



Application for Tax Credit on Qualified Property (Tax Code, Chapter 313, Subchapter D)

Form 50-300
(Revised May 2010)

IRAAN-SHEFFIELD ISD
School district name
100 AVENUE L IRAAN, TX 79781
Address

2008
First complete year of qualifying time period
432-836-4690
Phone (Area code and number)
3/15/2011
Application filing date

This application is for credit for school district maintenance and operations taxes paid on the portion of value in excess of the value limit under Tax Code Chapter 313 Subchapter B or C, during the two complete tax years of the qualifying time period. File this completed application with the school district no earlier than the date the property taxes are paid for the last year of the qualifying time period. The school board must determine eligibility of this applicant.

STEP 1: APPLICANT NAME AND ADDRESS

Only entities that received an appraised value limitation under Tax Code Chapter 313 Subchapter B or C are eligible for this tax credit.

SHERBINO I WIND FARM LLC

Applicant's name

C/O PROPERTY TAX P.O. BOX 3092

Mailing address

32033711394

Texas Taxpayer I.D. Number (11 digits)

KERRY ALBRIGHT

Name of person preparing this application

281.366.3418

Phone (area code and number)

HOUSTON, TX

City, State

4051-0-100100

Appraisal district account number

PROPERTY TAX REPRESENTATIVE

Title

77253-3092

ZIP Code + 4

STEP 2: PROVIDE ATTACHMENTS AND SUPPLEMENTS

Attach the following items to this application:

1. A copy of report from the local county appraisal district (CAD) reflecting both the market value before any exemptions, and taxable value of the qualified property for each complete tax year of the qualifying time period.
2. A copy of receipts for M&O and I&S taxes paid on qualified property during the first two years of the qualifying time period.
3. Schedule A—updated for all years from amounts in application schedule.
4. Schedule B—updated for all years from amounts in application schedule.
5. Schedule C—Tax Credit.

Note: Excel spreadsheet versions of Schedules are available for downloading and printing at URL listed below.

STEP 3: SHOW TAX CREDIT AMOUNT

1. Taxable Value of Property for the purpose of School M&O tax
2. Limitation Value of Property under Agreement
3. School District Maintenance and Operations Tax Rate
4. Total Maintenance and Operations Taxes Paid
5. M&O Tax Obligation under Limited Value ((Line 2 Amount/100) x Line 3)
6. Tax Credit for which you are applying (Line 4 - Line 5)
7. Total Tax Credit (Sum of Line 6 Year 1 and Year 2 amounts)

	Year 1	Year 2
1. Taxable Value of Property for the purpose of School M&O tax	\$1,250,000	\$174,154,000
2. Limitation Value of Property under Agreement	\$20,000,000	\$20,000,000
3. School District Maintenance and Operations Tax Rate	1.04	1.04
4. Total Maintenance and Operations Taxes Paid	\$12,610	\$1,774,977.57
5. M&O Tax Obligation under Limited Value ((Line 2 Amount/100) x Line 3)	208,000	\$208,000
6. Tax Credit for which you are applying (Line 4 - Line 5)	-0-	\$1,566,977.57
7. Total Tax Credit (Sum of Line 6 Year 1 and Year 2 amounts)		\$1,566,977.57

STEP 4: SIGN AND DATE APPLICATION

By signing this application, you certify that this information is true and correct and that you are in full compliance with the terms of the attached agreement to the best of your knowledge and belief.

print
here

KERRY ALBRIGHT

Name of authorized company officer

sign
here

Kerry Albright
Signature of authorized company officer

PROPERTY TAX REPRESENTATIVE

Title

3/15/2011

Date

On behalf of

Name of corporation/company

If you make a false statement on this application, you could be found guilty of a class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.

RESOLUTION

DETERMINING ELIGIBILITY FOR TAX CREDIT PURSUANT TO TEXAS TAX CODE § 313.104

STATE OF TEXAS §

COUNTY OF PECOS §

WHEREAS, on May 26, 2007, the Superintendent of Schools of the Iraan-Sheffield Independent School District, acting as agent of the Board of Trustees of the District (the "Board of Trustees"), received from BP Alternative Energy North America Inc. an Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, on October 17, 2007, the Superintendent of Schools of the Iraan-Sheffield Independent School District acting as agent of the Board of Trustees received an Amended Application from the Applicant; and,

