

To: Robert Fanning[bruisernd73@gmail.com]; Ryan Zinke (b) (6); Janette Rosman[janette@ronan.net]
Cc: MT Rep Dick Barrett[rnewbar@gmail.com]; DNRC Land Board[landboard@mt.gov]; Frandsen Deb (Tester)[deb_frandsen@tester.senate.gov]; Roger Starkel (b) (6); Travis Kavulla[tkavulla@mt.gov]; Richard Erb[richarderb@montana.com]; Jack Horner (b) (6); Kristin Omvig[kristin@rmtlawp.com]; Debra Lamm[damm@nellus.com]; Steve Hughes (b) (6); Paul Guenzler[sharongu@ronan.net]; Dr. Kate Vandemoer[waterforworldpeace@gmail.com]; Kathleen Mazure[klm@dwgp.com]; Daniel Salomon[dansalomon12@gmail.com]; Patricia Gillis[patricia.gillis@ferc.gov]; Brad Hamlett[senatorhamlett@gmail.com]; Paul Wadsworth (b) (6); Paul Hunsucker (b) (6); David Lake[spud@cyberport.net]; MT Rep Steve Fitzpatrick[fitzpatrick@bresnan.net]; Bruce Fredrickson[bruce@rmtlawp.com]; Senator Jon Tester[senator@tester.senate.gov]; Ken Cornelius (b) (6); Mary Stranahan[mary@goodworksventures.com]; Bruce TutvedtSD3[bruce@tutvedt@gmail.com]; Bill & Grace Slack (b) (6); Steve Daines[steve@stedaines.com]; MT Sen Chas Vincent[cvvincent@hotmail.com]; Duane Mecham[duane.mecham@sol.doi.gov]; Alan Mikkelsen[amikkelsen@usbr.gov]; Jerry & Christine | Broken Hook Ranch[brknhkrnch@stignatius.net]; Mike Horn (b) (6); Jack & Susan Lake[jlake@ronan.net]; Jon Metropoulos[jon@metropouloslaw.com]
From: Gene Erb Jr
Sent: 2017-08-26T21:09:56-04:00
Importance: Normal
Subject: Re: Bad faith dealings by government , captured by crony capitalists, working in consort with tribes. Breached contracts with gangsters are null and void
Received: 2017-08-26T21:10:20-04:00
[121514 Flathead Joint Board of Control.pdf](#)
[Certified J.E.Bell.pdf](#)
[PPL Montana WRs\(6\).pdf pgs 105-106.pdf](#)

Robert thanks for spending the time last week to explain how the Law was set in place to protect all U.S. citizens. This first attachment is a partial from the 1935 MCA that was shared by a elected Irrigation Commissioner. It is amazing how our neighbors raise crops on a Quota set by the Department of Interior? Before the Districts were formed in 1926 the standard used was a **MINERS INCH PER ACRE** found in the General Land Office (Regulations) Right of Ways over Public Lands and Reservations approved June 6,1908 also thanks to Rick B.for this one. The State and the Secretary of Interior has allowed Rocky Mountain Power to steal the Flathead Irrigation and Power Project Sinking Funds since April 3 1923, J. E. Bell could only file on a 160 acre **Homestead**.

On Thursday, August 24, 2017 9:05 AM, Robert Fanning <bruisernd73@gmail.com> wrote:



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bad faith

1) n. intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others. Most states recognize what is called "implied covenant of good faith and fair dealing" which is breached by acts of bad faith, for which a lawsuit may be brought (filed) for the breach (just as one might sue for breach of contract). The question of bad faith may be raised as a defense to a suit on a contract. 2) adj. when there is bad faith then a transaction is called a "bad faith" contract or "bad faith" offer.

See also: [clean hands doctrine](#) [fraud](#) [good faith](#)

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On Aug 12, 2017 10:02 AM, "Robert Fanning" <bruisernd73@gmail.com> wrote:

I also spent a couple of hours with an irrigator who is being blackmailed and extorted into selling his water rights and land .

This is absolute defiance of this judge's 1986 ruling and harsh admonishment directed at the BIA and the Secretary of Interior....attachment all the way down at the bottom.....instead we get racketeering and gangsterism.

The question now is:

" does anyone in authority, like Jack Seivers of MSU and Securities Commissioner Rosendale

have the honor and integrity to order a FORENSIC audit that state law, Montana State University school of Agriculture charter requires and the Koch Brothers have already paid for ?

