

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.  
 Call for address:  
 Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

**Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.**  
 Fee Schedule is on the third page of this application form.

**Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions.** If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 3493

RECEIVED  
 11:10 AM  
 APR 10 2018

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: REDDHAWK LLC

**Water Resources  
 Received**

PO BOX 296 SUBLETTE KS 67877

Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: REDDHAWK LLC

**APR 26 2018**

PO BOX 296 SUBLETTE KS 67877

Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

**KS Dept Of Agriculture**

3. The presently authorized place of use is:

Owner of Land ---- NAME: REDDHAWK LLC & JOHN L DIETZ ETAL & ZANE B EILERTS ETAL

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: no change to acres irrigated

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>4/10/18</u> <b>Check #</b> <u>5013</u>
---

4/26/18 LLH

4. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

**I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.**

Dated at SANTA ANA, <sup>CALIFORNIA</sup> Kansas, this 2nd day of APRIL, 20 18.

*[Signature]*  
 (Owner)  
ZANE EILERTS  
 (Please Print)

N.A.  
 (Spouse)  
 (Please Print)

(Owner)  
 (Please Print)  
 (Owner)  
 (Please Print)  
 (Owner)  
 (Please Print)

(Spouse)  
 (Please Print)  
 (Spouse)  
 (Please Print)  
 (Spouse)  
 (Please Print)

State of ~~Kansas~~ California }  
 County of Orange } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of April, 20 18.

My Commission Expires April

*[Signature]*  
**KATHLEEN TRAN**  
 Commission No. 2194165  
 NOTARY PUBLIC-CALIFORNIA  
 ORANGE COUNTY  
 My Comm. Expires APRIL 27 2021

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200

**Water Resources  
 Received**

**APR 26 2018**

5. **Presently authorized point of diversion:**  
 One in the     nw     Quarter of the     ne     Quarter of the     sw     Quarter of Section     8    , Township     30     South, Range     32     W, in Haskell County, Kansas, 2600 feet North 3840 feet West of Southeast corner of section.  
 Authorized Rate     3     Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 3 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the     nw     Quarter of the     sw     Quarter of the     nw     Quarter of Section     8    , Township     30     South, Range     32     W, in Haskell County, Kansas, 3705 feet North 5082 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the     se     Quarter of the     ne     Quarter of the     nw     Quarter of Section     8    , Township     30     South, Range     32     W, in Haskell County, Kansas, 4505 feet North 2945 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 4 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) old well redrilled, then revoked,  
now wish to re-approve redrilled well

8. If a well, is the test hole log attached?  Yes  No

9. The change(s) (was) (will be) completed by?  
upon approval

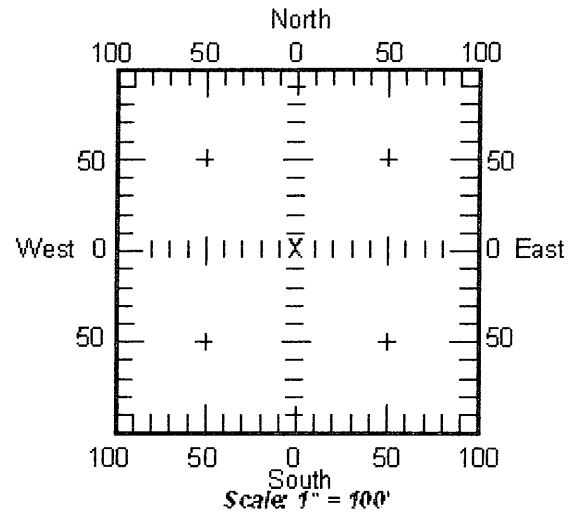
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
na

(b) When will this be done? na

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. **(PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)**



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

**Water Resources  
 Received**



14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
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 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Flagstaff, Arizona, this 27<sup>th</sup> day of March, 2018.

[Signature]  
 \_\_\_\_\_  
 (Owner)  
TAM B KIRKETS  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

Arizona  
 State of ~~Kansas~~ } SS  
 County of Coconino

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27<sup>th</sup> day of March, 2018.



