RECEIVED

NOV 07 2022

Department of Water Resources
Eastern Region

Form 42-248/42-1409(6) Rev. 6/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-48C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-98C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11321	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11323	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11319	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Trout Creek LLC
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Swan Springs Home Owners Association, Inc.
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

   PO Box 77 (Mailing address) | Swan Valley (City) | ID (State) | 83449 (Zip)

   208-499-2677 (Telephone) | fraz47@silverstar.com (Email)

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: _____.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - o $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ (Signature of new owner/claimant) | HOA board president (Title, if applicable) | 11/1/2022 (Date)
   Ronald C. Frazell (Print name)

   Signature: _____ (Signature of new owner/claimant) | _____ (Title, if applicable) | _____ (Date)
   _____ (Print name)

For IDWR Office Use Only:

Receipted by_____ Date_____ Receipt No._____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9_____ Approved by_____ Processed by CJ Date 11/22/22

SCANNED
NOV 28 2022

BONNEVILLE COUNTY RECORDER
1224289 MAY22'06 AM1114

INSTRUMENT NO. 1224289
DATE 5.22.06
INST. CODE 205
IMAGED PGS 3
FEE 3.00
STATE OF IDAHO) ss
COUNTY OF BONNEVILLE)
I hereby certify that the within instrument was recorded.
Ronald Longmore: County Recorder
By _____ Deputy
Request of FATCO

WHEN RECORDED, MAIL TO:

ZIONS FIRST NATIONAL BANK
40 East St. George Blvd.
St. George, Utah 84770

ATTN: Cathy L. Wiechman

WARRANTY DEED

TROUT CREEK, LLC, an Idaho limited liability company, whose address is P.O. Box 45, Swan Valley, Idaho 83449 ("Grantor"), hereby CONVEYS AND WARRANTS to **SWAN SPRINGS, INC.**, an Idaho corporation, whose address is P.O. Box 45, Swan Valley, Idaho 83449 ("GRANTEE"), for the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, the following described tract(s) of land situated in Bonneville County, State of Idaho:

LOTS 1, 2, 3, AND 4, BLOCK 1, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 2, LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9 BLOCK 3, LOTS 1, 2, 3, 4, AND 5, BLOCK 4, SWAN SPRINGS DIVISION NO. 1, AN ADDITION TO THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE PLAT RECORDED DECEMBER 8, 2005, AS INSTRUMENT NO. 1208535 AND DECEMBER 12, 2005, AS INSTRUMENTS NO. 1208873.

DATED: May 19th, 2006.

GRANTOR:

TROUT CREEK, LLC, an Idaho limited liability company

By: H. Spence Warner, Member
H. Spence Warner, Member

By: Linda J. Warner Member
Linda J. Warner, Member

STATE OF IDAHO)
: ss.
COUNTY OF BONNEVILLE)

The foregoing instrument was acknowledged before me this 19th day of May, 2006, by H. SPENCE WARNER and LINDA J. WARNER, as sole members of TROUT CREEK, LLC, an Idaho limited liability company.

My Commission Expires:
7/22/2008

Marilyn Walker
NOTARY PUBLIC
Residing at: Swan Valley, Idaho

155700-IF
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

MARILYN WALKER
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
NOV 2 8 2022

Instrument # 1691276
Bonneville County, Idaho Falls, Idaho
06/30/2021 03:14:02 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS
Penny Manning Fee: $15.00
Ex-Officio Recorder Deputy Rupchurch
Index to: DEED, WARRANTY

WARRANTY DEED

THIS INDENTURE, Made this 25 day of June, 2021, by and between Swan Springs Inc., an Idaho Corporation, "the party of the first part", and Frazuki Brothers, LLC, an Idaho limited liability company of P.O. Box 77, Swan Valley, ID 83449-0077, "the party of the second part,"

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars, lawful money of the United States of America, and other valuable consideration, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, the following described real estate, situated in Bonneville County, State of Idaho, to-wit:

The following lots of the Swan Springs Subdivision, an Addition to the City of Swan Valley, Bonneville County, Idaho, according to the Plat recorded December 8, 2005, as Instrument No. 1208535 and re-recorded December 12, 2005, as Instrument No. 1208873, with Affidavit of Correction, Recorded June 16, 2006, as Instrument No. 1227260:

Block 1, Lots 2 and 3;
Block 2, Lots 1, 2, 3, 4, 5, 8, 9, and 10;
Block 3, Lots 3, 8, and 9;
Block 4, Lots 2 and 5.

TOGETHER WITH any and all water and water rights appurtenant to the premises.

TO HAVE AND TO HOLD the said premises, and all right, title and interest in and to said premises, as well in law as in equity, of the said party of the first part. And the said party of the first part, hereby warrants and agrees to forever defend the party of the second part, its heirs and assigns, in the quiet and peaceable possession of said premises against all and every person lawfully claiming an interest therein.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hands the day and year first above written.

Aliccia Braaten President Darcy W. Secretary

Aliccia Braaten, President **Darcy Warner, Secretary**

985537-IF
First American Title Co.
670 S. Woodruff
Idaho Falls, ID 83401

Unofficial Document
SCANNED
NOV 28 2022

Assignment

Swan Springs Inc., an Idaho Corporation, (Seller) hereby assigns unto Frazuki Brothers, LLC, an Idaho limited liability company of P.O. Box 77, Swan Valley, ID 83449-0077, (Buyer), and Buyer hereby accepts, Seller's status as Declarant pursuant to the Declaration of Covenants, Conditions and Restrictions for Swan Springs Subdivision, An Addition to the City of Swan Valley, Bonneville County, Idaho which was recorded October 24, 2006 in Bonneville County, Idaho, as Instrument Number 1241688, and any amendments thereto.

