North Dakota Office of State Tax Commissioner Form **Corporation Income Tax Return**



Mark One: O Calendar Year January 1, 2015, through December 31, 2015

	O Fiscal Year	beginning	, 2015 and e	ending	,	WEB
≻	ve a federal extension? Yes O No O	Name			Federal employ	yer identification no.*
	f yes, must attach ate of incorporation	Mailing address			Is this a farming Yes O	or ranching corporation
>	Final return	City, State, Zip Code		Phone number	Business cod	e (see instructions)
	Yes O No O				·	
	computation of ta	x liability ONE circle that identifies th	a filing mathed can in	structions).	Dound	off to dollars
>	a. O b. Single Combi	O b1. O ned Combined Report	c. O c1. 0 Water's Edge Water's E	O d. O dge Method Other		off to dollars
		lethod Method Consol. Return	inothed in the	I. Return		
		nount from Schedule SA, lir				
		amount from Schedule SA				
		ble income (Subtract line 3		,		
		actor from Schedule FACT Iorth Dakota (Line 4 multip				
		h Dakota	-			
		dd lines 6 and 7)				
		expanding business (Attach v				
		e exemption (Amount from Se				
		er income exemptions (Sub				
		orward (Attach worksheet -				
	-	2 from line 11)				
4 0	ross proceeds allocated	to North Dakota from sale	of research tax credit (See instructions)		
5 N	orth Dakota taxable inc	ome (See instructions)				
	•	es below)				
		nethod election (3.5% of la			· · · —	
		Id lines 16 and 17)				
9	ax credits (Enter amo	unt from Schedule TC, line	28)		(AZ) 19	
	Balance due or ov					
		btract In. 19 from In. 18) (Corp.			<i></i>	
		tax payments and payment				
		withheld on oil and gas ro			(LVV) 22 23	
		ount withheld <i>(Add lines 21 ar</i> an line 23, enter differer				
	_	for balance due on line 24				
		yment of estimated tax (At				
		Add lines 24, 24a, and 24b				
		an line 20, enter differer	-			
)			_ (LV) 25	
	a. Amount of line 25 to	be credited to 2016 estimation	ated tax (Minimum \$5)		. (AI) 25a	
	b. Amount of line 25 to	be REFUNDED (Subtract	line 25a from line 25)((No refund under \$5)_	_ 25b	
I de	clare that this return is corr	rect and complete to the best of	my knowledge and belief.		*Privacy Act Notic	e - See instructions
ate.	Signature of (Officer:	Titla			O I authorize the North Dakota
ale.	Signature of t	Jincer	nue:			Office of State
Date:	Signature of I	Preparer:	Address:	FEIN:		 Tax Commissioner to discuss this
Mai	I to: Office of State T	ax Commissioner, 600 E.	Boulevard Ave Dent	t 127 Bismarck ND	58505-0599	tax return with the preparer.
\$	0 to \$ 25,000 25,000 to \$ 50,000	Tax Rate Table	ota Taxable Income unt over \$ 25,000		O NOT WRITE IN	

Schedule SA: Statutory adjustments

This schedule is to be used by all corporations regardless of filing method. Additions

