

03/04/2002

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13291

NAME AND ADDRESS: DANIEL K CLARK  
4441 W OLD HWY 91  
INKOM ID 83245

SHIRLEE A CLARK  
4441 W OLD HWY 91  
INKOM ID 83245

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS  
0.6 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 09/11/2000

POINT OF DIVERSION:

T07S R35E S24 NWNWSE Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

0.60 AFY

PLACE OF USE: DOMESTIC Within BANNOCK County

T07S R35E S24 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO: R4013043802

DOMESTIC: 1 HOME

Water Right 29-13291

Craig  
02/08/2003

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13291

DANIEL K CLARK  
4441 W OLD HWY 91  
INKOM ID 83245

SHIRLEE A CLARK  
4441 W OLD HWY 91  
INKOM ID 83245

APR 23 2003  
Department of Water Resources  
Eastern District Office

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/15/03

SIGNATURE:

Please print your name:

SHIRLEE CLARK

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED  
MAY 07 2003  
WATER RESOURCES  
WESTERN REGION

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13291 V1

WATER RIGHT NUMBER: 29-13291 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Original Owner    | THOMAS J HANSON<br>4443 W OLD HWY 91<br>INKOM, ID 83245<br>(208) 775-4514 |
| Current Owner     | DANIEL K CLARK<br>4441 W OLD HWY 91<br>INKOM, ID 83245                    |
| Current Owner     | SHIRLEE A CLARK<br>4441 W OLD HWY 91<br>INKOM, ID 83245                   |

Priority Date: 09/11/2000

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| DOMESTIC                | 01/01 to 12/31        | 0.040 CFS             | 0.60 AF              |
| <u>Total Diversion:</u> |                       | 0.040 CFS             | 0.60 AF              |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | NW1/4NW1/4SE1/4 | Sec. 24, Twp 07S, Rge 35E, B.M. |
| BANNOCK County |                 |                                 |

Place of UseDOMESTIC Within BANNOCK County

T07S R35E S24    NWSE

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO: R4013043802
2. Explanatory DOMESTIC: 1 HOME

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-13291 V1

Comments:

1. csaxton 3/4/2002 Irrigation  
Comment: Irrigation for lawn covered under right 29-07660.

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal:  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 03/04/2002                | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 3/4/2002 9:14:24 AM    | csaxton         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Desktop Review                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POD            | 3/4/2002 9:15:08 AM    | csaxton         | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Summary        | 3/4/2002 9:22:06 AM    | csaxton         | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?<br>(No) 7. Is this a split or combined right?<br>(No) 8. Do you have documents you would like to attach or link to the file?<br>(Yes) 9. Would you like to set the verification date? |

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-13291  
Date Received: 2/14/2002  
Receipt No:  
Received By:

COPY

COPY

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANIEL K CLARK Phone: (208) 775-3230

4441 W OLD HWY 91  
INKOM ID USA 83245

SHIRLEE A CLARK Phone: (208) 775-3230

4441 W OLD HWY 91  
INKOM ID USA 83245

2. Date of Priority: 09/11/2000

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 07S      | 35E   | 24      | NW NW SE              | BANNOCK |      |

5. Description of diverting works:

Well to household.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) A.F.A |
|----------|-------|-------|--------|------------|
| DOMESTIC | 01/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:  
Number of homes: 1

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|------------|-----|----------|-------|
| 07S      | 35E   | 24      | NW         | SE  | DOMESTIC |       |

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PARCEL NO: R4013043802

SECOND HOUSE ON PROPERTY, SLIGHTLY OVER 1/4 ACRE FOR LAWN AND DOMESTIC.

DAN AND SHIRLEE CLARK FILED THE CLAIM ORIGINALY FOR THEIR PARENTS HOME THAT IS ACTUALLY LOCATED ON DAN AND SHIRLEES PROPERTY. THROUGH E-MAIL, SHIRLEE REQUESTED THE NAME ON THIS CLAIM BE CHANGED INTO DAN AND SHIRLEE. ALL NECESSARY C/O INFORMATION IS SUPPLIED SO THE CHANGE WAS MADE (CSAXTON 2/19/02).