SELLER:

Aliccia Braaten, President

Aliccia Braaten, President

Darcy W. Secretary

Darcy Warner, Secretary

BUYER:

Dee Sucher, Managing Member

Ronald C. Frazell, Managing Member

Unofficial Document

SCANNED
NOV 28 2022

Corporate Acknowledgment

STATE OF Arizona)
ss.
County of Mohave)

On this 25 day of June, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **Aliccia Braaten,** known to me to be the President of **Swan Springs, Inc.**, an Idaho Corporation, the corporation that executed the foregoing document, and acknowledged to me that such corporation executed the same.

Tamara Sanchez
Notary Public
Mohave County, Arizona
My Comm. Expires 04-10-2023
Commission No. 565882

Notary Public for:
Residing at:
My Commission expires:

Unofficial Document

SCANNED
NOV 2 8 2022

Corporate Acknowledgment

STATE OF ID)
ss.
County of Bonneville)

On this 30th day of June, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **Darcy Warner**, known to me to be the Secretary, of **Swan Springs, Inc.**, an Idaho Corporation, the corporation that executed the foregoing document, and acknowledged to me that such corporation executed the same.

Brandon Taggart
Notary Public for:
Residing at: Idaho Falls, ID
My Commission expires: 9/5/2023

BRANDON TAGGART
COMMISSION NO. 2017-0441
NOTARY PUBLIC
STATE OF IDAHO

Unofficial Document

SCANNED
NOV 28 2022

Instrument # 1735665
Bonneville County, Idaho Falls, Idaho
10/28/2022 01:52:38 PM No. of Pages: 2
Recorded for: RONALD C FRAZELL
Penny Manning Fee: $15.00
Ex-Officio Recorder Deputy
Index to: DEED

WATER RIGHT DEED

Frazuki Brothers, LLC, an Idaho limited liability company of P.O. Box 77, Swan Valley, ID 83449-0077, hereinafter called "Grantors" hereby remises, releases, and forever warrants unto **Swan Springs Home Owners Association**, Inc. hereinafter termed "Grantees", its interest in and to the following Idaho Water Rights in Bonneville County, Idaho:
PO Box 77, Swan Valley, ID 83449

Water Right #	Township	Range	Acres	Section	QQ	CFS
23-48C	1 North	43 East	16.2	1	NESE; NWSE; SWSE; SESE	0.24
23-98C	1 North	43 East	10	1	NESE; NWSE; SWSE; SESE	0.2
23-11321	1 North	43 East	81.9	1	NESE; NWSE; SWSE	0.97
23-11323	1 North	43 East	81.9	1	NESE; NWSE; SWSE	1.19
23-11319	1 North	43 East	81.9	1	NESE; NWSE; SWSE	1.15

DATED This 28 day of OCTOBER, 2022.

Ronald C. Frazell, Managing Member

Dee Sucher, Managing Member

SCANNED
NOV 28 2022

STATE OF IDAHO)
) ss.
County of Idaho)

On this 28th day of October, 2022 before me a notary public in and for said State, personally appeared **Ronald C. Frazell**, known to be a managing member of the limited liability company that executed the instrument or the person who executed this instrument on behalf of said company and acknowledged to me that such company executed the same.

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

GREGORY L. CROCKETT
COMM. NO. 8816
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 07/05/23

Gregory L. Crockett
Notary Public for Idaho
Residing at: Idaho Falls
My commission expires: 7-05-23

STATE OF IDAHO)
) ss.
County of Idaho)

On this 28th day of Oct., 2022 before me a notary public in and for said State, personally appeared **Dee Sucher**, known to be a managing member of the limited liability company that executed the instrument or the person who executed this instrument on behalf of said company and acknowledged to me that such company executed the same.

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

Linda C. Sargent
Notary Public for Idaho
Residing at: Swan Valley, Id.
My commission expires: 11/13/24

LINDA C. SARGENT
NOTARY PUBLIC
MY COMMISSION
EXPIRES 11-13-2024
STATE OF IDAHO
COMMISSION NUMBER 35056

SCANNED
NOV 28 2022

BONNEVILLE COUNTY RECORDER
1241688 OCT24'06 PM 2:44

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SWAN SPRINGS SUBDIVISION, AN ADDITION TO THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO

THIS DECLARATION is made as of the 24th day of Oct., 2006, by SWAN SPRINGS, INC., an Idaho corporation, as the Declarant.

RECITALS:

A. The Declarant is the owner of certain real property located in the City of Swan Valley, Bonneville County, Idaho, which is generally described as Swan Springs Division No. 1, an addition to the City of Swan Valley, Bonneville County, Idaho.

B. The Declarant has recorded with the Recorder of Bonneville County, Idaho, a Plat of Swan Springs Division No. 1, an addition to the City of Swan Valley, Bonneville County, Idaho (the "Plat").

C. The Property contains high scenic and natural values, and Declarant is adopting these covenants, conditions and restrictions to preserve and maintain the character and value of the Property for the benefit of all existing and future owners of the Property, in conjunction with the residential development of the Property, as a first class residential real estate project.

D. A portion of the Property consists of lots used or to be used as sites for the construction of single-family residential units.