This is the \$ Trillion dollar question that will drive the 2018 Senate race.

Substance over "schmoozers ",
public interest over pathetic , narcissistic photo ops that prove nothing but
insecurity and incompetence.

Respecting the public by electing those who do, and have done for 2 decades, the actual work instead of phony carnival barkers who use prominent & unwilling citizens as props in their micro managed, staged video commercials.

They are not "one of you" if they disobey the judge in the attached PDF and the US Constitution.

They are part of the Swamp.

"Do what you all ways did ,get what you always got.".....corruption.

Draining the Swamp begins at the headwaters right here in MONTANA

On Aug 2, 2017 10:00 AM, "Robert Fanning" <bruisernd73@gmail.com> wrote:

<http://www.nakedcapitalism.com /2017/08/us-health-care-reform -debate-not-address.html>

On Jul 31, 2017 12:45 PM, "Robert Fanning" <bruisernd73@gmail.com> wrote:

Sue to enforce the U.S. Constitution and drain the swamp in Montana.
There is no " like " Janette ,
only duty once you have sworn the oath .

On Jul 31, 2017 11:29 AM, "Janette Rosman" <janette@ronan.net> wrote:

Sounds like you like to sue people? Rotten apples on the tree, thank you for updating me. I was not aware. Janette

From: Gene Erb Jr [mailto:Gene.Erb@Montana.gov] (b) (6)
Sent: Saturday, July 29, 2017 6:57 AM
To: Janette Rosman; 'Robert Fanning'
Cc: 'DNRC Land Board'; 'MT Rep Dick Barrett'; 'Frandsen Deb (Tester)'; 'Roger Starkel'; 'Travis Kavulla'; 'Richard Erb'; 'Jack Horner'; 'Kristin Omvig'; 'Debra Lamm'; 'Steve Hughes'; 'Paul Guenzler'; 'Dr. Kate Vandemoer'; 'Kathleen Mazure'; 'Daniel Salomon'; 'Patricia Gillis'; 'Brad Hamlett'; 'Paul Wadsworth'; 'Paul Hunsucker'; 'David Lake'; 'MT Rep Steve Fitzpatrick'; 'Bruce Fredrickson'; 'Ryan Zinke'; 'Senator Jon Tester'; 'Ken Cornelius'; 'Bruce TutvedtSD3'; 'Mary Stranahan'; 'Bill & Grace Slack'; 'Steve Daines'; 'MT Sen Chas Vincent'; 'Jerry & Christine | Broken Hook Ranch'; 'Alan Mikkelsen'; 'Duane Mecham'; 'Mike Horn'; 'Jon Metropoulos'; 'Jack & Susan Lake'
Subject: Re: No.1 Forensic Audit for the (HARM).

1. Water Commissioner Janette Rosman this is the second part of the email that was sent to you and some of your Flathead Commissioners yesterday. You took a oath of Office and if you Do Not understand this? I will be more than happy to file a complaint as a water right owner and user in your District, and Judge Manley can explain this to both of us? How about them Apples.
2. For your information the Funds were donated to Montana State University for the Forensic Audit by the Koch Brothers as explained by Mike Horn. I am positive Robert Fanning would be happy to send you the information again.
3. You may want to take another look at the (FERC) document Robert Fanning, Gene Erb and others hired Lawrence Kogan to represent private property owners in the West. Have you kept up on that Proceeding and made sure the Judges have their needed information? You have a Fiduciary Responsibility.

On Friday, July 28, 2017 1:58 PM, Janette Rosman <janette@ronan.net> wrote:

Gene, bring me up to date, is the FBI doing two forensic audits on FJBC? I'm not aware of the FBI going back on the records you are referring to and if you would like them to do so, get your check book out and pay for it. The FJBC does not have the funds to follow up on your paperwork. Who's behind all of this? I did not know Daddy Bruce Vincent but I do know Chas, and Dave Vincent. Good people in the communities they live in with a head full of common sense. Janette

From: Gene Erb Jr [mailto:Gene.Erb@Montana.gov] (b) (6)
Sent: Friday, July 28, 2017 12:47 PM
To: Robert Fanning
Cc: DNRC Land Board; MT Rep Dick Barrett; Janette Rosman; Frandsen Deb (Tester); Roger Starkel;

