

Data Adequacy Supplement

Attachment G

Water Resources

Part 4: 874 AFY Water Rights

(A portion of this attachment is submitted under separate confidential cover.)

STEWART TITLE - Riverside
COMMERCIAL DIVISION

TITLE ORDER: 1-11-297453
ESCROW NO: 60143846
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Harper Lake, LLC
13911 Park Avenue, Suite 206
Victorville, CA 92392

Recorded In Official Records, County of San Bernardino



LARRY WALKER
Auditor/Controller - Recorder

739 Stewart Title Company

9/07/2006
1:00 PM
88

Doc#: 2006-0612735



Titles: 1 Pages: 5
Fees 20.00
Taxes 0.00
Other 0.00
PAID \$20.00

SPACE ABOVE FOR RECORDER'S USE

AP NO'S: 056103/0400-161-08 & 09
(Unincorporated area)

MEMORANDUM
OF
OPTION AGREEMENT

COPY

This MEMORANDUM OF OPTION AGREEMENT ("Memorandum") is made and effective as of August 30, 2006, by and between Desert View Dairy, a California General Partnership ("Seller"), and Harper Lake, LLC ("Buyer"), with reference to the facts set forth below.

RECITALS

A. Seller owns that certain real property situated in the ^{unincorporated area} ~~City~~ of Hinkley, San Bernardino County, California, more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Property").

B. Seller and Buyer have entered into that certain Option Agreement between Buyer and Seller dated August 29, 2006 (the "Option Agreement"), pursuant to which Seller has granted to Buyer an exclusive option to purchase the Property on the terms and conditions set forth therein.

NOW THEREFORE, the parties hereto desire to record this Memorandum to give notice of said Option Agreement and the terms thereof, including, without limitation the terms set forth below.

1. Option to Purchase Property. Seller hereby grants to Buyer the option to purchase the Property on the terms and conditions set forth in the Option Agreement as amended from time to time. Under the terms of the Option Agreement, Buyer has the right to exercise the option to purchase the Property until August 30, 2008 ("Option Expiration Date"). Buyer further has the right to extend the Option Expiration Date for three (3) additional periods of six (6) months each.

2. Removal of Memorandum. Buyer has agreed that in the event the Option Agreement expires without Buyers exercise of the Option Buyer will execute such releases, cancellations, quitclaim deeds or other instruments as may be necessary to have this Memorandum cancelled of record.

This document was filed for recording by STEWART TITLE OF CALIFORNIA, INC. INLAND EMPIRE DIVISION as an accommodation only. It has not been examined as to its execution or as to its effect upon the title or its recordability

3. Notice. This Memorandum is being recorded to give notice of the Option Agreement hereinabove described and the terms and conditions contained therein.

4. Binding on Successors. This Memorandum shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors-in-interest and assignees.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

SELLER:

Desert View Dairy, a California General Partnership

By: *Hugo N. Van Vliet*
Its: General Partner HUGO NICHOLAS VAN VLIET

By: *Paul Ryken*
Its: General Partner PAUL RYKEN

BUYER:

Harper Lake, LLC

By: *Henry Chlosky*
Its: Manager HENRY CHLOSKY

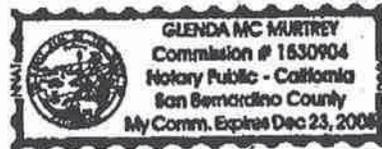
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

On AUGUST 31, 2006, before me, GLEND A MC MUR TREY, a Notary Public, personally appeared HUGO NICHOLAS VAN VLIET [~~personally known to me~~] or [proved to me on the basis of satisfactory evidence] to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Glenda Mc Murtreay*
GLEND A MC MUR TREY, Notary Public

(SEAL)



MY COMMISSION EXPIRES: 12-23-08

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

On 8-30, 2006, before me, VERONICA LOPEZ, a Notary Public, personally appeared Henry Olasky [personally known to me] or [proved to me on the basis of satisfactory evidence] to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Veronica Lopez*
VERONICA LOPEZ, Notary Public

(SEAL)



MY COMMISSION EXPIRES: 3-13-08

This document was filed for recording by STEWART TITLE OF CALIFORNIA, INC. INLAND EMPIRE DIVISION as an accommodation only. It has not been examined as to its execution or as to its effect upon the title or its recordability

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN BERNARDINO

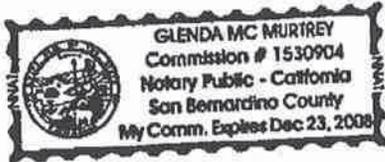
} ss.

