

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 18 2011

DEPARTMENT OF
WATER RESOURCES

July 14, 2011

Monica Van Bussum
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Horizon Organic Dairy

Dear Mrs. Van Bussum:

At your request, a review has been performed for the Horizon Organic Dairy water rights previously submitted for lease to the Idaho Water Supply Bank. It was discovered that the irrigation practices had changes since the original lease applications were submitted to the Idaho Water Supply Bank in 2006. As a result of this analysis, the lease applications for 36-2248, 36-2249 and 36-7688 are not to be processed by the Idaho Water Supply Bank. The lease applications for water rights 36-8402, 36-2430 and 36-8008 have been amended to lease 26.9 acres to the Idaho Water Supply Bank. The lease applications for water rights 36-2254A and 36-2284 have been amended to lease 184.2 acres to the Idaho Water Supply Bank.

It is desired by Horizon Organic Dairy to extend the lease period of water rights 36-8402, 36-2430, 36-8008, 36-2254A and 36-2284 to extend through the 2016 growing season. Lease term extension forms for each of these water rights are attached to the amended lease applications. A check from Brockway Engineering for \$1000.00 will cover the fee to extend the lease term of these water rights.

Horizon Organic Dairy would like to rent 57.0 acres from the fore mentioned water rights. This will provide sufficient irrigation water to cover farmable acres that are currently not covered by a water right.

A change of ownership form has been submitted to the Southern Idaho Department of Water Resources for water right 36-8402. The current listed owner is H & S Farms Inc. It is unclear why the ownership change had not previously occurred.

CHARLES E.
BROCKWAY,
PH.D., P.E.

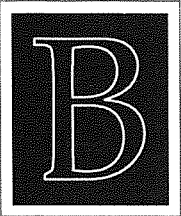
CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



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Please copy our office on all correspondence regarding this application.
Thank you for your assistance and if you have questions or comments, please don't hesitate to call.

Sincerely,

Greg Sullivan, M.S., E.I.T.

Cc: Horizon Dairy, Rob Williams

Enc: Brockway Engineering Check 10179 for \$1000.00, Lease Applications, Rental Application, Lease Term Extension, Limited Power of Attorney, Aerial Maps

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SPECIAL POWER OF ATTORNEY

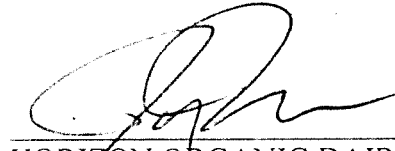
HORIZON ORGANIC DAIRY, LLC, a Delaware limited liability company, qualified to do business in the state of Idaho, hereby appoints ROBERT E. WILLIAMS, 153 East Main, Jerome, Idaho 83338, to be its true and lawful attorney for it, in its name, place and stead, and on its behalf, to do any or all of the following acts, deeds and things:

1. SPECIFIC POWERS: To execute on behalf of HORIZON ORGANIC DAIRY, LLC, any or all of the following:

- (a) Notice of Change of Water Right Ownership before the State of Idaho, Department of Water Resources, for Water Right No. 36-8402;
- (b) Application to Rent Water from the Water Supply Bank, State of Idaho Water Resource Board, at a maximum flow rate of 1.15 cfs in maximum volume of 229.28 cfs, with point of diversion within Township 9 South, Range 21 EBM, Jerome County, Idaho, Sections 17, 20 and 27 and with a proposed place of use within Township 9 South, Range 21 EBM, Jerome County, Idaho, Sections 17 and 34;
- (c) Application to Sell or Lease a Water Right to the Water Supply Bank, State of Idaho Water Resource Board, for Water Right No. 36-2430;
- (d) Application to Sell or Lease a Water Right to the Water Supply Bank, State of Idaho Water Resource Board, for Water Right No. 36-8008;
- (e) Application to Sell or Lease a Water Right to the Water Supply Bank, State of Idaho Water Resource Board, for Water Right No. 36-8402;
- (f) Application to Sell or Lease a Water Right to the Water Supply Bank, State of Idaho Water Resource Board, for Water Right No. 36-2254A;
- (g) Application to Sell or Lease a Water Right to the Water Supply Bank, State of Idaho Water Resource Board, for Water Right No. 36-2284;
- (h) Water Supply Bank Request to Release or Lease Term Extension Form, State of Idaho Water Resource Board for Water Right No. 36-2430;
- (i) Water Supply Bank Request to Release or Lease Term Extension Form, State of Idaho Water Resource Board for Water Right No. 36-8008,
- (j) Water Supply Bank Request to Release or Lease Term Extension Form, State of Idaho Water Resource Board for Water Right No. 36-8402;
- (k) Water Supply Bank Request to Release or Lease Term Extension Form, State of Idaho Water Resource Board for Water Right No. 36-2284;