Travis Kavulla; Richard Erb; Jack Horner; Kristin Omgig; Debra Lamm; Steve Hughes; Paul Guenzler; Dr. Kate Vandemoer; Kathleen Mazure; Daniel Salomon; Patricia Gillis; Brad Hamlett; Paul Wadsworth; Paul Hunsucker; David Lake; MT Rep Steve Fitzpatrick; Bruce Fredrickson; Ryan Zinke; Senator Jon Tester; Ken Cornelius; Bruce TutvedtSD3; Mary Stranahan; Bill & Grace Slack; Steve Daines; MT Sen Chas Vincent; Jerry & Christine | Broken Hook Ranch; Alan Mikkelsen; Duane Mecham; Mike Horn; Jon Metropoulos; Jack & Susan Lake

Subject: Re: No.1 Forensic Audit for the (HARM).

1. Robert there is a very suspect in this Action??? In the **(1963 Redesignation of Water Rights)** by the Bureau of Indian Affairs, under direction of Secretary of Interior the lands that were out of the Project also included at that time would have given Congress control of the **(PROJECT)**? Another theft without Compensation.
2. Chas Vincent and his Daddy Bruce Vincent and cousin Commissioner Dave Vincent may be able to explain this to the FBI.
3. This Amici Brief has Dr. Richard Erb working for the Board of Governors of the Federal Reserve System (Assistant to Governor Sherman Maisel, 1967-69)???
4. Don't forget to use Discovery when asked by the JUDGE. More on the way.

On Friday, July 28, 2017 10:32 AM, Robert Fanning <bruisernd73@gmail.com> wrote:

In court, this is called primary evidence, just like the missing computer(s).

Evidence tampering is a serious crime.

Quantify the HARM with a forensic audit.

" forensic " means that a crime is suspected.

On Jul 28, 2017 9:55 AM, "Gene Erb Jr" <(b) (6)> wrote:

Robert some times folks appear to be hiding the truth!!! Looks like the FBI Auditors may want to start **(HERE)**, I had not a clue in 1991 buying a small ranch at Charlo Mt. that the Government was subsidizing a payment of over 7000.00 per year? Lucky for me Dennis Krantz working at the USDA and we not being one of the **(Good Old Boys and Girls Club)** it was amended and finally ended. You don't suppose that went into a retirement FUND somewhere the Auditors may find it? Mr. Krantz was subleasing the land Dave Snyder purchased in 1985 these water rights, I found after we purchased the property were amended by the **(DNRC)** also. Mr Jack Stivers pushed a 70 yr old dear friend from behind at one of the Compact meetings 4-5 yrs ago and the MSU office is still paying his retirement?

On Saturday, July 1, 2017 7:47 AM, Robert Fanning <bruisernd73@gmail.com> wrote:

If they'll steal your water, electricity minerals and land.....they' find a way to nationalize pensions.

On Jun 30, 2017 11:35 PM, "Robert Fanning" <bruisernd73@gmail.com> wrote:

<http://clicks.aweber.com/y/ct/?l=GQGs.&m=gx.LyMtw4yvvrVU&b=gsNCpBuGfQhPrqYZ.J4OLA>

Now you know why the DEEP STATE is in a panic attack to steal your private property

<http://clicks.aweber.com/y/ct/?l=GQG&m=gx.LyMtw4yvvrVU&b=qsNCpBuGfQhPrqYZ.J4OLA>

On Jun 30, 2017 12:01 PM, "Robert Fanning" <bruisernd73@gmail.com> wrote:
Mike Cotter will have his hands full once the HARM is quantified.

<https://www.usnews.com/news/best-states/montana/articles/2017-06-09/former-us-attorney-to-investigate-lawyer-misconduct-cases>

On Jun 30, 2017 8:30 AM, "Gene Erb Jr" <(b) (6)> wrote:

