

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-14029Date Received: 9-17-09Receipt No: N022175Received By: cm

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

1. Name of Claimant(s) Rebekah A. Hyatt (Churched Trust) Phone 208 687-0493

Mailing Address 11341 N. Church Rd. Rathdrum ID Zip 83858
Street or Box City State

2. Date of Priority: (Only one per claim) 3-23-05
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 51N, Range 5W, Section 9,
SW 1/4 of SW 1/4, or Govt. Lot _____ BM. County of Kootenai County
Parcel (PIN) no. 0-5499-001-004-0 / 0-5499-001-004-0

Additional points of diversion if any: N/A

If available, GPS coordinates: N/A

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

D 0039996

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 01-01-02 to 12-31 amount .04 cfs () or AFY ()

For Stock water purposes from 01-01 to 12-31 amount .02

7. Total Quantity claimed .04 cfs ☒ or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 Home, 10 Head mixed stock

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9. Location of Place of Use is: Township 51N, Range 5W, Section 9,

SW 1/4 of SW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____

If different than shown in Item 4

for (Check One) **Domestic** () **Stock** () **Domestic and Stock** ☒

Additional places of use, if any NA

10. In which county (ies) are lands listed above as place of use located? St Kootenai

11. Do you own the property listed above as place of use? Yes ☒ No ()

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

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

_____ or None ☒

13. Remarks:

14. Basis of Claim (Check One) **Beneficial Use** ☒ **Posted Notice** () **License** () **Permit** () **Decree** ()

Court _____ Decree Date _____ Plaintiff v. Defendant Child Right

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane 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.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Rubén J. G. G. G. Date: 9-15-2009

Church Rel. Trust. John Walter Hyatt, Trustee Date: 9-15-2008

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing 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 _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Identification No. _____

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The United States of America)
The state of Idaho)
The county of Kootenai) ss:

To: the STATE OF IDAHO and Idaho State
Department of Water Resources

Notice of Intent and Claim of Right

Per the Constitution of the state of Idaho in SECTION 1. INALIENABLE RIGHTS OF MAN. Which states "All men are by nature free and equal, and have certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing and protecting property; pursuing happiness and securing safety."

It is per the possessing and protecting property that this Claim of Right is hereby made. The lands know as:

Parcel Desc: Lot Kootenai County, Idaho "CHURCH ROAD ESTATES, LT 4 BLK 1 0951N05W
Parcel #: 0J4990010040 Serial No: 309512

These above lands are under the Claim of Right by John Walter Hyatt and Shirley Michelle Hyatt and Rebekah Ann Hyatt. Therefore be it now known to any and all concerned and affected parties, that We, John Walter Hyatt and Shirley Michelle Hyatt and Rebekah Ann Hyatt, as Freeman-on-the-Land do hereby state clearly specifically and unequivocally our intent to peacefully and lawfully exist free of all statutory obligations restrictions and maintain all rights at law to trade, exchange or barter and to use any water on or under this land for private use and consumption by people, animals or plants.

Furthermore, We claim that these actions are not outside our communities' standards and will in fact support said community in our desire for truth and maximum freedom.

Furthermore, We claim the right to engage in these actions and further claim that all property and land and water held by us is held under a claim of right.

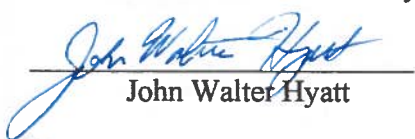
Furthermore, We claim that anyone who interferes with our lawful activities after having been served notice of this claim and who fails to properly dispute or make lawful counterclaim is breaking the law, cannot claim good faith or color of right and that such transgressions will be dealt with in a properly convened court de jure.

Furthermore, We claim the law of agent and principal applies and that service upon one is service upon both.

Responses must be under Oath or attestation upon full commercial liability, notarized and penalty of perjury and also any Notices shall be sent ONLY via Certified U.S. Mail to - John Walter Hyatt and Shirley Michelle Hyatt and Rebekah Ann Hyatt c/o 11341 N. Church Road, Rathdrum, (83858) Idaho. Failure to register a dispute against the claims made herein will result in an automatic default judgment and permanent and irrevocable estoppel by acquiescence barring the bringing of charges under any statute or Act.

Place of claim of right: The United States of America, the state of Idaho, the county of Kootenai.

Executed and dated this 15 day of September, A.D. 2009


John Walter Hyatt


Shirley Michelle Hyatt


Rebekah Ann Hyatt

The United States of America)
The State of Idaho)
The County of Kootenai) ss:

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IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0039996
DRILLING PERMIT NO. 831451
Water Right or Injection Well No. _____

2. OWNER:
Name John & Michelle Hyatt
Address 9069 Fernan Lake Rd.
City Coeur d'Alene State Id. Zip 83814

3. LOCATION OF WELL by legal description:
You must provide address or Lot, Blk, Sub. or Directions to well.
Twp. 51 North ☒ or South ☐
Rge. 05 East ☐ or West ☒
Sec. 9 1/4 SW 1/4 SW 1/4
Gov't Lot _____ County Kootenai
Lat: _____ Long: _____
Address of Well Site 11341 N. Church Rd.
City Rathdrum
(Give at least name of road - Distance to Road or Landmark)
Lt. 4 Blk. 1 Sub. Name EVELYN'S ACRES

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>Bentonite</u>	<u>0</u>	<u>52'</u>	<u>32 sacs</u>	<u>OVER JOE</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 52'
Was drive shoe seal tested? ☒ Y ☐ N How? AIR PRESSURE

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6"</u>	<u>+1</u>	<u>-52</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method NONE
Screen Type & Method of Installation NONE

