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U.S. DISTRICT COURT  
DISTRICT OF NEVADA

U.S. DISTRICT COURT  
DISTRICT OF NEVADA  
FILED  
SEP 16 1997  
CLERK, U.S. DISTRICT COURT  
BY *OKR* DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
WALKER RIVER PAIUTE TRIBE, )  
 )  
Plaintiff-Intervenor, )  
 )  
vs. )  
 )  
WALKER RIVER IRRIGATION DISTRICT, )  
et al., )  
 )  
Defendants. )

In Equity No. C-125-ECR  
Subfile No. C-125-C

MINERAL COUNTY, )  
 )  
Proposed Plaintiff- )  
Intervenor, )  
 )  
vs. )  
 )  
WALKER RIVER IRRIGATION DISTRICT, )  
et al., )  
 )  
Proposed Defendants. )

BRIEF OF WALKER RIVER  
IRRIGATION DISTRICT  
CONCERNING STATUS OF  
SERVICE ON IDENTIFIED  
HOLDERS OF WALKER RIVER  
WATER RIGHTS

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**I. STATEMENT OF FACTS**

**A. Background**

This matter involves Mineral County's attempt to intervene and assert a new and senior water right in a water right adjudication action which was concluded by a final judgment entered April 14, 1936, and amended on April 24, 1940, pursuant to the mandate in United States v. Walker River Irrigation District, 104 F.2d 334 (9th Cir. 1939). Mineral County's proposed amended Complaint-In-Intervention seeks a reallocation of the waters of Walker River to provide large annual minimum flows to Walker Lake. Doc. No. 20. Mineral County also filed a Motion for Preliminary Injunction. Doc. No. 22. In that motion, it seeks an injunction requiring water rights holders on the Walker River system to allow even larger quantities of water to reach Walker Lake annually until this litigation is concluded. Id.

**B. The Service Order**

As a result of a status conference, the Court entered an Order Requiring Service of and Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County (the "Service Order"). Doc. No. 19. Because 60 years has passed since the Walker River Decree was entered, most, if not all, of the original parties to the Decree are no longer the owners of the land with the appurtenant water rights it adjudicated. In addition through state law processes in Nevada and California new and junior water rights have been established subsequent to

1 the entry of the Walker River Decree.<sup>1</sup>

2 The Service Order required Mineral County to serve its  
3 intervention documents, pursuant to Fed. R. Civ. P., Rule 4, on  
4 all persons with water rights under the Decree or acquired by  
5 subsequent appropriation ("Walker River Claimants"). Id. at 2;  
6 3. The Service Order directed the clerk to establish a new  
7 subfile, C-125-C, for filings related to Mineral County's  
8 proposed intervention. It also directed Mineral County to file  
9 revised versions of its intervention documents to clarify its  
10 claims to Walker River waters, and to file a motion for any  
11 preliminary injunction it intended to seek. Doc. No. 19 at 2.

12 The Service Order expressly required Mineral County to file  
13 "a revised proposed Complaint-In-Intervention which clarifies  
14 the basis for Mineral County's claims to water from the Walker  
15 River for Walker Lake and which identifies the persons or  
16 entities against whom such claims are proposed to be  
17 asserted...." Id. [Emphasis added]. Mineral County did not and  
18 has not complied with the requirement that its proposed  
19 Complaint-In-Intervention identify persons or entities it  
20 intends to sue. The closest it has come to complying with that  
21 requirement is Attachment 1 to its March 19, 1997 filing (the  
22 "Mineral County List"). Doc. No. 97.

23 The Mineral County List is an extensive list of names.  
24 Mineral County represented the following to the Court with  
25 respect to that list:

26 \_\_\_\_\_  
27 <sup>1</sup>For example, in 1983, the Nevada State Engineer issued a  
28 water right to the Nevada Department (now Division) of Wildlife  
for Walker Lake with a 1970 priority date in the amount of 795.2  
cubic feet per second.

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Mineral County will accept that the list from the County Recorders of Deeds is the only list applicable and that list is the only one that Mineral County should be required to serve. Mineral County has served the persons on that list (see Affidavits filed September 29, 1995 and February 1, 1996).

\*\*\*

Mineral County asks that the Court find Mineral County's list, taken from the county Recorder of Deeds, be the operative list and the one accepted by this Court and that Mineral County's service be declared complete based upon its service on those persons who are title record holders...

Doc. No. 97 at 4, 5. For the time being at least, the status of service on identified holders of Walker River Water Rights must be measured against the Mineral County List.<sup>2</sup>

For purposes of service and the Court's analysis here, the Service Order also includes several other important provisions related to the form of the process to be served. First, rather than requiring service of a summons, it required service of a "Notice in Lieu of Summons properly issued by the Clerk of the Court." Doc. No. 19 at 3. Second, it established a schedule through September 11, 1995, for briefs concerning Mineral County's Motion to Intervene and it expressly provided that until further order of the Court no answer or other response was required to the proposed Complaint-In-Intervention. Id. at 4. Finally, the Service Order itself was to be served in accordance with Rule 4. Id. at 5.

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<sup>2</sup>The District does not concede that the Mineral County List includes all of the persons who must be joined under Rule 19.

1           **C. Mineral County's Attempted Compliance**  
2           **With The Service Of Process Provisions**  
3           **Contained In The Service Order**

4           In approximately April and May of 1995, Mineral County  
5 attempted service under the waiver provisions of Fed. R. Civ.  
6 P., Rule 4(d). In seeking waivers of service, Mineral County  
7 mailed some, but not all, of the documents required to be served  
8 to persons it had identified as Walker River Claimants. Doc.  
9 No. 40 at 1-3.

10           Mineral County's solicitation of waivers of  
11 service was not successful.<sup>3</sup> Subsequent to its attempted  
12 service under the waiver provisions of Rule 4(d), Mineral County  
13 asked the Court to relieve it of any further responsibility with  
14 regard to service of its intervention documents. Doc. No. 31 at  
15 1. Because it was obvious as a matter of fact that service had  
16 not been accomplished, the Court denied that request by order  
17 dated August 16, 1995 (the "Second Order"). Doc. No. 44 at 13.  
18 The Second Order reaffirms the service provisions contained in  
19 the Service Order, noting that it had not been vacated, modified  
20 or appealed. Id. at 2. For a second time the Court directed  
21 Mineral County to serve its intervention documents under Rule 4  
22 on all Walker River Claimants.

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23           <sup>3</sup>Mineral County complained that the District had interfered  
24 with and frustrated its attempts to obtain waivers of service.  
25 Doc. 31 at 5. It sought substantial sanctions from the  
26 District. Id. at 2. The Court denied Mineral County's request  
27 for sanctions. Doc. 44 at 10-13. Although what the District  
28 did and why are not relevant to the issues, they are explained  
in detail at Doc. No. 40, and are supported by the Court's order  
denying Mineral County relief. Suffice it to say that the  
District responded in good faith to inquiries and its response  
was based upon Mineral County's unilateral decision to not mail  
documents which the Service Order clearly required be served.

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Thereafter, Mineral County moved to amend the Service Order requesting clarification with regard to paragraph 4 of that order, and to amend the Second Order by granting Mineral County an extension of time to attempt personal service on the Walker River Claimants who had not returned a Waiver of Service form. Doc. No. 45. On September 29, 1995, the Court clarified paragraph 4 of the Service Order by providing further detail with respect to the procedure for Mineral County to follow in seeking Waivers of Service and identifying the documents to be served (the "Third Order"). Doc. No. 48. The Third Order once again required Mineral County to serve, in accordance with Fed. R. Civ. P., Rule 4, all Walker River Claimants who had not returned a Waiver of Service form. *Id.* at 1, 2. The Third Order also extended the time for briefs concerning Mineral County's Motion to Intervene through June 1, 1996. *Id.* at 3.

