2006 IDAHO ELECTION TO CLAIM THE QUALIFIED INVESTMENT EXEMPTION FROM PROPERTY TAX IN LIEU OF INVESTMENT TAX CREDIT

FORM **49E**
EFO00031
6-08-06

Use This Form To Elect The Qualified Investment Exemption (QIE) From Property Tax For Property Placed In Service During Calendar Year 2006.

Name	Social Security Number or EIN

If this corporation is included in a combined report, enter the name of the corporation the Idaho income tax return is filed under if different than above.

Name	EIN

ELECTION — I elect to exempt the following property that was placed in service during calendar year 2006 from property tax for 2007 and 2008. I understand I forego my right to claim the investment tax credit on this property at any time. Once I make the election, I cannot revoke it. I will be subject to recapture of the property tax benefit if during the five-year recapture period the property no longer qualifies as a qualified investment as defined in Section 63-3029B, Idaho Code.

LOSS IN SECOND PRECEDING TAX YEAR —To qualify for the QIE, you must have had an Idaho income tax loss without regard to net operating loss carryovers or carrybacks in the second preceding tax year from the income tax year you placed the property in service. If you file income tax returns on a fiscal year basis, see the instructions to determine your qualifying loss years. County assessors are allowed to check with the State Tax Commission to verify you had a loss in the applicable year(s).

Provide the ending date of your tax year(s) that ended in calendar year 2006_____
If you had a short period tax year during calendar year 2006 or during the previous two years, attach a statement identifying your tax year ending dates.

I elect to claim the QIE on the property listed as follows. The exemption for used property is limited. See instructions.

Asset Number	**Asset Description** (Describe what the asset is, including make, model and serial number)	**County in Which Asset Located**	**Date Placed in Service**	**Qualifying Loss Year** (Identify beginning and ending dates)	**New or Used**	**Original Cost**
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(If additional space is required, complete page 2.)

Under penalties of perjury, I affirm that, to the best of my knowledge and belief, the property listed on Form 49E is qualified investment property as defined in Section 63-3029B, Idaho Code, and that I have not or will not claim the Idaho investment tax credit on the listed property.

Signature _____ Date _____

Print Contact Name _____ Contact Phone Number _____

To elect the QIE, you must attach this form to the operator's statement or personal property declaration(s) filed for 2007. You must also attach a copy to your original Idaho income tax return(s) for the tax year(s) in which the property was placed in service.

Asset Number	Asset Description (Describe what the asset is, including make, model and serial number)	County in Which Asset Located	Date Placed in Service	Qualifying Loss Year (Identify beginning and ending dates)	New or Used	Original Cost
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EIN00031
8-09-06

Instructions for Idaho Form 49E

GENERAL INFORMATION

Form 49E is used to elect an exemption from property tax for personal property instead of earning the Idaho investment tax credit (ITC) on the property. This exemption is referred to on Form 49E and in these instructions as the qualified investment exemption (QIE).

The QIE is allowed for the two calendar years that follow the end of the calendar year in which the qualifying property was placed in service. For example, for property placed in service during calendar year 2006, the QIE is available for calendar years 2007 and 2008.

If you elect the QIE, you cannot earn the ITC for Idaho income tax purposes on that property. You cannot change your election to claim the QIE on property once you have made it. If you sell or otherwise dispose of an item of property for which you claimed the QIE, or if the property ceases to qualify during the five-year period starting with the date the property was placed in service, you must compute recapture. Use Form 49ER to calculate the recapture.

You must attach Form 49E to your operator's statement(s) or personal property declaration(s) filed for 2007. You must also attach a copy of this form to your original Idaho income tax return(s) for the income tax year(s) in which the property was placed in service. If you submit multiple Forms 49E to one or more assessors, you must attach a copy of each Form 49E to the applicable year's income tax return(s).

QUALIFYING TAXPAYERS

To qualify for the QIE, you must:

- Not have your rate of charge or rate of return regulated or limited by federal or state law, and
- Have had negative Idaho taxable income in the second preceding income tax year from the income tax year in which you placed the property in service.

Negative Idaho taxable income is computed for a year before applying any net operating losses from other years that you may be able to carry forward or carry back to that year. If you were not doing business in Idaho in the second preceding income tax year from the year you placed the property in service, you do not qualify for the exemption.

To determine whether you had negative Idaho taxable income in the second preceding income tax year, you must go back two income tax years from the income tax year in which you placed the property in service. For example, if you file income tax returns on a calendar year basis, and you placed property in service during calendar year 2006, you must have had negative Idaho taxable income for the calendar year 2004 to qualify for the election. A short tax year counts as one income tax year.

