

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) LLKM Properties, LLC

Mailing Address 5183 E 21st S, Ammon, ID 83401

Email* johnburtenshaw@hotmail.com Phone 208-419-6280

Name of Representative (if any) Rocky Mountain Environmental Associates, Inc.

Mailing Address 482 Constitution Way, Suite 303, Idaho Falls, Idaho 83402

Email* kristin.rmea@gmail.com Phone 208-524-2353

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	45E	18										5.6	2						7.6
												L3	L4						
4N	45E	20					1	11											12

Total Irrigated Acres to be Changed: 19.6

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☒ Change place of use |
| ☒ Add point(s) of diversion | ☒ Change period of use |
| ☒ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

The applicant proposes to transfer water rights to the City of Driggs for new development.

One water right is already owned by the applicant and the other is under contract for purchase.

AMENDED

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☐				_____ to _____	
☐ ☒	22-7143	0.10 cfs	Municipal	01/01 to 12/31	Ground water
☐ ☐		11.9 afa		_____ to _____	
☐ ☐				_____ to _____	
☒ ☐	22-14572	0.15 cfs	Municipal	01/01 to 12/31	Ground water
☐ ☐		24.4 afa		_____ to _____	
☐ ☐				_____ to _____	
☐ ☐				_____ to _____	
☐ ☐				_____ to _____	
☐ ☐				_____ to _____	
☐ ☐				_____ to _____	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.25 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

AMENDED

RECEIVED

JUL 14 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☐				to	
☐ ☒	22-7143	0.10 cfs	Municipal	01/01 to 12/31	Ground water
☐ ☐		14.3 afa		to	
☐ ☐				to	
☒ ☐	22-14572	0.15 cfs	Municipal	01/01 to 12/31	Ground water
☐ ☐		24.4 afa		to	
☐ ☐					
☐ ☐					
☐ ☐				to	
☐ ☐				to	

SUPERCEDED

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.25 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

SUPERCEDED

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

See supplemental list attachment

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Municipal Service Area of the City of Driggs

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Ident. No. _____

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

Page _____

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

Rights 22-7144, 22-7146, and 22-7145, all owned and operated by Tom Hill.

Right 22-7681 and multiple splits of this right.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

City of Driggs Municipal rights.

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 122. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

City of Driggs Municipal rights.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☒ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No
☐	☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐	☒
☐	☒
☐	☒

currently used in a mitigation plan limiting the use of water under the right?

subject to an agreement not to divert (CREP)?

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

The City of Driggs has 7 active municipal wells that connect to a series of mainlines for delivery.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

 Natalie Burtenshaw (Feb 26, 2026 16:12:35 MST)	Natalie Burtenshaw	02/26/26
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
 Signature of Applicant or Representative*	 Print Name and Title, if applicable	 Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>750.00</u>	Receipt #: <u>E051560</u>	Date: <u>4-14-26</u>	Received by: <u>M. Potts</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Date: 02/26/26
 To: Idaho Department of Water Resources
 From: John Burtenshaw, Manager of LLKM Properties, LLC
 Subject: Application for Transfer of Water Right 22-7143

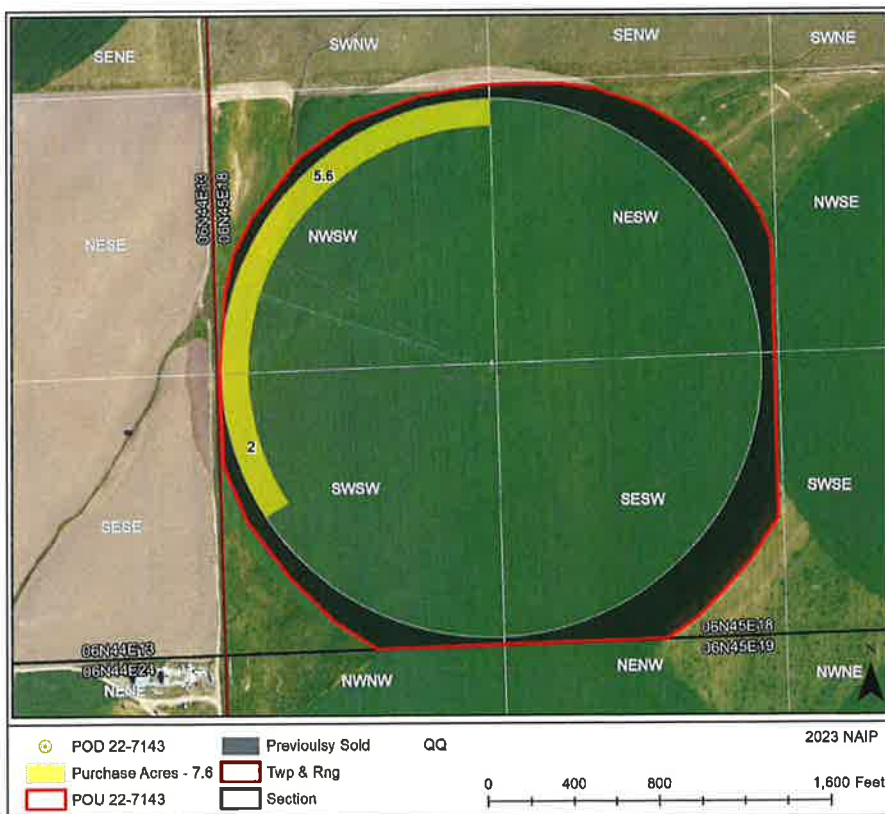
LLKM Properties, LLC has entered into a purchase agreement with Rocky Mountain Water Exchange, LLC for the above-described water right(s) in the amount of 7.6 acres, as shown in Figure 1. As a part of the agreement, a transfer application must be filed to amend the water right to be used in the City of Driggs on behalf of our project. We are submitting this application for transfer as part of the purchase agreement, with the understanding that title to the water right(s) can only be transferred upon execution and recording of a deed for the water right(s).