E. The Property shall generally be known as "Swan Springs."

F. The Property is hereby made subject to the covenants, conditions, restrictions, reservations, assessments, charges and liens contained or provided for in this Declaration, all of which shall be enforceable equitable servitudes and shall run with the land.

NOW, THEREFORE, the Declarant hereby declares that all of the Property shall be held, sold, conveyed, leased, transferred, used and occupied subject to the provisions of this Declaration, including the covenants, restrictions, reservations, assessments, regulations, charges and liens contained or provided for herein, which are for the purpose of protecting the value and desirability of the Property as a first-class residential real estate project, and which shall be construed as covenants of equitable servitude and shall run with the land and be binding on all parties having any right, title or interest in the Property or any part thereof, and their heirs, successors and assigns.

First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

Unofficial Document
SCANNED
NOV 28 2022

Section 4. Use of Parking Facilities and Roadways; Storage. The Management Committee shall have full power and authority to regulate the parking and storage of cars and any and all motor homes, recreational vehicles, boats, bicycles, motorbikes, motorcycles, trailers and other similar vehicles and equipment, and to regulate the use of roadways by imposing and enforcing speed limits and other restrictions, all with full power and authority to impose and enforce (by special assessments hereunder or otherwise) fines and other penalties for violations of such regulations. Recreational vehicles, motor homes, trailers, campers, pop-up trailers, boats, water craft, snowmobiles, three and four wheeler or other all terrain vehicles and the like may not be stored on a Lot, except they may be stored in either the main garage or an outbuilding.

Section 5. Irrigation Water Rights. No irrigation waters rights shall be transferred with the Lots and all such irrigation water rights which are appurtenant to the Property shall be owned by the Association and used by the Association for the Ponds, Waterfalls, and any other water systems maintained by the Association.

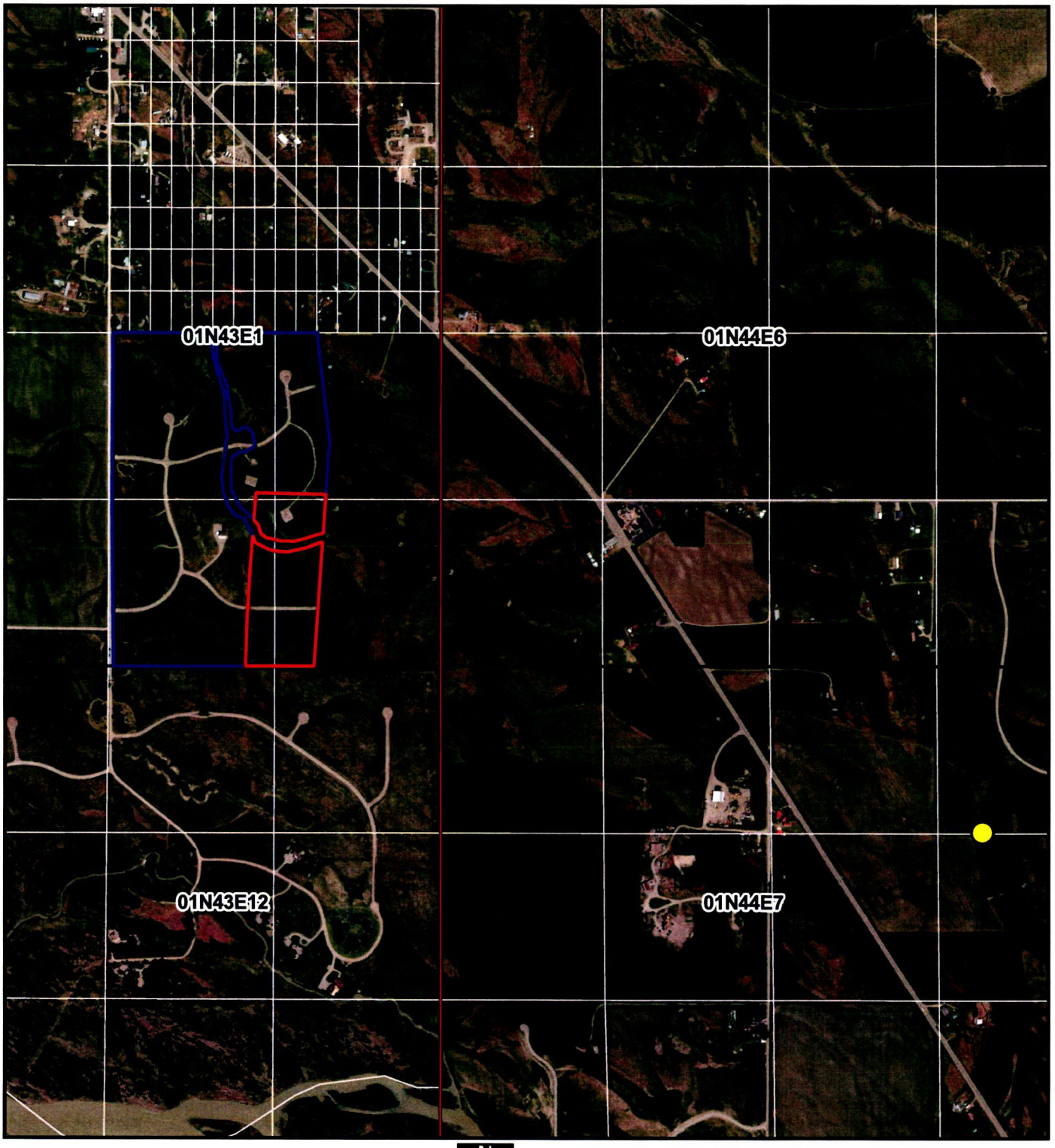
Section 6. Road Improvements. Declarant shall construct the roads on the Property designated on the Plat as gravel roads in accordance with all applicable city and county standards. Thereafter, the maintenance and regulation of the roads shall be the responsibility of the Association. The Declarant shall have no obligation to pave the roads and in the event the Association elects to pave the roads it shall be a Common Expense of the Association.