1. Well this may be why the Lake County Attorney had to turn the investigation over to the United States (FBI). If one happens to not be so sheep-all, you will find the 7.00 per acre to be rather a commanding price for a parcel of land. The United States required that improvements to the lands were to be made before the Fee Patent would issue. Along in 1926 came the "Formation of the Irrigation Districts" at Polson Mt. As you will see in the right hand corner the Order was Filed and Recorded, it is real convenient that the none of the Government employees could recover or find these? It may be called discovery? Has anyone a clue as what the "Special Irrigation District Report" may be?
2. As you will find in the second attachment, the districts filed a claim with the uses and the (DNRC) failed to finish the paper work. Does anyone know who was coaching Alan as he claims to be a expert witness and when is asked about the uses stockwater, domestic, municipal, and power generation they may have not received the response yet today? The (DNRC) has purchased plenty of land in the State.
3. Does anyone happen to know how much money the Federal Government paid for the pipeline to the Walt Shock Ranch? This contract is within the 5yr statue of limitations? Some of us may know neighbors that asked for the right to use this pipeline also and were denied equal and just distribution.

On Thursday, June 29, 2017 7:55 AM, Robert Fanning <bruisernd73@gmail.com> wrote:

When the Tresury Department sends their Speial Investigators, those " G Men " are CPA 's MBA 's and experts in white collar crime.

They know all about fraud, violation of fiduciary duties and bad Faith dealings.

Al Capone was at large until the " G Men " caught him.

Then he died with his brain rotted out from syphilis in Alcatraz.

People who steal from children, the insane and the incarcerated deserve no less than Al Capone.

On Jun 28, 2017 12:14 AM, "Mike Horn" <(b) (6)> wrote:

The Question is: What is the quantification of the HARM?

1. Quantification Scope: Lost Water Rights, Lost Jobs, Lowered Incomes,

Population Displacement, Lowered Business Activity, Reduced Farm Income and equipment sales, Decline in Economic Potential, Increase in Crime. Quantification is measured in dollars and other factors including quality of living.

2. Quantification Assessment – A credible sourcing would naturally be Montana State University – Bozeman - Ag Economics taking the lead. A Principle Investigator would be identified to produce a planning document and a proposed budget. This would likely be a multi-year project. (The Koch Bros. have established a long term endowment to bolster the MSU Ag Economics Department.)

3. Congressional legislation usually neglects impact quantification and assessments. This judicial demand for one must be addressed with a credible construct for one. All parties should agree that this would be a significant precedent to quantify HARM in any legislation.

From: Robert Fanning <bruisernd73@gmail.com>
Sent: Tuesday, June 27, 2017 10:06 AM
To: Gene Erb; Mike Horn; Debra Lamm
Cc: Janette Rosman; MT Rep Dick Barrett; DNRC Land Board; Frandsen Deb (Tester); Roger Starkel; Richard Erb; Brad Hamlett; Jack Horner; Kristin Omvig; MT Sen Chas Vincent; Steve Hughes; Paul Guenzler; Dr. Kate Vandemoer; Kathleen Mazure; Daniel Salomon; Patricia Gillis; Paul Wadsworth; Paul Hunsucker; David Lake; MT Rep Steve Fitzpatrick; Bruce Fredrickson; Ryan Zinke; Ken Cornelius; Mary Stranahan; Bruce TutvedtSD3; Bill & Grace Slack; Steve Daines; Senator Jon Tester; Duane Mecham; Alan Mikkelsen; Jerry & Christine | Broken Hook Ranch; Jack & Susan Lake; Jon Metropoulos
Subject: Re: No.1 Forensic Audit for the (HARM).

Quantify the HARM, so this can get in front of the U.S. Court of Claims and / or get an appropriations rider attached in Congress.

Then elect me to the U.S Senate in order to insure that those who have been harmed, both individual and government entities are paid.

I'll bring a whole lot more money back to Montana than the current crop of "leaders".

You don't have a lot of time to dilly dally.

P.S.

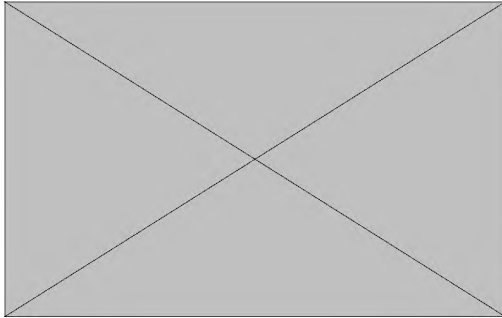
For at least a decade y'all have been paying lawyers. Some of who should lose their ticket.

April 11, 2015 it was admitted, in front of the Montana House Judiciary Committee, that in fact, this CKST was a regulatory taking.