WHEREAS, on October 19, 2007, the Superintendent of Schools of the Iraan-Sheffield Independent School District, acting as agent of the Board of Trustees, received from BP Alternative Energy North America Inc. an Amended Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code (which, together with the Original Application filed on May 26, 2007 and the Amended Application on October 17, 2007, will be hereinafter collectively referred to as the "Application"); and,

WHEREAS, the Application was delivered to the Texas Comptroller's Office for review pursuant to Texas Tax Code § 313.025(d); and,

WHEREAS, the Application was reviewed by the Texas Comptroller's Office pursuant to Texas Tax Code § 313.025(d); and,

WHEREAS, the Board of Trustees acknowledged receipt of the Application, along with the requisite application fee as established pursuant Texas Tax Code § 313.025(a)(1) and the District's Local District Policy CCG (Local); and,

WHEREAS, the Board of Trustees caused to be conducted an economic impact evaluation pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, the Board of Trustees reviewed the economic impact evaluation pursuant to Texas Tax Code § 313.026 and has carefully considered such evaluation; and,

IRAAN-SHEFFIELD INDEPENDENT SCHOOL DISTRICT
Resolution Granting Tax Credit to BP Alternative Energy North America Inc.

January 23, 2012
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WHEREAS, the Application was reviewed by the Pecos County Appraisal District established in Pecos County, Texas (the "Pecos County Appraisal District"), pursuant to Texas Property Tax Code § 6.01; and,

WHEREAS, on November 12, 2007, the Board of Trustees conducted a public hearing on the Application at which it solicited input into its deliberations on the Application from all interested parties within the District; and,

WHEREAS, on November 12, 2007, the Board of Trustees made factual findings pursuant to Texas Tax Code § 313.025(f), including, but not limited to findings that: (i) the information in the Application is true and correct; (ii.) this Agreement is in the best interest of the District and the State of Texas; (iii.) the Applicant is eligible for the Limitation on Appraised Value of the Applicant's Qualified Property; (iv.) each criterion listed in Texas Tax Code § 313.025(e) has been met; and, (v.) if the job creation requirement set forth in Texas Tax Code § 313.051(b) (i.e. 10 jobs) was applied, for the size and scope of the project described in the Application, the required number of jobs would exceed the industry standard for the number of employees reasonably necessary for the operation of the facility; and

WHEREAS, on November 12, 2007, the Board of Trustees of the Iraan-Sheffield Independent School District approved an Agreement for Limitation on Appraised Value of Property for Maintenance and Operations Taxes with BP Alternative Energy North America Inc.; and,

WHEREAS, after examining the tax rolls of the Pecos County Appraisal District; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by BP Alternative Energy North America Inc., the Board has determined that during the Qualifying Time Period, running from January 1, 2008 through December 31, 2009, BP Alternative Energy North America Inc. made a Qualifying Investment as defined by Texas Tax Code § 313.021 in the amount of at least Ten Million Dollars for the purposes of manufacturing in accordance with the provisions of Texas Tax Code § 313.024(b)(1); and,

WHEREAS, after examining the November 12, 2007 Agreement; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by BP Alternative Energy North America Inc., the Board has determined that BP Alternative Energy North America Inc. is, in all other respects, in compliance with the terms of the aforesaid Agreement; and,

WHEREAS, after examining Comptroller's State Franchise Tax records, the Board has determined that, at the time of the adoption of this Resolution, BP Alternative Energy North America Inc., is in good standing with respect to its franchise tax obligations; and,

WHEREAS, the total amount of maintenance and operations ad valorem taxes that were imposed on the portion of the appraised value of the Qualified Property that exceeded the

amount of the limitation agreed to by the governing body of the school district under Texas Tax Code Section 313.027(a)(2) in the applicable Qualifying Time Period that BP Alternative Energy North America Inc. has paid to the District has been ONE MILLION FIVE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED SEVENTY-SEVEN DOLLARS AND FIFTY-SEVEN CENTS (\$1,566,977.57); and,

WHEREAS, as of the date of the approval of this Resolution, BP Alternative Energy North America Inc. has not relocated its business outside of the District; and,

WHEREAS, BP Alternative Energy North America Inc. has filed an application for a tax credit in accordance with the provisions of Texas Tax Code § 313.103; and,

WHEREAS, the application for tax credit filed by BP Alternative Energy North America Inc. was: (1) made on the form prescribed for that purpose by the Texas Comptroller of Public Accounts; (2) was verified by BP Alternative Energy North America Inc.; (3) was accompanied by tax receipts from the collector of taxes for the District showing full payment of District all ad valorem taxes on the Qualified Property for the applicable Qualifying Time Period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Iraan-Sheffield Independent School District as follows:

1. The application made by BP Alternative Energy North America Inc., for a tax credit pursuant to Texas Tax Code § 313.103 in the total amount of ONE MILLION FIVE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED SEVENTY-SEVEN DOLLARS AND FIFTY-SEVEN CENTS (\$1,566,977.57); is approved by the adoption of this Resolution.
2. Beginning with the Tax Year 2011, which is the tax year next following the tax year in which the Tax Credit Application is approved, and in each of the subsequent six (6) tax years (ending in Tax Year 2017), the District's collector of taxes is directed to credit against the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser amount of either: 1.) TWO HUNDRED TWENTY-THREE THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS AND NINETY-FOUR CENTS (\$223,853.94) (An amount equal to one-seventh of the total amount of tax credit to which BP Alternative Energy North America Inc. is entitled under Section 313.102); or, 2.) Fifty Percent (50%) of the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that tax year.
3. In addition to the foregoing, in the Tax Years 2017 through 2019, (The first three tax years after BP Alternative Energy North America Inc.'s eligibility for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code, expires), the District's collector of taxes is directed to credit against the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser of either: 1.) any remainder of the ONE MILLION FIVE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED

SEVENTY-SEVEN DOLLARS AND FIFTY-SEVEN CENTS (\$1,566,977.57); tax credit balance which was not paid under paragraph 2, above: or, 2.) the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that tax year.

4. Prior to making any tax credit payments under Sections (2) or (3), above, the District's Superintendent is directed to determine whether BP Alternative Energy North America Inc. has relocated outside the District, and has otherwise met its obligations under the Agreement; under State law; and under applicable regulations promulgated either by the Texas Comptroller's Office, or by the Texas Commissioner of Education. In the event that BP Alternative Energy North America Inc. has not met its obligation or has relocated outside the District, no tax credit will be paid for such tax year in which the owner relocates the business outside the school district or the tax years thereafter.

5. If the Texas Comptroller of Public Accounts or the District's tax collector, after providing notice and the opportunity for a response, determine that BP Alternative Energy North America Inc. was either not eligible for the credit or received more credit than it was entitled, then the District shall impose an additional tax on the Qualified Property that is equal to the amount of tax credit that was erroneously taken, plus interest at an annual rate of 7.0% calculated from the date on which the credit was issued. A tax lien attaches to the Qualified Property in favor of the school district to secure payment by the person of the additional tax and interest that are imposed and any penalties incurred. A taxpayer which is delinquent in the payment of an additional tax may not submit a subsequent application or receive a tax credit under this subsection in a subsequent year.

APPROVED, ADOPTED, AND ORDERED on the 23 day of January, 201²

IRAAN-SHEFFIELD INDEPENDENT SCHOOL DISTRICT

By: Margaret Holmes
MARGARET HOLMES, President
Board of Trustees

ATTEST:

By: Joe Rivas
JOE RIVAS, Secretary
Board of Trustees

IRAAN-SHEFFIELD INDEPENDENT SCHOOL DISTRICT

Resolution Granting Tax Credit to BP Alternative Energy North America Inc.

January 23, 201²
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NOTICE OF APPRAISED VALUE

PECOS COUNTY APPRAISAL DISTRICT
 P. O. BOX 237
 FT STOCKTON TX 79735
 (432) 336-7587

BP AMERICA, INC
 Property Tax
 Houston, Texas

MAY 21 2008

FOR QUESTIONS ABOUT THESE VALUES
 CALL LEONARD AMENT @ THOS. Y. PICKETT
 972-387-4944

3356

 BP-SHERBINO I WINDFARM LLC 0004051
 BP PROPERTY TAX DEPT
 P O BOX 3092
 HOUSTON TX 77253

Dear Property Owner:

We have appraised the property listed below for the 2008 tax year. Based on the appraisal date of January 1 of this year, this appraisal is as follows:
 Account Number: 0004051 Property Description: **SEE REVERSE AND/OR ATTACHED SHEETS**

Appraisal Information	Last Year	Proposed This Year
Personal Property Appraised Value	0	15,548,450 ✓