Section 7. Stoltenberg Lane Access. Direct access from Lots to Stoltenberg Lane is not permitted.

Section 8. Certain Additional Restrictions. The following additional restrictions are applicable to Lots. Each reference to "Owners" includes their tenants and invitees.

(a) Keeping Outside Areas Clean and Sightly. The Owners shall not place or store anything within the Common Areas without the prior written consent of the Management Committee or its designee except in a facility specifically designated or approved for their storage. All Owners shall keep their residences and their Lots in a reasonably clean, safe, sightly and tidy condition, except for reasonable activities permitted by the Management Committee during the construction of an authorized improvement. Refuse, garbage and trash shall be kept at all times in a covered container, and such covered container shall be screened from view at all times.

SCANNED
NOV 7 8 2022



SCANNED
NOV 28 2022

Legend

- Swan Springs WR et al POD
- WR 23-48C, 23-98C
- WR 23-11321, 23-11323, 23-11319
- TR
- Sec
- QQ

Swan Springs Home Owner Association

Notice of Change in Water Right Ownership

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 10 2022
Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-48C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-98C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11321	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11323	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11319	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: TROUT CREEK LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): FRAZUKI BROTHERS, LLC. / SWAN SPRINGS SUBDIVISION + HOA
New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

PO BOX 77 — Mailing address
SWAN VALLEY, — City
ID — State
83449 — Zip

208-499-2677 — Telephone
FRAZ417@SILVERSTAR.COM — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: JUNE 30, 2021.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - ☒ $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [signature] — Signature of new owner/claimant
MANAGER / PRESIDENT — Title, if applicable
8-1-2022 — Date
RONALD C. FRAZELL — Print name

Signature: _____ — Signature of new owner/claimant
_____ — Title, if applicable
_____ — Date
_____ — Print name

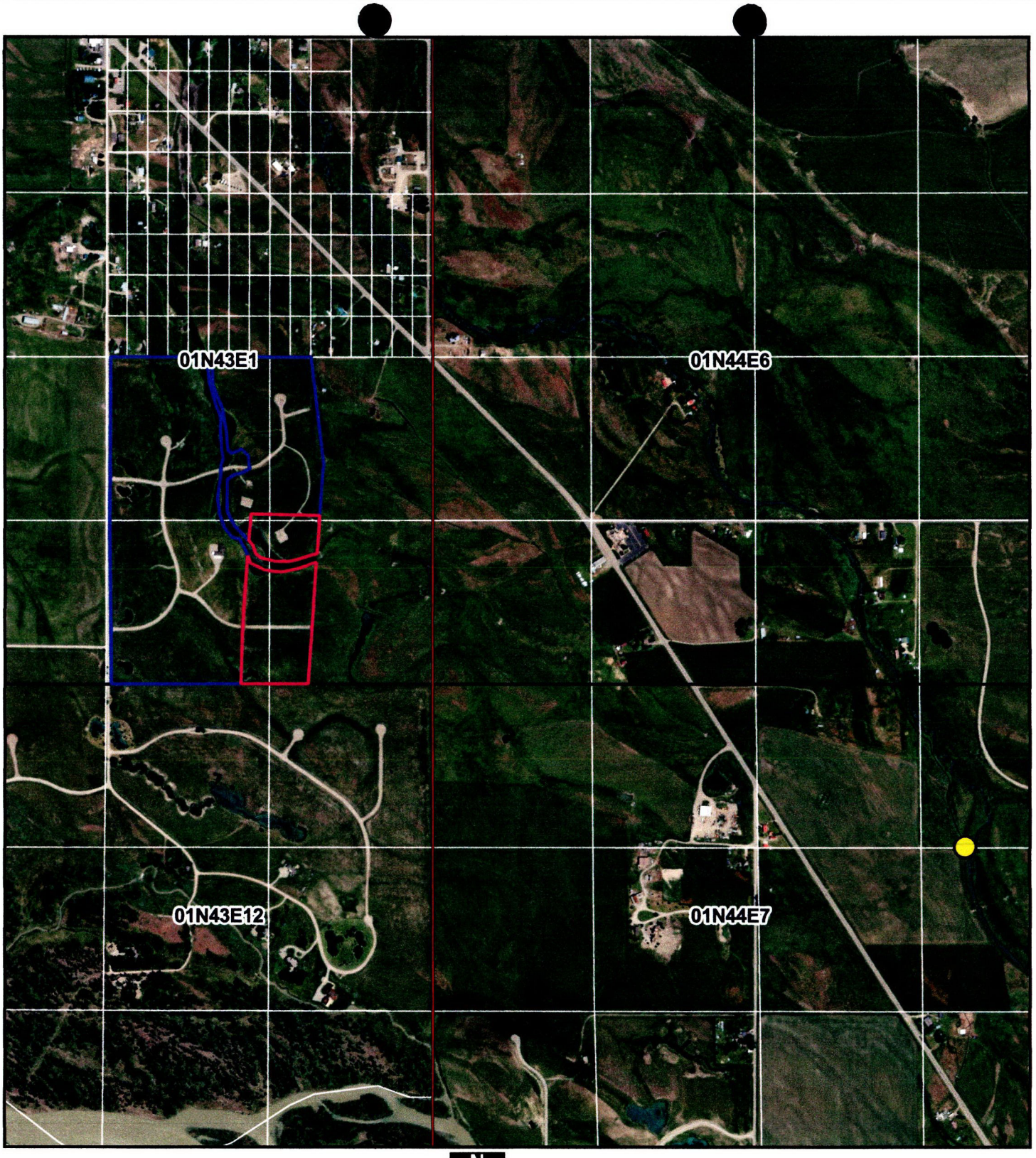
SCANNED
NOV 28 2022

For IDWR Office Use Only:

Receipted by M. Rettis Date 8-10-22 Receipt No. E048393 Receipt Amt. 125.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by dy Date 11/22/22



0 0.2 0.4 mi

N

ESRI Satellite Imagery

SCANNED
NOV 2 8 2022

Legend

- Swan Springs WR et al POD
- WR 23-48C, 23-98C
- WR 23-11321, 23-11323, 23-11319
- TR
- Sec
- QQ

Swan Springs Subdivision & HOA

Notice of Change in Water Right Ownership

BONNEVILLE COUNTY RECORDER
1224289 MAY22'06 AM1114

INSTRUMENT NO. 1224289
DATE 5-22-06
INST. CODE 205
IMAGED PGS 1
FEE 3.00
STATE OF IDAHO) ss
COUNTY OF BONNEVILLE)
I hereby certify that the within instrument was recorded.
Ronald Longmore, County Recorder
By _____ Deputy
Request of FATCO

WHEN RECORDED, MAIL TO:

ZIONS FIRST NATIONAL BANK
40 East St. George Blvd.
St. George, Utah 84770

ATTN: Cathy L. Wiechman

WARRANTY DEED

TROUT CREEK, LLC, an Idaho limited liability company, whose address is P.O. Box 45, Swan Valley, Idaho 83449 ("Grantor"), hereby CONVEYS AND WARRANTS to **SWAN SPRINGS, INC.**, an Idaho corporation, whose address is P.O. Box 45, Swan Valley, Idaho 83449 ("GRANTEE"), for the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, the following described tract(s) of land situated in Bonneville County, State of Idaho:

LOTS 1, 2, 3, AND 4, BLOCK 1, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 2, LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9 BLOCK 3, LOTS 1, 2, 3, 4, AND 5, BLOCK 4, SWAN SPRINGS DIVISION NO. 1, AN ADDITION TO THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE PLAT RECORDED DECEMBER 8, 2005, AS INSTRUMENT NO. 1208535 AND DECEMBER 12, 2005, AS INSTRUMENTS NO. 1208873.

DATED: May 19th, 2006.

GRANTOR:

TROUT CREEK, LLC, an Idaho limited liability company

By: H. Spence Warner, Member
H. Spence Warner, Member

By: Linda J. Warner Member
Linda J. Warner, Member

STATE OF IDAHO)
: ss.
COUNTY OF BONNEVILLE)

The foregoing instrument was acknowledged before me this 19th day of May, 2006, by H. SPENCE WARNER and LINDA J. WARNER, as sole members of TROUT CREEK, LLC, an Idaho limited liability company.

My Commission Expires:
7/22/2008

NOTARY PUBLIC
Residing at: Lewisville, Idaho

155700-IF
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

MARILYN WALKER
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
NOV 2 8 2022

WARRANTY DEED

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WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars, lawful money of the United States of America, and other valuable consideration, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, the following described real estate, situated in Bonneville County, State of Idaho, to-wit:

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Block 3, Lots 3, 8, and 9;
Block 4, Lots 2 and 5.

TOGETHER WITH any and all water and water rights appurtenant to the premises.

TO HAVE AND TO HOLD the said premises, and all right, title and interest in and to said premises, as well in law as in equity, of the said party of the first part. And the said party of the first part, hereby warrants and agrees to forever defend the party of the second part, its heirs and assigns, in the quiet and peaceable possession of said premises against all and every person lawfully claiming an interest therein.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hands the day and year first above written.

Alicia Braaten President — Darcy W. Secretary

Alicia Braaten, President — Darcy Warner, Secretary

SCANNED
NOV 2 8 2022

Assignment

Swan Springs Inc., an Idaho Corporation, (Seller) hereby assigns unto Franski Brothers, LLC, an Idaho limited liability company of P.O. Box 77, Swan Valley, ID 83449-0077, (Buyer), and Buyer hereby accepts, Seller's status as Declarant pursuant to the Declaration of Covenants, Conditions and Restrictions for Swan Springs Subdivision, An Addition to the City of Swan Valley, Bonneville County, Idaho which was recorded October 24, 2006 in Bonneville County, Idaho, as Instrument Number 1241688, and any amendments thereto.

SELLER:

Aliccia Braaten, President

Aliccia Braaten, President

Darcy W. Secretary

Darcy Warner, Secretary

BUYER:

Dee Sucher, Managing Member

Ronald C. Frazell, Managing Member

SCANNED
NOV 2 8 2022

1020 E. Lincoln Road
Idaho Falls, Idaho 83401
(208) 524-8175
FAX 524-8181

SWAN SPRINGS
DIVISION NO. 1
AN ADDITION TO THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO
BEING PART OF THE S.E. 1/4 SECTION 1 T. 1 N. R. 43 E.B.M.

