| | Defendant | Manner | Person Served | Summons | Date | Time | Address | City | State |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |
| 1 | Ray, Candace L. | Personal | Candace L. Ray | 6/27/2010 | 8/28/2011 | 2105 | 1172 Green Hill Drive | Roseville | CA |
| 2 | Pony Express Village LLC | Personal | Robert McMinn - Manager | 6/10/2010 | 8/28/2011 | 1745 | 19000 Golden Hills Drive | Volcano | CA |
| 3 | Soilfume, Inc. | Personal | David Frye - Agent | 6/10/2010 | 9/19/2011 | 1532 | 209 Riverside Road | Watsonville | CA |
| 4 | Simmons, Leia H. | Substituted | Kathy Johnston - Manager | 6/10/2010 | 9/24/2011 | 1600 | Walker River Resort | Smith | NV |
| 5 | Montes, Rogelio | Personal | Rogelio Montes | 6/10/2010 | 9/29/2011 | 1530 | 270 Highway 95N | Yerington | NV |
| 6 | Aiazzi Investments, LLC | Personal | John Schlegelmilch | 6/10/2010 | 9/29/2011 | 1545 | 30 Broadway | Yerington | NV |
| 7 | Roe, Shannon M. | Personal | Shannon M. Roe | 6/10/2010 | 9/29/2011 | 1600 | 513A West Bridge St | Yerington | NV |
| 8 | Roe, Dennis | Personal | Shannon M. Roe - Agent | 6/10/2010 | 9/29/2011 | 1600 | 513A West Bridge St | Yerington | NV |
| 9 | Jenkins, Fahn N. | Substituted | Larry Jenkins - Spouse | 6/10/2010 | 11/12/2011 | 1447 | 10217 E. Highway 54 | Athol | ID |
| 10 | Poulsen, Gayle | Personal | Gayle Poulsen | 6/10/2010 | 11/11/2011 | 1639 | 3684 Spruce Street | Meridian | ID |
| 11 | "A" Enterprise | Substituted | Alice Gores, Manager of Trust | 6/12/2009 | 11/14/2011 | 1930 | 7750 Judy Drive | Cleveland | OH |



EXHIBIT 1

Greg Addington
Assistant U.S. Attorney
Susan L. Schneider, Trial Attorney
U.S. Department of Justice
Environment and Natural Resources Div.
1961 Stout Street, 8th floor
Denver, Colorado 80294
303/844-1348
susan.schneider@usdoj.gov

Attorneys for the United States of America



**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEVADA**

| | | |
|---|---|---|
| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | ) | IN EQUITY NO. C-125-ECR<br>Subproceeding: C-125-B<br><br>AFFIDAVIT OF SERVICE OF PROCESS |

I, THE UNDERSIGNED, do hereby declare as follows:

1. That I am Over the age of majority and not a party to the within action;

2. That I served the within Notice in Lieu of Summons, Notice of Appearance and Intent to Participate, First Amended Counterclaim of the United States of America, First Amended Counterclaim of the Walker River Paiute Tribe, Case Management Order, Order Regarding Changes in Ownership Rights, and, Order-Disclaimer of Interest upon Fahn N. Jenkins by leaving copies of said documents with (Person) Larry D. Jenkins, Fahn Jenkins' spouse and co-resident at

10217 E. Highway 54 (Street), Athol (City), Idaho (State)

on or about the 12th day of November, 2011 at 2:47 pm (time).

I, Paul S. Chesney North Idaho Process Service, do hereby declare under penalty of perjury that the above is true to the best of my knowledge and that this Affidavit of Service of Process was executed at Kootenai County, State of Idaho on the 13th day of November, 2011.



Paul S. Chesney

Signature, Process Server

Paul S. Chesney

Name of Process Server

Greg Addington
Assistant U.S. Attorney
Susan L. Schneider, Trial Attorney
U.S. Department of Justice
Environment and Natural Resources Div.
1961 Stout Street, 8th floor
Denver, Colorado 80294
303/844-1348
susan.schneider@usdoj.gov

*Attorneys for the United States of America*



**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEVADA**

| | | |
|---|---|---|
| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | ) | IN EQUITY NO. C-125-ECR<br>Subproceeding: C-125-B<br><br>AFFIDAVIT OF SERVICE OF PROCESS |

I, THE UNDERSIGNED, do hereby declare as follows:

1. That I am Over the age of majority and not a party to the within action;

2. That I served the within Notice in Lieu of Summons, Notice of Appearance and Intent to Participate, First Amended Counterclaim of the United States of America, First Amended Counterclaim of the Walker River Paiute Tribe, Case Management Order, Order Regarding Changes in Ownership Rights, and, Order-Disclaimer of Interest upon Gayle Poulsen by leaving copies of said documents with (Person) GAYLE POULSEN at

3684 SPRUCE (Street), MERIDIAN (City), ID (State)

on or about the 11 day of NOV, 2011 at 4:39 PM (time).

I, JOHN TULL, do hereby declare under penalty of perjury that the above is true to the best of my knowledge and that this Affidavit of Service of Process was executed at ADA County, State of ID on the 11 day of NOV, 2011.



Signature, Process Server

JOHN TULL
Name of Process Server

State of Idaho
County of Ada
On this 14th day of November, in the year of 2011, before me, Melanie Olmstead personally appeared John Tull,
☐ personally known to me or ☑ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledge that he/she executed the same.

Melanie Olmstead
Notary Signature
My Commission Expires: 11-12-2014

MELANIE OLMSTEAD
NOTARY PUBLIC
STATE OF IDAHO

Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/30/11 Page 6 of 7

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEVADA**

| | | |
|---|---|---|
| UNITED STATES OF AMERICA, | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| WALKER RIVER PAIUTE TRIBE, | ) | |
| | ) | |
| Plaintiff-Intervenor, | ) | |
| | ) | IN EQUITY NO. C-125 |
| vs. | ) | SUBFILE NO. C-125-B |
| | ) | |
| WALKER RIVER IRRIGATION DISTRICT, | ) | |
| a corporation, et al., | ) | **NOTICE IN LIEU OF SUMMONS** |

TO: "A" Enterprise
Jeff Lewis and John Poseley, Trustees
49 Tucker Lane
Yerington, NV 89447

**You have been named as a Defendant in a civil action** filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

**You are hereby summoned and required to file** with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Civil Action No. C-125-B

## PROOF OF SERVICE

***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))***

This summons for *(name of individual and title, if any)* Jeff Lewis or John Poseley was received by me on *(date)* November 10, 2011.

☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or



☒ I left the summons at the individual's residence or usual place of abode with *(name)* Alice Gores, Manager of the trust for Jeff Lewis and John Poseley, a person of suitable age and discretion who resides there, on *(date)* 11/14/2011 @ 7:30p.m, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00.

I declare under penalty of perjury that this information is true.

Date: November 14, 2011

*Server's signature*

Roman Holyk, Process Server

*Printed name and title*

1300 East 9th Street, Suite 100, Cleveland, OH 44114

*Server's address*

Additional information regarding attempted service, etc:

Jeff Lewis and John Poseley do not reside at 7750 Judy Drive, Cleveland, OH 44134.

Subscribed and sworn to before me this 15th day of November

Notary Public

My Commission Expires 6/28/16

NOTARY PUBLIC STATE OF OHIO