Why hasn't a single lawyer up there brought up the Kelo decision?

Qui Bono?

<http://freerangereport.com/index.php/2017/06/25/scotus-rules-landowners-have-no-recourse-when-government-regs-undermine-property-values/>



SCOTUS rules landowners have no recourse when government regs undermine property values

freerangereport.com

"Put simply, today's decision knocks the definition of 'private property' loose from its foundation on stable state law rules," Roberts wrote. The ruling "compro...

On Jun 27, 2017 8:52 AM, "Gene Erb Jr" <(b) (6)> wrote:

Robert if one individual could only purchase 160 acres under the Homestead Act, and had to prove up on it prior to receiving a Patent, Rocky Mountain Power sends J.E. Bell to file on the Flathead River prior to the 1920 Federal Power Act. Thanks to Rick B. for the (Opening and Sales of Indian Lands) the Villa sites were Auctioned off in 1915. And the State of Montana (DNRC) involved with the Theft also, we are lucky there are honest hard working people that helped with the information from them also.

On Monday, June 26, 2017 12:59 PM, Robert Fanning <bruisernd73@gmail.com> wrote:

|

<https://vimeo.com/124787340>

posted Kelo on my page a couple of months ago.

I have an active case having to do with Montana's water in the D.C. federal court.

I would like to see the Republican A.G Assn join my case and get into court immediately.

I posted Kelo on my page a couple of months ago.

I have an active case having to do with Montana's water in the D.C. federal court.

I would like to see the Republican A.G Assn join my case and get into court immediately.

On Jun 21, 2017 8:23 AM, "Gene Erb Jr" (b) (6) > wrote:

Robert you have the Tenacity, True Grit and the Resume to manage this Lawsuit to the Full Extent of the Law. Your Record proves your ability. After the intervenors in the (FERC) License ran for cover? Allowing the (State and Big Power Companies) to steal "Water and Power" from the Landowners, here are a few more Documents proving Ownership. Robert I do not see any influence from the State of Montana on the Charles and Lulu water right these business deals were done prior to the Formation of the Irrigation Districts. These waters were reserved prior. I like <-YOUR-> letter. I can't believe the State of Montana has allowed a State Senator to file on water rights after the Legislature passed the Bill to send the Waters in the State to the Government of the United States, to Appropriate February 27, 1905.

On Monday, June 19, 2017 3:22 PM, Robert Fanning <bruisernd73@gmail.com> wrote:

Yo, Steve

GIVE THE FJB a written legal opinion as to WHY a forensic audit (study)cannot be ordered by the court.

Who is getting \$ 15 grand a month and where is his written legal opinion on firm letter head ?

I did.

Senator Conrad Burns gave this to the Secy of Interior Norton and it has had a couple million reads.

See if you can't write as well as I did in 2002.

Then think about being a " can do guy " instead of a " can don't guy .

Particularly when a D.C fudge ordered that the "harm" be quantified.

