2022*)

Land..... \$ _____
 Improvements..... \$ _____
 Personal Property..... \$ _____
 Total..... \$ 222000000.0

Value as Determined by Property Owner

(Enter your estimate of market value of land and improvements as of January 1, 2022. For agricultural land and forest land, enter your estimate of the land’s productivity value as of the valuation date.*)

Land..... \$ _____
 Improvements..... \$ _____
 Personal Property (as of Jan 1 of current year).. \$ _____
 Total..... \$ 100000000.0

*Montana law specifically requires all property to be valued on the same date to equally distribute the tax responsibility among property owners across the state. All residential, commercial, industrial, and agricultural property must be valued as of January 1, 2022, for the 2023-2024 valuation cycle. All forest land must be valued as of January 1, 2020, for the 2021-2026 valuation cycle.

Do you have any of the following documentation? If yes, check the boxes of all supporting documentation you attached to this form.

- Purchase of subject property within six months of the January 1, 2022 valuation date; copy of executed buy/sell agreement.
- Fee appraisal within six months of the January 1, 2022 valuation date.
- Comparable property sales/listings within six months of the January 1, 2022 valuation date.
- Building remodel/construction – attach the builder’s cost breakdown worksheet.
- Income producing commercial or industrial property—property owner must be prepared to present detailed information about the property, including rental income, operating expenses and income statements, and strategic plans/pro forma. The department keeps all income and expense data submitted confidential. [15-8-120, MCA](#)

Part IV – Appealing an Informal Classification and Appraisal Review (See page 5 of instructions.)

A property owner will receive a determination letter from the department regarding their request for an informal classification and appraisal review.

If a property owner disagrees with the department’s decision after the informal review process, the property owner has the right under [15-7-102\(6\), MCA](#) to file an appeal with a county tax appeal board (CTAB) in the county where the property is located. Property owners may appeal county tax appeal board decisions to the Montana Tax Appeal Board (MTAB), whose decision may be appealed to district court.

You must file an appeal to a county tax appeal board within 30 days from the date of the department’s determination letter.

Industrial property owners may appeal the department’s determination of classification or market value to the MTAB or to the CTAB in the county where the property is located as provided in [15-2-302, MCA](#).

Property tax appeal forms and information about the appeal process are available at your local county clerk and recorder’s office or on the MTAB website at mtab.mt.gov.

Complete this page if you are requesting a residential or commercial information packet, additional residential sales data, or land model sales data.

Part V – Request for an Information Packet [15-7-102\(3\)\(b\). MCA](#) (See page 6 of instructions.)

You may receive an information packet for residential and commercial properties valued using the sales comparison, cost, or income approach to value. The packet identifies the valuation method and data used by the department to establish the property's market value.

Information provided in this packet includes the:

- Property record card (PRC), with a photo and building sketch (if available). The PRC identifies the property's characteristics the department has on file.
- Comparable sales report if your property was valued using the sales comparison approach to value. The sales report contains the three to five sales used in the model that are most comparable to your property.

Note: The information packet is not available for industrial property.

To request an information packet, check the appropriate box.

- I do not want to receive an information packet Postal mail
 Email file through State of Montana File Transfer Service Provide the information packet at the on-site property inspection

Sales Information is Confidential

If you request an information packet, please be aware this information packet includes confidential sales information that you may not disclose to others. Your signature in *Part VIII – Confidentiality Agreement* is required and indicates your acknowledgement of the confidential nature of the sales information contained in the packet and your agreement to not disclose any of the sales information.

Part VI – Request for Additional Residential Sales Data [15-7-102\(3\)\(c\)\(ii\). MCA](#) (See page 6 of instructions.)

For residential properties, you may receive additional sales data used by the department to value residential property in your market model area. This data consists of sales in your market model area listed by geocode, sale date, sale price, and property address. A geocode is a 17-digit number the department uses to identify each parcel statewide.

Important: If you just want to receive detailed information on the three to five sales in the model that are most comparable to your property, request an information packet in Part V. If you request the additional sales data used by the department to value residential property in your market model area, the data may include a spreadsheet containing a large volume of sales data listed by geocode, sale date, sale price, and property address.

To request additional residential sales in your market model area, check the appropriate box.

