

-18-15 9:00

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-11954	Yes ☐		Yes ☐		Yes ☐
95-4177	Yes ☐		Yes ☐		Yes ☐
95-4179	Yes ☐		Yes ☐		Yes ☐
95-4180	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Mildred J. Scarcello

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Laurin Scarcello

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

N. 22387
Mailing address

Kern Rd.
City

Boothman
State

Idaho
ZIP

83858
ZIP

208-661-6090
Telephone

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.

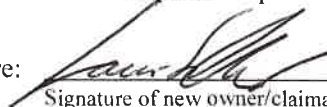
5. Date you acquired the water rights and/or claims listed above: 2-8-05

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature:  Title, if applicable: Owner Date: 3-13-18

Signature: _____ Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by: N/A Date: N/A Receipt No.: N/A Receipt Amt.: N/A
Approved by:  Processed by:  Date: 7-12-2018

Last Will and Testament

OF

MILDRED J. SCARCELLO

KNOW ALL MEN BY THESE PRESENTS: That I, MILDRED J. SCARCELLO resident of Kootenai County, State of Idaho, being of sound and disposing mind and memory and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament, and do hereby expressly revoke all other and former Wills and Codicils to Wills made by me.

FIRST: I hereby direct my Personal Representative hereinafter named, to pay all my just debts and funeral expenses as soon after my demise as can be conveniently and lawfully done.

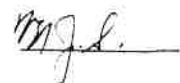
SECOND: I hereby state that I am a married woman and my husband's name is ARTHUR G. SCARCELLO and that I have two children born as issue of my body, namely, LAURIN S. SCARCELLO and KEVIN A. SCARCELLO. KEVIN A. SCARCELLO is deceased and left one child, STEPHEN A. SCARCELLO who is omitted from this will.

THIRD: I hereby give, devise and bequeath to my beloved husband, ARTHUR G. SCARCELLO all of my estate whether real, personal or mixed, of whatsoever character and wherever situated, or to which I may be entitled at the time of my death and I give the same to him absolutely and forever.

FOURTH: In the event my husband shall predecease me or if his death should occur simultaneously with mine causing any doubt which of us survives the other, or if he does not survive me by thirty (30) days, then I hereby give, devise and bequeath all of my property, whether real, personal or mixed, and wheresoever situated of which I may be entitled at the time of my death to LAURIN S. SCARCELLO who shall act as my Personal Representative.

FIFTH: To the extent permitted under the provisions of Section 15-2-513, Idaho Code, I give and bequeath those items of tangible personal property not otherwise specifically disposed of by this, my Last Will and Testament, which are described in any written statement or list which is either in my handwriting or is signed by me, and which is in existence at the time of my death, to those persons named in such written statement or list and in the manner set forth in such statement or list.

SIXTH: I hereby nominate, constitute and appoint my husband, ARTHUR G. SCARCELLO as the Executor of this my Last Will and Testament and the Personal Representative of my estate to serve without bond. In the event of his death, disability, incapacity or refusal to serve



such appointment. I hereby nominate, constitute and appoint LAURIN S. SCARCELLO as executrix of this Will and Personal Representative of my estate, to serve without bond.

SEVENTH: I hereby authorize and empower my Personal Representative to lease, encumber, sell, exchange or otherwise deal with or dispose of all my property, real or personal, or any part thereof in such manner, at such times and upon such terms and conditions as he deems to be in the best interest of my estate. Such sale or other disposition to be made at public or private sale in the discretion of my Personal Representative and without any reference to the order of disposition of real and personal property and without any petition, citation, hearing, order, notice of sale, return of sale or any other action being required.

EIGHTH: I further declare that in the event at the time of my death I have on deposit in any banks, banking institutions, savings and loan associations, or other like financial institutions, any moneys either in the form of checking accounts, savings accounts, certificates of deposit, money market certificates, or other like evidences of deposit, jointly in my name and that of any third party or parties, it is my intention that any such surviving party or parties shall not take the same by right of survivorship, but that the same shall constitute a part of my estate to be disposed of as herein provided further declaring that it was not my intent, in creating any such joint account or accounts, to make any gifts to, or create in any surviving party or parties to such joint account, the right of survivorship thereto.