On AUGUST 31, 2006, before me, GLENDA MC MURTREY, NOTARY PUBLIC
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared PAUL RYKEN
Name(s) of Signer(s)

personally known to me

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above
MY COMMISSION EXPIRES: 12-23-08

Glenda Mc Murtry
Signature of Notary Public
OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: MEMORANDUM OF OPTION AGREEMENT

Document Date: AUGUST 30, 2006 Number of Pages: FIVE

Signer(s) Other Than Named Above: HUGO NICHOLAS VAN VLIET

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
Signer Is Representing: _____



Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
Signer Is Representing: _____



EXHIBIT "A"
LEGAL DESCRIPTION
(The Property)

ATTACH TO MEMORANDUM OF OPTION
AGREEMENT

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO, UNINCORPORATED AREA, DESCRIBED AS FOLLOWS:

PARCEL NO: 1:

THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL NO: 2:

THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

ASSESSOR'S PARCEL NO'S:

056-103 / 0490-161-08

056-103 / 0490-161-09

(Unincorporated area)

This document was filed for recording by STEWART TITLE OF CALIFORNIA, INC. INLAND EMPIRE DIVISION as an accommodation only. It has not been examined as to its execution or as to its effect upon the title or its recordability.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL NO. 1:

THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL NO. 2:

THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**STEWART TITLE - Riverside
COMMERCIAL DIVISION**



LARRY WALKER
Auditor/Controller - Recorder
739 Stewart Title Company

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mirau Edwards Cannon Lewin & Tooke
Attn: Michael J. Lewin, Esq.
1806 Orange Tree Lane, Suite C
Redlands, CA 92374-2821

Doc #: **2007-0285179**



Titles: **1** Pages: **3**
Fees _____
Taxes _____
Other _____
PAID _____

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

**ASSIGNMENT OF OPTION
(DESERT VIEW DAIRY)**

In consideration of the sum of [REDACTED] Dollars [REDACTED] in hand paid, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned Assignor, as optionee under that certain Option Agreement dated August 29, 2006, executed by the undersigned Assignor and on behalf of Desert View Dairy, a California general partnership, as optionor, hereby assigns to Solucar Inc., a Delaware corporation, as Assignee, all of Assignor's rights under the Option Agreement, relative to the real property described in the attached Exhibit "A", incorporated herein and made a part hereof by this reference. Assignee hereby acknowledges receipt of a copy of the Option Agreement. Assignee shall undertake and perform the obligations of the optionee under the Option Agreement, and Assignor agrees to execute any further documents reasonably necessary to Assignee's acquisition of and ability to exercise the option granted in the Option Agreement.

111 411 776

EGS
W.D.
Dated: ^{MAY} April 9, 2007

ASSIGNOR:

Harper Lake LLC, a California limited liability company

By: [Signature]
Name: HENRY ORZBSKY
Its: CEO

A "MEMORANDUM OF OPTION AGREEMENT"
FOR THE OPTION AGREEMENT REFERENCED
ABOVE RECORDED SEPTEMBER 7, 2006
AS INSTRUMENT NO. 2006-0612735 OF
OFFICIAL RECORDS OF SAN BERNARDINO
COUNTY, CALIFORNIA.