- Do not want additional residential sales data Postal mail Postal mail USB drive (PDF format)

Sales Information is Confidential

If you request the additional sales data, please be aware this information includes confidential sales information that you may not disclose to others. Your signature in *Part VIII – Confidentiality Agreement* is required and indicates your acknowledgement of the confidential nature of the sales information provided and your agreement to not disclose any of the sales information.

Part VII - Request for Land Model Sales Data [15-7-102\(3\)\(b\). MCA](#) (See page 6 of instructions.)

If the vacant land property type check box is marked on page one, you may request the land model sales data used by the department to value your vacant land parcel. This data is listed by market model neighborhood number, geocode, sale date, and adjusted sale price based on market conditions.

To request land model sales data, check the appropriate box.

- Do not want land model sales data Postal mail Email file through State of Montana File Transfer Service

Sales Information is Confidential

If you request the land model sales data, please be aware this information includes confidential sales information that you may not disclose to others. Your signature in *Part VIII – Confidentiality Agreement* is required and indicates your acknowledgement of the confidential nature of the sales information provided and your agreement to not disclose any of the sales information.

The confidentiality agreement below must be signed if you are requesting a residential or commercial information packet, additional residential sales data, or land model sales data.

Part VIII – Confidentiality Agreement (See page 6 of instructions.)

I agree, under penalty of law, that I will not reveal to any person any confidential information contained in the documents I receive from the department, except at a tax appeal board or court hearing on my appeal. I agree that I will not copy or disseminate the documents I receive, except for use in my tax appeal. I agree to abide by all procedures adopted by the department, a county tax appeal board, the Montana Tax Appeal Board, or any court regarding the nondisclosure of confidential information.

X Property Owner Signature _____ **Date** _____

We will send the requested information to the email or mailing address provided in Part I unless another address is included on the line below.

Part IX – Representative/Attorney Confidentiality Agreement (See page 6 of instructions.)

I agree, under penalty of law, that I will not reveal to any person any confidential information contained in the documents I receive from the department, except at a tax appeal board or court hearing on the property owner's appeal. I agree that I will not copy or disseminate the documents I receive, except for use in the property owner's appeal. I agree to abide by all procedures adopted by the department, a county tax appeal board, the Montana Tax Appeal Board, or any court regarding the nondisclosure of confidential information.

X Representative/Attorney Signature _____ **Date** _____

We will send the requested information to the email or mailing address provided on the line below.

Instructions for Submitting a Request for Informal Classification and Appraisal Review (Form AB-26)

SECTION I. Instructions for Completing Form AB-26

Part I–Required Information

Enter the required identifying information including the following:

- Property owner’s mailing address - mark the box if you want the department to update your property record with the mailing address you provide. All future property assessment correspondence will be mailed to this address.
- Contact Phone—provide a daytime phone number.
- Property Address—physical address of property.
- County—county in which the property is located.
- Geocode—a 17-digit property identification number found on your classification and appraisal notice.
- Assessment Code—a ten-digit alphanumeric code found on your classification and appraisal notice.

Part II–Request for a Review and Inspection

In the space provided, specify the reasons for requesting a property review. Examples of such reasons may include differences in square footage, bedroom/bath count, or other physical characteristic changes. Information on purchase price, comparable sales, or a fee appraisal are also reasons for requesting an informal review. A reason such as *taxes too high* is not enough information for department staff to make a valuation decision.

The department will determine if an on-site property inspection is required to complete your informal property review based on the information you provide. Mark the “yes” check box if you want to be present during the on-site property inspection. An appraiser will contact you to schedule an appointment to meet you at your property.

If department employees are denied access to your property, we cannot adjust the property’s assessed market value.

Sign and date the form. A property owner’s agent/ representative or attorney may complete and sign the form on behalf of the property owner. A power of attorney form found at MTRevenue.gov must be included with the application if the property owner is being represented.

Part III–Property Owner Documentation to Be Considered

This section must be completed if you dispute the current assessed value of your property.

Under the *Current Assessed Value on Classification and Appraisal Notice* section, enter the dollar values for land, improvements, and personal property (if applicable) shown on your classification and appraisal notice in the Current Assessed Value column. On some classification and appraisal notices, land and improvement values are combined in the *Current Assessed Value* column. Enter the combined value on either the land or improvements line.