NINTH: Despite any resemblance of this Will to any which my husband has or may make, this Will has not and shall not be deemed to have been made pursuant to any agreement, express or implied, between my husband and myself concerning the disposition of our property or any separate property of either.

TENTH: In the event this Will is probated in a State which recognizes non-intervention Wills, I hereby declare this to be a non-intervention Will, subject to the provisions of the codes of such State; and further, in the event it is subjected to the jurisdiction of a State not recognizing the appointment of a Personal Representative, then the above named appointee or alternate may be appointed Executor, to serve without bond.

ELEVENTH: I have carefully read this Will and I understand all of its terms and provisions. It was prepared in accordance with my wishes and directions and includes all gifts and beneficiaries which I intend to make and benefit by my Will at this time.

IN WITNESS WHEREOF, I have hereunto subscribed my name at RATHDRUM, Idaho, this 8th day of February, 2005.


MILDRED J. SCARCELLO

I, MILDRED J. SCARCELLO, the testatrix, sign my name to this instrument this 8th day of February, 2005, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Mildred J. Scarcello
MILDRED J. SCARCELLO

We, TAMARA J. CRAMER and SANDRA J. NAGEL, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testatrix signs and executes the instrument as her Last Will and that she signs it willingly and that each of us, in the presence and hearing of the testator hereby signs this Will as witness to the testator's signing, and that to the best of our knowledge the testatrix is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Tamara J. Cramer
Witness

Sandra J. Nagel
Witness

STATE OF IDAHO)
 :SS
County of Kootenai)

SUBSCRIBED, sworn to and acknowledged before me by MILDRED J. SCARCELLO, the testatrix and subscribed and sworn to before me by TAMARA J. CRAMER and SANDRA J. NAGEL witnesses, this 8 day of February, 2005.

Herbert Nagel
Notary Public, State of Idaho
Residing at COA
My commission expires: 12-20-09



MJS

STATE OF IDAHO
COUNTY OF KOOTENAI } SS
FILED:

2013 JUL 18 PM 2:19

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

CLERK DISTRICT COURT

IN THE MATTER OF THE ESTATE OF
MILDRED J. SCARCELLO,

Deceased.

CASE NO. CV-12-7992 DEPUTY

**ORDER APPROVING PETITION
FOR SETTLEMENT AND
DISTRIBUTION BY PERSONAL
REPRESENTATIVES AND DECREE
OF DISTRIBUTION**

The Petition for Settlement and Distribution of the above-named Estate having come before the Court for Hearing, the Court makes the following findings:

1. Laurin S. Scarcello is the duly appointed, qualified, and acting Personal Representative of the above-named Estate.
2. The Personal Representative has filed an Inventory and Appraisalment of all property of the Estate known to him.
3. Notice to Creditors has been published and the time for presenting claims that arose prior to the death of the Decedent has expired.
4. All debts of the Decedent and of the Estate, and all expenses of administration, and all taxes that have attached to or accrued against the Estate have been paid.
5. The Personal Representative has filed a Final Account, and the Estate is in a condition to be closed.
6. Notice as required has been duly given.
7. That the Final Account is allowed and settled.
8. The Will on file is the Last Will & Testament of Decedent.
9. The Estate shall be distributed as provided in the Last Will and Testament.