I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct. Idaho Code § 9-1406; Idaho Rule of Civil Procedure 2.7.

NB
Natalie Burtenshaw (Feb 26, 2026 16:12:35 MST)
 Natalie Burtenshaw
 POA for John Burtenshaw, Manager of
 LLKM Properties, LLC

W. Roger Warner
W. Roger Warner (Feb 26, 2026 11:00:04 MST)
 W. Roger Warner, Managing Member
 Rocky Mountain Water Exchange, LLC

Figure 1. Map of Water Right for Purchase



Date: November 12, 2025
 To: Idaho Department of Water Resources
 From: Thomas E. Hill and Lexie G. Hill
 Subject: Applications for Water Right #22-7143

Thomas E. Hill and Lexie G. Hill ("Hills") are the owner of Water Right No. 22-7143. The Hills and Rocky Mountain Water Exchange, LLC ("RMWE") have entered into an agreement wherein RMWE is authorized to contract with third parties to sell the above-described water right(s), or portions thereof as shown on Exhibit 1, and file transfer applications associated with said water right(s) through November 1, 2026.

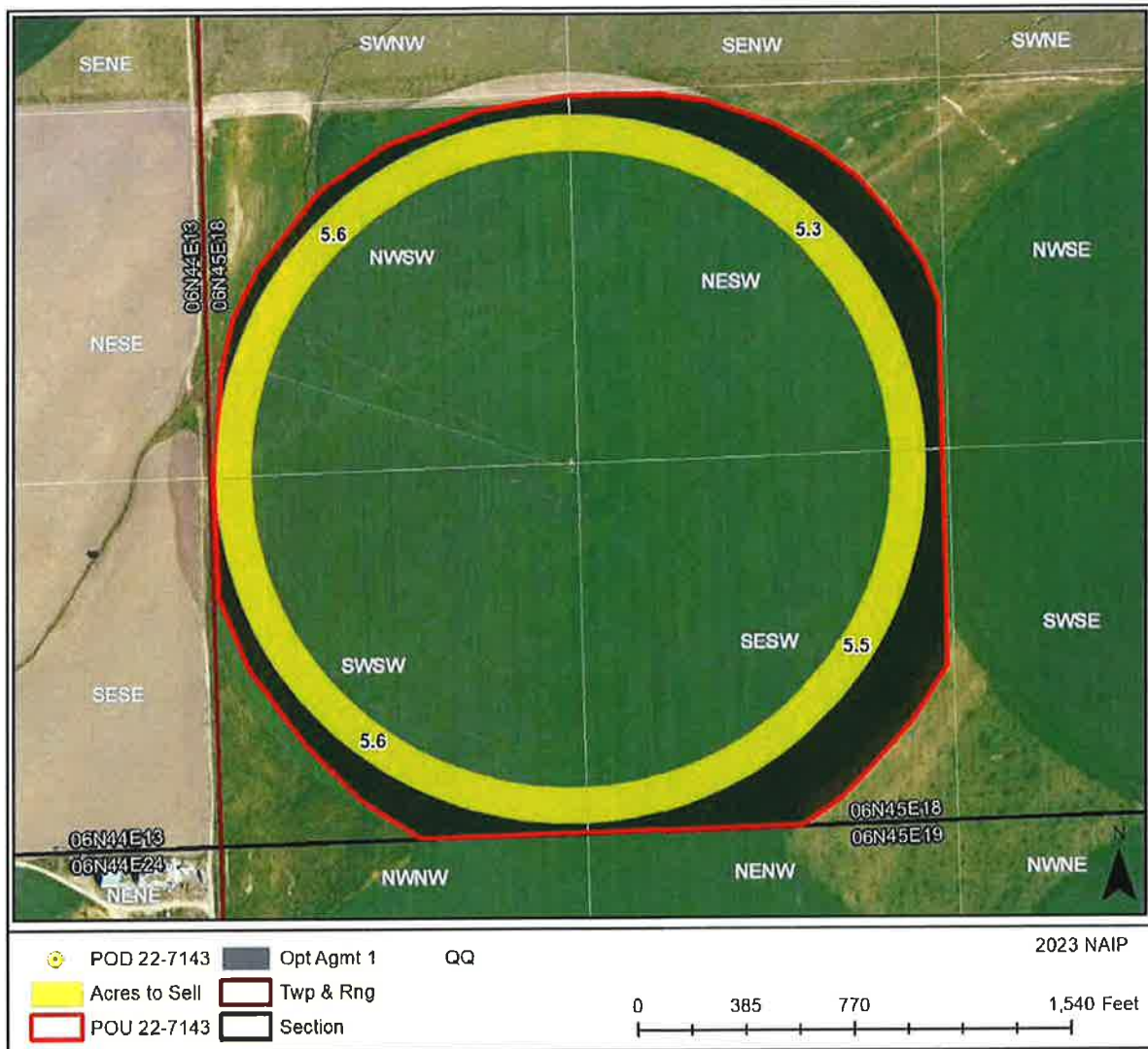
The Hills hereby consent to any transfer or transfers filed by RMWE for the above-described water right(s), with the intent that this single consent may be submitted as proof of authorization for any transfer(s) of the above-described water right(s). This consent shall be valid and may be submitted for any transfer of the above-described water right(s) up until November 1, 2026.