1	Federal net operating loss deduction (Federal Form 1120, line 29a)	(CA) 1_		
2	2 Special deductions (Federal Form 1120, line 29b)	(CB) 2		
3	All income taxes, franchise or privilege taxes measured by income, which were deducted to determine federal taxable income	(CC) 3		
2	Interest on state and local obligations (Excluding North Dakota obligations)	(CF) 4		
	6 Contribution to endowment fund credit adjustment	(CD) 5		
	Contribution to housing incentive fund credit adjustment	(CE) 6		
	Domestic production activity deduction (Federal Form 1120, line 25)	(CQ) 7		
	Control of the contro	(CG) 8		
	• Total additions (Add lines 1 through 8. Enter amount here and on page 1, line 2)			
	otractions			
10	Tax refunds received in 2015 (Attach worksheet)	(CH) 10_		
11	Interest on United States obligations (Attach statement regarding obligations)	(CI) 11_		
	2 Allocable income (Attach worksheet) (LS) 12			
13	Related expenses (Attach worksheet) (LT) 13			
	Balance (Subtract line 13 from line 12)	(LD) 14		
	5 IC-DISC distribution to a non-corporate owner (See instructions)			
	• Others subtractions (Attach worksheet)	(CO) 16_		
17	Total subtractions (Add lines 10, 11, 14, 15 and 16. Enter amount here and on page 1, line 3)	17		
	The following questions must be answered		Yes	No
1	Has the IRS issued a Final Determination that affects a previously filed North Dakota return that has not been reported to North Dakota?	▶ 1		
2	Is this return for a tax-exempt organization required to report unrelated business taxable income?	▶2		
3	s this return for a foreign corporation filing Federal Form 1120-F?			
	Has this corporation filed as a cooperative, a Foreign Sales Corporation, or a Domestic International Sales Corporation for federal purposes?	▶4		
5	is this return for an entity, or does the return include an entity, that filed a Financial Institution Tax retu (Form 35) for 2012? If yes, mark the circle to indicate if this is an S corporation. \blacktriangleright O	rn		
	Does this corporation use the combined report method in any other states? If yes, attach a statement showing all states where the combined report method is used	≻6		
(Does this corporation file its federal income tax return as a member of a consolidated group? If yes, please enter the Federal Employer I.D. No. under which the consolidated return is filed.	▶7		
	Does the numerator of the apportionment factor on page 1, line 5 include the property, payroll and/or sand for more than one corporation required to file in this state? If yes:			
	Filing method circle on page 1, line 1 must have been marked b1 or c1.			
	How many corporations are included in the numerator? >			
	 Complete North Dakota Schedule CR, Parts I, II and III reporting the activities of each company apportioning income to North Dakota. 			
	If this return is filed using the water's edge method, indicate which year of the five-year election this return represents. (List number: 1 through 5) \blacktriangleright			
10	Is this a limited liability company?	▶ 10		
11 /	Are any single member LLC's with business activity or apportionment factors in North Dakota that are treated as disregarded entities included in this return? (If yes, attach schedule with names and FEIN)			
	s this corporation or any of its affiliates included in this return a captive real estate investment trust REIT)? (If yes, attach schedule with names and Federal I.D. numbers of all captive REITS)	▶ 12		
	Has this corporation changed names, been involved in a merger, reorganization or takeover during this tax year? If so, provide former name and details of change \blacktriangleright			
		(former name		



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Schedule FACT: Apportionment factor for corporations not filing a consolidated North Dakota return

This schedule is to be used for corporations not filing a consolidated North Dakota return, i.e., only corporations using filing method a, b, c, or d on page 1, line 1 are to use this schedule.

Corporations filing a consolidated North Dakota tax return, i.e., those corporations using filing method b1 or c1 on page 1, line 1, use Schedule CR, Part II -- do not use this schedule.

Property Factor: Average value at original cost of real and tangible personal property used in the business.	1. Total	2. North Dakota	3. Factor
(Exclude value of construction in progress)			
1 Inventories	1		(Use 6-digit decimal only)
2 Buildings and other fixed depreciable assets	2		deciniar only)
3 Depletable assets	3		(North Dakota divideo
4 Land	4		by Total = Factor)
5 Other assets (Attach detail)	5		
6 Rented property (Annual rental x 8)	6	(BL)	
7 Total Property (Add lines 1 through 6) (BH)	7	(BA)	
Payroll Factor:			
8 Wages, salaries, commissions and other compensation of employees which were included in the Federal Form 1120. (If the amount reported in Column (2) does not agree with the total compensation reported for North Dakota unemployment insurance purposes, attach an explanation		(BC)	
explanation)(BJ)	0		
Sales Factor: 9 Gross receipts or sales, less returns and allowances	9		
10 Sales delivered/shipped or assignable to North Dakota des	stinations (BN	<i>I</i>) 10	
11 Sales shipped from North Dakota to:			
 (a) The United States Government (b) Purchasers in a state or foreign country where the tax was not subject to a net income tax or a tax measure 	kpayer	11a	
net income or, if subject, did not actually pay such ta		11b	
12 Total sales (Add lines 9 through 11) (BK) 1	12	(BE)	
13 Sum of factors (Add lines 7, 8 and 12)			13
14 Divide line 13 by the number of factors having an amount gro	aatar than zaro in colum	n 1 on lines 7	
8 and 12 (Enter factor here and on page 1, line 5)			14