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FEB 14 2002

WATER RESOURCES  
WESTERN REGIONIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 29-13291Date Received 2/14/02Receipt Number E027449

# NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Thomas J. Hanson Phone (208 ) 775-4514Mailing Address 4443 West Old Hwy 91, Inkom, ID Zip 832452. Date of Priority (Only one per claim) 9/11/2000 Month/Day/Year3. Source of water supply (Check one) ( X ) Groundwater or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_ Name or kind of source4. Location of point of diversion is: Township 7 South Range 35 East  
Section 24 . NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.,  
County of Bannock

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well to household

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01/<sup>Month/Day</sup> to 12/31/<sup>Month/Day</sup> amount .04 (cfs)  
(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic

10. Place of use is: Township: 7 South Range 35 East  
Section 24, NW 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of Bannock for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes \_\_\_\_\_ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: Second house on property, slightly over 1/4 acre for lawn & domestic  
use for 2 people

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thomas J. Hanson Date 2/11/02  
Mary B. Hanson Date 2/11/02

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

\_\_\_\_\_ Title  
of \_\_\_\_\_ that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

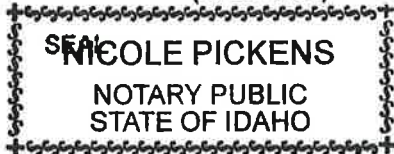
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ }  
County of \_\_\_\_\_ } SS.

Subscribed and sworn (or affirmed) before me this 11<sup>th</sup> day of February 2002



Notary Public Nicole Pickens

Residing at Chubbuck, ID

My Commission Expires 12/15/06

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

# Idaho Department of Water Resources Receipt

Receipt ID E027449

Payment Amount \$25.00 Date Received 2/14/2002 12:35:52 PM Region Eastern Status ☐  
Payment Type Check Check Number 6085

Payer CLARK, DAN &amp; SHIRLEE

Comment 29-13291: DOMESTIC CLAIM

## Fee Detail

| Amount  | Description             | Fund | FD | PCA   | SO   |
|---------|-------------------------|------|----|-------|------|
| \$25.00 | ADJUDICATION FILING FEE | 0337 |    | 43503 | 1155 |



Signature Line (Dept. Representative)

## Saxton, Craig

---

**From:** Saxton, Craig  
**Sent:** Tuesday, February 19, 2002 7:29 AM  
**To:** 'Shirlee Clark'  
**Subject:** RE: domestic water rights

Dear Shirlee,

I already sent you a copy of the Domestic claim with your parents name on the claim. However, based on your request via E-mail, I will make the changes and send you a revised copy.

Have a good week,

Craig L. Saxton  
Water Resource Agent  
Adjudication Bureau  
(208) 334-2190

-----Original Message-----

From: Shirlee Clark [mailto:clark\_shirlee@hotmail.com]  
Sent: Monday, February 18, 2002 8:08 AM  
To: csaxton@idwr.state.id.us  
Subject: domestic water rights

Dear Craig,

Thanks for the e-mail. Would you please file the new claim in our name in  
stead of our parents. I believe in the long term this will be a much  
cleaner way to do it.

What ever I need to do, please let me know.

Thanks

Shirlee Clark & Dan Clark  
4444 West Old Hwy 91  
Inkom, ID 83245

ID # 29-13291  
Thomas & Mary Hanson  
4443 West Old Hwy 91  
Inkom, ID 83245

---

MSN Photos is the easiest way to share and print your photos:  
<http://photos.msn.com/support/worldwide.aspx>

**Saxton, Craig**

---

**From:** Saxton, Craig  
**Sent:** Monday, February 04, 2002 10:36 AM  
**To:** 'clark\_shirlee@hotmail.com'  
**Subject:** SRBA claim 29-07660

Dear Shirlee,

Thanks for sending in the Notice in Change of Water Right ownership. However, I need the deed trail that shows conveyance from Thomas Hanson to yourself. You supplied a Deed of Reconveyance, but it doesn't mention anything about Thomas Hansen conveying the property to yourself. This should be on your Warranty Deed. An example of the language we are looking for would be something like, "I Thomas Hanson the grantor convey..... to Dan and Shirlee Clark the Grantee(s)". If the property is in a trust name, then the deed would show conveyance to the Trust. I apologize for the confusion.