In the section *Value as Determined by Property Owner*, enter your estimate of the market value of your land and improvements as of the January 1, 2022, valuation date. For agricultural land and forest land, enter your estimate of the land’s productivity value as of the January 1, 2022, valuation date.

Attach all documentation to support the value you determine as of the January 1, 2022, valuation date.

Under Montana law, the department’s current assessed value is presumed correct. The property owner has the responsibility to prove otherwise.

PART IV–Appealing an Informal Review

Per [15-7-102\(6\) MCA](#), if a property owner disagrees with the department’s decision regarding classification or valuation after the informal review process, the property owner has the right to file an appeal with a county tax appeal board (CTAB) in the county where the property is located.

If you choose to appeal the department’s decision to CTAB, you must file your appeal within 30 days from the date on the department’s informal review determination letter mailed to you.

You may appeal the classification or values shown on your notice directly to your local CTAB rather than submitting a Form AB-26. If you choose to appeal directly to the CTAB, you must submit your appeal to the county clerk and recorder within 30 days from the date on the classification and appraisal notice. You may appeal CTAB decisions to the Montana Tax Appeal Board (MTAB), whose decision may be appealed to district court.

Industrial property owners may appeal the department's determination of classification or market value to the MTAB or to the CTAB in the county where the property is located as provided in [15-2-302, MCA](#).

Property tax appeal forms and information about the appeal process are available at your local county clerk and recorder's office or on the Montana Tax Appeal Board's website at mtab.mt.gov.

Part V—Request for an Information Packet

You may receive an information packet for residential and commercial properties valued using the sales comparison, cost, or income approach to value. If you choose to receive an information packet, you must:

1. Check the appropriate box to receive your information packet by email, postal mail, or in-person at an on-site property inspection. If you select email, you must have a Montana State Single Sign-on Service Okta account to download the information packet sent through the State of Montana's File Transfer Service. Go to Login.MT.Gov to create an account.
2. Be aware that the information provided includes confidential sales information that you may not disclose to others. You must complete the confidentiality agreement in Part VIII.

PART VI—Request for Additional Residential Sales Data

For residential properties, you may receive additional sales data used by the department to value residential property in your market model area. The sales data you receive may include a large amount of data (geocode, sale date, sale price, and property address) to review. Note: If you just want to receive detailed information on the three to five sales used in the model that are most comparable to your property, request an information packet in Part V.

If you choose to receive additional residential sales data in your market model area, you must:

1. Check the appropriate box to receive the sales data by postal mail as a paper copy or on a USB drive.
2. Be aware that the information provided includes confidential sales information that you may not disclose to others. You must complete the confidentiality agreement in Part VIII.

PART VII—Request for Land Model Sales Data

If the vacant land property type check box is marked on page one, you may request the land model sales data used by the department to value your vacant land parcel. The data is listed by market model neighborhood number, geocode, sale date, and adjusted sale price based on market conditions.

If you choose to receive land model sales data, you must:

1. Check the appropriate box to receive the land model sales data by postal mail or email. If you select email, you must have a Montana State Single Sign-on Service Okta account to download the information packet sent through the State of Montana's File Transfer Service. Go to Login.MT.Gov to create an account.
2. Be aware that the information provided includes confidential sales information that you may not disclose to others. You must complete the confidentiality agreement in Part VIII.

PART VIII—Confidentiality Agreement

If you request an information packet or additional sales data, you must read the confidentiality agreement, sign, and date the form.

Provide the mailing address on the line provided if you want the information sent to a different address than the mailing address provided in Part I.

The department will provide the requested information only if you have signed the confidentiality agreement.

PART IX—Representative/Attorney Confidentiality Agreement

If your representative or attorney requests an information packet or additional sales data, your representative or attorney must read the confidentiality agreement, sign, and date the form. Provide the mailing address or email of your representative or attorney. If you have more than one representative or attorney, each representative or attorney must sign the confidentiality agreement.

If you hire, retain, or consult an expert or other individual to assist you with your tax appeal, that individual must also sign the confidentiality agreement.

Additional Contact Information:

You can find contact information for your local Department of Revenue field office by visiting MTRevenue.gov or call us at (406) 444-6900, or Montana Relay at 711 for hearing impaired.

Section II. Frequently Asked Questions

What if I do not agree with the value of my property?