- (l) Water Supply Bank Request to Release or Lease Term Extension Form, State of Idaho Water Resource Board for Water Right No. 36-2254A;
- (m) Any other documents useful or necessary to process the documents above specifically named with the Idaho Department of Water Resources or the State of Idaho Water Resource Board.

IN WITNESS WHEREOF, I have hereunto set my hand at Broomfield,
Colorado, this 10th day of June, 2011.

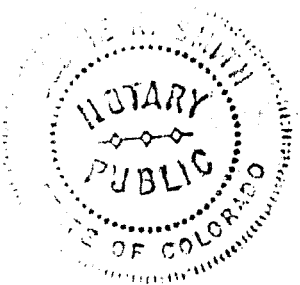


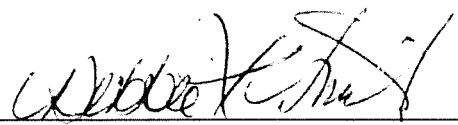
HORIZON ORGANIC DAIRY, LLC, by its Sole
Member, White Wave Foods Company, through
ROGER THEODOREDIS, Senior Vice President
and Division General Counsel

STATE OF COLORADO)
County of Broomfield):SS

On this 10th day of June, 2011, before me, the undersigned, a Notary
Public in and for said County and State, personally appeared ROGER THEODOREDIS, Senior
Vice President and Division General Counsel of White Wave Foods Company, Sole Member of
HORIZON ORGANIC DAIRY, LLC, known to me to be Vice President and Division General
Counsel of the company and the person whose name is subscribed to the within and foregoing
instrument, and who acknowledged to me that he executed the same in such capacities on behalf
of Horizon Organic Dairy, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this
certificate first above written.




NOTARY PUBLIC for Colorado
Residing at: 3525 W. 10th St, Frederick Co
Commission Expires: 3/14/12

SPECIAL POWER OF ATTORNEY

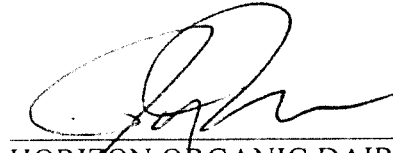
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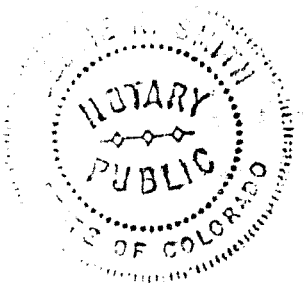


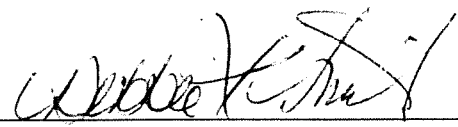
HORIZON ORGANIC DAIRY, LLC, by its Sole
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ROGER THEODOREDIS, Senior Vice President
and Division General Counsel