In addition, attached is a Domestic and Stockwater Claim form for your parents property. In case the attachment doesn't open, the web link is:

[http://www.idwr.state.id.us/info/forms.htm#SRBA\\_Forms](http://www.idwr.state.id.us/info/forms.htm#SRBA_Forms)

Then under "Snake River Basin Adjudication Forms". Select:

Notice of Claim To A Water Right Acquired Under State Law For Domestic/Stockwater Purposes

Please feel free to call if you have any questions.

Sincerely,

Craig L. Saxton  
Water Resource Agent  
Adjudication Bureau  
334-2190

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED****JAN 28 2002****WATER RESOURCES  
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    |
|-----------------------|------------------------------|--------------------------|-----------------------|------------------------------|--------------------------|
| 29-7660               | 29-7660                      | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

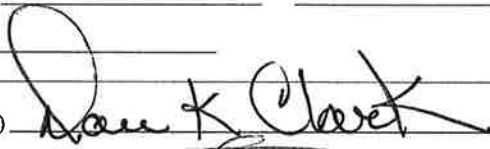
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas J. and Mary B. Hanson  
4443 W. Old Hwy. 91, Inkom, ID 83245
4. New Owner/Claimant(s) Daniel K. and Shirlee A. Clark  
 Name Connector (Check one) ☒ [ ] and, [ ] or, [ ] and/or  
4441 W. Old Hwy. 91  
 New Mailing Address  
Inkom, ID 83245  
 City, State and ZIP Code  
(208) 775-3230  
 New Telephone Number  
02/28/2001  
 5. Date you acquired the property

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)   
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

20107152

56570SMK

**DEED OF RECONVEYANCE**

PIONEER TITLE COMPANY OF BANNOCK COUNTY, an Idaho Corporation, as Trustee in the deed of trust executed by **DAN K. CLARK, SHIRLEE A. CLARK, HUSBAND AND WIFE**, filed in the office of the County Recorder of **BANNOCK** County, State of Idaho, on **MAY 4, 2000** as instrument no. **20006961** pursuant to the written request of the beneficiary, **CITIZENS COMMUNITY BANK**, does hereby reconvey without warranty to the PERSON OR PERSONS LEGALLY ENTITLED THERETO, all the estate now held by it under such Deed of Trust.

IN WITNESS WHEREOF, PIONEER TITLE COMPANY OF BANNOCK COUNTY has caused these presents to be executed by its duly authorized officer.

DATED: April 17, 2001

**PIONEER TITLE COMPANY OF BANNOCK COUNTY**

BY:

Marie Hunter  
MARIE HUNTER

ITS: Asst. Vice President



STATE OF IDAHO  
COUNTY OF BANNOCK

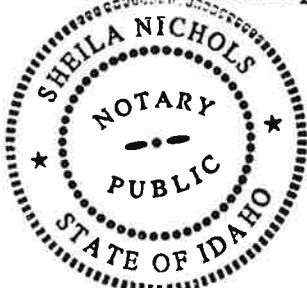
On this 17<sup>TH</sup> day of APRIL, 2001, before me the undersigned, a Notary Public, in and for said state, personally appeared MARIE HUNTER, known or identified to me to be the Asst. Vice President of PIONEER TITLE COMPANY OF BANNOCK COUNTY, the entity that executed the within instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that said entity executed the same.

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

Sheila Nichols  
Notary Public

Residing at: Pocatello, Idaho

Commission Expires: 8/3/2006



20107152

NO  
RECORDED AT REQUEST OF  
PIONEER TITLE

2001 APR 17 PM 2 23

OFFICIAL RECORD BOOK NO. 780

BANNOCK COUNTY IDAHO

LARRY W. GHAN RECORDER

FEE 30 DEPUTY JK

## **EXHIBIT A**

### **Parcel 1:**

That portion of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, lying South of U.S. Highway 30 N-91-191, except therefrom the right of way for the Union Pacific Railroad.

**EXCEPTING THEREFROM:** A tract of land in the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

Commencing at the Northwest corner of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$ ; thence South along the West line of said  $NW\frac{1}{4}$   $SE\frac{1}{4}$  a distance of 539.7 feet, more or less, to the South right of way line of U.S. Highway 91-191, the point of beginning;

Thence continuing South along said West line a distance of 208 feet; thence at right angles East 208 feet; thence at right angles North to the South right of way line of U.S. Highway 91-191; thence in a Southwesterly direction along said right of way line, more or less, to the point of beginning.