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

88 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices:
Bolted Well Cap
51 N 5W 9

12. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>Approx. 2</u>			

Water Temp. Cool Bottom hole temp. Cool
Water Quality test or comments: Good

Depth first Water Encounter 250'
13. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>8</u>	<u>0</u>	<u>52'</u>			
<u>6</u>	<u>52'</u>	<u>752'</u>			
	<u>0</u>	<u>1</u>	<u>Top Soil</u>		
	<u>1</u>	<u>50</u>	<u>Course sand & gravel</u>		
	<u>50</u>	<u>155</u>	<u>Granite w/ purple streaks of soft Granite</u>		
	<u>155</u>	<u>270</u>	<u>Granite - lighter color w/ more quartz</u>		☒
	<u>270</u>	<u>360</u>	<u>Hard Salt & pepper Granite</u>		
	<u>360</u>	<u>364</u>	<u>Soft Spot Salt & pepper Granite</u>		
	<u>364</u>	<u>660</u>	<u>Hard Salt & pepper Granite</u>		
	<u>660</u>	<u>715</u>	<u>Soft Salt & pepper Granite</u>		☒
	<u>715</u>	<u>752</u>	<u>Hard Granite</u>		

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IDWR/North

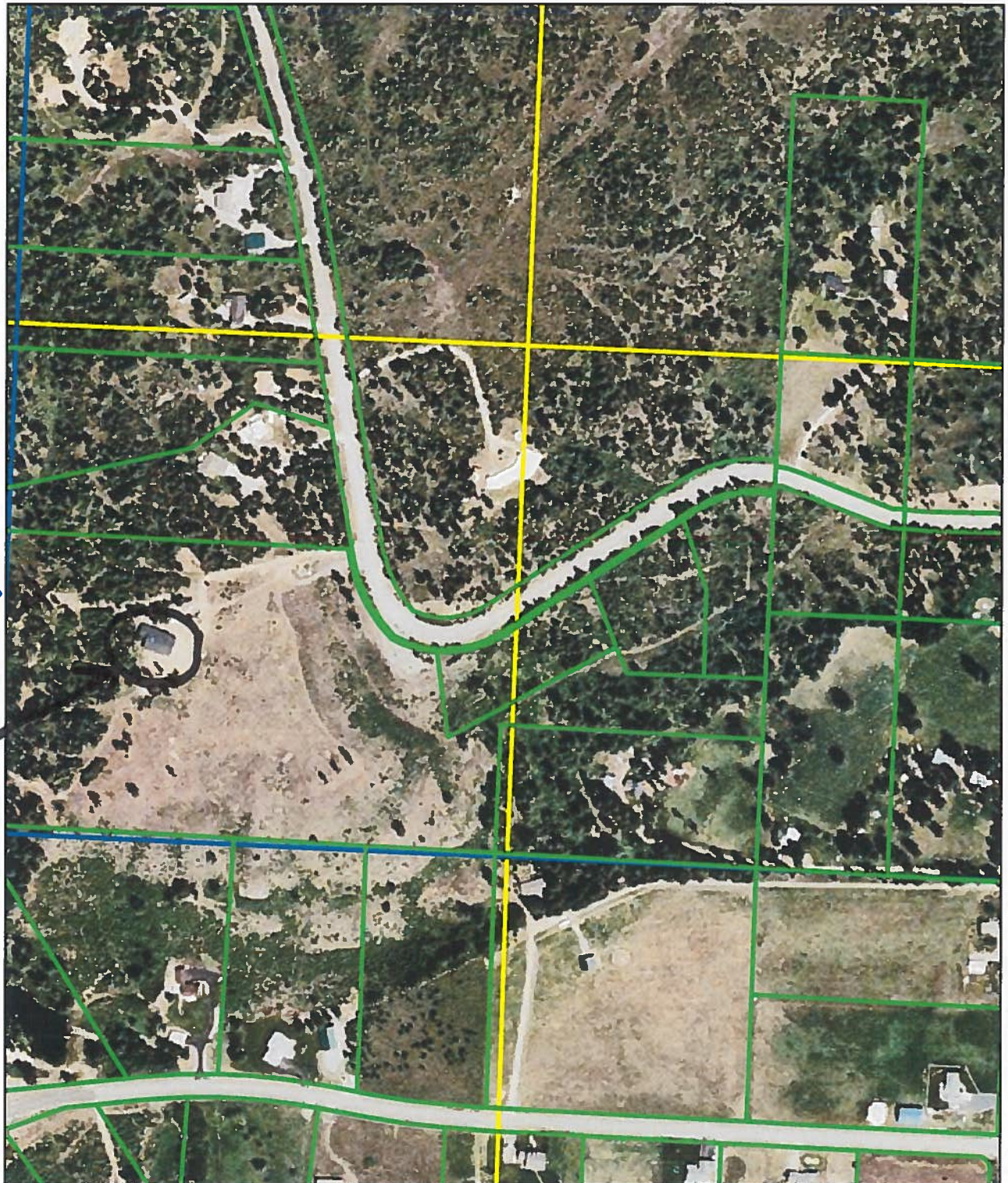
 **AQUA DRILLING & EXPLORATION INC.**
PO BOX 2850
HAYDEN, ID 83835-2850

Completed Depth 752' (Measurable)
Date: Started 3-16-05 Completed 3-21-05

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was certified.
 **AQUA DRILLING & EXPLORATION INC.**
Company Name _____ Firm No. 163
Principal Driller Scott M. Brown Date _____
and _____
Driller or Operator II Wayne Miller Date 3-23-05
Operator I _____ Date _____
Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.

HYATT PIN 0-J499-001-004-0



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