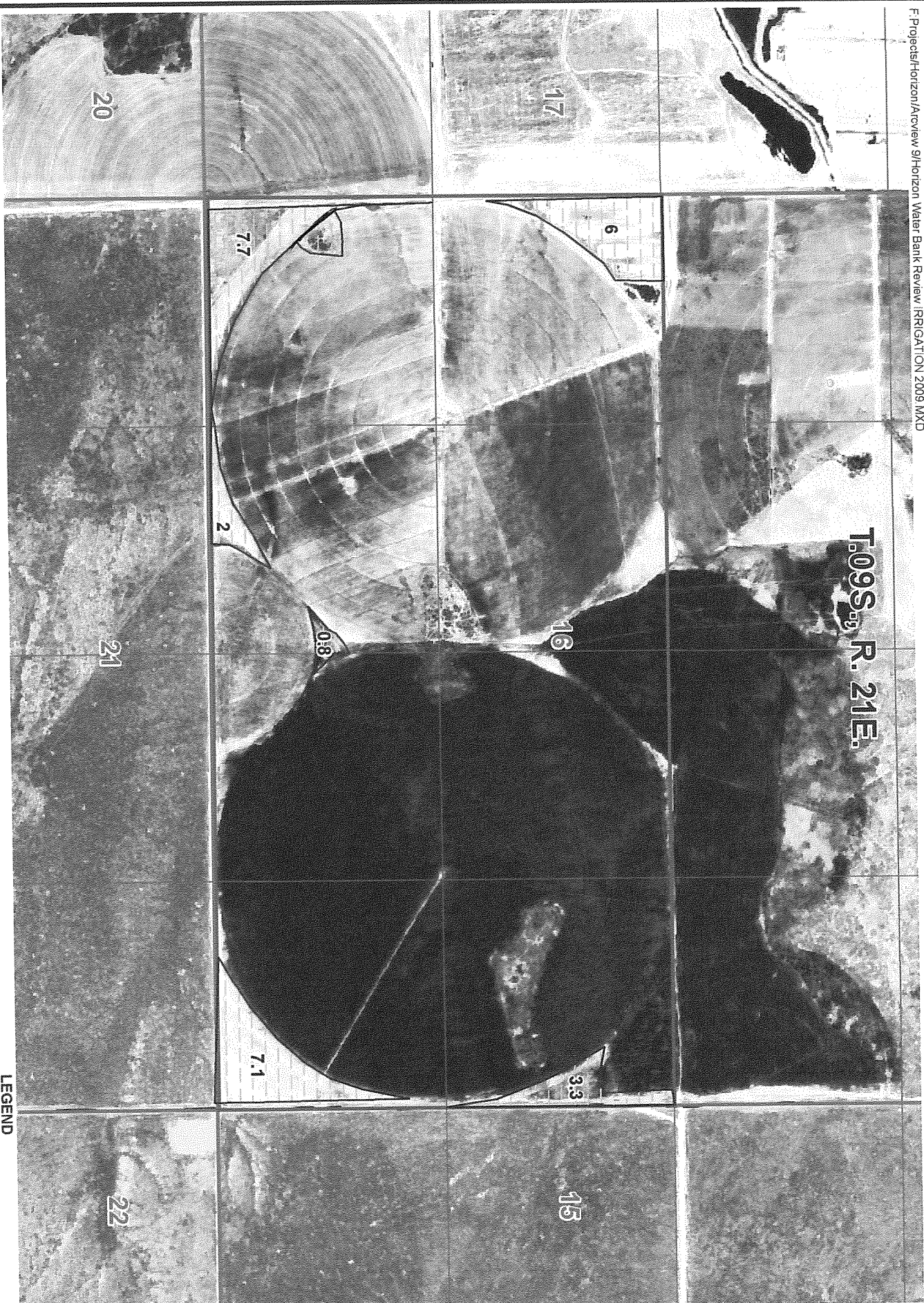
STATE OF COLORADO)
County of Broomfield):SS

On this 10th day of June, 2011, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROGER THEODOREDIS, Senior Vice President and Division General Counsel of White Wave Foods Company, Sole Member of HORIZON ORGANIC DAIRY, LLC, known to me to be Vice President and Division General Counsel of the company and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacities on behalf of Horizon Organic Dairy, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.




NOTARY PUBLIC for Colorado
Residing at: 3525 Glenwood Rd, Frederick Co
Commission Expires: 3/14/12



T.09S, R. 21E.

HORIZON ORGANIC DAIRY PLLC.

36-2430, 36-8008, 36-8402 WATER BANK LEASE 2011

NAIP 2009 AERIAL

LEGEND

- ☐ Water Bank HO 2011
- ☐ Sections_new
- ☐ CO_lines_new
- ☐ 36, 8402, IRRIGATION