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Schedule TC: Tax credits

Name as shown on return

	This schedule is to be used by all corporations regardless of filing method.					
line	porations filing a consolidated North Dakota tax return, i.e., those corporations using filing meth 1, report each corporation's separate credits on Schedule CR, Part I, line 19 under each corporat on Schedule CR, Part III - Tax Credits. Report the total allowable credit(s) here.	od b1 or c1 on page 1, tion's separate column,				
1	Contributions to nonprofit private colleges credit	(LK) 1				
2		(LL) 2				
3	Contributions to nonprofit private primary schools credit	(EL) 3				
4	Geothermal, solar, wind, biomass energy device credits generated prior to January 1, 2015 (<i>Attach worksheet</i>)	(LM) 4				
5	Wind energy device credit generated after December 31, 2014 (Attach worksheet)	(EW) 5				
6	Employment of individuals with developmental disabilities or chronically mentally ill credit	(LX) 6				
7	Research and experimental expenditure credits generated by taxpayer (Attach worksheet)	(LY) 7				
8 9	Research and experimental expenditure credits purchased by taxpayer (<i>Attach worksheet</i>) Wage and salary credit for a new industry (<i>Attach worksheet</i>)	(TO) 8 (AK) 9				
	Payment to a certified nonprofit development corporation credit					
		(RC) 11				
	Biodiesel or green diesel fuel production credit (<i>Attach worksheet</i>)					
	Soybean and canola crushing equipment costs credit (Attach worksheet)					
	Seed capital business investment credit (Attach documentation)					
	Biodiesel or green diesel fuel blending credit (Attach worksheet)					
	Biodiesel or green diesel fuel sales equipment costs credit (Attach worksheet)					
	Agricultural commodity processing facility investment credit (Attach documentation)					
	Endowment fund contribution credit (Attach documentation)	(TG) 18				
		(TH) 19				
	Internship employment credit (Attach worksheet)	(TI) 20				
	Angel fund investment credit (Attach documentation)					
22	Angel fund investment credit purchased carried forward (Attach Form CTS)					
		(TW) 23				
	Wages paid to a mobilized military employee credit (Attach Schedule ME)					
	Housing Incentive Fund credit (Attach documentation)					
	Automation manufacturing equipment purchase credit (Attach documentation)					
	Contributions to Rural Leadership ND scholarship tuition program credit					
28	Total tax credits (Add lines 1 through 27. Enter amount here and on page 1, line 19)	28				
	nedule WW: Combined report method income schedule s schedule is to be used by all corporations using filing methods b or b1 on Page 1, Lir	ne 1.				
1	Federal taxable income (Consolidated Federal Form 1120, line 30)	(LP) 1				
2	Taxable income or loss included on line 1 from nonunitary corporations (Attach worksheet)	(WN) 2				
3	Balance (Subtract line 2 from line 1)	3				
4	Taxable income or loss not included on line 1 from unitary corporations required to file a federal income tax return <i>(Attach worksheet)</i>	(WU) 4				
	Book income before income taxes of unitary foreign corporations (Attach worksheet)					
6	Optional: Book to tax reconciliation (Attach worksheet)	6				
		(WF) 7				
	Income or loss from Foreign Sales Corporations and Interest Charge DISCs (Attach worksheet)	8				
	Income or loss from Internal Revenue Code of 1986, as amended, Section 936 Possession Corporations					
10	Intercompany eliminations for members of the unitary group (Attach worksheet)	10				

11 Total income (Add lines 3, 4, 7, 8 and 9 then subtract line 10. Enter amount here and on Form 40, page 1, line 1, and mark circle b or b1 on page 1, line 1) ----- (WW) 11_