**D. Mineral County's Second Request To Be Relieved From Further Service**

On or about February 1, 1996, Mineral County filed its Notice of Motion, Motion for Relief from Service of Process and Request for Hearing (the "Notice of Motion"), and a Motion to Dispense with Service of Pleadings (the "Motion to Dispense"). Mineral County claimed that service of process as required by the Court's orders was complete. Doc. No. 63 at 1-2. Alternatively, it contended that it had served "substantially all known water rights holders" and that it should be excused from further service. The Court denied Mineral County's request to be relieved from further service. Doc. No. 63. Importantly, the denial states that it is Mineral County's obligation "to

1 determine who the proper defendants (i.e., competing water  
2 rights holders) are in its proposed action" to intervene in this  
3 matter. Id. at 2. The Court once again stated that Mineral  
4 County "must serve all proper defendants with its Motion to  
5 Intervene and proposed Complaint-In-Intervention, pursuant to  
6 Fed. R. Civ. P. 4." Id. Implicit in that denial is the Court's  
7 finding that as a matter of fact service was not complete or  
8 even substantially complete. Earlier the Court had suspended  
9 the schedule for briefs concerning Mineral County's Motion to  
10 Intervene (Doc. No. 71) and no new schedule has been  
11 subsequently established.

12 **E. Mineral County's Appeal**

13 Instead of complying with the Court's directive to  
14 complete service, Mineral County chose to appeal the Court's  
15 ruling to the Ninth Circuit Court of Appeals. In a written  
16 decision filed February 12, 1997, the Ninth Circuit dismissed  
17 Mineral County's appeal for lack of jurisdiction.

18 **F. The Publication Order**

19 On or about February 20, 1997, Mineral County filed a  
20 motion for leave to serve by publication unidentified holders of  
21 water rights appurtenant to lands located within the Walker  
22 River system. Doc. No. 88. The Court granted that motion (Doc.  
23 No. 99) and has subsequently made it absolutely clear that its  
24 order does not apply to identified holders of water rights.  
25 Doc. No. 114.

26 **G. The Status Conference.**

27 Recently a Stipulation for Status Conference was filed  
28 herein. Doc. No. 120. In that Stipulation, the parties to it,

1 including Mineral County, requested the Court to amend its  
2 previous orders to provide that, rather than serving a Summons,  
3 Mineral County should serve, including service by publication, a  
4 Notice In Lieu of Summons in form and substance similar to that  
5 previously approved by the Court. Id. at 5. The parties to the  
6 Stipulation, including Mineral County, agreed that no answer or  
7 other response to the proposed Complaint-In-Intervention and no  
8 response to any preliminary injunction motion should be required  
9 until a decision on the Motion to Intervene and then only upon a  
10 schedule to be established by further order of the Court. Id.

11 The parties, including Mineral County, also agreed that the  
12 Service Order, as amended, be included with the documents to be  
13 served by Mineral County, including any service by publication.  
14 In that Stipulation, the parties to it, including Mineral  
15 County, recited that a schedule for responding to the Motion to  
16 Intervene should be established before Mineral County proceeds  
17 with service by publication. Id. at 4. The Court's order after  
18 the Status Conference essentially approved the agreements and  
19 requests set forth in the Stipulation. Doc. No. 140.

20 **H. The Court's Order Regarding The Status Of Service**  
21 **On Identified Holders Of Walker River**  
22 **Water Rights**

23 The Court has ordered a hearing on "whether or not  
24 Mineral County, proposed intervenor, has in fact made proper  
25 service upon all identified holders of Walker River water  
26 rights." Id. For purposes of that order and this brief, the  
27 District has relied upon the Mineral County List as constituting  
28 the identified persons who Mineral County intends to sue.

1 Using the Mineral County List, the District has reviewed  
2 every document on file with the Court which purports to  
3 establish service on an identified person. Included among those  
4 documents are waivers of service, returns of service prepared by  
5 Mineral County and returns of service on the back side of a form  
6 summons. The District has drawn conclusions on the status of  
7 service based upon the law set forth below. It has considered  
8 both insufficiency of process (Fed. R. Civ. P. 12(b)(4)) and  
9 insufficiency of service of process (Fed. R. Civ. P. 12(b)(5)).

10 **II. MINERAL COUNTY HAS THE BURDEN OF ESTABLISHING**  
11 **THE VALIDITY OF ITS SERVICE**

12 Mineral County has the burden of establishing the validity  
13 of its service. Northrup King C. v. Compania Productora  
14 Semillas Algodoneras Selectos, S.A., 51 F.3d 1383, 1387 (8th  
15 Cir. 1995); 5.A C. Wright. and A. Miller, Fed. Prac. and Proc. §  
16 1353 at 293 (1990). The process server's return provides the  
17 prima facie case as to the facts of service. 5A Fed. Prac. and  
18 Proc. § 1353 at 283. The status of Mineral County's service in  
19 this matter must be judged against that burden and the proof of  
20 service on file with the Court.

21 **A. A Complaint Must Name The Defendants Against**  
22 **Whom A Claim Is Made**

23 Pursuant to the Federal Rules, "[i]n the complaint the  
24 title of the action shall include the names of all the parties."  
25 Fed.R.Civ.P. 10(a); 5 Wright and Miller, Fed. Prac. and Proc. §  
26 1321 at 723 (1990); Carrigan v. California State Legislature,  
27 263 F.2d 560, 567 (1959) (Rule 10 requires that title of action  
28 include the names of all parties). Mineral County has failed to

1 name the parties it intends to sue in its proposed Complaint-In-  
2 Intervention. In so doing, it has not only violated the Service  
3 Order (supra at 3) but also created its own problems in  
4 completing service and in determining the status of completion  
5 of service. One obvious example is Mineral County's failure to  
6 delete duplications from its list. The Court should require  
7 Mineral County to name the proposed defendants in its proposed  
8 Complaint-In-Intervention.

9 **B. Service on Individuals**

10 Rule 4(e) governs the manner in which individuals,  
11 other than infants and incompetent persons, are to be served.  
12 In general, service on individuals may be accomplished by  
13 delivering a copy to the individual personally, by leaving a  
14 copy at the individual's dwelling house or usual place of abode  
15 with some person of suitable age and discretion residing therein  
16 or by delivering copies to an agent authorized by appointment or  
17 law to receive service. Fed.R.Civ.P. Rule 4(e)(2); see also 4A  
18 C. Wright and A. Miller, Fed. Practice and Procedure § 1094 at  
19 67 (1987).

20 When service is made at a defendant's dwelling house or  
21 usual place of abode, the return of service must show both that  
22 it was made at an appropriate place and that the person with  
23 whom the process was left was of suitable age and discretion and  
24 resided therein. Id., §1096 at 72-73; 81. When service is made  
25 upon an agent, an actual appointment for the specific purpose of  
26 receiving process is normally expected. Id., §1097 at 84.  
27  
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1           **C. Service on Infants and Incompetent Persons**

2           Rule 4(g) governs service on infants or incompetent  
3 persons. In general such service must be accomplished as  
4 required for the service of similar process upon a defendant in  
5 an action brought in state court. Fed.R.Civ.P. Rule 4(g); Id. §  
6 1099 at 96-97.