CLIFFORD T. HAYES 6P 2420108000
KOOTENAI COUNTY RECORDER Page 1 of 6
JRG Date 07/19/2013 Time 11:13:01
REQ OF MICHAEL VERBILLIS
RECORDING FEE: \$25.00



2420108000 XX

Order approving petition and decree of distribution

All property in the Estate described hereinafter and any and all after discovered property shall be and hereby is decreed and distributed unto Laurin S. Scarcello:

PERSONAL PROPERTY

- A. U.S. Bank Money Market Account #15339054282
- B. U.S. Bank Checking Account #153300686562
- C. U.S. Bank Indexed Money Market Account #153300684724
- D. U.S. Bank Certificate of Deposit #353304316188
- E. U.S. Bank Certificate of Deposit #353304376745
- F. U.S. Bank Certificate of Deposit #353304334009
- G. Wells Fargo Savings Account #7757216598
- H. 49 head of cattle at \$400 each
- I. various farm equipment
- J. Water pump
- K. U.S. Bank IRA Account #653303466789
- L. Wells Fargo Checking Account #2935557104

TOTAL PERSONAL PROPERTY

REAL PROPERTY – Undivided ½ interest in the following:

PARCEL1:

A portion of Lots 1 and 2, in section 8, Township 52 North, Range 4 West, Boise Meridian, described as follows:

COMMENCING at a point on the East line of said Section 8, 396 feet South of Northeast corner of said Section 8, 396 feet South of Northeast corner of said Section 8; thence

South along said Section line 1342.5 feet; thence

Due West 204 feet to a point on East boundary of Idaho and Washington N.R.R. right of way; thence

In a Northwesterly direction parallel to and coinciding with the Eastern boundary of the I.

and W.N.N. Ry. Right of way 1410 feet to a point 396 feet South of the North line Section 8; thence

East 614 feet to a PLACE OF BEGINNING, Kootenai County, Idaho.

EXCEPTING THEREFROM that portion described as follows:

The South 230 feet of the following described parcel:

All of that portion of Government Lot 1, Section 8, Township 52 North, Range 4 West of the Boise Meridian, Kootenai County, State of Idaho, described as follows:

BEGINNING at a point on the East line of Section 8, a distance of 396 feet South of the Northeast corner thereof thence

South along the section line 294 feet; thence

West 453.4 feet to the right-of-way of the Idaho-Washington Northern Railroad Right of Way; thence

Northwest along the right of way 328.6 feet; thence

East 600.2 feet, more Or less to the TRUE POINT OF BEGINNING.
ALSO EXCEPTING THEREFROM that portion described as follows:

All that portion of Government Lots 1 and 2, Section 8, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at a point on the Southwest corner of the South half of the North Half of the Northwest Quarter of the Section 9, Township 52 North, Range 4 West, Boise Meridian; thence

South 400.00 feet to a stake designated Southeast property corner; thence

Due West 204.00 feet to a stake designated Southwest property corner; thence

Northeasterly along line of old railway right of way a distance of 397.02 feet to a stake designated Northwest property corner; thence

Due East along the West boundary of the Kootenai County lake access road and across the State highway, a distance of 316.00 feet to the Northeast property corner and the POINT OF BEGINNING.

PARCEL 2:

The South Half of the North Half of the Northwest Quarter of Section 9, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho;

EXCEPTING THEREFROM a parcel of land in the South Half of the Northeast Quarter

of the Northwest Quarter of Section 9 in Township 52 North of Range 4 West of the Boise Meridian, to-wit:

BEGINNING at the North Quarter corner of said Section 9 marked by a 2 1/2" x 24" capped pipe; thence

South 0°51'9" East, along the North-South centerline of said Section 9 a distance of 666.18 feet to the TRUE POINT OF BEGINNING; thence

Continuing South 0°51'19" East, 672.92 feet; thence

South 89°6'23" West, 324.07 feet; thence

North 0°51'19" West, 672.92 feet; thence

North 89°6'23" East, 324.07 feet to the TRUE POINT OF BEGINNING; and

The South Half of the Northwest Quarter of Section 9, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

PARCEL 3:

The Southwest Quarter of Section 9, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

EXCEPT any portion lying within Highway 41.

ALSO EXCEPT therefrom that portion that lies within the bounds of Scarcello Road.