ASSIGNEE:

SOLUCAR INC., a Delaware corporation

By: [Signature]
Name: EMILIANA GARCIA SAAZ
Its: CEO - DIRECTOR

STEWART TITLE - Riverside
COMMERCIAL DIVISION

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mirau Edwards Cannon Lewin & Tooke
Attn: Michael J. Lewin, Esq.
1806 Orange Tree Lane, Suite C
Redlands, CA 92374-2821

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

ASSIGNMENT OF OPTION
(DESERT VIEW DAIRY)

In consideration of the sum of [REDACTED] Dollars [REDACTED] in hand paid, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned Assignor, as optionee under that certain Option Agreement dated August 29, 2006, executed by the undersigned Assignor and on behalf of Desert View Dairy, a California general partnership, as optionor, hereby assigns to Solucar Inc., a Delaware corporation, as Assignee, all of Assignor's rights under the Option Agreement, relative to the real property described in the attached Exhibit "A", incorporated herein and made a part hereof by this reference. Assignee hereby acknowledges receipt of a copy of the Option Agreement. Assignee shall undertake and perform the obligations of the optionee under the Option Agreement, and Assignor agrees to execute any further documents reasonably necessary to Assignee's acquisition of and ability to exercise the option granted in the Option Agreement.

111 411 776

EGS
N.O.

Dated: ^{MAY} April 9, 2007

ASSIGNOR:

Harper Lake LLC, a California limited liability company

By: Henry Orlosky
Name: HENRY ORLOSKY
Its: CEO

A "MEMORANDUM OF OPTION AGREEMENT"
FOR THE OPTION AGREEMENT REFERENCED
ABOVE RECORDED SEPTEMBER 7, 2006
AS INSTRUMENT NO. 2006-0612735 OF
OFFICIAL RECORDS OF SAN BERNARDINO
COUNTY, CALIFORNIA.

ASSIGNEE:

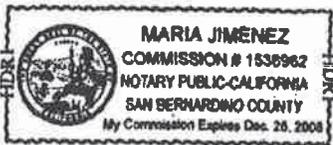
SOLUCAR INC., a Delaware corporation

By: [Signature]
Name: EMILIANO GARCIA SAIZ
Its: CEO - DIRECTOR

STATE OF California
COUNTY OF San Bernardino

On May 9, 2007, before me, Maria Jimenez, a Notary Public, in and for said County and State, personally appeared Henry Orlosky, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

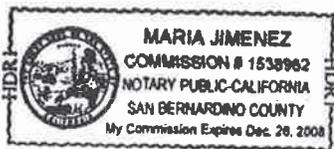


Maria Jimenez
Notary Public

STATE OF California
COUNTY OF San Bernardino

On May 9, 2007, before me, Maria Jimenez, a Notary Public, in and for said County and State, personally appeared Emiliano Garcia Lopez, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Maria Jimenez
Notary Public

LEGAL DESCRIPTION

(DESERT VIEW DAIRY PROPERTY)

The land referred to herein is situated in the State of California, County of San Bernardino, unincorporated area, described as follows:

PARCEL 1

THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SBBM, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

APN 0490-161-08

PARCEL 2

THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 WEST, SBBM, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

APN 0490-161-09

EXHIBIT "A"



Date : August 13, 2009
Escrow Officer : Diana Price
Escrow Number : a60143846
Escrow Unit No. : 2784
Property Address : HINKLEY, CA APN # 0490-161-08 & 09

RELEASE OF FUNDS PRIOR TO CLOSE OF ESCROW

STEWART TITLE OF CALIFORNIA, INC.
IS LICENSED BY THE STATE OF CALIFORNIA UNDER THE DEPARTMENT OF INSURANCE LICENSE NO. 388

RELEASE OF FUNDS PRIOR TO CLOSE OF ESCROW DATED AUGUST 5, 2009 IS DELETED IN ITS ENTIRETY.
Upon receipt of these mutually signed instructions by the parties hereto and confirmation of clearance of funds deposited, Escrow Holder is authorized to release funds, regardless of the condition of title and prior to close of this escrow, as follows:

The sum of [REDACTED] payable to Desert View Dairy.

The seller accepts this as an option extension according to the letter dated July 31, 2009, from Abengoa Solar, Inc., attached hereto for reference by parties herein.

The term of the option to purchase property is to be extended to March 2, 2010.