7           **D. Service on Organizational Defendants**

8           Under Rule 4(h) service on an organization may be made  
9 by leaving copies with an officer, managing agent or general  
10 agent of the organization. It may also be made by delivery to  
11 an agent authorized by appointment or by law to receive service  
12 of process. Id., §1101 at 101.

13           However, service under Rule 4(h) cannot be made by leaving  
14 a copy at the officer's or agent's dwelling house or usual place  
15 of abode with a person residing therein. Generally, it cannot  
16 be made by leaving it with someone at the officer's or agent's  
17 office. Id., §1101 at 103-104.

18           **E. Waiver of Service**

19           Although there are only a few decisions under Rule  
20 4(d), the plain language of the Rule requires that a waiver of  
21 service form be executed by the defendant who is waiving  
22 service, if that defendant is an individual. It also requires  
23 that, if the defendant is an organization, the waiver be  
24 executed by an officer, managing or general agent or other agent  
25 authorized by appointment or law to receive service.

26           The provisions of Rule 4(d) do not apply to service on the  
27 United States, its officers and agencies and foreign, state or  
28

1 local governments.

2 **F. Insufficiency of Process Concerns Its Form**  
3 **Rather Than the Manner or Method of Service**

4 Situations challenging the sufficiency of process are  
5 rare. However, the service of documents not approved by the  
6 court and containing incorrect information concerning the extent  
7 and timing of responses are within cases decided under Rule  
8 12(b)(4). See e.g., O'Brien v. R. J. O'Brien & Assocs., 998  
9 F.2d 1394, 1399 (7th Cir. 1993)(arguable deficiencies included  
10 incorrect name of defendant, naming wrong person to be served,  
11 failing to specify number of days defendant had to reply, and  
12 delivering facsimile copy without court seal); Curry v. Heard,  
13 819 F.2d 130, 132 (5th Cir.), cert. denied, 484 U.S. 944  
14 (1987)(summons missing from service of process); Sanderford v.  
15 Prudential Ins. Co., 902 F.2d 897, 900 (11th Cir. 1990)(return  
16 date for responsive pleading missing).

17 **III. SERVICE ON THE IDENTIFIED PERSONS AND ENTITIES ON THE**  
18 **MINERAL COUNTY LIST IS NOT COMPLETE**

19 **A. Introduction**

20 Attached hereto as Exhibit "A" is a tabulation  
21 prepared by the District which summarizes the status of service  
22 on persons and entities identified on the Mineral County List.<sup>4</sup>

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23 <sup>4</sup>In February of 1996, the District conducted a similar  
24 analysis with respect to Waiver of Service and Return of Service  
25 forms on file with the Court at that time. See Attachment 1 to  
26 Doc. No. 67. In preparing Exhibit A attached hereto, the  
27 District has once again reviewed those forms and attempted a  
28 comprehensive application of the law governing service (see  
supra at 9-12) in making the determination recorded in the  
"Status of Service" column. Therefore, the entry in the Status  
of Service column in Exhibit A hereto may be different than the  
entry in the "Status" column of Attachment 1 to Doc. No. 67 for  
the same individual or entity.

1 The tabulation contains five (5) columns. The first column,  
2 entitled "Person or Entity," sets forth the names of identified  
3 persons or entities on Mineral County's List.

4 The second column, entitled "Type of Service," indicates  
5 the type of proof of service for the identified person or entity  
6 on file with the Court. In this column the letter "W" refers to  
7 a filed Waiver of Service form. The letter "R" refers to a  
8 special Return of Service form prepared by Mineral County and  
9 filed herein. The letter "S" refers to the return on the  
10 backside of a standard Summons filed with the Court. The number  
11 after a letter is for the District's use so that it may easily  
12 locate the particular service form in question. It is internal  
13 to the District. If there is no entry in this column it means  
14 the District does not have and could not locate in the Court  
15 file any proof of service with respect to the person or entity  
16 in question.<sup>5</sup>

17 The third column, entitled "Comments" includes information  
18 shown on the filed proof of service which bears on the issue of  
19 whether the process or method or manner of service was proper.

20 The fourth column, entitled "Status of Service," is the  
21 District's best judgment on whether the identified person or  
22 entity has or hasn't been served.<sup>6</sup> The letter "S" means served;

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23  
24 <sup>5</sup>The District's analysis includes a review of all filings  
25 through Docket No. 145, dated September 15, 1997.

26 <sup>6</sup>In making this determination, the District does not make  
27 any representation as to whether service has or has not  
28 "actually" been accomplished with respect to any individual or  
entity. The District has simply attempted to compile in a  
useable way the information filed with the Court in the form of  
Waiver of Service, Return of Service and Summons forms.

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the letter "NS" means not served and the letter "Q" means service is questionable. The District used the questionable ("Q") designation when in its judgment more information is necessary to determine if service is or is not complete.

The final column, entitled "Authority," includes information relevant to the legal basis upon which the District relied in reaching its judgment on the status of service.

**B. Summary of the Status of Service on Identified Persons and Entities**

Based upon its review, the District's conclusions are as follows. There are approximately 1,038 identified persons or entities on the Mineral County List as set forth in the Service Table. Of those 1,038 identified persons or entities the Service Table indicates that no service exists for approximately 492 of them because there is no proof of service at all on file for those names. In addition, of those 1038 identified persons or entities the Service Table indicates there is no service on 71 of them because the proof of service on file is inadequate for those names. Of those 1,038 identified persons or entities the information on file shows that service is complete on approximately 355 of them. Finally, service is questionable on approximately 120 of those 1,038 identified persons or entities.

Given these results, it is clear that Mineral County has not completed proper service on the Walker River Claimants under any set of circumstances.

**C. Issues Related To The Status Of Proper Service**

1. **The Return of Service Form Used by Mineral County**  
The Return of Service Form utilized by Mineral

1 County does not include information which establishes that  
2 service on a person other than the proposed defendant was at the  
3 proposed defendant's dwelling house or usual place of abode on a  
4 person of suitable age and discretion residing therein. See  
5 Exhibit B attached hereto. Thus in cases where service was  
6 effected on someone other than the proposed Defendant, or an  
7 individual that the District assumed was the proposed  
8 Defendant's spouse, the District concluded that service was  
9 questionable or incomplete.

10 **2. Service On Organizational Defendants**

11 In cases where the name appearing on the Service  
12 Table involved an organizational defendant, the District  
13 concluded that service was completed if it was effected in  
14 accordance with FRCP 4(h)(1). If the Service Form did not  
15 indicate that service was effected on an officer, managing or  
16 general agent, or agent authorized by appointment of law to  
17 receive service for the organization, the District concluded  
18 that service was questionable or incomplete.

19 **3. Waiver Of Service**

20 The Waiver of Service Forms contain three blank  
21 lines for the proposed defendant to record information as  
22 follows: 1) "Signature;" 2) "Printed name and title, if any;"  
23 and 3) "Company or entity, if any." See Exhibit C attached  
24 hereto. The District concluded that service was complete for  
25 those Waiver of Service Forms wherein the signature matched the  
26 printed name and the name was present in the Service Table.  
27 If the signature did not match the name printed the District  
28 concluded that service was incomplete or questionable unless it

1 could reasonably be concluded that the appropriate person had  
2 executed the Waiver of Service Form. The District also  
3 concluded that service was incomplete or questionable if the  
4 Waiver of Service form did not indicate that it was executed on  
5 behalf of the organization listed on Mineral County's List.