The parties acknowledge and understand that for each transfer that is approved, the above-described water right(s) will be amended, with the understanding that title to the water right(s) can only be transferred upon execution and recording of a deed for the water right(s).

I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct. Idaho Code § 9-1406; Idaho Rule of Civil Procedure 2.7.

Signed by:  55553E436FE0481... Printed Name: Thomas E. Hill	Date: 11/12/2025
Signed by:  EDDC983B61AA465... Printed Name: Lexie G. Hill	Date: 11/12/2025

Exhibit 1
Map of the 22-acre Portion of Water Right



IDAHO STATUTORY FORM POWER OF ATTORNEY**IMPORTANT INFORMATION**

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent can make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the uniform power of attorney act, chapter 12, title 15, Idaho Code.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. The agent's authority will continue until your death unless you revoke the power of attorney or the agent resigns.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one (1) agent. If you wish to name more than one (1) agent, you may name a coagent in the Special Instructions. Coagents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, John Craig Burtenshaw, name the following as my agent: Natalie Burtenshaw, whose address is 5183 9. 21 South, and telephone is 208-419-6279.

DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

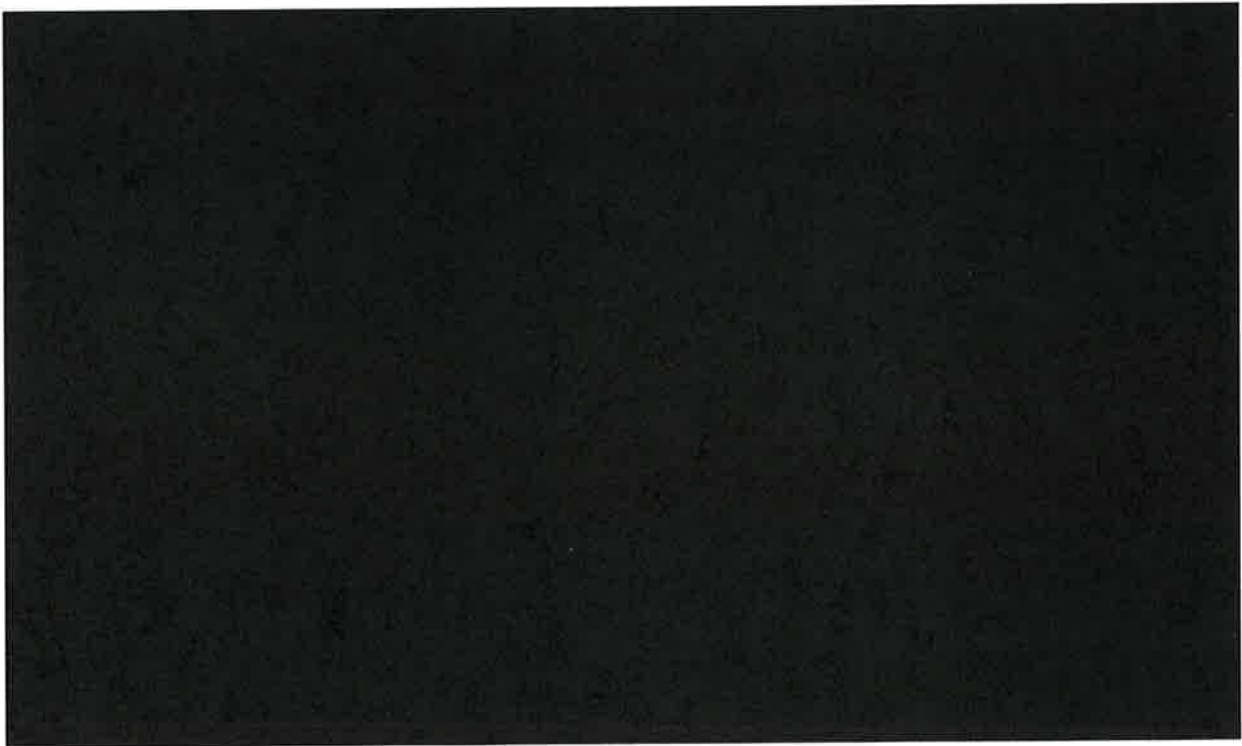
If my agent is unable or unwilling to act for me, I name as my successor agent: all 4 children, whose address is 5183 E 21 S, and telephone is _____.