If you file income tax returns on a fiscal year-end basis, and in one calendar year you placed property in service in two different fiscal years, you will need to determine separately for each fiscal year whether you had negative Idaho taxable income in the second preceding income tax year from the tax year the property was placed in service.

For example, you file income tax returns for the fiscal year ending August 31. Assuming you had no short tax years, assets you placed in service from:

- January 1, 2005 through August 31, 2005 are assets placed in service during fiscal year ended August 31, 2005. You must have had negative Idaho taxable income for the fiscal year ended August 31, 2003 to elect the QIE on any of these assets.
- September 1, 2005 through December 31, 2005 are assets placed in service during fiscal year ended August 31, 2006. You must have had negative Idaho taxable income for the fiscal year ended August 31, 2004 to elect the QIE on any of these assets.

If you are part of a unitary group of corporations filing a combined report for Idaho income tax purposes, you must look to your Idaho taxable income, as computed according to Idaho Code section 63-3027, to determine whether you had negative Idaho taxable income in the second preceding tax year. This will be computed by applying your Idaho apportionment factor to the combined income or loss for that year and including your income or loss allocated to Idaho.

The following table provides some examples of determining the second preceding income tax year. The second and fourth examples show how you determine the second preceding tax year when you have a short tax period that results from a change in income tax years.

TAX YEAR PROPERTY PLACED IN SERVICE	FIRST PRECEDING TAX YEAR	SECOND PRECEDING TAX YEAR
Calendar year 2006	Calendar year 2005	Calendar year 2004
Calendar year 2006	Calendar year 2005	Short tax year beginning Feb. 1, 2004 and ending Dec. 31, 2004
Fiscal year beginning Sept. 1, 2005 and ending Aug. 31, 2006	Fiscal year beginning Sept. 1, 2004 and ending Aug. 31, 2005	Fiscal year beginning Sept. 1, 2003 and ending Aug. 31, 2004
Fiscal year beginning Sept. 1, 2005 and ending Aug. 31, 2006	Short tax year beginning Jan. 1, 2005 and ending Aug. 31, 2005	Calendar year 2004

QUALIFYING PROPERTY
The following is a brief description as to what constitutes qualifying property. For more detailed information, contact the Idaho State Tax Commission, Taxpayer Services at (208) 334-7660 or 1-800-972-7660.

General Information
The property tax exemption is available only on property that qualifies for the Idaho ITC. Idaho generally follows the definition of qualified investment credit property found in the Internal Revenue Code (IRC) Sections 46 and 48 as in effect prior to 1986. The property must be used in Idaho the first year it is placed in service. Qualifying property generally includes:

- Tangible personal property (other than air conditioning and heating units),
- Other tangible property (not including a building and its structural components) but only if used for certain purposes,
- Elevators and escalators,
- Single purpose agricultural or horticultural structures, and
- Petroleum storage facilities

Tangible personal property means any tangible property except land and land improvements. It includes all property that is contained in, or attached to, a building (other than structural components of the building).

Other tangible property, including depreciable land improvements (except a building and its structural components), qualifies if it falls in a category of property used as integral parts of manufacturing, production or extraction, or as an integral part of furnishing transportation, communications, electrical energy, gas, water or sewage disposal services by a person engaged in a trade or business of furnishing any such service, or is a research or bulk storage facility used in connection with any of these activities. The research facility does not have to be an integral part of the business activity. Bulk storage means the storage of fungible commodities in a large mass before consumption or use.

Single-purpose agricultural or horticultural structures qualify if specifically designed, constructed, and used solely for a qualifying purpose. If a structure is used for both qualifying and nonqualifying purposes, the structure does not qualify.

Items that do not qualify include:

- Buildings and their structural components. A building is any structure enclosing a space within its walls usually covered by a roof, the purpose of which is to provide shelter or housing, working, office, parking, display, or sales space. This includes apartment houses, factory and office buildings, warehouses, barns, garages, railway or bus stations, and stores. It does not include a structure that is essentially an item of machinery. Structural components include parts of a building such as walls, partitions, floors, ceilings, and any permanent covering such as paneling, tiling, windows, doors, all components of a central air conditioning or heating system, plumbing and plumbing fixtures (including sprinkler systems and fire escapes).
- Property used in certain lodging facilities
- Property subject to amortization
- Construction in progress
- The cost of property expensed

Used Property
Qualifying used property is limited to a total cost of $150,000 per income tax year, whether you claim the QIE, the ITC, or a combination of both for that year. In addition, you must have acquired the used property by purchase. If you have used property in excess of $150,000, you must select the specific items on which to claim the QIE. If you select an item, the entire cost must be taken into account unless you have exceeded the $150,000 limit. If the $150,000 used property limit is exceeded, the remaining amount of an item selected and any items not selected do not qualify for the ITC. For example, used assets A, B, C, and D, each costing $70,000, were placed in service. Two of the assets will qualify and a third asset will partially qualify. You must select which two items qualify and which third item partially qualifies. If you claim the QIE on assets A and B, you may claim a partial QIE on either asset C or D, or you may claim the ITC on asset C or D but only up to $10,000, the remaining amount of the $150,000 used property limitation.