[Signature]  
 \_\_\_\_\_  
 Notary Public

My Commission Expires June 22, 2021

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

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- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200

Water Resources  
 Received  
**APR 26 2018**

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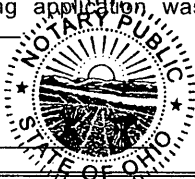
Dated at 4/3/18, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

David J. Dietz  
 (Owner)  
David J. Dietz  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

N/A  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of ~~Kansas~~ Ohio }  
 County of Clermont } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3 day of April, 2018



Melissa May Cordes  
 Notary Public, State of Ohio  
 My Commission Expires  
 March 30th, 2023  
Melissa May Cordes  
 Notary Public

My Commission Expires \_\_\_\_\_

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Water Resources  
 Received

APR 26 2018

File No. \_\_\_\_\_

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

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I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Sublette, Kansas, this 9<sup>th</sup> day of April, 2018.

Kyle Simmons  
(Owner)

Heidi Simmons  
(Spouse)

Kyle Simmons  
(Please Print)

Heidi Simmons  
(Please Print)

Red Hawk by Rick Reed  
(Owner)

Kathryn Reed  
(Spouse)

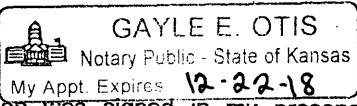
Red Hawk by Rick Reed  
(Please Print)

Kathryn Reed  
(Please Print)

\_\_\_\_\_  
(Owner)  
  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
  
\_\_\_\_\_  
(Please Print)

State of Kansas  
County of Haskell

SS  GAYLE E. OTIS  
Notary Public - State of Kansas  
My Appt. Expires 12-22-18

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4 day of April, 2018.

Gayle E Otis  
Notary Public

My Commission Expires 12-22-19

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

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Water Resources  
Received

APR 26 2018



Kansas Department of Agriculture / Division of Water Resources  
Garden City Field Office

TO: HEADQUARTERS - Brent Turney

RE  Vested Right;  Water Right;  Appropriation of Water;  Application

File No(s). 3493, 9249, 27107 County HS

Enclosed are the following checked items:

A  FIR  Full  Partial Inspection  Return to Field Office  
 Proposed Certificate to deliver to Certificate Unit

A Compliance Check Inspection on \_\_\_\_\_  
 Meter Install  New App  Chg App  Other \_\_\_\_\_  
 In Compliance  Not in Compliance, why \_\_\_\_\_  
Modify Point of Diversion  No  Yes, document attached  
Indicate all overlapping p/d files \_\_\_\_\_

- An application and judgment sheet with recommendation.
- A memorandum dated \_\_\_\_\_
- A request for an extension of time to perfect or complete.
- A verified report.
- A closure request.
- A field investigation report.
- Notice of Non-Compliance
- An ownership change (name(s) and address(es) below).
- A water use report for \_\_\_\_\_
- A letter dated \_\_\_\_\_

A copy of an **Approval** to Change the  place of use and/or  point of diversion,  
 Filing Fee attached.

An Advanced **copy** of a change application and the filing fee, to be processed at the field office.

An original field office change **application** and the filing fee needing headquarters office review and further processing.

Other: RODDRAWK LEGAL ISSUE @ SIGNATURES

JPM  
Water Commissioner

Water Resources  
Received

4/24/18  
Date

APR 26 2018

KS Dept Of Agriculture

# STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 23, 2018

REDDHAWK LLC  
PO BOX 296  
SUBLETTE KS 67877

RE: Water Right  
File Nos. 3,493; 9,249  
and 27,107

Dear Sir or Madam:

Reference is made to your applications for approval of the Chief Engineer to change the point of diversion under the referenced file numbers which were received in this office on April 10, 2018. Upon review of the applications and additional information received by this office, it is found that the applications to change the point of diversion cannot be approved as proposed.

In a letter dated April 10, 2018, received in the office of the Chief Engineer on April 16, 2018, T Brian Ellerts has requested that his signatures be removed from the applications.

Please note that K.A.R. 5-5-5 states in part:

"If more than one person is the owner of a water right, and an application is filed for a change in the place of use, point of diversion, use made of the water, or any combination thereof, only the signature(s) of the landowner(s) whose portion of the water right(s) is (are) involved in the change shall be required on the application. If the extent of each owners interest in the water right has not been legally determined, then all landowners holding an undetermined portion of the water right must sign the change application . . . "

Based on the request by Mr. Ellerts above, the applications no longer contain the signatures of all landowners and spouses associated with the currently authorized place of use, therefore, the applications cannot be approved as filed.