**ALSO EXCEPTING THEREFROM:** A portion of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, described as follows:

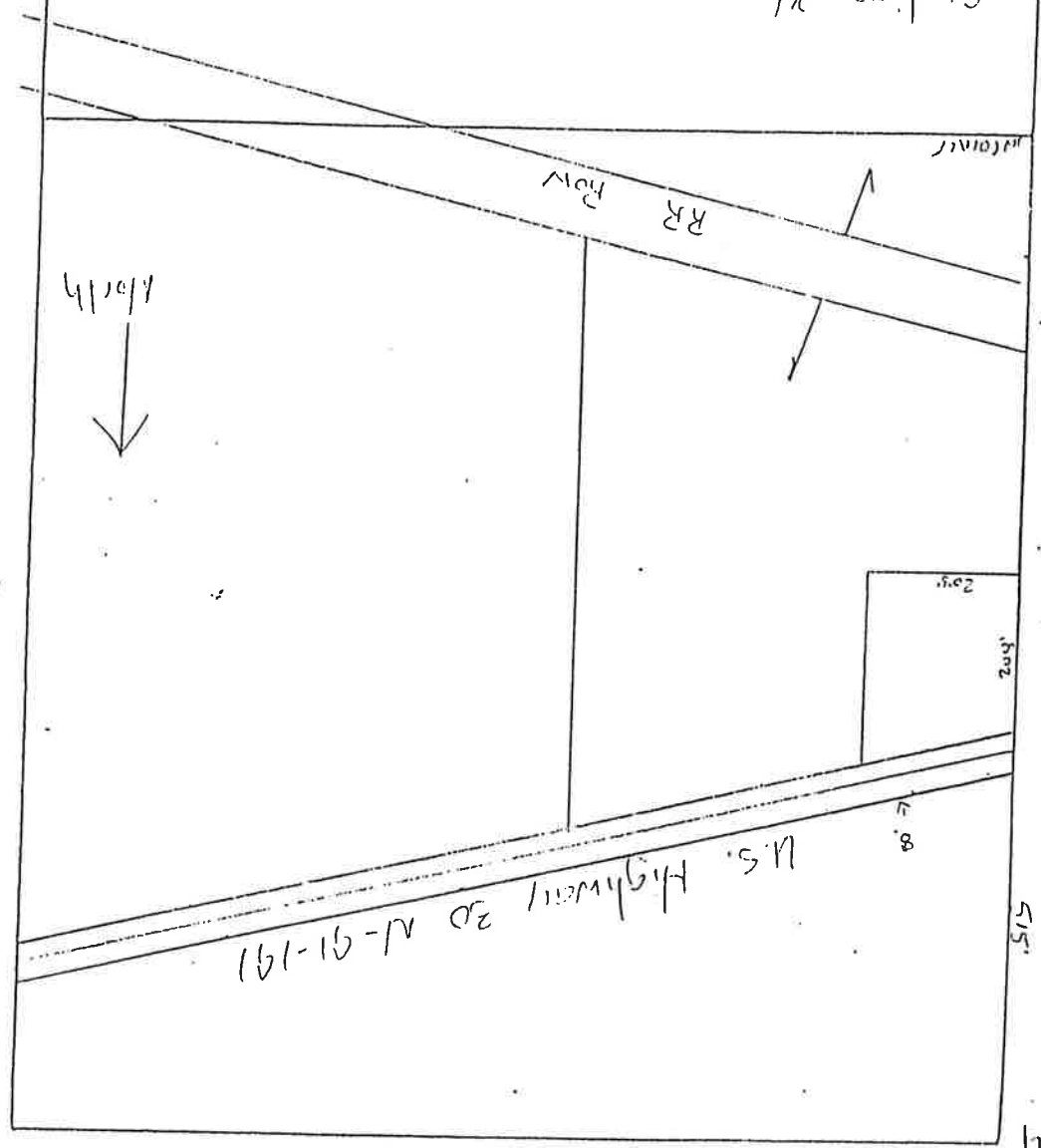
Beginning at the Southeast corner of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$ ; thence East 675 feet, more or less; thence North 25 feet, more or less, to the South right-of-way line of the Union Pacific Railroad; thence along said South right-of-way line Westerly 690 feet, more or less, to the intersection with the East line of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$ ; thence South 160 feet to the Point of Beginning.