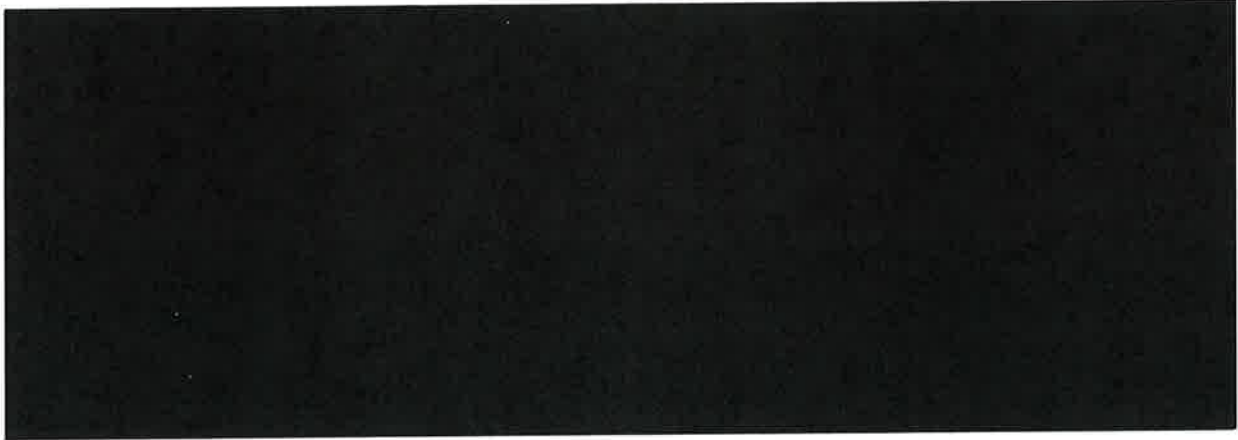
GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the uniform power of attorney act, chapter 12, title 15, Idaho Code:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- (X) Real Property
- (X) Tangible Personal Property
- (X) Stocks and Bonds
- (X) Commodities and Options
- (X) Banks and Other Financial Institutions
- (X) Operation of an Entity or Business
- (X) Insurance and Annuities
- (X) Estates, Trusts, and Other Beneficial Interests
- (X) Claims and Litigation
- (X) Personal and Family Maintenance
- (X) Benefits from Governmental Programs or Civil or Military Service
- (X) Retirement Plans
- (X) Taxes
- (X) All Preceding Subjects

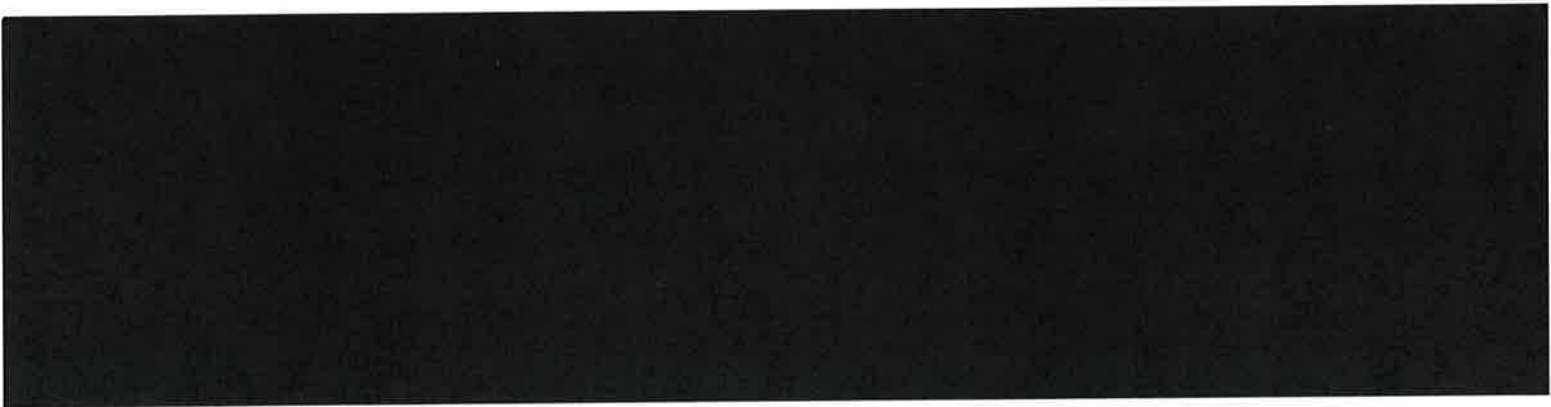




LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)



NOMINATION OF CONSERVATOR (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

Name: _____

Address: _____

Telephone Numbers: _____
(Home, Work, and Mobile)

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it is terminated or invalid.

SIGNATURE AND ACKNOWLEDGMENT

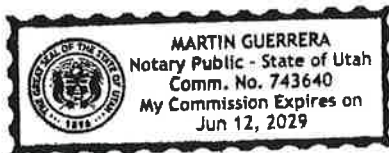
Your Signature: John BurtenshawDate: 10/15/2025Your Name Printed: John Craig BurtenshawYour Address: 5183 East 21st South, Ammon, ID 83401Your Phone Number: (208) 419-6280State of UTAH)

: ss.

County of SALT LAKE)

On this 15th day of OCTOBER, 2025, before me personally appeared John Craig Burtenshaw, to me known (or provided to me on basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he executed it. I declare under penalty of perjury that the person whose name is subscribed to this instrument appears to be of sound mind and under no duress, fraud or undue influence

(SEAL)



[Signature]
 Notary Public for UTAH (state)
 Residing at: SALT LAKE
 My Commission Expires: 06/12/2029

F:\CLIENTS\BJD\9167 - Burtenshaw\Personal\General Durable Power of Attorney.docx



CITY OF DRIGGS OFFICE OF THE MAYOR

Rocky Mountain Environmental Associates, Inc.
C/o Kristin Moore
482 Constitution Way, Ste 303
Idaho Falls, ID 83402
Sent Via email: kristin.rmea@gmail.com

Re: Water Rights Transfer

Ms. Moore,

The City of Driggs authorizes the transfer of water right 22-7143 and 21-14572 into the City's municipal system in the amount of .25cfs. This transfer will allow for Targhee Hills Estates subdivision to connect (with other conditions) to the city system. While a development agreement has not yet been executed, it is anticipated shortly, and the water rights provided will offset water demand for 125% of the development ERUs.