For the reason given above, it will be recommended to the Chief Engineer that the Applications for Approval to Change the Authorized Point of Diversion and place of use under Water Right, File Nos. 3,493, 9,249 and 27,107 be denied and dismissed for failure to comply with K.A.R. 5-5-5.

**Water Resources  
Received**

**APR 26 2018**

**KS Dept Of Agriculture**

We are advising you of this recommendation in order to allow you to submit additional information to show why the evaluation should be reconsidered. You have a period of **15 days (until May 8, 2018)** to either (1) submit additional information to our office or (2) to request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above-referenced applications will be submitted to the Chief Engineer for final decision based on the recommendation stated above. If you do submit additional information within the 15 day period (or any authorized extension), that information will be given due consideration prior to final action on the applications.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Brent A. Turney P.G.  
Change Application Unit Supervisor  
Water Rights Section

BAT  
Enclosures  
pc: Garden City Field Office  
John L Dietz Etal  
Zane B Ellerts

Water Rights Section  
Received

May 10 2018

KE Dept of Agriculture

T Brian Eilerts  
2023 N Chipmunk Ct  
Flagstaff, AZ 86004

April 10, 2018

Kansas Dept of Agriculture  
Attn: Michael Meyer, L.G.  
Division of Water Resources  
Garden City Field Office

RE: Division of Water Resource file Numbers 3493, 9249, and 27107

Mr. Michael Meyer,

It has been brought to my attention that Mr. Rick Redd is attempting to file paperwork with your office regarding a re-drill and a diversion of water to the (re-drill) new well on 30-32-8 Haskell County, Kansas. As I informed you in an email, in a timely manner prior to the filing of these documents, my signature was revoked authorizing a re-drill and relocation of diversion.

My signature on these documents was predicated on an agreement that Mr. Redd would purchase 40 acres of property from me, my remaining water rights on 30-32-8, and my half interest of irrigation motors on both 30-32-17 and 30-32-8. As I had every intention of selling the 40 acres of land I would no longer have use for the remaining water rights on section 8, or the half interest in motors on section 8 and section 17.

I was presented with three separate signature pages only, with no legal body or description of activity that would take place, just the page where my signature was presented to me. I was told that it was the same document that was sent to me via mail and that I still have on file in my office to this day and that the extra signature pages were for copy purposes only and in no way had the legal body and issues addressed in these documents changed in any way from the original form sent to me in the mail by Mr. Redd.

Mr. Redd did not enter good faith negotiations to purchase the 40 acres of land or the remaining water rights on section 8. As Mr. Redd refused to enter into good faith negotiations, I immediately emailed the division of water resources, contacting you, and revoked my signature long before the diversion and re-drill documents were filed in your office.

I have been informed that there are three (3) different documents and water files being effected by Mr. Redds' attempted filings. I have no knowledge of these three files or what these documents being filed contain.

Mr. Redd has filed fraudulent documents with your office in the past with regards to my Mothers signature on water right document number 9,249. My mother did not own the minerals, nor the land,

Water Resources  
Received

APR 26 2018

RECEIVED

APR 16 2018

Garden City Field Office  
DIVISION OF WATER RESOURCES

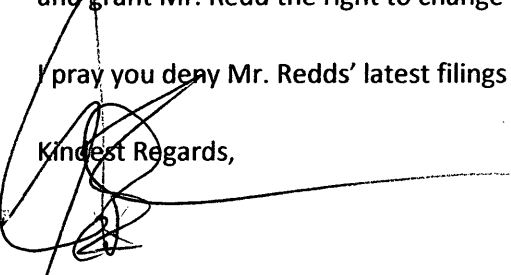
KS Dept Of Agriculture

at the time her signature was applied. Furthermore, Mr Redd claims no knowledge that Zane B Eilerts and I owned these rights at the time of my mothers' signature. This is an untrue statement by Mr. Redd. Rick Redd was aware of the transfer of land to myself and Zane B Eilerts in a warranty deed dated November 3, 2003. Performing due diligence was also the responsibility of Mr. Redd at the time these documents were signed by my mother and Mr. Redd failed to do so. My complaint filed for the filing on water right 9,249 was upheld and made null and void by the division of water resources as stated in a letter from the board dated March 12, 2018. As the proof showed Mr. Redd is known to file documents with your office that are not completed correctly and give economic benefit to himself.