If you do not agree with the department's determination of the classification or market value of your property, you have the right to request an informal classification and appraisal review and/or file a formal appeal to a county tax appeal board.

- **Request for Informal Classification and Appraisal Review (Form AB-26)**—The department conducts mass appraisal of all properties statewide. The informal review process allows the department to look at your property individually and allows you to provide documentation to support a different classification or value than determined by the department as shown on your classification and appraisal notice. The informal review process starts when you fill out a Form AB-26, available online at MTRevenue.gov, or at any Department of Revenue field office. *You must complete this form and return it to the Department of Revenue field office shown on the classification and appraisal notice within 30 days from the date on the classification and appraisal notice.*

- **File an appeal with a county tax appeal board**—If you are not satisfied with the results of your informal review, or if you do not want to use the informal review process described above, you may appeal directly to the county tax appeal board in the county where the property is located. Appeal forms are available at any county clerk and recorder's office, or on the Montana Tax Appeal Board's website at mtab.mt.gov.

You must file an appeal with a county tax appeal board within 30 days from the date on the classification and appraisal notice, or if you requested an informal review, within 30 days from the date on the department's determination letter.

You may appeal county tax appeal board decisions to the Montana Tax Appeal Board, whose decision may be appealed to a district court. You must file your appeal within 30 days of receiving a county tax appeal board's decision.

Industrial property owners may appeal the department's determination of classification or market value to the MTAB or to the CTAB in the county where the property is located.

Who may submit a Form AB-26 or file an appeal?

Any property owner, who has received a classification and appraisal notice for residential, commercial, agricultural, industrial, or forest land property, and does not agree with the department's classification or valuation of their property and has additional documentation showing that the classification and/or valuation is incorrect, may file a Form AB-26.

You may complete a Form AB-26 yourself or have a representative or attorney complete it for you. If you have a representative or an attorney complete and file a Form AB-26 for you, you and your representative or attorney must file a power of attorney form. You may find a power of attorney form at MTRevenue.gov.

A Form AB-26 may be submitted for:

- Class 3 property—agricultural land, one-acre homesteads on agricultural land, nonproductive patented mining claims, and nonqualified agricultural land.
- Class 4 property—residential, commercial, and industrial land and improvements, including improvements on agricultural land; one-acre homesteads on forest and nonqualified agricultural land; mobile homes, manufactured homes, and golf courses.
- Class 8 property—business equipment, machinery and all other property that is not included in any other class of property.
- Class 10 property—forest land.

You may submit a Form AB-26 once per valuation cycle. If the department adjusts your classification or property value, the value adjustment is effective beginning in the year your Form AB-26 was filed. A separate Form AB-26 is required for each separately assessed parcel.

Do I need to pay my taxes if I have a Form AB-26 review or appeal pending?

Section [15-1-402, MCA](#) requires the property owner to pay the disputed taxes *under protest* to receive any refund and accrued interest. You must file the protest with the county treasurer in writing, specifying the grounds for protest and you must pay the taxes by the due date.

Payment of Property Taxes

Your local county treasurer bills and collects your property taxes. Please direct any questions regarding property tax billing and collection to them.

Penalty for False Statements

A person making willful false statements on the Form AB-26 is subject to the penalties of false swearing set forth in [45-7-202, MCA](#).

**Exhibit A to AB 26 Informal Conference Request by
Calumet Montana Refining, LLC and Montana Refining Company Inc.
(collectively, CMR) for 2024 Tax Assessment**

Assessment Code	DOR Assessed Value	Owner Asserted Value
0001480300	\$ 3,076,054	
0001480900	\$ 37,648	
0001477000	\$ 87,061	
0001481900	\$ 60,494	
0001476605	\$ 74,394	
0001078000	\$ 404,843	
0001876725	\$ 214,803,638	
0001482000	\$ 2,222,983	
0001876700	\$ 956,074	
Total	\$ 222,000,000	\$ 100,000,000 (approx.)

Montana Department of Revenue
125 S. Roberts St.
Helena, MT 59604
(406)444-5866



Calumet Montana Refining LLC
ATTN: Jennifer C. Cohen
C/O: Industrial Valuation Services
P.O. Box 92108
Austin, TX 78709-2108

August 2, 2024

RE: 2024 Assessment Notice

Enclosed with this letter you will find the 2024 assessment notices for Calumet Montana Refining LLC aka Montana Refining Company Inc.