### **Parcel 2:**

A tract of land in the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$ ; thence South along the West line of said  $NW\frac{1}{4}$   $SE\frac{1}{4}$  a distance of 539.7 feet, more or less, to the South right of way line of U.S. Highway 91-191, the point of beginning; thence continuing South along said West line 208 feet; thence at right angles East 208 feet; thence at right angles North to the South right of way line of U.S. Highway 91-191; thence in a Southwesterly direction along said right of way line, more or less, to the point of beginning.

Section 21  
Township 7 South  
Range 35 East



6/11

2335

RE-RECORDING TO ADD PARAGRAPH  
55395AKE, DC  
R4013043802

20007285 DKC  
sac

20006960

A Pioneer Company  
**PIONEER TITLE COMPANY**  
OF BANNOCK COUNTY

135 North Arthur Avenue / P.O. Box 1057 / Pocatello, Idaho 83204 / Telephone (208) 233-9595

**WARRANTY DEED**

For Value Received

THOMAS J. HANSON and MARY B. HANSON, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

DAN K. CLARK and SHIRLEE A. CLARK, husband and wife

hereinafter referred to as Grantee, whose current address is

4441 WEST OLD HIGHWAY 91, INKOM, ID 83245

the following described premises, to-wit:

EXHIBIT A LEGAL DESCRIPTION ATTACHED

IT IS AGREED BY THE PARTIES THAT THE PROPERTIES DESCRIBED IN EXHIBIT A  
WILL NOT BE SUBSEQUENTLY SLIT INTO SMALLER PARCELS WITHOUT APPROVAL FROM  
BANNOCK COUNTY.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and  
assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the  
owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes,  
levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements  
visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 4, 2000.

Thomas J. Hanson  
THOMAS J. HANSON

Mary B. Hanson  
MARY B. HANSON



STATE OF IDAHO )

ss.

COUNTY OF BANNOCK )

On This 4TH day of May, in the year 2000, before me, a Notary Public in and for said State, personally  
appeared THOMAS J. HANSON and MARY B. HANSON, known or identified to me to be the person(s) whose  
name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

RECORDED  
NO. 20006960  
PIONEER TITLE  
MAY 4 PM 2 55

OFFICE  
IDaho  
LIT  
6-  
OK NO 758  
IDaho  
M1

Robert L. Clark  
Notary Public of Idaho  
Residing at: POCATELLO, ID  
Commission expires: 08/29/04

02336

2-2

20006960

2-2

20007285

EXHIBIT A attached to and made a part of Commitment No. 55395

That portion of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, lying South of U.S. Highway 30 N-91-191, except therefrom the right of way for the Union Pacific Railroad.

ALSO EXCEPTING THEREFROM: A tract of land in the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

Commencing at the Northwest corner of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$ ; thence South along the West line of said  $NW\frac{1}{4}$   $SE\frac{1}{4}$  a distance of 539.7 feet, more or less, to the South right of way line of U.S. Highway 91-191, the point of beginning;

Thence continuing South along said West line a distance of 208 feet; thence at right angles East 208 feet; thence at right angles North to the South right of way line of U.S. Highway 91-191; thence in a Southwesterly direction along said right of way line, more or less, to the point of beginning.

AND ALSO: A tract of land in the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$ ; thence South along the West line of said  $NW\frac{1}{4}$   $SE\frac{1}{4}$  a distance of 539.7 feet, more or less, to the South right of way line of U.S. Highway 91-191, the point of beginning; thence continuing South along said West line 208 feet; thence at right angles East 208 feet; thence at right angles North to the South right of way line of U.S. Highway 91-191; thence in a Southwesterly direction along said right of way line, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM: A portion of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 24, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at the Southeast corner of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$ ; thence East 675 feet, more or less; thence North 25 feet, more or less, to the South right-of-way line of the Union Pacific Railroad; thence along said South right-of-way line Westerly 690 feet, more or less, to the intersection with the East line of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$ ; thence South 160 feet to the Point of Beginning.

20007285

NO  
RECORDED AT REQUEST OF  
PIONEER TITLE

2000 MAY 11 PM 3 24

OFFICE OF THE CLERK  
BANNOCK COUNTY IDAHO  
LARRY W. CLARK, CLERK  
FEE \$10.00  
BOOK 758  
PAGE 107