6 **4. Insufficiency Of Process**

7 In spite of having represented to the Court in  
8 numerous filings that it had completed service of process as of  
9 February 1, 1996, Mineral County recently undertook additional  
10 personal service efforts. As near as the District can  
11 determine, Mineral County's recent attempts at service are  
12 entirely inconsistent with the Stipulation and the recent August  
13 14, 1997 Order entered after the scheduling conference. First,  
14 Mineral County is serving a summons even though the parties have  
15 agreed and the Court has ordered that a summons not be served.

16 Second, the parties have agreed and the Court has ordered  
17 that a new notice in lieu of summons would be prepared to  
18 include a schedule for responding to Mineral County's Motion to  
19 Intervene. The schedule was to be established after the factual  
20 dispute concerning service was resolved. Mineral County's  
21 recent attempts at service do not include a new and revised  
22 notice in lieu of summons containing an updated schedule for  
23 responding to Mineral County's Motion to Intervene.

24 The service which Mineral County has recently undertaken  
25 only causes additional confusion and should not be considered  
26 effective service because the process is insufficient. On the  
27 one hand it directs an answer within 20 days to a complaint  
28 which has not been filed. On the other hand, near the front, it

1 indicates no answer is required but that a response to the  
2 Motion to Intervene is due on July 11, 1995, while at the back  
3 it directs a response to the Motion to Intervene by April 1,  
4 1996. In fact by order dated March 15, 1996, the entire  
5 briefing schedule was suspended.

6 Mineral County contends that the recent Stipulation (July  
7 9, 1997), Status Conference (August 14, 1997) and Minute Order  
8 (August 14, 1997) relate only to service by publication and have  
9 nothing to do with "personal service." Assuming arguendo that  
10 it is correct in that regard, it is quite clear that the logic  
11 and reasons for the Stipulation, Status Conference and Minute  
12 Order have similar application to personal service.

13 Mineral County also contends that it has had no direction  
14 from the Court concerning personal service since 1995-1996. In  
15 part, that may be because since February 1, 1996, Mineral County  
16 has erroneously represented to the Court in several filings that  
17 "Mineral County's service of process to water rights holders on  
18 the Walker River was completed by February 1, 1996, pursuant to  
19 the Court's Order of September, 1995."

20 However, irrespective of whether Mineral County has had  
21 recent direction from the Court, its recent actions are not  
22 consistent with the directions originally provided by the Court  
23 with respect to the process to be served. First, the Court's  
24 Orders from February 9, 1995 to September 29, 1995, required  
25 service of a Notice In Lieu of Summons and not a Summons. All  
26 of those Orders provided that "no answer or other response to  
27 the proposed complaint in intervention will be required until a  
28 decision by the Court on Mineral County's Motion to Intervene

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and then only upon a schedule to be established by the Court."  
For obvious reasons, all of those Orders included a schedule for  
responses to the Motion to Intervene.

Rather than comply with those existing and longstanding  
directions, Mineral County has chosen to serve a Summons which  
purports to require a response within twenty days to a complaint  
which has not been and cannot be filed. It has opted to serve  
Orders which refer to a schedule which has been suspended since  
March of 1996. In these cases the District has concluded that  
service is not complete because the process itself is not  
sufficient.

Dated this 16th day of September, 1997.

WOODBURN AND WEDGE  
One East First Street, Suite 1600  
Post Office Box 2311  
Reno, Nevada 89505

*Gordon H. DePaoli*  
By *Dale E. Ferguson*  
Gordon H. DePaoli  
Dale E. Ferguson  
Attorneys for Defendant,  
Walker River Irrigation District

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CERTIFICATE OF MAILING

I hereby certify that I am an employee of the law firm of WOODBURN AND WEDGE and that on this 16th day of September, 1997, I deposited for mailing at Reno, Nevada a true and correct copy of the foregoing document, to the following:

Shirley A. Smith  
Asst. U.S. Attorney  
100 W. Liberty St., #600  
Reno, Nevada 89509

Richard R. Greenfield  
Dept. of the Interior  
Two North Central Ave., #500  
Phoenix, AZ 85004

George Benesch  
P.O. Box 3498  
Reno, NV 89505

Western Nevada Agency  
Bureau of Indian Affairs  
1677 Hot Springs Road  
Carson City, NV 89706

Jim Weishaupt, General Manager  
WRID  
P.O. Box 820  
Yerington, NV 89447

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State of Nevada  
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State Water Resources  
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P.O. Box 100  
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Roger Johnson  
Water Resources Control Board  
State of California  
P.O. Box 2000  
Sacramento, CA 95810

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Garry Stone  
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Roger Bezayiff  
Water Master  
U.S. Board of Water  
Commissioners  
P.O. Box 853  
Yerington, Nevada 89447

  
\_\_\_\_\_  
KELLY A. WHITE



**TABLE OF WAIVER OF SERVICE FORMS,  
RETURN OF SERVICE FORMS AND SUMMONSES  
FILED BY MINERAL COUNTY  
IN CASE NO. C-125-C**

| Person or Entity   | Type of Service | Comments   | Status of Service | Authority |
|--|-----------------|--|-------------------|-----------|
| Abrott,<br>Arthur H. &<br>Mary L.                                      |                 |  | NS<br>NS          |           |
| Adams,<br>Robert T. &<br>Vivian  | R-452<br>R-387  | Deceased; service on wife Vivian without indicating authority to receive service on behalf of estate | Q<br>S            |           |
| Alho,<br>James A. &<br>Judith  | R-7<br>R-6      |  | S<br>S            |           |
| Alazzi,<br>Pete A. &<br>Estelle M.                                     | R-9<br>R-8      |  | S<br>S            |           |
| Alazzi Trust<br>Alazzi, (Tr.)<br>James K. Alazzi<br>Reno George Alazzi | R10             |  | S                 |           |
| Alazza Ranches   |                 |  | NS                |           |
| Alazzi,<br>Stephen E. &<br>Denise N.                                   |                 |  | NS<br>NS          |           |

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| Person or Entity   | Type of Service         | Comments   | Status of Service | Authority                    |
|--|-------------------------|--|-------------------|------------------------------|
| Aiazzi, Wilbert Angelo<br>Bitler, Peggy **<br>Woodward, Arlene Aiazzi ** | R-305<br>R-301<br>R-304 | Left copies with Arlene Aiazzi Woodward<br>Left copies with Arlene Aiazzi Woodward<br>Personal service                   | Q<br>Q<br>S       | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Coutts, Laurie **<br>Coutts, Troy **                                     | R-302<br>R-303          | Left copies with Arlene Aiazzi Woodward<br>Left copies with Arlene Aiazzi Woodward                                       | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Albright,<br>Samuel D. &<br>Cheryle<br>Elaine L.                         |                         |  | NS<br>NS<br>NS    |                              |
| Aldridge, C. Fred<br>Bunkowski, Terry L. **                              |                         |  | NS<br>NS          |                              |
| Alpers Ranch Co., Inc.   | R-378                   | Personal service on "Don Jenkins, owner's son-in-law"; no indication of authority to accept service                      | Q                 | FRCP 4(h)(1)                 |
| The Anderson Family 1992 Trust<br>Faretto,<br>Michael A. &<br>Cathleen   |                         |  | NS                |                              |
| Annett Ranch   | R-382<br>R-381          | Personal service on Norma Costa<br>Personal service on Jim Costa "who acknowledged that he represented the Annett Ranch" | S                 |                              |
| Annett's Mono Village  | S-12                    | Insufficient process; summons requires answer to complaint not on file   | NS                | FRCP 12(b)(4)                |
| Antelope Union Elementary School   |                         |  | NS                |                              |
| Antelope Valley Mutual Water   |                         |  | NS                |                              |
| Armstrong,<br>Thomas ** &<br>Pita **                                     | W-13<br>W-97            |  | S<br>S            |                              |
| Arrache,<br>Juan E. &<br>Carmel M.                                       | R-508<br>R-411          | Deceased   | NS<br>S           |                              |

