



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 3, 2006

THE MADELINE L MAUPIN TRUST
THE UNIFIED CREDIT SHELTER TRUST
C/O CHERYL MANGINELLI
312 PINON DR
IDAHO FALLS ID 83401

RE: Notice of Change of Water Right Ownership (NCO) for 21-10753 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On May 2, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

cc: Madeline Maupin

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

In Re SRBA

)

Water Rights: 21-10753

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party MAUPIN – THE MADELINE L MAUPIN TRUST & THE
UNIFIED CREDIT SHELTER TRUST

☐ I.C. § 42-222 transfer

☐ point of diversion

☐

place of use

☐ period of use

☐

nature of use

☐ split of water right

☐

change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 3, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 5, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/**Seller** for Substitution of Party or attorney of record:
THEONE & MADELINE MAUPIN
1885 PARKWOOD ST APT 211
IDAHO FALLS ID 83401-6137

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:	
THE MADELINE L MAUPIN TRUST	THE UNIFED CREDIT SHELTER TRUST
C/O CHERYL MANGINELLI	C/O CHERYL MANGINELLI
312 PINON DR	312 PINON DR
IDAHO FALLS ID 83401	IDAHO FALLS ID 83401

4. One copy to:

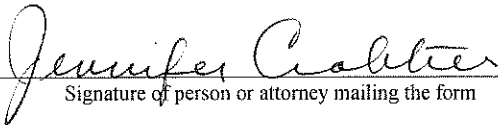
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

April 1, 2006

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Water Right No. 21-10753

Ladies and Gentlemen:

Enclosed are (i) a Notice of Change in Water Right Ownership and (ii) Deeds of Distribution whereby an undivided 50% interest in the property associated with the captioned water right was transferred into each of the following: (a) The Unified Credit Shelter Trust created by the Last Will and Testament of Theone W. Maupin, Sr. and (b) The Madeline L. Maupin Trust.

It appears that a filing fee is not necessary as this water right is pending in a general water right adjudication with the Snake River Basin Adjudication. If I am mistaken in this regard, please let me know and I will immediately provide you with the necessary filing fee.

Your assistance is greatly appreciated.

Very truly yours,



Cheryl Manginelli

Enclosures

cc: Tony Maupin, Jr.
Dan Maupin

S:\Cheryl'sMyFiles\SEM-Clients\0106\06may01-IDWR.wpd

RECEIVED

MAY 02 2006

Department of Water Resources
Eastern Region

Cheryl A. Manginelli

312 Pinon Drive
Idaho Falls, Idaho 83401

(208) 523-6644 (work)
(208) 524-0534 (home)

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>21-10753</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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)

Theone W. ("Tony") and Madeline L. Maupin
1885 Parkwood, Idaho Falls, ID 83401

4. New Owner/Claimant(s)

(i) Theone W. Maupin, Sr. Trust and
 (ii) Madeline L. Maupin Trust

New Mailing Address

40 Cheryl Manginelli Trustee

City, State and ZIP Code

312 Pinon Dr., Idaho Falls, ID 83401

New Telephone Number

(208) 524-0534

5. Date you acquired the property

See attached deeds (property in question
is identified as Parcel 2- Ashley
Nome Place)

RECEIVED
MAY 02 2006
 Department of Water Resources
 Eastern Region

491099
No. 5 Day Oct 20 of
At 10:46 O'Clock
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 12-
Recorded at Request of
Madeline L. Maupin

CORRECTION QUITCLAIM DEED

This Deed corrects that certain Quitclaim Deed dated December 30, 2003, and recorded in the records of Fremont County, Idaho, as Instrument No. 485972. Specifically, Parcel No. 9 as described in said deed is amended to read as stated herein.

THIS INDENTURE is made this 4/4 day of October, 2004, by **MADELINE L. MAUPIN**, a single woman, the "Grantor," and Cheryl Manginelli, not individually, but as trustee of **THE MADELINE L. MAUPIN TRUST**, whose mailing address is 1885 Parkwood Street #211, Idaho Falls, Idaho 83401, the "Grantee,"

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to Grantee's heirs and assigns forever, an **undivided fifty percent (50%) interest** in the following real property situate, lying and being in the County of Fremont, State of Idaho, to-wit:

See **Exhibit "A"** attached hereto and made part hereof of this reference.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

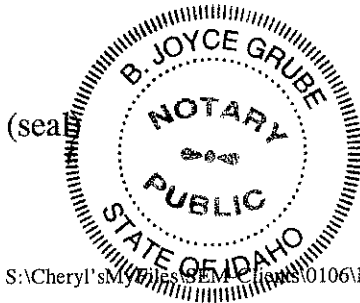
IN WITNESS WHEREOF, the Grantor has executed the within instrument on the date set forth below.

Madeline L. Maupin
MADELINE L. MAUPIN by
Cheryl Manginelli, her
attorney-in-fact

STATE OF IDAHO)
) ss.
 County of Bonneville)

On the 4th day of October, 2004, the undersigned, a notary public in and for said State, personally appeared **Cheryl Manginelli**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of Madeline L. Maupin, and acknowledged to me that she subscribed the name of **MADELINE L. MAUPIN** thereto as principal, and her own name as attorney-in-fact.

