

From: Emma Poeling ht4boomer@yahoo.com
Subject: Re: Exclusion
Date: September 28, 2023 at 4:49 PM
To: Jim landarizona.net jim@landarizona.net

EP

Jim,

What part of the bill do you need to reconcile? Thanks

On Thursday, September 28, 2023 at 04:34:59 PM MST, Emma Poeling <ht4boomer@yahoo.com> wrote:

This indicates Boomer's surprise that we would review the final job before Final Payment. We had yet to do the accounting for the material costs, site pad size, etc.

----- Forwarded Message -----

From: jim landarizona.net <jim@landarizona.net>
To: Emma Poeling <ht4boomer@yahoo.com>
Cc: Dennis Melin <dnmelin@gmail.com>
Sent: Thursday, September 28, 2023 at 09:27:54 AM MST
Subject: Re: Exclusion

Hello Emma...

We sent him the Arizona form from ARS 33-1008.

Please see the attached Unconditional Waiver and Release form. This form needs the signature of a verifiable authorized agent of Empire Southwest LLC.

Regarding the valve, the statement, "*If you would have had Boomer install the second valve, it would have been an additional charge.*", is totally and utterly false. The statement is a fabrication, as Mr. Schlesener said, "*...this saves us money...*" when I requested not to install an underground valve at the pump house. He forgets.

We are preparing additional release form(s) and will forward them shortly. Once all the releases are signed in our possession, we will begin to reconcile the final payment.

Thank you, Jim

On Sep 27, 2023, at 4:28 PM, Emma Poeling <ht4boomer@yahoo.com> wrote:

Can you please e-mail me the release forms? I will get them printed off and give them to Boomer to sign. In regards to the valve, the original bid was a lump-sum bid. If you would have had Boomer install the second valve, it would have been an additional charge. That is why it saved you money by not installing the second one. As soon as possible after we have a copy of the forms, they will be signed and returned to you.

Thank you,
Emma

On Wednesday, September 27, 2023 at 12:11:50 PM MST, Emma Poeling

<ht4boomer@yahoo.com> wrote:

----- Forwarded Message -----

From: jim [landarizona.net](mailto:jim@landarizona.net) <jim@landarizona.net>

To: Emma Poeling <ht4boomer@yahoo.com>

Cc: Dennis Melin <dnmelin@gmail.com>

Sent: Wednesday, September 27, 2023 at 11:31:19 AM MST

Subject: Re: Exclusion

We made sure Boomer knew ahead of time before any Final Payment could be remitted that he would need to produce Unconditional Waivers from his vendors.

Dear Emma for Boomer of HT4...

Please remind Mr. Boomer that when I advised him that the underground 2-inch valve at the pump house would not be necessary, he said to me in that conversation that it would save money by not installing it...

But before we can proceed with payment reconciliation, and since there are different ARIZONA PRELIMINARY TWENTY DAY LIEN NOTICES, we will need UNCONDITIONAL WAIVER AND RELEASES for each of them, pursuant to ARIZONA REVISED STATUTES SECTION 33-1008, SUBSECTION D, to be signed by the issuing companies/claimants, bearing in mind that these releases must follow substantially the statute referred to above.

Predicated on our previous payments, made 08-18-23 and 09-15-23, we should have already received these releases signed by all parties from your office. We will be happy to provide you with the appropriate release forms if you wish, but please know that we cannot move forward with any further payments without these releases.

Thank you.

James Kunisch, manager for LandArizona-JAK LLC

On Sep 26, 2023, at 3:52 PM, Emma Poeling <ht4boomer@yahoo.com> wrote:

Jim,

Boomer said he only put one 2" valve in his bid for the project, which he had already installed. He suggested a second valve outside the pump house, but you declined. The cost of the valve is \$465.38, but since we did not install the second valve, you were not billed for it. You were only billed for the first one that was already installed.

Thank you,
Emma for Bommer of HT4

On Tuesday, September 26, 2023 at 03:37:28 PM MST, Emma Poeling <ht4boomer@yahoo.com> wrote:

----- Forwarded Message -----

From: jim [landarizona.net](mailto:jim@landarizona.net) <jim@landarizona.net>

To: Emma Poeling <ht4boomer@yahoo.com>
Cc: annmarie@nbotv.com <annmarie@nbotv.com>
Sent: Tuesday, September 26, 2023 at 09:46:57 AM MST
Subject: Re: Exclusion

Hello, Emma...

Can you please provide us with the dollar amount value of the excluded "inline valve outside of pump house" referenced below? Thank you,

Jim

On Sep 13, 2023, at 1:46 PM, Emma Poeling <ht4boomer@yahoo.com> wrote:

Jim,

Per your request on Sept. 12, 2023 at 12:23 pm, an inline valve outside of pumphouse will be excluded.

A deposit was made for this job of \$20,000.00. The bill for the road alone was \$19,438.03.

That is a difference of \$561.97, not \$2,000.00 as you stated. The total difference of \$561.97 will be credited on the next bill.

Thank you,
Emma for Boomer of HT4

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