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Schedule WE: Water's edge method income schedule		Worksheets
1 Federal taxable income (Consolidated Federal Form 1120, line 30) (L2	2) 1	containing
2 Income or loss not included in line 1 from affiliated corporations required to file a federal income tax return (<i>Attach worksheet</i>)	2	details of lines 2, 3, 4 and 5 are required
3 Income or loss from Foreign Sales Corporations and Interest Charge DISCs (Attach worksheet)	3	
4 Taxable income or loss from Section 936 Possession Corporations and total income of includable foreign affiliates (<i>Attach worksheet</i>)	4	
5 Reversal of intercompany eliminations between water's edge corporations and non-water's edge corporations (<i>Attach worksheet</i>)	5	
6 Intercompany eliminations for water's edge group corporations (Attach worksheet)	6	
7 Total foreign dividends included in lines 1 through 5 (Attach worksheet)	7	
8 Taxable income or loss included on lines 1 or 2 from 80/20 corps. (Attach worksheet)	8	
9 Balance (Add lines 1-5 then subtract lines 6, 7 and 8)		9
10 Foreign dividends to be included in water's edge income (Multiply line 7 by 30%)		10
11 Total net book income of 80/20 corporations (Attach worksheet)	11	
12 Net book income of 80/20 corporations to be included in water's edge income (Multiply line 11 by 30%)		12
13 Total water's edge income (Add lines 9, 10 and 12. Enter amount here and on Form 40, page 1, line 1, and mark circle c or c1 on page 1, line 1)		(WE) 13

– Water's edge method election instructions.

A corporation required to file its North Dakota return using the worldwide unitary combined report method must do so unless it elects to apportion its income using the water's edge method.

A corporation elects and maintains the water's edge method election by marking the circle entitled "Water's Edge Method" (C or C1) on page 1, line 1, and completing Schedule WE. A corporation electing the water's edge method must comply with all of the following

- The election must be made on the return as originally and timely filed;
- The water's edge election is binding for five consecutive taxable years upon making the election. Each subsequent year the water's edge circle is marked does NOT constitute a new five year election; and

Any affiliated unitary foreign or domestic corporation that has income from North Dakota sources and is excluded from the water's edge group because it has less than twenty percent of its average property and payroll inside the U.S. must file its water's edge return computing its income based on its single company pro forma federal taxable income.

A corporation electing the water's edge method must include only the apportionment factors and statutory adjustments of the water's edge group.

"Water's edge group" includes a U.S. parent corporation, affiliated corporations incorporated in the U.S., excluding 80/20 corporations, affiliated corporations incorporated in a possession of the U.S., IC DISCs, FSCs, export trade corporations and foreign affiliated corporations which meet a defined minimum of U.S. activity.

"Affiliated corporation" means a parent corporation and any corporation of which more than fifty percent of the voting stock is owned directly or indirectly by the parent corporation or another member of the water's edge group.

"Reversal of intercompany eliminations between water's edge corporations and 80/20 corporations" means the reversal of eliminations made between water's edge corporations and 80/20 corporations that are included in the federal consolidated return. Dividends, interest, royalties, capital gains and losses, intercompany profit on sales, etc. between water's edge corporations and 80/20 corporations that have been eliminated in preparing the consolidated federal return must be reversed.

Schedule WE general definitions –

"Intercompany eliminations for water's edge group corporations" are eliminations of intercompany transactions between companies included in the water's edge group.

"80/20 corporation" is a corporation that is incorporated in the U.S., is eligible to be included in the federal consolidated return as defined in N.D.C.C. § 57-38.4-01(5) and has 20 percent or less of its average property and payroll for the tax year assigned to locations inside the fifty states, the District of Columbia, and possessions of the United States.

"Foreign dividends" means any dividend received by a member of the water's edge group from any affiliated corporation incorporated outside the fifty states and District of Columbia, including amounts included in income computed under sections 951 through 954 of the Internal Revenue Code (IRC) of 1986, as amended. IRC section 78 gross up is not a foreign dividend.

"Net book income of an 80/20

corporation'' means net book income after taxes for financial statement purposes. However, a corporation's net book income cannot be offset by a net book loss from another 80/20 corporation.

"Rescission of a water's edge election". A corporation's water's edge election is rescinded if:

- It has had more than 50% of its voting stock acquired by a nonaffiliated corporation;
- It was formed as the result of a reorganization or spinoff and is no longer a member of the water's edge group; or
- It is completely liquidated. The water's edge election of any corporation receiving liquidated assets is not affected.