Sincerely,

Mayor August Christensen



208-354-2362
M-TH 8:30am - 5pm
F 8:30am - 1pm



mayor@driggsidaho.org
DRIGGSIDAH.ORG



60 South Main Street
PO Box 48
Driggs, ID 83422

Water Right Report : 22-7143(Decreed/Active)**Water Right Owners**

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HILL, LEXIE G	1540 S 6000 W	DRIGGS	ID	83422-4839
Current Owner	HILL, THOMAS E	1540 S 6000 W	DRIGGS	ID	83422-4839
Original Owner	LINDERMAN, SHAYNE T	1366 N 1350 W	NEWDALE	ID	83436
Previous Owner	CHALCO LLC	17122 E RIRIE HWY	RIRIE	ID	83443-5028
Previous Owner	LINDERMAN TETON FAMILY LTD PARTNERSHIP	PO BOX 1130	JACKSON	WY	83001-1130

Water Right Status

Priority Date : 6/30/1975

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	45E	19	2	NE	SW	NW	TETON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	1.64 CFS	437.50 AFA
TOTAL			1.64 CFS	437.50 AFA

Places of Use
[Print this View](#)
[Page 1 of 1](#)
Place of Use Legal Description : IRRIGATION (TETON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	45E	18			NE	SW	33.9
06N	45E	18	3		NW	SW	29.0
06N	45E	18	4		SW	SW	29.9
06N	45E	18			SE	SW	32.2

Irrigation Totals

Total Acres Acre Limit
125.00

Conditions**Code Conditions**

- E52 The rights listed below are limited to a total combined diversion rate of 6.56 cfs. Combined Right Nos.: 22-7143, 22-7144, 22-7145, and 22-7146.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

Licensed Date :
Decreed Date : 10/28/2009
Permit Proof Due Date : 7/1/1985
Permit Proof Made Date : 6/26/1985
Permit Approved Date : 7/30/1975
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : TBD
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

2/11/2026

Water Right Report : 22-14572(License/Active)**Water Right Owners**

Owner Type	Name	Address	City	State	Postal Code
Current Owner	LLKM PROPERTIES	5183 E 21ST S	AMMON	ID	83401-8053
Original Owner	HILL, LEXIE G	1540 S 6000 W	DRIGGS	ID	83422-4839
Original Owner	HILL, THOMAS E	1540 S 6000 W	DRIGGS	ID	83422-4839

Water Right Status

Priority Date : 8/30/1990
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	04N	45E	17	0	NE	SW	SW	TETON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/15	10/31	0.15 CFS	42.00 AFA
TOTAL			0.15 CFS	42.00 AFA

Places of Use**Place of Use Legal Description : IRRIGATION (TETON county)**

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	45E	20			NE	NW	1.0
04N	45E	20			NW	NW	11.0

Irrigation Totals

Total Acres Acre Limit
 12.00

Conditions**Code Conditions**

- 050 Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
- 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Dates

Licensed Date :
 Decreed Date :
 Permit Proof Due Date :

Other Information

State or Federal :
 Water District Number : EXC
 Generic Max Rate Per Acre : 0

Attachment 2A

Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

2/11/2026

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Attachment 2B - Existing Location of 22-7143

Legend

- WR POD 22-7143
- WR POU 22-7143
- Purchase Acres
- Twp & Rng
- Section
- QQ

Application for Transfer of
Water Right Nos: 22-7143 & 22-14572
LLKM Properties, LLC
Teton County, Idaho