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| Person or Entity  | Type of Service | Comments  | Status of Service    | Authority    |
|---|-----------------|---|----------------------|--------------|
| Orighi,<br>Mark N. &<br>Deborah F.                      | R-12<br>R-11    |   | S<br>S               |              |
| Arsenio Family Trust<br>Arsenio,<br>Frank &<br>Tille    | R-398           |   | S                    |              |
| Artesani Family Trust<br>Artesani,<br>E.J. &<br>M.E.    | R-379<br>R-380  | Personal service on M.E. Artesani on behalf of Artesani Family Trust<br>Personally served Mañon Artesini on behalf of Artesani Family Trust | S                    |              |
| Ash,<br>Frank G. &<br>Janice F.                         |                 |   | NS<br>NS             |              |
| Taylor,<br>Elmo E. &<br>Margot A.                       |                 |   | NS<br>NS             |              |
| Bacon, Milton E.  | R-311           | Service on Milton E. Bacon Jr., Trustee, by leaving copies with Warren Filmore, ranch hand  | NS                   | FRCP 4(e)(2) |
| Baker,<br>Calvin E. &<br>Virginia<br>Steven &<br>Charle | R-299<br>R-502  | Unable to execute because "not at home"<br>Deceased   | NS<br>NS<br>NS<br>NS |              |
| Perriseau,<br>Melvin ** &<br>Modesta **                 | W-69            | Waiver executed by only Melvin Perriseau  | S<br>NS              |              |
| Baker,<br>Lawrence E. &<br>Christina R.                 | W-22            | Waiver executed by only Lawrence E. Baker   | S<br>NS              |              |

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|---|-----------------|--|-------------------|-----------|
| Balaam,<br>Donald A. &<br>Olga M.                 |                 |  | NS<br>NS          |           |
| Barta,<br>Ronald T. & **<br>Mary Louise **        |                 |  | NS<br>NS          |           |
| Bapiste,<br>Joe S. &<br>Lorraine F.               | R-13<br>R-14    |  | S<br>S            |           |
| Barber, Harriet H.                                |                 |  | NS                |           |
| Garrett,<br>Charles R. &<br>Michelle              | R-319<br>W-32   |  | S<br>S            |           |
| Batchelder,<br>Fred &<br>Josephine                | W-85            | Waiver executed by only Fred C. Batchelder | S<br>NS           |           |
| Bath,<br>Ronald J. &<br>Barbara C.                |                 |  | NS<br>NS          |           |
| Batjer Family Trust<br>Cameron M. Batjer, Trustee | R-433           |  | S                 |           |
| Bayer, Albert                                     | W-100           | Executed by Mildred C. Bayer, wife         | Q                 |           |
| Beagle,<br>Billy Roy &<br>Thelma G.               |                 |  | NS<br>NS          |           |
| Bean, (Tr.)<br>Kenneth &<br>Ethel                 |                 |  | NS<br>NS          |           |

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|---|-----------------|--|-------------------|---------------|
| Beckham, John W. & Carolee B.                         |                 |  | NS<br>NS          |               |
| Bedark, James D. & Terri                              | R-16<br>R-15    |  | S<br>S            |               |
| W. & L. Bennett Trust<br>Bennett, Wayne E. & Lauralee | R-412<br>R-413  |  | S                 |               |
| Bentley, Donald E.                                    |                 |  | NS                |               |
| Leo & Yvonne Begin Family Trust                       |                 |  | NS                |               |
| Bergin, Leo P.  | R-446           | Copies left with Leo's legal secretary, Julia Brady  | NS                | FRCP 4(e)(2)  |
| Beninati, Donald J.                                   | S-7             | Insufficient process; summons requires answer to complaint not on file                         | NS                | FRCP 12(b)(4) |
| Berrington, Steven D. & Nadine                        | R-19<br>R-18    |  | S<br>S            |               |
| Biggs, David & Marilyn                                |                 |  | NS<br>NS          |               |
| Bitler, Peggy **                                      | R-301           | Left copies with Arlene Aiazz Woodward; no indication of suitable age, discretion or residence | Q                 | FRCP 4(e)(2)  |
| Bitler, Kenneth P. & Peggy L.<br>Bill, Lynn M. **     | R-20<br>R-21    |  | S<br>NS           |               |

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|---|-----------------|---|-------------------|--------------|
| Blackham Trust<br>Blackham, (Tr.)<br>Craig &<br>Nancy         | W-64<br>W-48    |   | S                 |              |
| Blades,<br>Jerry L. &<br>Anna                                 |                 |   | NS<br>NS          |              |
| Adah M. Blinn Trust **<br>John R. Hargus **                   | R-156           | Left copies with Mildred Hargas; no indication if Mildred is Trustee, or has authority to receive service   | Q                 |              |
| Bliss, (Tr.)<br>Maurice A. &<br>Agnes C.                      |                 |   | NS                |              |
| Bobrick,<br>Thomas &<br>Ruth E.                               | R-292<br>R-293  | 2 forms filed; 1 indicates personal service, other says copies left with Stephen Aiazzi (both forms indicate same time & date)<br>(No reverse side of form filed) | S<br>Q            |              |
| Bobzien, Dolores J.<br>Richardson, Elizabeth **               | W-62<br>W-61    |   | S<br>S            |              |
| Bohlin, c/o Robert L. Cross, Atty.<br>William B. &<br>Vera J. |                 |   | NS<br>NS          |              |
| Bolt, Julie A. **   |                 |   | NS                |              |
| Booth, Karen Ann  |                 |   | NS                |              |
| Borsini Ranch, Inc.   | R-24            | Served upon "woman"; server "didn't get lady's name"; no indication of authority to accept service  | Q                 | FRCP 4(h)(1) |
| Bowden,<br>Melvin H. &<br>Barbara M.                          |                 |   | NS<br>NS          |              |

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|--|-----------------|---|-------------------|--------------|
| Bozsik, Albert S., Jr. & Olivia V.         |                 |   | NS<br>NS          |              |
| Bradleyville                               |                 |   | NS                |              |
| Bradleyville, c/o Dan Olincy               |                 |   | NS                |              |
| Brandtlass, B&B Mr. & Mrs.                 | R-492           | Deceased; also indicates Mrs. Brandtlass is deceased<br>No return of service; indicated she is deceased on R-492 for Mr. Brandtlass | NS<br>NS          |              |
| Brethauer, Clarence D. & Janet             |                 |   | NS<br>NS          |              |
| Bromley Properties                         | R-25            | Personal service on Murial Bromley; no indication of authority to receive service   | Q                 | FRCP 4(f)(1) |
| Bronneke, Samuel P.                        |                 |   | NS                |              |
| Brown, Beverly E.                          | R-509           |   | S                 |              |
| Brown, Darrol J. & Marilyn M.              | W-75<br>W-116   |   | S<br>S            |              |
| Brown, Joel W. & Sandra G.                 | R-27<br>R-28    |   | S<br>S            |              |
| Norman D. Brown, Inc.<br>c/o Mike Compston |                 |   | NS                |              |
| Brown, Ross G.                             | W-84<br>R-29    |   | S                 |              |
| Brown, Shelby Dane & Betty J.              | R-334<br>R-335  |   | S<br>S            |              |
| Vernon F. Bryan, Inc.                      | R-30            | Left copies with "Maggie"; no indication of authority to accept service   | Q                 | FRCP 4(f)(1) |