Taxing Units	Last Year's Taxable Value	This Year's Exemptions	This Year's Taxable Value (Less Exemptions)	Estimated Tax Rate	Tax Estimate
371 PECOS COUNTY	0	0	15,548,450	.59350	92280.05
S 2 FORT STOCKTON ISD	0	0	14,298,450	1.11910	160013.95
S 3 IRAAN-SHEFFIELD ISD	0	0	1,250,000	1.04000	13000.00
C 2 CITY OF FT STOCKTON	0	0	14,298,450	.48540	69404.68
M25 MIDDLE PECOS GROUNDWATER DIST	0	0	15,548,450	.00870	1352.72
M3H3 IRAAN GENERAL HOSP DISTRICT	0	0	1,250,000	.23970	2996.25
					339047.65

The school tax relief measures enacted by the 79th Legislature may affect this year's school tax rate. The governing body of each unit -- school board, county commissioners, and so on -- decides whether property taxes increase. The appraisal district only determines your property's value and eligibility for exemptions. The taxing units will set tax rates later this year.

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

THIS IS NOT A TAX BILL - DO NOT PAY

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problems with the property description or address information. If the problem cannot be resolved, you have a right to appeal to the Appraisal Review Board (ARB). To appeal, you must file a WRITTEN protest with the ARB by JUNE 16 2008.

Enclosed is a protest form to send the appraisal district office at the above address. You may mail this form or bring it to the appraisal office before the above date. The ARB will notify you of the date, time, and place of your scheduled hearing. The ARB will begin hearings on 07/01/2008 at 9:00 AM PROTESTS HEARD ON A FIRST COME BASIS 201 S. MAIN, FT. STOCKTON, TEXAS.

Enclosed also is information to help you in preparing your protest. You do not need to use the enclosed form to file your protest. You may protest by letter, if it includes your name, your property's description, and what appraisal office action you disagree. If you do not plan to appear in person, you must submit a notarized affidavit that defines your protest.

If you have any other questions or need more information, please contact the appraisal office at the phone number or address listed above.

Sincerely,

SAM CALDERON III
 CHIEF APPRAISER

Sherbino - 2008

ORIGINAL

TAX RECEIPT

IRAAN-SHEFFIELD I.S.D.
 PO BOX 547
 100 S FARR
 IRAAN, TX 79744
 432-639-2511

BP AMERICA, INC
 Property Tax
 Houston, Texas

NOV 11 2008

This is a receipt. Do not pay.

Owner ID: M 4051
 BP-SHERBINO I WINDFARM LLC
 %BP PROPERTY TAX DEPT
 P O BOX 3092
 HOUSTON TX, 77253

Parcel Id/Owner Seq: 569330 / 1 Operator RA Suit: N
 Account Number: 0004051-0-0110110 Lease 110110 RRC# Acres: - Cat Code: F2
 Mineral Interest: 1.000000 Legals: REAL NP Mineral Value: \$ 1250000
 Prop Address: CWIP-SHERBINO I WIND FARM
 Prop City/ST/Zip:
 Current Receipt: 433

Homestead Code.

Year	Jurisdiction	Tax Rate	Tax Value	Post Code	Tax	Dis/Pen/Other ^{2%}	Total Amount
2008	IRAAN-SHEFFIELD I.S.D.	1.040000	\$1,250,000	P	\$13,000.00	(\$390.00)	\$12,610.00
2008 Year Totals					\$13,000.00	(\$390.00)	\$12,610.00
Parcel Totals:					\$13,000.00	(\$390.00)	\$12,610.00

DPI Year/Month: 200810 Payment Ref Totals: \$13,000.00 (\$390.00) \$12,610.00
 Clerk: ANITA Paid By: E WILLIAM Payment Type: Check Payment Ref No: 1514950677
 Effective Payment Date: 11/04/2008 Deposit Date: 11/04/2008

Additional Fees:

Grand Totals: \$13,000.00 (\$390.00) \$12,610.00

13,000 ^{2%} (260.00) 12,740.00

Sherbino - 2008

NOTICE OF APPRAISED VALUE

PECOS COUNTY APPRAISAL DISTRICT
 P. O. BOX 237
 FT STOCKTON TX 79735
 (432) 336-7587

FOR QUESTIONS ABOUT THESE VALUES
 CALL LEONARD AMENT AT THOS. Y PICKETT
 972-387-4944

BP AMERICA, INC
 Property Tax
 Houston, Texas

JUL 1 2009

BP-SHERBINO I WINDFARM LLC 0004051
 *BP PROPERTY TAX DEPT
 P O BOX 3092
 HOUSTON TX 77292-3092

Dear Property Owner:

We have appraised the property listed below for the 2009 tax year. Based on the appraisal date of January 1 of this year, this appraisal is as follows:
 Account Number: 0004051 Property Description: **SEE REVERSE AND/OR ATTACHED SHEETS**

Appraisal Information	Last Year	Proposed This Year
Personal Property Appraised Value	14,298,450	174,154,000

Taxing Units	Last Year's Taxable Value	This Year's Exemptions	This Year's Taxable Value (Less Exemptions)	Estimated Tax Rate	Tax Estimate
371 PECOS COUNTY 2789	14,298,450	174,154,000	0	.56000	.00
S 3 IRAAN-SHEFFIELD ISD 6334	14,298,450	0	174,154,000	1.04000	1811201.60
M25 MIDDLE PECOS GROUNDWATER DIST 6500	14,298,450	0	174,154,000	.00660	11494.16
M3H3 IRAAN GENERAL HOSP DISTRICT	14,298,450	0	174,154,000	.17870	311213.20
<i>ON certified roll hospital shows exemption per Sam Calderon.</i>					2133908.96

The school tax relief measures enacted by the 79th Legislature may affect this year's school tax rate. The governing body of each unit -- school board, county commissioners, and so on -- decides whether property taxes increase. The appraisal district only determines your property's value and eligibility for exemptions. The taxing units will set tax rates later this year.

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

THIS IS NOT A TAX BILL - DO NOT PAY

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problems with the property description or address information. If the problem cannot be resolved, you have a right to appeal to the Appraisal Review Board (ARB). To appeal, you must file a WRITTEN protest with the ARB by JUNE 20, 2009.

Enclosed is a protest form to send the appraisal district office at the above address. You may mail this form or bring it to the appraisal office before the above date. The ARB will notify you of the date, time, and place of your scheduled hearing. The ARB will begin hearings on 7/7/2009 at 9:00 AM PROTESTS HEARD ON A FIRST COME BASIS 201 S. MAIN, FT. STOCKTON, TEXAS.

Enclosed also is information to help you in preparing your protest. You do not need to use the enclosed form to file your protest. You may protest by letter, if it includes your name, your property's description, and what appraisal office action you disagree. If you do not plan to appear in person, you must submit a notarized affidavit that defines your protest.

If you have any other questions or need more information, please contact the appraisal office at the phone number or address listed above.

Sincerely,

SAM CALDERON III
 CHIEF APPRAISER

Sherbino - 2009

ORIGINAL

REGOS COUNTY TAX OFFICE
 COURTHOUSE ANNEX
 200 S. NELSON ST
 FORT STOCKTON, TX 79735
 (432)336-3386

TAX RECEIPT
 BP AMERICA, INC
 Property Tax
 Houston, Texas
 NOV 16 2009

This is a receipt. Do not pay.

Owner ID: M 4051
 BP-SHERBINO I WINDFARM LLC
 %BP PROPERTY TAX DEPT
 P O BOX 3092
 HOUSTON TX, 77292-3092

Parcel Id/Owner Seq: 566449 / 1 Operator RA Suit: N
 Account Number: 4051-0-100100 Lease 100100 RRC# Acres: - Cat Code: L4
 Mineral Interest: 1.000000 Legals: REAL NP Mineral Value: \$ 174154000
 Prop Address: SHERBINO I WIND FARM-150MW
 Prop City/State/Zip:
 Current Receipt: 11473

Homestead Code:

Year	Jurisdiction	Tax Rate	Tax Value	Post Code	Tax	Dis/Pen/Other	Total Amount
2009	IRAAAN-SHEFFIELD I.S.D.	1.040000	\$174,154,000	P	\$1,811,201.60	(\$36,224.03) ^{2%}	\$1,774,977.57
2009 Year Totals					\$1,811,201.60	(\$36,224.03)	\$1,774,977.57
Parcel Totals:					\$1,811,201.60	(\$36,224.03)	\$1,774,977.57

DPI Year/Month: 200911 Payment Ref Totals: \$1,811,201.60 (\$36,224.03) \$1,774,977.57
 Clerk: Dellanira Paid By: SUNTRUST Payment Type: Check Payment Ref No: 115763903/M
 Effective Payment Date: 11/06/2009 Deposit Date: 11/06/2009

Additional Fees

Grand Totals: \$1,811,201.60 (\$36,224.03) \$1,774,977.57

1,811,201.60 (54,336.05)^{3%} 1,756,865.55

Sherbino - 2009