For Tax Year 2024, in addition to performing the Cost Approach to valuation for your property, the Department of Revenue engaged an outside contractor to perform a Sales Comparison Approach and Income Approach to aid in determining the market value for your properties. After thorough analysis, the Department determined that the total market value of the refinery as of January 1st, 2024 is \$222,000,000. The total market value has been allocated to the following properties:

- 02-3015-01-1-11-02-0000 – Office & Loadout
- 02-3015-01-1-11-05-0000 – Office Road Land
- 02-3015-01-2-02-02-0000 – Refinery Land
- 02-3015-01-2-02-03-0000 – Refinery Land
- 02-3015-01-2-04-06-0000 – Refinery Shop
- 02-3015-01-2-05-01-0000 – Refinery
- 02-3015-01-2-05-02-0000 – Refinery Firehouse
- 02-3015-01-2-06-01-0000 – Westgate Storage
- 02-3015-01-2-06-03-0000 – Westgate Land
- 02-3015-01-2-07-08-0000 – Westgate Land
- 02-3015-01-2-07-13-0000 – Westgate
- 02-3015-01-2-07-17-0000 – Westgate Land
- 02-3015-01-2-07-22-0000 – Refinery Land
- 02-3015-01-2-07-24-0000 – Westgate Land
- 02-0001876725-001 – Personal Property

The following table details the conclusions and weighting with regard to the findings from each approach to value.

2024 Market Value Reconciliation - Calumet Montana Refining		
		Weighting
Income Approach Conclusions		
MVIC / EBITDA	\$273,000,000	
MVIC / Revenue	\$188,000,000	
DCF Value - After Income Taxes	\$230,000,000	
<u>Direct Cap Value - Before Income Taxes</u>	<u>\$260,000,000</u>	
Overall Plant Market Value - Income Approach	\$230,000,000	
\$/Barrel per Calendar Day	\$18,740	
Less Intangibles	\$11,500,000	
Tangible Property Market Value - Income Approach	\$218,500,000	50%
Sales Approach Conclusions (Expert)		
XOM/Par Pacific Billings refinery PP&E sale price (estimated from public sources)	\$ 200,000,000	
Ratio CMR/XOM Billings EIA BPSD refinery capacities as of 1/1/2023	0.24	
Size adjusted XOM/Par Pacific Billings refinery PP&E sale price	\$ 48,920,863	
Ratio CMR/XOM Billings projected gross margin \$/B from income approach	1.23	
Gross Margin adjusted XOM/Par Pacific Billings refinery PP&E sale price	\$ 60,129,594	
Par Pacific Billings Refinery PP MDOR 2023 depreciated cost value	\$ (226,854,665)	
CMR Great Falls Refinery PP MDOR 2023 depreciated cost value	\$ 259,214,364	
CMR Great Falls Refinery PP MDOR depreciated cost value of investment during 2023	\$1,894,516	
CMR Great Falls Refinery Value based on XOM/Par Pacific sale	\$94,384,000 rounded	10%
Cost Approach Conclusion (DOR)		
Cost Value Refinery Personal Property	\$219,219,164	
Land	\$224,475	
Cost Value Refinery Real Property Improvements	\$39,012,950	
Cost Approach Value	\$258,456,589	40%
Reconciled Market Value	\$222,000,000 rounded	

If you have any questions or concerns about your assessment, please reach out to your industrial appraiser, Michael Barber at (406)444-5866 or michael.barber@mt.gov. Additionally, if you disagree with the Department's assessment, you have 30 days from the date on the assessment notice to file a Request for Informal review (AB-26), appeal to the Cascade County Tax Appeal Board, or appeal to the Montana Tax Appeal Board.

AB-26 Form: <https://mtrevenue.gov/publications/request-for-informal-classification-and-appraisal-review-form-ab-26/>

CTAB Form: <https://mtab.mt.gov/docs/forms/AppealMTAB401.pdf>

MTAB Form: <https://mtab.mt.gov/docs/forms/Appeal-MTAB-801.pdf>

Sincerely,

Michael Barber
Montana Department of Revenue
Industrial Appraiser
(406)444-5866
Michael.barber@mt.gov