Date: 2/11/2026

RMEA #: 21-0145

Drafted by: KM





Basemap: 2023 NAIP

Attachment 2B - Existing Location of 22-14572

Legend

-  WR POD 22-14572
-  WR POU 22-14572
-  Twp & Rng
-  Section
-  QQ

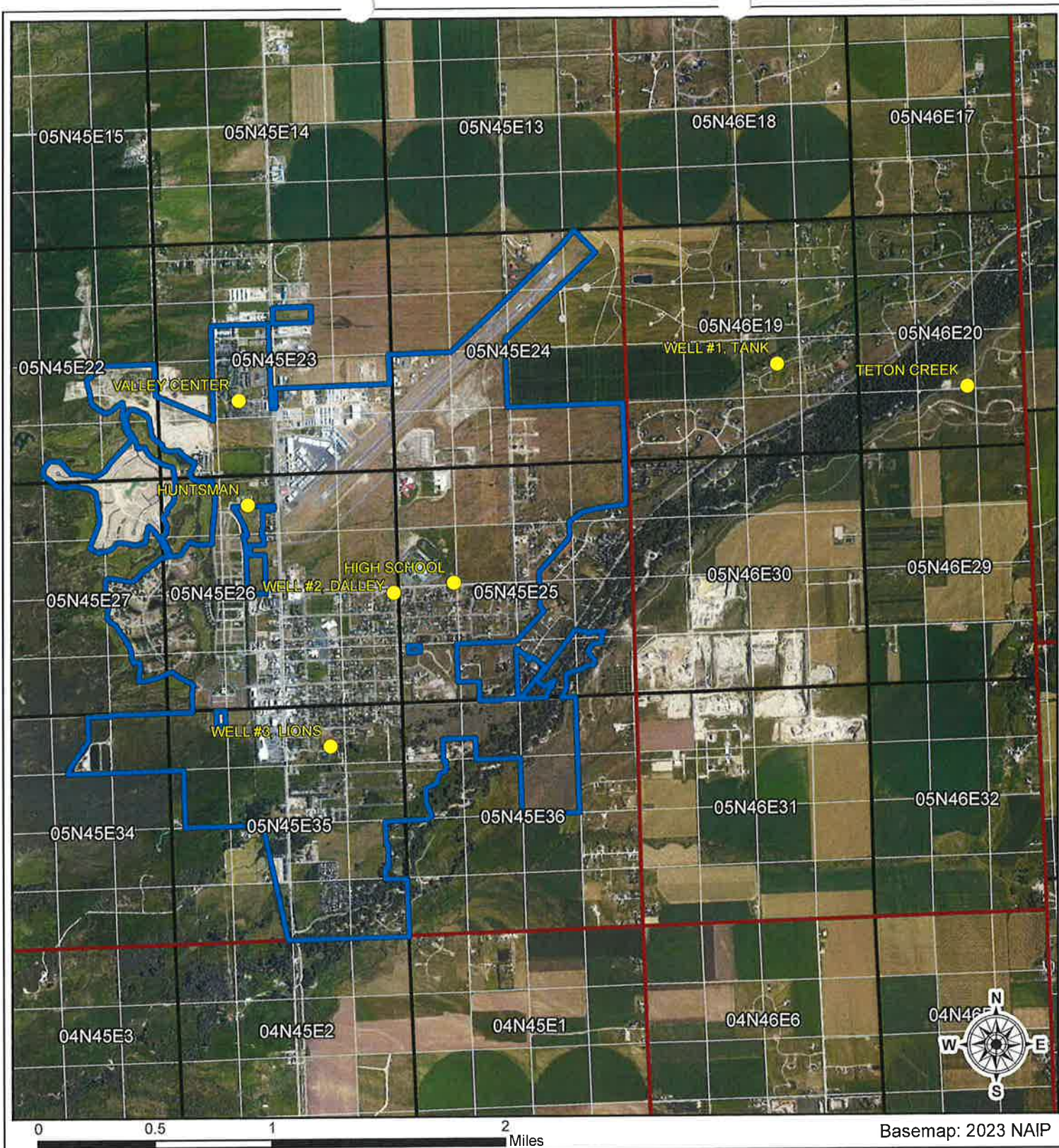
Application for Transfer of
Water Right Nos: 22-7143 & 22-14572
LLKM Properties, LLC
Teton County, Idaho

Date: 2/11/2026

RMEA #: 21-0145

Drafted by: KM





Attachment 3C - Proposed Location - City of Driggs

Legend

- Proposed POD
- Driggs Municipal Boundary
- Twp & Rng
- Section
- QQ

Application for Transfer of
Water Right Nos: 22-7143 & 22-14572
LLKM Properties, LLC
Teton County, Idaho

Date: 2/19/2026

RMEA #: 21-0145

Drafted by: KM



90410

AMENDED Conversion of Nature of Use

LLKM Properties, LLC

Applicant proposes to convert a 7.6-acre portion of existing water right 22-7143 and a 12-acre water right 22-14572 from irrigation to be used by the City of Driggs for municipal purposes.

Right 22-7143

The place of use is fully irrigated. Water right owner is selling off portions of the water right and will remove a span from the pivot to accomplish the change.

A single well, located south of the existing pivot, serves as the water right's POD. However, no historical diversion data is available for this well.

Historically, water right 22-7143 was used for Barley prior to 2026. The precipitation deficit for Spring Grain - Irrigated from the Tetonia Experiment Station (NWS – USC00109065), gathered from ET-IDWR, is 474.54 mm/year, or 1.56 af/year, for the growing season. **Therefore, 7.6 acres of irrigation water right would convert to a total of 11.9 afa** (1.56 afa/year x 7.6 ac) of consumptive volume.

Excerpts of the ET IDWR precipitation deficit are included in Figure 1 below.

Right 22-14572

The place of use is fully irrigated through wheel line irrigation system from a single well. It is currently sitting on the original place of use, which is owned by the previous water right owner. The water right was been sold by Thomas and Lexie Hill to the Applicant.

Historically, water right 22-14572 has been used to irrigated alfalfa. The precipitation deficit for Alfalfa – Less Frequent Cutting from the Driggs Station (NWS – USC00102676), gathered from ET-IDWR 2025, is 618.99 mm/year, or 2.03 af/year, for the growing season. **Therefore, 12 acres of irrigation water right would convert to a total of 24.4 afa** (2.03 afa/year x 12 ac) of consumptive volume.

Excerpts of the ET IDWR 2025 precipitation deficit are included in Figure 2 below.

AMENDED

RECEIVED
JUL 14 2026
DEPT. OF WATER RESOURCES
EASTERN REGION

Figure 1. ET Values for Spring Grain - Irrigated at Tetonia Experiment Station (NWS – USC00109065).

