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NOV 28 2000

WATER RIGHTS
SALT LAKE

Richard Nielsen
P.O. Box 150
Hyrum, Utah [84319]

Robert L. Morgan, Lee Sims, State of Utah
Department of Natural Resources Division of Water Rights
1594 W. North Temple, Suite 220 PO Box 146300
Salt Lake City, Utah 84114-6300

Regarding **ORDER OF THE STATE ENGINEER**, received on November 3, 2000

Constructive Notice, Refusal for Fraud, and Affidavit of Facts

Take notice that this is not a Request for Reconsideration nor a court appeal, but is an action taken against an inappropriate document of order, since no court is alleged, and is a demand by a private citizen for a redress of grievances.

Constructive notice is hereby given that the above-named **ORDER OF THE STATE ENGINEER** is refused for fraud, and returned, for the following reasons:

1. Neither the STATE OF UTAH, nor the state engineer, Robert Morgan, have any jurisdiction or authority over the control of the Sovereign Citizen, Richard Nielsen, nor in the manner in which he utilizes his resources of water (See attached copy of Oath Purgatory).
2. Robert L. Morgan is intentionally functioning outside the parameters of the Constitution of Utah, and that of the United States of America, which can be demonstrated by the fact that he is impersonating the office of state engineer, and functioning without an oath of office, which is required by both of those constitutions (See attached copy from the state archives).
3. Lee H. Sim and Bob Fotheringham, are impersonating the office of Assistant state engineer, in that they have no oaths of office recorded in the state archives, which is required by constitutional law. Therefore all actions taken by them are considered to be unofficial misconduct of office.
4. There is no documentation to show that Richard Nielsen intentionally, knowingly or voluntarily surrendered any of his rights, or entered into any contract or agreement to conform to the rules or regulations of the Little Bear River Distribution System, or those of the Division of Water Rights in the payment of fees levied by them. Further, there has been no service rendered to any of the property owners which have been made to participate in these agencies.
5. The use of all upper-case letters in the titles **STATE ENGINEER** and **STATE OF UTAH**, indicates that these entities are fictitious and non-constitutional, as under the law this form represents a "nom de guerre".
6. By constitutional law and oath of office, the Attorney General is required to represent Richard Nielsen, and defend his rights against the actions of government which are in the violation of such rights.

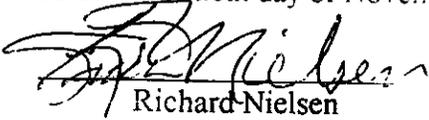
Further constrictive notice is hereby given that Greg Hansen of Hansen Associates Inc., the water commissioner of the Little Bear River Distribution System is acting with a conflict of interest in this

regard, as he is a member of the Willow Valley Sportsman club, and has allowed water to be diverted for their use, from its natural course of flow from the Obray and T.K. Obray springs. By deed, this water belongs to Paradise Springs Ranch, DaWayne Richman, Clifton H. Smith, Family Revokable Trust (Agent Richard Nielsen), Cody Dobson, and Little Bear Properties. Greg Hansen is also acting without oath of office, and has no right to divert water for Willow Valley Sportsman club without permit. The diversion of said water has caused the following damages over the past five years:

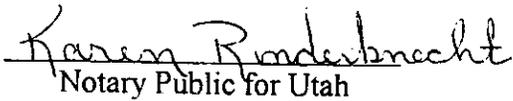
1. \$850.00 per year to Richard Nielsen, for causing insufficient flow of water for normal irrigation of land.
2. Extreme damage to the banks of the property owners between the Willow Valley Sportsman club and Hyrum Dam during flood time, due to diverting water from normal channels directly into the Little Bear River. Such damage amounts to many thousands of dollars to the several property owners. The property to which Richard Nielsen is agent has suffered the loss of a dug road and of thousands of cubic feet of river bank land.
3. This unlawful diversion has also resulted in extreme movement of gravel, scouring out the hard pan from the fault line where the river runs, thus releasing water through the fault, causing shortages to other users further down stream.
4. On the sixteenth day of May, in the year 1997, the state engineer received a true and correct copy of the Declaration of Assign's Update of Patent, together with a Constructive Notice of Liability for Neglect, Trespass, and Infringement of Rights, by certified letter, both of which are included herein by this reference, that the property represented by Mr. Nielsen had achieved current land patent status, and that the State of Utah and all agencies are liable for damages in the amount of one million dollars, for each offenses committed against said property. Whereas there was no response forthcoming from the state engineer, to said notice, a default has been secured against this agency concerning these documents, by their failure to respond.

Therefore, further notice is given to all liable parties that they have twenty days from the receipt of this notice, to return the flow of all waters of the Obray and the T.K. Obray springs to their natural channels, and to cease and desist from any future diversions or divisions of these waters for culinary or any other unlawful purposes whatever.

Presented this twentieth day of November, in the year of Our Lord two thousand.


Richard Nielsen

Subscribed and affirmed before me this twentieth day of November, in the year of Our Lord two thousand. Richard Nielsen personally appeared before me, known or proven by identification to be the party whose name is subscribed to this instrument, and acknowledged that he executed the same.


Notary Public for Utah



Copy sent to: Greg Hansen of Hansen and Associates, 538 N. Main, Brigham City, Utah,
and Bob Fotheringham at 1780 North Research Parkway # 104, North Logan, Utah

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