Additional Information Regarding The Water's Edge Method Is Contained In N.D.C.C. ch. 57-38.4 and N.D. Admin. Code ch. 81-03-05.2

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Schedule CR, Part I:	Computatio	on of tax due for corpo	prations included in a	North Dakota conse	olidated return
Corj	poration Na	me of corporation		Federa	I Employer I.D.
List only corporations apportioning income to North Dakota (i.e.,	A > _			►	
include companies	в 🕨			>	
having a factor greater than -0- in North	<u> </u>			►	
Dakota)	с _		Corporation A	Corporation B	Corporation C
				corporation b	corporation c
			(name)	(name)	(name)
			FEIN	FEIN	FEIN
			▶	> >	•
			Business Code	Business Code	Business Code
4 North Dakota appo Columns A, B & C a		e (Enter amount in page 1, line 4)	(CX) 4		- <u> </u>
5 Apportionment fact	or <i>(Enter factor</i>	from Part II, line 15)	(LE) 5		<u>-</u>
6 Income apportione	d to North Dake	ota (Line 4 multiplied by line	e 5) 6		
		\$ less			
related expenses \$			(LF) 7		
8 North Dakota incom	ne (Add lines 6	and 7)			
9 Exemption for new	and expanding	business (Attach workshee	t) (CL) 9		
10 Renaissance zone in	ncome exempti	on	(RE) 10		
11 ND income after in <i>from line 8)</i>	come exemption	ns (Subtract lines 9 and 10	11		
12 North Dakota loss of	carryforward (A	ttach worksheet)	(LH) 12		
		e 11)			
14 Gross proceeds allo	cated to ND fro				
		instructions)			
16 Income tax due (Se	ee tax rate tabl	e on Form 40, page 1)			
17 Surtax on water's e	edge method ele	ection (3.5% of line 15)			
18 Total income tax du	ue (Add lines 10	6 and 17)			
19 Tax credits (Enter of	each company's	credits from Schedule CR,	(47) 10		
		ine 19 from line 18)			
	-	nts on line 20, for all corpo			
		s 21 through 23, on page 1			a

Instructions for consolidated return using the combined report method

All corporations filing a consolidated North Dakota return (i.e. unitary groups including more than one company on this return) must complete the three parts of Schedule CR and attach the completed schedule to Form 40 when filed.

Space has been provided for three corporations (corporations A, B & C) having activity within North Dakota. If

space is needed for additional corporations having activity within North Dakota, additional copies of Schedule CR can be obtained by photocopying both parts of this original schedule or by printing additional copies from our web site at www.nd.gov/tax.

Complete page 1, lines 1-4 before starting to complete Schedule CR, part I.

Schedule CR has been designed so the instructions for Form 40 in the booklet also apply to the line numbers on Schedule CR. For example, the instructions for page 1, lines 5-20 also apply to Schedule CR, part I, lines 5-20.

After completing Schedule CR, part I, total lines 5 through 19 and enter each total on the corresponding line on page 1.

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Schedule CR, Part II: Computation of factor for corporations filing a North Dakota consolidated return using the combined report method

(Use 6-digit
decimal only)