Mountain River Engineering

SCANNED
NOV 28 2005

SWAN SPRINGS
DIVISION NO 1
PAGE 1 OF 2
1208873 S-207 12-12-2005

STATE OF IDAHO
County of Bonneville } ss
I hereby certify that the within instrument was filed 12-12-05 at 11:00 AM Fee 11.00
RONALD LONGMORE, County Recorder
By Kiley Deputy

1208873
S-207

RECORDER'S CERTIFICATE

I hereby certify that the foregoing subdivision plat of SWAN SPRINGS, DIVISION NO. 1, an addition to the City of Swan Valley, Bonneville County, Idaho was filed for recording in the office of the Recorder of Bonneville County, Idaho on this 12th day of December, 2005 at 11:21 PM and recorded under Instrument Number 1208873 in Plat Book — on page S-207.

Bonneville County Recorder

CITY'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the City of Swan Valley, Idaho by resolution adopted this 10 day of October, 2005.

Mayor

City Clerk

TREASURER'S CERTIFICATE

I, the undersigned County Treasurer in and for the County of Bonneville, State of Idaho, per the requirements of Idaho Code 50-1308, do hereby certify that all county property taxes due for the property included in this project are current.

Date:

Bonneville County Treasurer

HEALTH DEPARTMENT CERTIFICATE

I hereby certify that sanitary restrictions required by Idaho Code Title 50, Chapter 13, Section 50-1326 have been satisfied and this plat is hereby approved for recording by filing of this certificate herewith.

DISTRICT 7 STATE BOARD OF HEALTH

Date: 12/6/05

Environmental Health Specialist

FIRE CHIEF'S CERTIFICATE

I hereby certify that I have reviewed this subdivision plat for compliance with the International Fire Code/2000.
SEE NOTE BELOW

Swan Valley Fire Department

Fire Chief

12-8-05
Date

LEGEND & NOTES

- 5/8" x 30" Steel rebar set with plastic cap stamped L.S.8795
- 1/2" x 24" Steel rebar set with plastic cap stamped L.S.8795
- 5/8" Steel rebar found with caps stamped L.S.8795
- 1/2"Steel rebar found with caps stamped L.S.8795

A ten foot wide Public Utility Easement is hereby reserved along all road frontages within each lot. **NOT SHOWN ON PLAT.** (See Sheet 2 of 2)

Direct access from lots onto Stoltenberg lane IS NOT PERMITTED

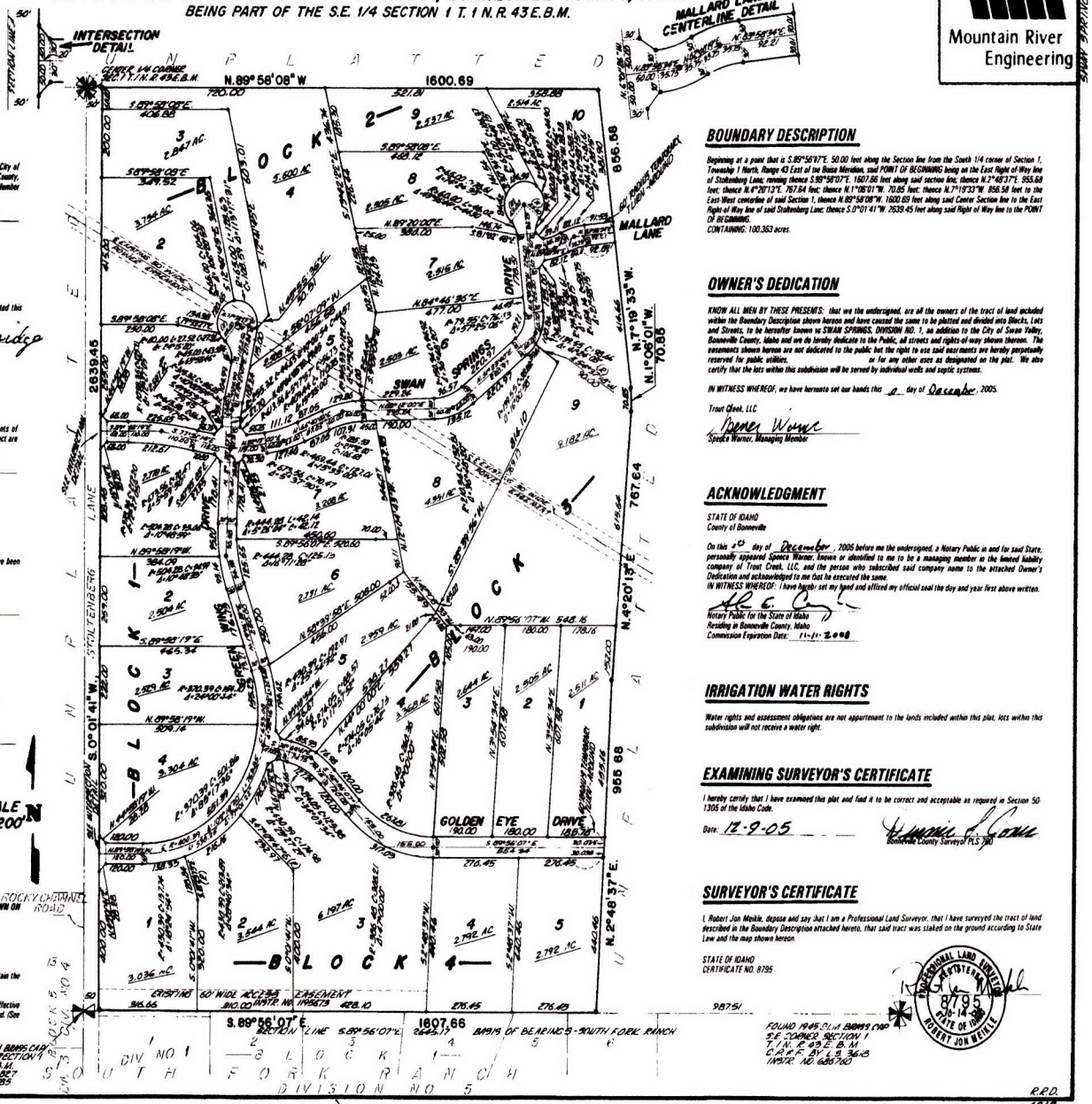
Power easement shown is centered over existing power lines.