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|---|-----------------|--|-------------------|------------------------------|
| Gynn, Babe Lona **  |                 |  | NS                |                              |
| Burkowski, Terry L. **  |                 |  | NS                |                              |
| Burchett, Freeman C. & Lucy D.                                | R-341<br>R-342  |  | S<br>S            |                              |
| Burchett, Joseph Lee  |                 |  | NS                |                              |
| Buster, David C. & Gayle L.                                   | R-32<br>R-31    | Left copies with "property owner Francis Jeffrey; David Buster is neighbor"<br>Left copies with "property owner Francis Jeffrey's" | NS<br>NS          | FRCP 4(a)(2)<br>FRCP 4(a)(2) |
| Butcher, Terry E. & Tammie J.                                 |                 |  | NS<br>NS          |                              |
| E.A.S. Co., Inc.  |                 |  | NS                |                              |
| Cabral, Joseph P.   |                 |  | NS                |                              |
| Cabral, Joseph P., Sr. & Norma J.                             |                 |  | NS<br>NS          |                              |
| California Dept. of Fish & Game **                            | R-404           | Personal service on Don Unice, legal dept.; no indication of authority to accept service   | Q                 | FRCP 4(f)                    |
| California Dept. of Parks & Recreation                        | R-428           | Personal service & left copies with Mary Collins; no indication of authority to accept service                                     | Q                 | FRCP 4(f)                    |
| Calneva Cattle Company  |                 |  | NS                |                              |
| William Canepa Family Trust<br>Canepa, (Tr.)<br>William & Eva |                 |  | NS                |                              |

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|---|-----------------|---|--------------------|-----------|
| Conrall,<br>Nolan &<br>Nancy  |                 |   | NS<br>NS           |           |
| Janice Capurro Trust<br>Capurro,<br>Robert                                    | R-389           | Copies left with Robert's "daughter Jennifer"; no indication of authority to accept service | Q                  |           |
| Steve<br>Rose   | R-390           | Copies left with "Robert's daughter Jennifer"; no indication of authority to accept service |                    |           |
| Cardinal,<br>Michael C. &<br>Sally L.   |                 |   | NS<br>NS           |           |
| Cardinelli,<br>Ernest &<br>Kathleen   | R-33            |   | S<br>NS            |           |
| Carlson,<br>Bill E. &<br>Sharon M.<br>Inurburu,<br>John P. ** &<br>Marilyn ** | R-308<br>R-307  |   | S<br>S<br>NS<br>NS |           |
| Carlson,<br>Harry T. &<br>Deirdre   |                 |   | NS<br>NS           |           |
| Carter,<br>Phillip V. &<br>Agnete S.  |                 |   | NS<br>NS           |           |
| Gary,<br>William B. &<br>Edith F.   |                 |   | NS<br>NS           |           |

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|---|-----------------|---|-------------------|--------------|
| Grisey,<br>Michael A. &<br>Claudia C.           |                 |   | NS<br>NS          |              |
| Castello, Colleen V.<br>Semmel, Bruce H. **     | R-133           |   | NS<br>S           |              |
| Chase,<br>Russell E. &<br>Helen S.              | R-35<br>R-34    |   | S<br>S            |              |
| Chichester Ranches, Inc.<br>do Gerry Chichester |                 |   | NS                |              |
| Chichester, et al.<br>c/o Dwayne Chichester     |                 |   | NS                |              |
| Chico,<br>James V., Jr. &<br>Sydney B.          |                 |   | NS<br>NS          |              |
| Chisum, Inc.                                    | R-291           | Personal service on unidentified individual; no indication of authority to accept service | Q                 | FRCP 4(f)(1) |
| Chouret,<br>William E. &<br>Jill C.             | R-36            |   | NS<br>S           |              |
| Christiansen,<br>Jeffery L. &<br>Jill L.        |                 |   | NS<br>NS          |              |
| Cid,<br>James D. &<br>Elaine M.                 | R-38<br>R-37    |   | S<br>S            |              |
| Circle Bar-N Ranch<br>do Western Supply         |                 |   | NS                |              |

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|---|-----------------|---|-------------------|-----------|
| City of Los Angeles<br>Dept. of Water & Power<br>Asst. Engineer-In-Charge | W-89            | Waivers do not apply to governmental entities | NS                | FRCP 4(d) |
| City of Yerington   | R-5             | Personally served clerk in city office        | Q                 | FRCP 4(2) |
| Gulei, Elena  |                 |   | NS                |           |
| Clark,<br>Alex A. &<br>Pita V.  | R-39<br>R-40    |   | S<br>S            |           |
| Clark,<br>Bruce A. &<br>Patricia D.                                       |                 |   | NS<br>NS          |           |
| Cliff,<br>Norman E. &<br>Donald A.  | R-432<br>R-431  |   | S<br>S            |           |
| Compton,<br>Dennis L. &<br>Leah R.  |                 |   | NS<br>NS          |           |
| Compton Family Trust<br>Hurnewill,<br>Harvey &<br>Phyllis                 |                 |   | NS                |           |
| Compton, James, Jr.   |                 |   | NS                |           |
| Compton Family Trust<br>Compton,<br>James, Jr. &<br>Marion                |                 |   | NS                |           |
| Compton, Robert J.  |                 |   | NS                |           |

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|---|-----------------|--|-------------------|------------------------------|
| Compton Trust<br>Compton,<br>Robert J. &<br>Lola C. |                 |  | NS                |                              |
| Conlon,<br>Ralph &<br>Rosemary Lee                  | R-356<br>R-355  |  | S<br>S            |                              |
| Connolly,<br>Thomas P. &<br>Volina                  | R-41<br>R-42    |  | S<br>S            |                              |
| Cook,<br>Gary &                                     | R-43            | Left copies with "Mary Cook - daughter"; no indication of suitable age, discretion or residence            | Q                 | FRCP 4(e)(2)                 |
| Margaret  | R-44            | Left copies with "Mary Cook - daughter"; no indication of suitable age, discretion or residence            | Q                 | FRCP 4(e)(2)                 |
| Cooper, Edna G.                                     | R-45            |  | S                 |                              |
| Costa,<br>James P. &<br>Norma A.                    | R-381<br>R-382  | Personal service on James on behalf of Annett Ranch<br>Personal service on Norma on behalf of Annett Ranch | Q<br>Q            | FRCP 4(h)(1)<br>FRCP 4(h)(1) |
| Coutts,<br>Laura ** &                               | R-302           | Left copies with Arlene Aiazzi Woodward; no indication of suitable age, discretion or residence            | Q                 | FRCP 4(e)(2)                 |
| Troy **   | R-303           | Left copies with Arlene Aiazzi Woodward; no indication of suitable age, discretion or residence            | Q                 | FRCP 4(e)(2)                 |
| Crandal, Susan Jill                                 | R-313           |  | S                 |                              |
| Cremetti, William<br>Hegan, Ruby **                 | R-46<br>R-213   | Personal service on behalf of Regan Trust  | S<br>S            |                              |
| Croker, (Tr.)<br>Laurence &<br>Futh                 | R-47<br>R-48    | Personal service on Futh on behalf of Laurence as "Trustee"<br>Personal service on Futh as "Trustee"       | S                 |                              |