Property Factor:		Nor	rth Dakota Average Prope	erty ———
Average value at original cost of real and tangible personal property used in the business. <i>(Exclude value of construction in</i> <i>progress)</i>	Everywhere Average Property o All Corporations		Corporation B	Corporation C
Average Property:	Being Combined	(name)	(name)	(name)
		FEIN	FEIN	FEIN
1 Inventories	1			
2 Buildings and other depreciable assets	2			
3 Depletable assets	3			
4 Land	4			
5 Other assets (Attach detail)	5			
6 Rented property (Annual rental x 8)	6	(BL)		
7 Total average property (Add lines 1 through 6) (BH)	7			
7a Property factor (<i>Divide ND total average proper</i> everywhere average property)		7a		
7b Total property factor (Add amounts on line 7a,	columns A, B & C)		7b _	
Payroll Factor: Wages, salaries, commissions and other compensation of employees which were included in the Federal Form 1120.	Everywhere Payroll All Corporations Being Combined	Corporation A	— North Dakota Payroll – Corporation B	Corporation C
8 Payroll (BJ)	8	(BC)		
8a Payroll factor (Divide total ND payroll by total of	everywhere payroll)			
8b Total payroll factor (Add amounts on line 8a, c				
Sales Factor: Gross receipts or sales, less returns and allowance.	Everywhere Sales All Corporations Being Combined		– North Dakota Sales —	
9 Everywhere sales	0	Corporation A	Corporation B	Corporation C
10 Sales delivered/shipped or assignable to North destinations		10		
11 Sales shipped from North Dakota to:				
(a) The United States Government	1	1a		
(b) Purchasers in a state or foreign country wh was not subject to a net income tax or a ta net income, or if subject, did not actually p	ax measured by	1b		
12 Total Sales (Add lines 9 through 11b) (BK) 1				
13a Sales Factor (<i>Divide total ND sales by total eve</i>				
13b Sales Factor (Add amounts on line 13a, column				
14 Sum of the factors (<i>Add lines 7a, 8a and 13a</i>)				
14 Sum of the factors (<i>Add lines 7a, 8a and 13a</i>) 15 Apportionment Factor (<i>Divide line 14 by the</i>		IT		
having an amount greater than zero in the eve on lines 7, 8 and 12) (Enter factor here and or Part I, line 5.)	rywhere column n Schedule CR,	15		
15a Total factor <i>(Add amounts on lines 7b, 8b and 3</i>				
total amount here and on page 1, line 5)		,,		



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Schedule CR, Part III: Tax credits for corporations filing a North Dakota consolidated return using the combined report method

	C	Corporation A	Corporation B	Corporation C
		(name)	(name)	(name)
		FEIN	FEIN	FEIN
1 Contributions to popprofit private colleges gradit	(IK) 1			
 1 Contributions to nonprofit private colleges credit 2 Contributions to nonprofit private high schools credit 				
3 Contributions to nonprofit private primary schools credit				
4 Geothermal, solar, wind, biomass energy device credits generated prior to January 1, 2015 (Attach worksheet)				
5 Wind energy device credit generated after December 31, 2014 (Attach worksheet)				
6 Employment of individuals with developmental disabilities or chronically mentally ill credit	(LX) 6_			
7 Research and experimental expenditure credits generated by taxpayer (Attach worksheet)	(LY) 7_			
8 Research and experimental expenditure credits purchased by taxpayer (Attach worksheet)				
9 Wage and salary credit for a new industry (Attach worksheet)	(AK) 9_			
10 Payment to a certified nonprofit development corporation credit	(AG) 10			
11 Renaissance Zone credits (Enter amount from Schedule RZ and attach)	(RC) 11 _			
12 Biodiesel or green diesel fuel production credit (Attach worksheet)	(LO) 12_			
13 Soybean and canola crushing equipment costs credit (Attach worksheet)	(TB) 13 _			
14 Seed capital business investment credit (Attach documentation)	(TS) 14_			
15 Biodiesel or green diesel fuel blending credit (Attach worksheet)	(TD) 15_			
16 Biodiesel or green diesel fuel sales equipment costs credit (Attach worksheet)	(TF) 16_			
17 Agricultural commodity processing facility investment credit (Attach documentation)	(TE) 17_			
18 Endowment fund contribution credit (Attach documentation)	(TG) 18_			
19 Microbusiness investment and employment credit <i>(Attach worksheet)</i> a. total amount of new investment (TL)				
b. total amount of new employment (TM)	(TH) 19_			
20 Internship employment credit (Attach worksheet)	(TI) 20_			
21 Angel fund investment credit (Attach documentation)	(TJ) 21_			
22 Angel fund investment credit purchased carried forward (Attach Form CTS)				
23 Workforce recruitment credit (A <i>ttach worksheet</i>) a. Number of qualified employees hired (TT)	(TW) 23_			
24 Wages paid to a mobilized military employee credit (Attach Sch. ME)	(TQ) 24_			
25 Housing incentive fund credit (Attach documentation)				
26 Automation manufacturing equipment purchase credit				
27 Contributions to Rural Leadership ND scholarship tuition program credit				
28 Total tax credits (<i>Add lines 1 through 27. Enter amount here and on page 6, line 19</i>)	28_			