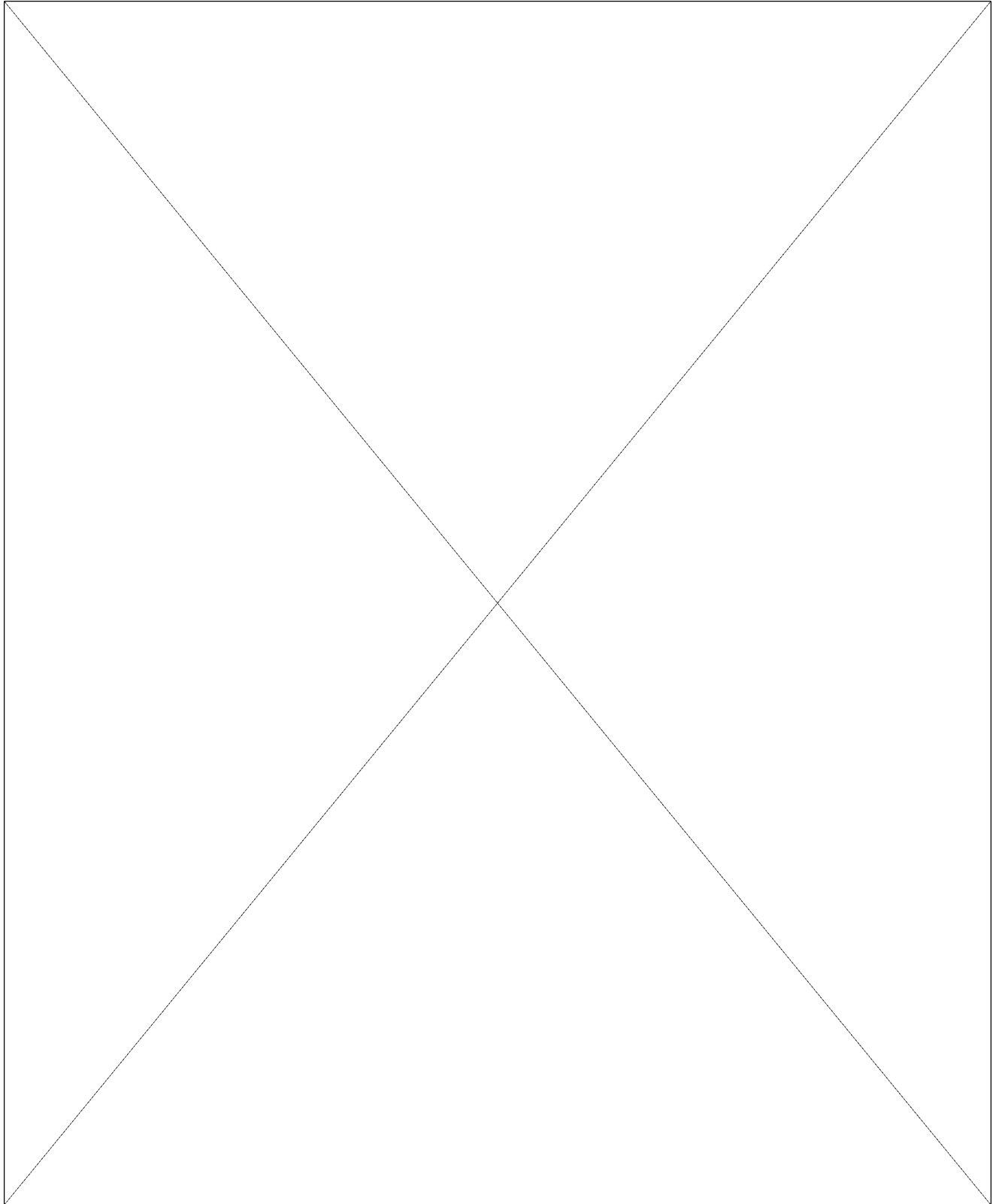
You don't want to disobey or obstruct the Federal court do you.

Then ask yourselves why a civilian gets these results while lawyers keep the cash cow alive , even if they have to intentionally throw 20 or 30 cases.

(as per Kogan on the Northern Broadcasting Network)

<http://www.skinnymoose.com/bbb/2010/06/11/yellowstone-is-dying/>

On Jun 15, 2017 12:43 PM, "Gene Erb Jr" <(b) (6)> wrote:



On Monday, June 5, 2017 9:48 AM, "Mikkelsen, Alan" <amikkelsen@usbr.gov> wrote:

I will be out of the office and on travel status from June 3 through June 10, working in our Mid-Pacific Region. I will try to return calls and emails when I have the appropriate facilities to do so. If you have an immediate concern that needs attention, please contact Grayford Payne or Dan Durbray in the Commissioner's Office.

Robert you are correct the FERC Judge asked the Attorneys to quantify the taking, over a year ago, as John Carter admitted in front of the State Legislature in 2015 this a taking. Alan has not been out of the "Office" completely !!! Not only did the (Secretary of Interior) back in 1951 have a Designation, along in 1963 there were more revising and came a very "LARGE" (REDESIGNATION) that may have been when the BIA grabbed control of the Project. The Tax statements are reflecting those amounts down on many acreages. I remember clearly the FJBC did not want intervenors at the FERC proceeding and the District Court Judge asked the Irrigation Districts if discovery was needed in his decision on the Compact? Sections 16 and 36 were set aside as State Lands in every Township check with the (BLM) this 1938 map reflects this. Section 16 is listed today as the "Primary Owner" being Tribal?

Also check the Montana Cadastral to see who the Owner of the Southwest corner of Section 25 the 40 acre tract set aside for the PROJECT? Yes the Power Reserves on the River also.

--

Alan Mikkelsen
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