Irrigation ditch easements (NOT SHOWN) are reserved and centered over existing ditches, wide enough to maintain the ditch, and any ditches serving property downstream shall be kept open to flow.

According to the FEMA Flood Plain FIRM map, Swan Valley, Idaho, Community Panel No. 160154 005-B, effective August 1, 1980, this subdivision lies in ZONE B, areas between the limits of the 100 year flood and 500 year flood. (See Panel)

A FIRE PROTECTION SYSTEM PLAN LAYOUT FOR THIS SUBDIVISION IS ON FILE IN THE OFFICE OF THE RECORDER OF BONNEVILLE COUNTY, IDAHO, RECORDED UNDER E. INSTRUMENT NO. 1208856

SCALE 1"=200'



BOUNDARY DESCRIPTION

Beginning at a point that is S.89°56'07"E. 50.00 feet along the Section line from the South 1/4 corner of Section 1, Township 1 North, Range 43 East of the Boise Meridian, said POINT OF BEGINNING being on the East Right-of-Way line of Stoltenberg Lane; running thence S.89°56'07"E. 1607.66 feet along said section line; thence N.2°48'37"E. 955.68 feet; thence N.4°20'13"E. 767.64 feet; thence N.1°06'01"W. 70.85 feet; thence N.7°19'33"W. 856.58 feet to the East-West centerline of said Section 1, thence N.89°56'08"W. 1600.69 feet along said Center Section line to the East Right-of-Way line of said Stoltenberg Lane; thence S.0°01'41"W. 2639.45 feet along said Right of Way line to the POINT OF BEGINNING.
CONTAINING: 100.383 acres

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that we the undersigned, are all the owners of the tract of land included within the Boundary Description shown hereon and have caused the same to be platted and divided into Blocks, Lots and Streets, to be hereafter known as SWAN SPRINGS, DIVISION NO. 1, an addition to the City of Swan Valley, Bonneville County, Idaho and we do hereby dedicate to the Public, all streets and rights-of-way shown thereon. The easements shown hereon are not dedicated to the public but the right to use said easements are hereby perpetually reserved for public utilities, or for any other uses as designated on the plat. We also certify that the lots within this subdivision will be served by individual wells and septic systems.

IN WITNESS WHEREOF, we have hereunto set our hands this 9 day of December, 2005.

Trout Creek, LLC

Spence Warner, Managing Member

ACKNOWLEDGMENT

STATE OF IDAHO
County of Bonneville

On this 9th day of December, 2005 before me the undersigned, a Notary Public in and for said State, personally appeared Spence Warner, known or identified to me to be a managing member in the limited liability company of Trout Creek, LLC, and the person who subscribed said company name to the attached Owner's Dedication and acknowledged to me that he executed the same.
IN WITNESS WHEREOF: I have hereto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho
Residing in Bonneville County, Idaho
Commission Expiration Date: 11-11-2008

IRRIGATION WATER RIGHTS

Water rights and assessment obligations are not appurtenant to the lands included within this plat, lots within this subdivision will not receive a water right.

EXAMINING SURVEYOR'S CERTIFICATE

I hereby certify that I have examined this plat and find it to be correct and acceptable as required in Section 50-1305 of the Idaho Code.

Date: 12-9-05

Bonneville County Surveyor PLS 790

SURVEYOR'S CERTIFICATE

I, Robert Jon Meikle, depose and say that I am a Professional Land Surveyor, that I have surveyed the tract of land described in the Boundary Description attached hereto, that said tract was staked on the ground according to State Law and the map shown hereon.

STATE OF IDAHO
CERTIFICATE NO. 8795

PROFESSIONAL LAND SURVEYOR 8795 10-14-2006 STATE OF IDAHO ROBERT JON MEIKLE

FOUND 1945 BLM BRASS CAP S.E. CORNER SECTION 1 T.1 N. R.43 E. B.M. C.P.&F. BY L.S. 3648 WITNESS NO. 680760

FOUND BLM BRASS CAP 3 1/4 CORNER SECTION 1 T.1 N. R.43 E.B.M. C.P.&F. BY L.S. 8277 WITNESS NO. 823785

R.P.D. 6918

BONNEVILLE COUNTY RECORDER
1241688 OCT24'06 PM 2:44

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SWAN SPRINGS SUBDIVISION, AN ADDITION TO THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO

THIS DECLARATION is made as of the 24th day of Oct., 2006, by SWAN SPRINGS, INC., an Idaho corporation, as the Declarant.

RECITALS:

A. The Declarant is the owner of certain real property located in the City of Swan Valley, Bonneville County, Idaho, which is generally described as Swan Springs Division No. 1, an addition to the City of Swan Valley, Bonneville County, Idaho.

