STIPULATED AGREEMENT
DONA ANA DAIRIES STAGE 2 ABATEMENT PLAN

This provides documentation of the stipulated agreement to additional requirements to the Dona Ana Dairies Stage 2 Abatement Plan that was agreed by the New Mexico Environment Department (NMED), Dona Ana Dairies (DAD) and the Rio Valle Concerned Citizens (RVCC). The following was agreed:

1. All DAD monitoring wells will be sampled quarterly for a period of five years.
2. Sixteen (16) wells will be sampled for the nitrogen isotope and total organic carbon within 5 year periods. NMED and DAD will determine the sampling locations and timing.
3. Background concentrations in the Northern Portion will include at least 3 and perhaps 4 suitable existing wells. The upper confidence level at 95% will be used to estimate mean background concentrations. Every 5 years background will be recalculated for the northern, central and southern portions.
4. DAD will prepare an analytical capture analysis of the irrigation and supply wells listed on Table 9 in the Final Site Investigation Report dated February 2012 using the method described by Groundwater Hydrology, Second Edition.
5. Irrigation and supply wells that are listed on Table 9 in the Final Site Investigation Report dated February 2012 as well as the new irrigation well located next to well DAD-08 and any other well that shows evidence of any plume influence will be sampled annually for nitrate, TKN, chloride and total dissolved solids.
6. Proposed well DAD-23 will be moved south within the Del Cerro subdivision if access can be obtained. NMED will help obtain access. If proposed well DAD-23 is moved then DAD will not sample any domestic wells.
7. Proposed well DAD-25 will be moved further south along the pivot no more than one-half the distance to the property line, if possible. If it cannot be moved then all parties are happy with the original proposed location.

We the undersigned have authority to enter this agreement on behalf of our clients who have knowingly consented to it with the understanding that the Hearing Officer will make a report to the Secretary recommending approval of the Stage 2 Abatement Plan with these stipulated conditions included in it.

Counsel for New Mexico Environment Department — 3/25/15 Date

Counsel for Dona Ana Dairies — 3/25/15 Date

Counsel for Rio Valle Concerned Citizens — 3/25/15 Date