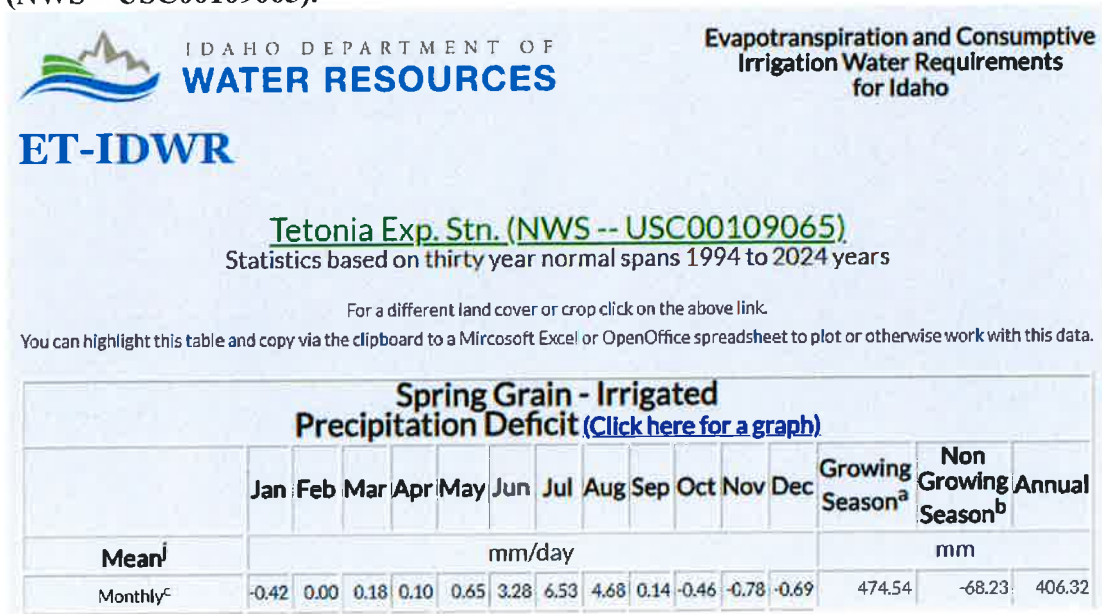
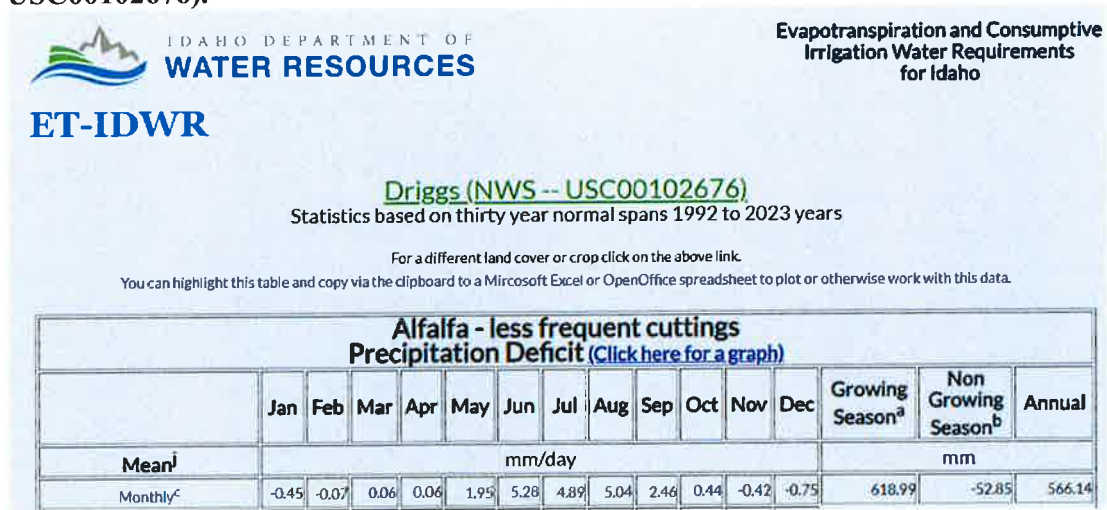


Figure 2. ET Values for Alfalfa – less frequent cuttings at Driggs Station (NWS – USC00102676).



AMENDED

RECEIVED

JUL 14 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

Conversion of Nature of Use*LLKM Properties, LLC*

Applicant proposes to convert a 7.6-acre portion of existing water right 22-7143 and a 12-acre water right 22-14572 from irrigation to be used by the City of Driggs for municipal purposes.

Right 22-7143

The place of use is fully irrigated. Water right owner is selling off portions of the water right and will remove a span from the pivot to accomplish the change.

A single well, located south of the existing pivot, serves as the water right's POD. However, no historical diversion data is available for this well.

Historically, water right 22-7143 has been used to irrigated alfalfa. The precipitation deficit for Alfalfa – Less Frequent Cutting from the Tetonia Experiment Station (NWS – USC00109065), gathered from ET-IDWR 2025, is 572.5 mm/year, or 1.88 af/year, for the growing season. **Therefore, 7.6 acres of irrigation water right would convert to a total of 14.3 afa** (1.88 afa/year x 7.6 ac) of consumptive volume.

Excerpts of the ET IDWR 2021 precipitation deficit are included in Figure 1 below.

Right 22-14572

The place of use is fully irrigated through wheel line irrigation system from a single well. It is currently sitting on the original place of use, which is owned by the previous water right owner. The water right was been sold by Thomas and Lexie Hill to the Applicant.

Historically, water right 22-14572 has been used to irrigated alfalfa. The precipitation deficit for Alfalfa – Less Frequent Cutting from the Driggs Station (NWS – USC00102676), gathered from ET-IDWR 2025, is 618.99 mm/year, or 2.03 af/year, for the growing season. **Therefore, 12 acres of irrigation water right would convert to a total of 24.4 afa** (2.03 afa/year x 12 ac) of consumptive volume.

Excerpts of the ET IDWR 2025 precipitation deficit are included in Figure 2 below.