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|--|----------------------------|--|--------------------|--------------------------------|
| Gyosby, Fred & Judy<br>Armstrong,<br>Thomas ** & Rita ** | W-13<br>W-97               |  | NS<br>NS<br>S<br>S |                                |
| Crystal, Dennis C. & Mary I.                             |                            |  | NS<br>NS           |                                |
| Gurry, Robert R.   | W-21                       |  | S                  |                                |
| Cutler, Donald G. & Diane A.                             |                            |  | NS<br>NS           |                                |
| Carne, Frank B. & Susan                                  |                            |  | NS<br>NS           |                                |
| Bavis, James B. & Helen E.                               | R-51 & R-52<br>R-49 & R-50 | 2 forms filed<br>2 forms filed   | S<br>S             |                                |
| Alexander Dawson, Inc.                                   |                            |  | NS                 |                                |
| ay,<br>Charles E. ** & Lucile M. **                      | S-14<br>S-14               | Insufficient process; summons requires answer to complaint not on file<br>Insufficient process; summons requires answer to complaint not on file | NS<br>NS           | FRCP 12(b)(4)<br>FRCP 12(b)(4) |

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|--|---------------------|--|-------------------|------------------------------|
| Day, Robert H. & Caroline S.                         | R-57<br>R-53        | Left copies with Julie without indicating suitable age, discretion or residence, & unable to execute service because "no answer"<br>Left copies with Caroline's son, Bob Day, without indicating suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Robert H., Jr. & Julie A.                            | R-58<br>R-54 & R-55 | Left copies with Julie<br>Personal service & unable to execute service because "no answer"   | S<br>S            |                              |
| Kelli  |                     |  | NS                |                              |
| Gay-Pitchfork Ranch, Inc.                            |                     |  | NS                |                              |
| DeChambeau, Susannah W.                              |                     |  | NS                |                              |
| Gal Porto, Daniel E. & Cheryl                        | R-61<br>R-62        |  | S<br>S            |                              |
| Selaney, Barry F. & Deborah                          | R-59<br>R-60        | Personal service & unable to execute because "not home" indicated<br>Personal service & unable to execute because "not home" indicated   | S<br>S            |                              |
| DeLuca, Kenneth T.                                   | W-1                 |  | S                 |                              |
| Desert Pearl Farms                                   | R-193               | Personal service on David Parri, & left copies   | Q                 | FRCP (h)(1)                  |
| Dini, David J. & Tosca M.                            | R-63                | Personal service on Tom Penner; no indication suitable age, discretion or residence  | NS<br>Q           | FRCP 4(e)(2)                 |
| Dinneen, Daniel E. & Doreen E.                       | R-483               | Attempted service; informed Daniel E. had moved to Yerington   | NS<br>NS          |                              |
| Dinsmore Family Trust<br>Dinsmore, Robert & Delphine |                     |  | NS                |                              |

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| Person or Entity                                       | Type of Service | Comments   | Status of Service  | Authority                    |
|--|-----------------|--|--------------------|------------------------------|
| Eymenici,<br>Peter J. &<br>Aloha<br>Joseph &<br>Gladys | R-65<br>R-64    |  | S<br>S<br>NS<br>NS |                              |
| Double JA Land & Livestock                             | R-444           |  | S                  |                              |
| Dreyer,<br>Roland &<br>Joan                            | R-289           |  | S<br>NS            |                              |
| Burn,<br>Daniel D. &<br>Sandy L.                       |                 |  | NS<br>NS           |                              |
| Burousseau, Barbara F.                                 |                 | .  | NS                 |                              |
| Dye,<br>Marvin V. &<br>Kathleen M.                     | R-66<br>R-67    | Left copies with Jean Rodriguez; no indication of suitable age, discretion or residence<br>Left copies with Jean Rodriguez; no indication of suitable age, discretion or residence | Q<br>Q             | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Dye Family Trust<br>Dye, (Tr.)<br>M.V. &<br>Kathleen   | R-68            | Left copies with Jean Rodriguez; no indication of authority to accept service  | Q                  | FRCP 4(h)(1)                 |
| Eaton,<br>Richard A. &<br>Tanya J.                     |                 |  | NS<br>NS           |                              |
| Dickmeyer Family Trust                                 |                 |  | NS                 |                              |
| Bisenhouer, K. **                                      | R-393           | Left copies with Lela Merzack; no indication of suitable age, discretion or residence  | Q                  | FRCP 4(e)(2)                 |
| Eitel, Loretta Beth                                    | S-10            | Insufficient process; sommons requires answer to complaint not on file   | NS                 | FRCP 12(b)(4)                |

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|---|-------------------------|--|-------------------|--------------|
| W Ranches, Inc.                           | W-26<br>R-392           | Executed by Michael J. Melarkey, Resident Agent  | S                 |              |
| Elwell,<br>William J. &<br>Dona M.        |                         |  | NS<br>NS<br>NS    |              |
| Estrada,<br>Salvador &<br>Frances         |                         |  | NS<br>NS          |              |
| Everett, Harry                            |                         |  | NS                |              |
| Executive Consultants, Inc.               |                         |  | NS                |              |
| F.I.M. Corporation                        |                         |  | NS                |              |
| Tracer, c/o Eva Hughes<br>R.L. &<br>Mabel |                         |  | NS<br>NS          |              |
| Farias Wheel Ranch, Inc.                  |                         |  | NS                |              |
| Farias, Ellis N.                          | R-343 &<br>R-344        | Personal service on Ellis Norman Farias<br>Left copies for Ellis N. Farias with uncle, Ellis Norman Farias | S                 |              |
| Farias,<br>Harold W.<br>Carmen<br>Ruth    | R-345<br>R-346<br>R-327 | Left copies with Carmen; no indication of suitable age, discretion or residence                            | S<br>S<br>Q       | FRCP 4(e)(2) |
| Barnier,<br>Jack B. &<br>Letha S.         | R-481<br>R-482          | Attempted service<br>Attempted service; resident informed server that property was sold to her 1 year ago  | NS<br>NS          |              |
| Sawcoot, Lawrence W.                      |                         |  | NS                |              |
| Sawcoot, Lawrence Edward                  |                         |  | NS                |              |

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|---------------------------------------|-----------------|---|-------------------|---------------|
| Gnilli,<br>Peter A. &<br>Veronica J.  |                 |   | NS<br>NS          |               |
| Tricks,<br>Gerald L. &<br>Peggy L.    | W-73<br>S-13    | Insufficient process; summons requires answer to complaint not on file                          | S<br>NS           | FRCP 12(b)(4) |
| Field,<br>John Julius. &<br>Mary L.   | R-69<br>R-70    |   | S<br>S            |               |
| Hinch, Harry L.                       |                 |   | NS                |               |
| Fitz, George O.                       |                 |   | NS                |               |
| Fletcher,<br>Michael S. &<br>Marie L. |                 |   | NS<br>NS          |               |
| Fletcher, Ruth L.                     |                 |   | NS                |               |
| Fletcher,<br>Wesley L. &<br>Teri L.   | W-122           | Waiver executed by only Teri L. Fletcher  | NS<br>S           |               |
| Flying A. Limited Partnership         |                 |   | NS                |               |
| Flying M. Ranch - DBA                 | W-56            | Executed by Bryce G. Mitchell on behalf of Flying M Ranch                                       | S                 |               |
| Forrester,<br>Wendell B. &<br>Pamela  |                 |   | NS<br>NS          |               |
| Cross, Thomas A.                      |                 |   | NS                |               |
| Four G Corporation                    | W-121<br>R-350  | Executed by Louis Girard, President, Four G Corp.<br>Served person without indicating upon whom | S                 |               |