DENIAL OF QIE
If the QIE is denied for all or part of the market value of any property, the county assessor will notify you of the basis for the denial.

SPECIFIC INSTRUCTIONS

HEADING
Enter the name that is used on your personal property declaration or operator's statement.

Enter your Social Security Number or your Federal Employer Identification Number, whichever is applicable, in the space provided. If you were included in a combined report, enter the name of the corporation the Idaho income tax return is filed under and its Federal Employer Identification Number.

LOSS IN SECOND PRECEDING TAX YEAR
You must have had negative Idaho taxable income without regard to net operating loss carryovers or carrybacks in the second preceding tax year from the income tax year you placed the property in service. In the space provided, enter the last day of your income tax year that ended in calendar year 2006. For example, if you are a calendar year taxpayer, enter December 31, 2006. If you are a fiscal year taxpayer, enter the last day of the fiscal year that ended during 2006. If you had two income tax filing periods that ended during 2006, enter both ending dates.

If during calendar year 2006 or the previous two years you had a short period tax year for income tax purposes, you must attach a statement that identifies the ending dates for each income tax filing period during that two-year period. For example, if during 2005 you changed from filing income tax returns on a calendar year basis to filing them on a June 30 year-end basis, attach a schedule identifying the tax year ending dates as December 31, 2004 and June 30, 2005.

LISTING OF PROPERTY ELECTED

You must designate each specific asset and its location for which you are claiming the QIE. Group listings of assets will not be accepted. If you cannot list all the elected assets on page one, use page two or multiple pages two as necessary.

Asset Number

Enter the asset's assigned identification number.

Asset Description

Enter a description of the asset. The description must be in sufficient detail to identify what the property is and to determine if it qualifies. If the make, model, or serial number is not available, include other identifying information that will describe the asset.

County in Which Asset Located

Enter the county in which the asset is located. If the property is used in more than one county, enter the home county in which the asset is located.

If you are claiming the QIE on used property, you must notify all counties in which you are claiming the QIE of the amount of used property elected. You may do this in one of two ways:

- Attach copies of all Forms 49E that list used property to the personal property declaration sent to each county, or
- Complete a separate Form 49E that lists only used property and send that to each county.

If you are electing the QIE for property that is assessed as nonregulated operating property by the Tax Commission, you must list on Form 49E every county where each asset is located, regardless of whether the asset is new or used.

Date Placed in Service

Enter the date you placed the asset in service. Property is placed in service in the earlier of :

- The income tax year in which, under your depreciation practice, the period for depreciation of the property begins, or
- The income tax year in which you placed the property in a condition or state of readiness and availability for a specifically assigned function.

If you did not use the asset in Idaho during the first year the property was placed in service, the asset does not qualify. For example, if you purchased the asset in 2004 and used the asset outside of Idaho until moving it to Idaho to use during 2006, the asset will not qualify for the QIE.

Qualifying Loss Year

Enter the beginning and ending dates of the qualifying loss year. This must be the second preceding income tax year from the income tax year in which the property is placed in service.

If you file your income tax returns on a calendar year basis, and you did not have any short period tax years during the previous two years, enter January 1, 2004 to December 31, 2004. If you did not have negative Idaho taxable income for 2004, you cannot make the election on property placed in service during 2006.

If you file your income tax returns on a fiscal year basis, or you had a short period income tax year, you may have two different qualifying loss years. Identify the applicable qualifying loss year for each asset.

If you are a partnership or S corporation, your net business income apportioned to Idaho plus the nonbusiness income or loss allocated to Idaho for the second preceding income tax year must be negative.

New or Used

Indicate whether the asset is new or used. For the limitations on used property, see Used Property on page 2.

Original Cost

Enter the asset's original cost. This should be the same amount you would list as the purchase price on the Idaho Personal Property Declaration. Include trade-in allowances and all associated costs incurred to acquire and prepare the item for its intended use.