B. The Declarant has recorded with the Recorder of Bonneville County, Idaho, a Plat of Swan Springs Division No. 1, an addition to the City of Swan Valley, Bonneville County, Idaho (the "Plat").

C. The Property contains high scenic and natural values, and Declarant is adopting these covenants, conditions and restrictions to preserve and maintain the character and value of the Property for the benefit of all existing and future owners of the Property, in conjunction with the residential development of the Property, as a first class residential real estate project.

D. A portion of the Property consists of lots used or to be used as sites for the construction of single-family residential units.

E. The Property shall generally be known as "Swan Springs."

F. The Property is hereby made subject to the covenants, conditions, restrictions, reservations, assessments, charges and liens contained or provided for in this Declaration, all of which shall be enforceable equitable servitudes and shall run with the land.

NOW, THEREFORE, the Declarant hereby declares that all of the Property shall be held, sold, conveyed, leased, transferred, used and occupied subject to the provisions of this Declaration, including the covenants, restrictions, reservations, assessments, regulations, charges and liens contained or provided for herein, which are for the purpose of protecting the value and desirability of the Property as a first-class residential real estate project, and which shall be construed as covenants of equitable servitude and shall run with the land and be binding on all parties having any right, title or interest in the Property or any part thereof, and their heirs, successors and assigns.

First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

SCANNED
NOV 28 2022

Section 4. Use of Parking Facilities and Roadways; Storage. The Management Committee shall have full power and authority to regulate the parking and storage of cars and any and all motor homes, recreational vehicles, boats, bicycles, motorbikes, motorcycles, trailers and other similar vehicles and equipment, and to regulate the use of roadways by imposing and enforcing speed limits and other restrictions, all with full power and authority to impose and enforce (by special assessments hereunder or otherwise) fines and other penalties for violations of such regulations. Recreational vehicles, motor homes, trailers, campers, pop-up trailers, boats, water craft, snowmobiles, three and four wheeler or other all terrain vehicles and the like may not be stored on a Lot, except they may be stored in either the main garage or an outbuilding.

Section 5. Irrigation Water Rights. No irrigation waters rights shall be transferred with the Lots and all such irrigation water rights which are appurtenant to the Property shall be owned by the Association and used by the Association for the Ponds, Waterfalls, and any other water systems maintained by the Association.

Section 6. Road Improvements. Declarant shall construct the roads on the Property designated on the Plat as gravel roads in accordance with all applicable city and county standards. Thereafter, the maintenance and regulation of the roads shall be the responsibility of the Association. The Declarant shall have no obligation to pave the roads and in the event the Association elects to pave the roads it shall be a Common Expense of the Association.

Section 7. Stoltenberg Lane Access. Direct access from Lots to Stoltenberg Lane is not permitted.

Section 8. Certain Additional Restrictions. The following additional restrictions are applicable to Lots. Each reference to "Owners" includes their tenants and invitees.

(a) Keeping Outside Areas Clean and Sightly. The Owners shall not place or store anything within the Common Areas without the prior written consent of the Management Committee or its designee except in a facility specifically designated or approved for their storage. All Owners shall keep their residences and their Lots in a reasonably clean, safe, sightly and tidy condition, except for reasonable activities permitted by the Management Committee during the construction of an authorized improvement. Refuse, garbage and trash shall be kept at all times in a covered container, and such covered container shall be screened from view at all times.

SCANNED
NOV 2 8 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

November 25, 2022

SWAN SPRINGS HOMEOWNERS ASSOCIATION INC
PO BOX 77
SWAN VALLEY ID 83449-0077

Re: Change in Ownership for Water Right Nos: 23-48C, 23-98C, 23-11319, 23-11321, & 23-11323

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 01 – *via email*

SCANNED
NOV 2 8 2022

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 Gary Spackman**

November 8, 2022

SWAN SPRINGS HOMEOWNERS ASSOCIATION INC
PO BOX 77
SWAN VALLEY OD 83449

RE: Change in Ownership Water Right No. 23-48C, 23-98C, 23-11321, 23-11323, 23-11319

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Filing Fee:** The filing fee for an ownership change that does not result in a split of the water right is $25.00 per water right. The filing fee for a split water right is $100.00 per water right. Please supply the filing fee.

**** **Evidence of Ownership:** In order for the department to update ownership of a water right on property owned by someone else additional information is required. Please supply evidence that water rights were with held when the property was sold and notice to the property owners of the ownership change is required per Idaho code. *Idaho Code 42-248 – Notification of Change in Ownership of a Water Right or Change of Address of a Water Right Owner – Notice of Action Affecting a Water Right(6) If the person filing the notice of a change of water right ownership does not own the land identified as the place of use for the water right, the notice shall be accompanied by evidence that written notice of the change of water right ownership has been mailed or hand-delivered to the landowner of record, as identified in the records of the county recorder.*

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED
NOV 2 8 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 2, 2022

SWAN SPRINGS INC
FRAZUKI BROTHERS LLC
PO BOX 77
SWAN VALLEY ID 83449-0077

RE: Change in Ownership Water Right No: 23-48C, 23-98C, 23-11319, 23-11321, & 23-11323

Dear Interested Party:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

__X__ Filing Fee of $100 per water right for changes resulting from division of a water right

__X__ Evidence of Water Right Ownership: copy of Deed, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question – Please submit a notarized copy of the warranty deed conveying property from Swan Springs Inc. to Frazuki Brothers LLC

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is $25 per water right, except for ownership changes resulting in the division of a water right, which is $100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **$375**.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

SCANNED
SEP 0 6 2022