PARCEL 4:

A part of the Northwest Quarter of the Northeast Quarter of Section 9, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, located and described as follows;

COMMENCING at a point which bears North 35°45' East at a distance of 171.6 feet from a bent iron bar one-half inch in diameter driven into the ground on the Western boundary line of the above-mentioned Northwest Quarter of the Northeast Quarter, 1065 feet South of the North Quarter corner of Section 9.

From this initial point which is a 1" pipe driven into the ground, our boundary line runs North 51°45' East, 557 feet to the Southeast corner of the well site, thence

North 23°35' West 135 feet; thence

South 55°00' West 200 feet; thence

South 30°30' West 300 feet; thence

South 35°00' West 117 feet to the PLACE OF BEGINNING.

PARCEL 5: ✓

The North Half of the Northeast Quarter; and the North Half of the Southwest Quarter of the Northeast Quarter; and the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 9, Township 52 North, Range 3 West; Boise Meridian, Kootenai County, State of Idaho.

EXCEPT THEREFROM that portion described as Tax No. 4299, Kootenai County.

PARCEL 6:

The South Half of the South Half of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter of the Northeast Quarter, all in Section 9, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

INCLUDING any and all after acquired title.

PARCEL 7: ✓

The Southeast Quarter of Section 9, Township 52 North, Range 4 West; Boise Meridian, Kootenai County, Idaho.

EXCEPT THEREFROM the North Half of the North half of the Southeast Quarter and the Southwest Quarter of the Northwest Quarter of the Southeast Quarter, in Section 9, Township 52 North, Range 4 West, Kootenai County, State of Idaho.

PARCEL 8: ✓

The Northwest Quarter of Section 15, Township 52 North, Range 4 West, lying Northwesterly of Diagonal Road, Kootenai County, Idaho.

TOGETHER WITH triangular parcel abutting Kootenai Co. Diagonal Road in the Northwest Quarter of the South Half Section 15, Township 52 North, Range 4 West described as follows:

From POINT OF BEGINNING being the West Quarter corner of Section 15 proceeding along the West section line South 1°03'39" West approximately 515 feet to Diagonal Road ROW, thence

Along Diagonal Road ROW approximately North 49° East 790 feet approximately; thence

North 88°58'59" West along the line between the South Half and North Half of Section

15, 605 feet, to POINT OF BEGINNING.

IT IS HEREBY ORDERED AND DECREED that the Personal Representative is directed to make distribution of any other property of the Decedent or the Estate not now known or hereinafter discovered unto Laurin S. Scarcello

DATED this 17 day of July, 2013.

J. C. / 9
Magistrate

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July, 2013, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Michael J. Verbillis

P.O. Box 519 ✓ SASE

Coeur d'Alene, ID 83816

Laurin Scarcello

P.O. Box 1181 ✓

Rathdrum, ID 83858

STATE OF IDAHO } ss
COUNTY OF KOOTENAI }

THIS IS TO CERTIFY THAT THE FOREGOING IS
A TRUE COPY OF THE ORIGINAL NOW ON
FILE OR RECORD IN THIS OFFICE.

SEALED ON THIS 18th DAY OF July, 2013.
CLERK OF THE DISTRICT COURT
BY [Signature] Deputy
(1-leaf of 6 Pgs)

- X U.S. MAIL, Postage Prepaid
___ HAND DELIVERED
___ OVERNIGHT MAIL
___ TELECOPY (FACSIMILE)

CLIFFORD T. HAYES

[Signature]
CLERK OF THE COURT





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 12, 2018

LAURIN S SCARCELLO
22389 N KEVIN RD
RATHDRUM ID 83858-6821

SUBJECT: Ownership Change on Notice of Claim Number(s) 95-4177, 95-4179, 95-4180, 95-11954

Dear Mr. Scarcello:

We have processed your change of ownership request on the Notice of Claim to a Water Right Number(s) listed above. Enclosed is a copy of the claim showing such change; for your records. Also, this information can be accessed on our website at www.idwr.idaho.gov.

Sincerely,

Dawn R. Lenon
Technical Records Specialist 1

Enclosure(s) Notice of Claim 95-4177, 95-4179, 95-4180, 95-11954