SUPERCEDED

Figure 1. ET Values for Alfalfa – less frequent cuttings at Tetonia Experiment Station (NWS – USC00109065).

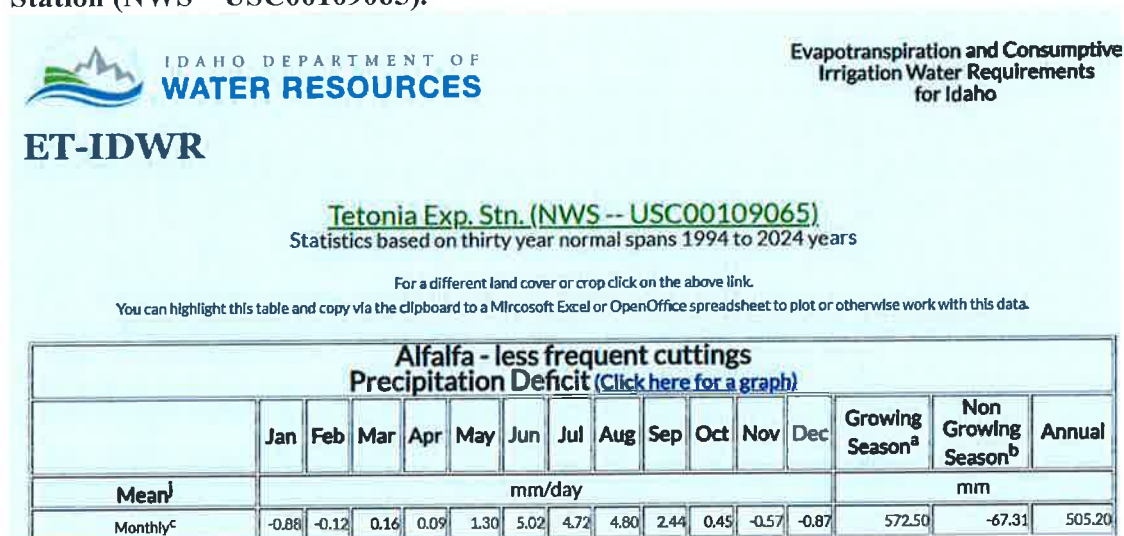
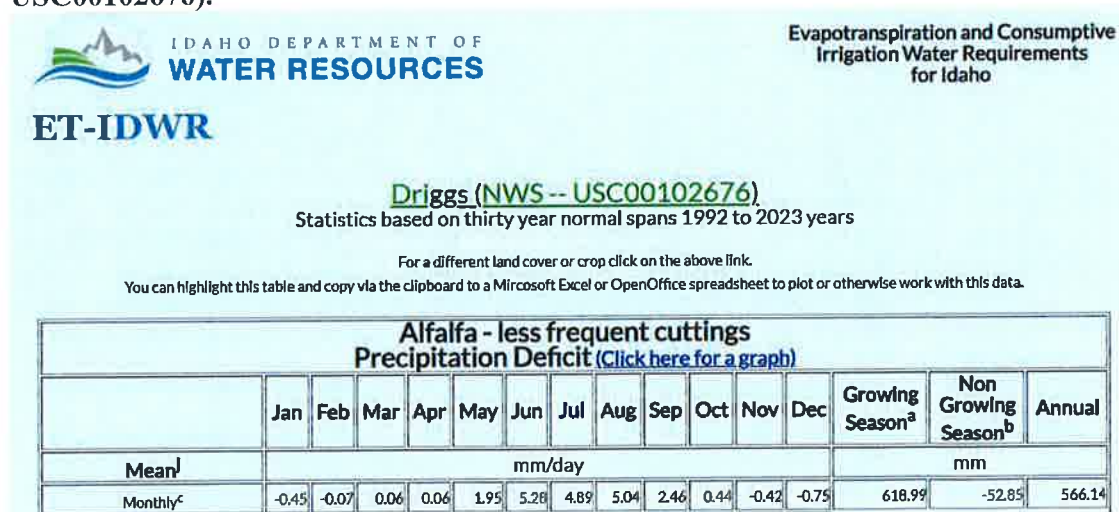


Figure 2. ET Values for Alfalfa – less frequent cuttings at Driggs Station (NWS – USC00102676).



SUPERCEDED



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 22, 2026

LLKM PROPERTIES
5183 E 21ST S
AMMON, ID 83401-8053

RE: Transfer No. 90410
Water Right No(s). 22-14572, 22-7143

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the TETON VALLEY NEWS on 4/29/2026 and 5/6/2026. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 22, 2026 10:22 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Teton Valley News
Attachments: 90410 Teton Valley News.docx

LEGAL NOTICE DEPARTMENT
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS, ID 83422

RE: Transfer No. 90410
Water Right No(s). 22-14572, 22-7143

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 5/18/2026. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90410**

LLKM PROPERTIES, 5183 E 21ST S, AMMON, ID 83401-8053 has filed Application No. 90410 for changes to the following water rights within TETON County(s): Right No(s). 22-14572, 22-7143; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change nature of use, period of use, place of use and point of diversion, and add points of diversion. Proposed use is Municipal from 1/1 to 12/31 within the City of Driggs municipal service area. Proposed points of diversion are in NESW Sec 23, SWNW Sec 25, NENW and NESE Sec 26, and NWNE Sec 35, T05N R45E; and NWSE Sec 19 and NESW Sec 20, T05N R46E for 0.25 cfs from Ground Water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/18/2026. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 4/29/2026 and 5/6/2026