I strongly urge you to error on the side of caution when making your decision. Mr. Redd has been known to file fraudulent and incomplete documents with the division of water resource offices. I am only aware of a single document that would have been filed in this case on which my signature was revoked in a timely manner prior to Mr. Redd filing. I have every right to read and inspect every document being filed prior to a valid signature being applied by my hand. Mr. Redd misrepresented his intentions with three separate signature sheets constituting fraud. My signature was revoked because Mr. Redd failed to complete the predetermined terms to my signature appearing on these documents. Furthermore, granting Mr. Redd the permissions and provisions that these documents must contain will give Mr. Redd an unfair economic advantage, render my remaining land and water resources valueless, and grant Mr. Redd the right to change water rights that were not discussed or agreed to.

I pray you deny Mr. Redds' latest filings with the division of water resources.

Kindest Regards,



T Brian Eilerts  
MBA, CSSMBB

**Water Resources  
Received**

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**Garden City Field Office  
DIVISION OF WATER RESOURCES**

T Brian Eilerts  
2023 N Chipmunk Ct  
Flagstaff, AZ 86004

April 10, 2018

Kansas Dept of Agriculture  
Attn: Michael Meyer, L.G.  
Division of Water Resources  
Garden City Field Office

RE: Division of Water Resource file Numbers 3493, 9249, and 27107

Mr. Michael Meyer,

It has been brought to my attention that Mr. Rick Redd is attempting to file paperwork with your office regarding a re-drill and a diversion of water to the (re-drill) new well on 30-32-8 Haskell County, Kansas. As I informed you in an email, in a timely manner prior to the filing of these documents, my signature was revoked authorizing a re-drill and relocation of diversion.

My signature on these documents was predicated on an agreement that Mr. Redd would purchase 40 acres of property from me, my remaining water rights on 30-32-8, and my half interest of irrigation motors on both 30-32-17 and 30-32-8. As I had every intention of selling the 40 acres of land I would no longer have use for the remaining water rights on section 8, or the half interest in motors on section 8 and section 17.

I was presented with three separate signature pages only, with no legal body or description of activity that would take place, just the page where my signature was presented to me. I was told that it was the same document that was sent to me via mail and that I still have on file in my office to this day and that the extra signature pages were for copy purposes only and in no way had the legal body and issues addressed in these documents changed in any way from the original form sent to me in the mail by Mr. Redd.

Mr. Redd did not enter good faith negotiations to purchase the 40 acres of land or the remaining water rights on section 8. As Mr. Redd refused to enter into good faith negotiations, I immediately emailed the division of water resources, contacting you, and revoked my signature long before the diversion and re-drill documents were filed in your office.

I have been informed that there are three (3) different documents and water files being effected by Mr. Redds' attempted filings. I have no knowledge of these three files or what these documents being filed contain.

Mr. Redd has filed fraudulent documents with your office in the past with regards to my Mothers signature on water right document number 9,249. My mother did not own the minerals, nor the land,

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at the time her signature was applied. Furthermore, Mr Redd claims no knowledge that Zane B Eilerts and I owned these rights at the time of my mothers' signature. This is an untrue statement by Mr. Redd. Rick Redd was aware of the transfer of land to myself and Zane B Eilerts in a warranty deed dated November 3, 2003. Performing due diligence was also the responsibility of Mr. Redd at the time these documents were signed by my mother and Mr. Redd failed to do so. My complaint filed for the filing on water right 9,249 was upheld and made null and void by the division of water resources as stated in a letter from the board dated March 12, 2018. As the proof showed Mr. Redd is known to file documents with your office that are not completed correctly and give economic benefit to himself.

I strongly urge you to error on the side of caution when making your decision. Mr. Redd has been known to file fraudulent and incomplete documents with the division of water resource offices. I am only aware of a single document that would have been filed in this case on which my signature was revoked in a timely manner prior to Mr. Redd filing. I have every right to read and inspect every document being filed prior to a valid signature being applied by my hand. Mr. Redd misrepresented his intentions with three separate signature sheets constituting fraud. My signature was revoked because Mr. Redd failed to complete the predetermined terms to my signature appearing on these documents. Furthermore, granting Mr. Redd the permissions and provisions that these documents must contain will give Mr. Redd an unfair economic advantage, render my remaining land and water resources valueless, and grant Mr. Redd the right to change water rights that were not discussed or agreed to.

I pray you deny Mr. Redd's latest filings with the division of water resources.

Kindest Regards,

T Brian Eilerts  
MBA, CSSMBB

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