If escrow closed said funds shall not be applied toward the total consideration and shall be identified as Option Fee for extension of the option to March 2, 2010.

The parties hereto, by their signatures, acknowledge that they are aware that Stewart Title of California, Inc. and/or its officers or employees make no warranties or representations, expressed or implied as to: (1) the ownership or condition of the title to the property described in this escrow, (2) any encumbrances or liens thereon, and (3) the condition or ultimate outcome of this escrow.

Further, that at the time of release of funds, the conditions of this escrow have not been complied with in their entirety nor were there any documents filed for recording in connection herewith.

We, therefore, hold Stewart Title of California, Inc. harmless from any loss or damages, which said parties, may sustain by reason of this disbursement instruction, for the failure of any of the conditions of this escrow to be met, and/or for recovery of said monies.

All parties acknowledge receipt of a copy of these instructions. All parties have had the opportunity to seek the advice of counsel or other advisor of their choice and authorize Escrow Holder to comply herewith.

Buyer(s):

Abengoa Solar, Inc.

By: 

By: SCOTT FRIER, COO

Seller(s):

Desert View Dairy, a California general partnership

By: _____

Paul Ryken, General Partner

By: _____

(ALL SIGNATURES MUST BE NOTARIZED)

(ALL SIGNATURES MUST BE NOTARIZED)

Stewart Title of California, Inc.,
A California Corporation

By: _____
Manager

ALL PURPOSE CALIFORNIA ACKNOWLEDGEMENT

STATE OF: CALIFORNIA

COUNTY OF: San Bernardino

On August 14, 09 before me, I. Mohelski Notary Public

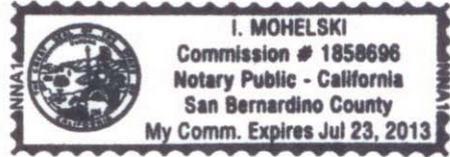
personally appeared Scott Frier, (here insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the Instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature: [Handwritten Signature]



(NOTARY SEAL)

ATTENTION NOTARY: Though the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

Title of Document Type # A60143846
Release of funds prior to close of escrow
Number of Pages 3 Date of Document 8.13.09
Signer(s) Other Than Named Above Scott Frier

ALL PURPOSE CALIFORNIA ACKNOWLEDGEMENT

STATE OF: CALIFORNIA

COUNTY OF:

On before me,

(here insert name and title of the officer)

personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the Instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature

(NOTARY SEAL)

ATTENTION NOTARY: Though the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

Title of Document Type
Number of Pages
Date of Document

ABENGOA SOLAR, INC

13911 Park Avenue, Suite 206
Victorville CA 92392

T: 760-962-9200
F: 760-962-9292

SENT VIA OVERNIGHT DELIVERY

July 31, 2009

Diana Price
Stewart Title of California, Inc.
12370 Hesperia Road, Ste. 5
Victorville, CA 92395

Re: Escrow No. 60143846BL
Property located in Hinkley, APNs 0490-161-08 & 09 (the "Property")

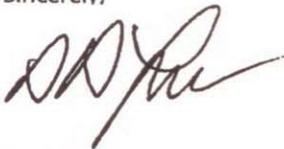
Dear Ms. Price:

As you are aware, Abengoa Solar Inc. is the successor-in-interest to Harper Lake, LLC under the Option Agreement dated August 29, 2006 ("Option Agreement") with Desert View Dairy, a California general partnership for the above Property.

The current term of the option to purchase the Property will expire on August 30, 2009. Section 2.2 of the Option Agreement provides that Abengoa may extend the purchase option for an additional six (6) months by providing written notice of such election and making a further option payment of \$ [REDACTED] to Desert View Dairy. Section 2.2 of the Option Agreement requires the extension payment be made through the above escrow at Stewart Title.

We are hereby notifying you of our election to extend the option and are further depositing with you the \$ [REDACTED] option extension payment. We hereby authorize you to immediately release the option extension payment to Desert View Dairy.

Sincerely,



Scott D. Frier
COO
Abengoa Solar Inc.