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



B. Joyce Grube
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 4/1/2008

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EXHIBIT "A"**Parcel 1 - Mini Mart:**

Lots 1 - 5, Block 69, St. Anthony, Idaho.

Parcel 2 - Atchley Home Place:

NW4SE4; NE4SW4, Section 29, Township 9 North, Range 43 E.B.M., Fremont County, Idaho.

Parcel 3 - Jay Lords Farm:

E2SE4, Section 25, Township 9 North, Range 43 E.B.M., Fremont County, Idaho.

Parcel 4 - Johnson Farm:

Beginning at a point 603 feet South the NE corner of the SE1/4SW1/4 of Section 29, Township 9 North, Range 43, E.B.M. in Fremont County, Idaho, and running thence West 1980 feet; thence South 682 feet; thence East 1980 feet; and thence North 682 feet to the point of beginning.

Together with 60 shares of Marysville Irrigation Company and 45 acre feet of Fremont-Madison storage water.

Parcel 5 - Chet Smith Farm:

SW4SE4, Section 29, Township 9 North, Range 43 E.B.M., Fremont County, Idaho. LESS the following: Commencing at the SW corner of the SW1/4 SE1/4 of said Section 29, Township 9 North, Range 43 E.B.M., and thence east 30 rods, thence north 22 rods, thence west 30 rods, thence south 22 rods to the point of beginning.

Parcel 6 - Residence, Garage and Shop:

Commencing at the SW corner of the SW1/4 SE1/4 of said Section 29, Township 9 North, Range 43 E.B.M., and thence east 30 rods, thence north 22 rods, thence west 30 rods, thence south 22 rods to the point of beginning.

Parcel 7 - Station:

Lots 7, 8 and 9 of Block 35, Ashton.

Parcel 8 - Tire Storage Facility (old Conoco building):

Lots 9 and 10 of Block 46, Ashton.

Parcel 9 - Storage (FAA Building):

Commencing 150' West of the SE corner of Lot 1, Block 17, of the Townsite of Ashton, as per the recorded plat thereof, and running thence West 130'; thence North 42°45' East 84½; thence East 72.5', and thence South 62' to the point of beginning.

Parcel 10 - Kent Building:

Lots 9 and 10, Block 25, Ashton.

Parcel 11 - Kent Building:

Lots 7 and 8, LESS railroad and street right-of-way, Block 25, Ashton.

Parcel 12 - House Rental:

Lots 1, 2, and 3 and part of Lot 4, Block 17, Ashton.

Parcel 13 - Bulk Plant:

Lots 1 and 2, Block 70, Ashton.

Parcel 14 - Parts Store and Office:

Lot 1, Block 35, Ashton.

**CORRECTION
DEED OF DISTRIBUTION**

Instrument No. 491098
At 2 Day Oct 20 04
At 10:45 O'Clock
ABBIE MACE
FREMONT CO RECORDER
Recorded at Request of Shelton
P.O. Box 3189
IFI 83403-3189

This Deed corrects that certain Deed of Distribution dated December 30, 2003, and recorded in the records of Fremont County, Idaho, as Instrument No. 486489. Specifically, Parcel No. 9 as described in said deed is amended to read as stated herein.

THIS DEED, made this 4th day of October, 2004, between Cheryl Ann Manginelli, not individually, but as personal representative of the **ESTATE OF THEONE W. MAUPIN, SR.**, also known as Tony Maupin, deceased, "Grantor," and Cheryl Ann Manginelli, not individually, but as trustee of **THE UNIFIED CREDIT SHELTER TRUST**, created by the Last Will and Testament of Theone W. Maupin, Sr., deceased, whose mailing address is 312 Pinon Drive, Idaho Falls, Idaho 83401, "Grantee."

WHEREAS, Cheryl Ann Manginelli is the duly appointed and acting personal representative of the Estate of Theone W. Maupin, Sr., deceased; and

WHEREAS, Cheryl Ann Manginelli is the trustee of The Unified Credit Shelter Trust, which Trust is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for valuable consideration, and for the purpose of distributing certain real property from the Estate of Theone W. Maupin, Sr., deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to its heirs and assigns forever, an **undivided fifty percent (50%) interest** in the following real property situate, lying and being in Fremont County, Idaho, and more particularly described as follows:

See **Exhibit "A"** attached hereto and made part hereof of this reference.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, said premises, together with the appurtenances, unto the Grantee, and to its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal the day and year first above written.

ESTATE OF THEONE W. MAUPIN, SR.

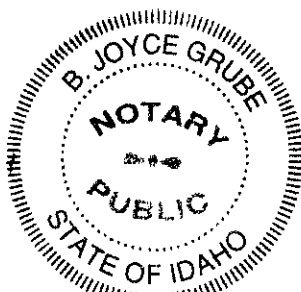
By: *Cheryl Ann Manginelli*
Cheryl Ann Manginelli, Personal
Representative

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 4th day of October, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared **CHERYL ANN MANGINELLI**, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of Theone W. Maupin, Sr., and acknowledged to me that he executed the same as such personal representative.

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

(seal)



B. Joyce Grube
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 4/1/2008

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