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|--|--------------------------------------|--|-------------------|--------------|
| Leonard A. Fox Trust<br>Leone, Tr.<br>Elizabeth J. | R-420                                | Personal service on Kenneth C. Leone, "husband of Elizabeth J. Leone, Trustee of Fox Trust"; no indication of authority to accept service on behalf of the Trust | Q                 |              |
| Frade Ranches, Inc.                                | R-71                                 | Personal service on Antonne Frade "of Frade Ranches Inc."; no indication of Antonne's authority to accept service on behalf of corporation                       | Q                 | FRCP 4(f)(1) |
| Franklin,<br>Shawn C. &<br>Yonda Kay               |                                      |  | NS<br>NS          |              |
| Fraser,<br>George &<br>Betty                       |                                      |  | NS<br>NS          |              |
| Frazier,<br>George R. &<br>Helen                   | W-120<br>W-78                        |  | S<br>S            |              |
| Gretas,<br>Maurice H. &<br>Elizabeth               |                                      |  | NS<br>NS          |              |
| Breitas, Barbara L.                                |                                      |  | NS                |              |
| Friedhoff,<br>George W. &<br>Helen                 | R-123 &<br>R-490<br>R-124            | Left copies without indicating with whom Deceased<br>Left copies without indicating with whom  | NS<br>Q           | FRCP 4(e)(2) |
| Buchs,<br>Hans &<br>Margaret                       | R-125<br>R-126                       |  | S<br>S            |              |
| Suller, (Tr.)<br>Raymond E. &<br>Carol             | R-127 &<br>R-130<br>R-128 &<br>R-129 |  | S                 |              |

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|--|-------------------------|---|-------------------|--------------|
| David H. Fulstone Company<br>E. M. Fulstone, Inc.  | R-368                   | "Left copies with Mrs. Fulstone"; no indication of authority to accept service      | Q<br>NS           | FRCP 4(f)(1) |
| Fulstone, I.R.<br>Painassar, M.F. **   | R-72                    | Attempted to leave copies with gardener, Linda Anderson; left on porch when refused | NS<br>NS          | FRCP 4(e)(2) |
| E. N. Fulstone Company<br>Evan D. Fulstone Trust<br>Fulstone, James H.<br>Wright, Glenora F. | R-131<br>R-132          |   | S<br>NS           |              |
| Lazy B Partnership   | R-138                   | Personal service on Florida Giorgi; no indication of authority to accept service    | Q                 |              |
| Don R. Gable Trust<br>Gable,<br>O.D. &<br>M.P.   |                         |   | NS<br>NS<br>NS    |              |
| Garcia, Mariana **   |                         |   | NS                |              |
| Garms, Donna J.  |                         |   | NS                |              |
| Garms,<br>Gary Jay &<br>Toni J.  |                         |   | NS<br>NS          |              |
| Gelles,<br>Paul &<br>Eleanor<br>Lynn   | R-351<br>R-352<br>R-353 |   | S<br>S<br>S       |              |
| Gemmel, Bruce H. **  | R-133                   |   | S                 |              |
| Gerbig,<br>Arden<br>Evilo<br>J.  |                         |   | NS<br>NS<br>NS    |              |

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|--|------------------|--|-------------------|--------------|
| Giorgi,<br>Mario J. &<br>Diana D.              |                  |  | NS<br>NS          |              |
| Giles, William C.                              |                  |  | NS                |              |
| Gill,<br>Joseph P. &<br>Alice P.               | R-135<br>R-134   |  | S<br>S            |              |
| Gingras,<br>Edward J. &<br>Opal Edith          | R-487            | Attempted service; Mr. Gingras informed server he sold property in 1993  | NS<br>NS          |              |
| Giudo,<br>Joseph A. ** &<br>Virginia M. **     | W-93<br>W-90     | Virginia Giudo is deceased; executed by Anna Nannini; no indication of authority to accept service   | S<br>Q            |              |
| Giorgi Brothers, Inc.<br>Giorgi, Daniel E. **  | R-144            | Personal service on Ugo without indicating his authority to accept service   | Q<br>NS           | FRCP 4(h)(1) |
| Giorgi,<br>Donald &<br>Linda Hunewill (Giorgi) | R-136<br>R-137   |  | S<br>S            |              |
| Giorgi, (Tr.)<br>Evo &<br>Virginia M.          | R-419            | Contact by phone only  | NS                |              |
| Giorgi, et al.<br>Ugo &<br>Baldo               | R-140            |  | S<br>NS           |              |
| J.<br>J.                                       | R-142 &<br>R-143 | Personal service on Ugo 'for J. Giorgi Trustee' & 'J. Trustee Giorgi'; no indication of authority to accept service on behalf of J. as Trustee | Q                 |              |

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|---------------------------------------|------------------|----------|-------------------|-----------|
| Ugo & Florence A. Giorgi Family Trust |                  |          | S                 |           |
| Giorgi, (Tr)<br>Ugo                   | R-139 &<br>R-141 |          |                   |           |
| F.A.                                  |                  |          |                   |           |
| Giorgi, (Tr.)<br>Ugo &<br>F.A.        | R-139            |          | S                 |           |
| Giron, Vince<br>Garcia, Mariana **    |                  |          | NS<br>NS          |           |
| Glasner, Grover F.                    | W-40             |          | S                 |           |
| Glass,<br>Daniel G. &<br>Patricia J.  |                  |          | NS<br>NS          |           |
| Gleason,<br>James G. &<br>Marla D.    | R-147<br>R-146   |          | S<br>S            |           |
| Glock,<br>Ernest &<br>Audrey          |                  |          | NS<br>NS          |           |
| Gober,<br>Edward E. &<br>Alice M.     | R-495<br>R-148   | Deceased | NS<br>S           |           |
| Goes,<br>Frank &<br>Sheryle           | W-67<br>W-66     |          | S<br>S            |           |
| Goffinet,<br>Lornie K. &<br>Cheryl L. | R-149<br>R-150   |          | S<br>S            |           |

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|---|----------------------------------|---|----------------------|--|
| Goodman, Emma M.  |                                  |   | NS                   |  |
| Goree,<br>Libborn &<br>Margaret<br>Jeff R. &<br>Sandra J. | R-323<br>R-321<br>R-320<br>R-322 | Left copies with "neighbor Charles Barrett"<br>Left copies with "neighbor Charles Barrett"<br>Left copies with "Charles Barrett, neighbor"<br>Left copies with "neighbor Charles Barrett" | NS<br>NS<br>NS<br>NS | FRCP 4(e)(2)<br>FRCP 4(e)(2)<br>FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Gorham,<br>John A. &<br>Posamond A.                       | R-436<br>R-437                   |   | S<br>S               |  |
| Granata, Helen C.   | R-450                            |   | S                    |  |
| Granata, Helen C., Trustee                                |                                  |   | NS                   |  |
| Gray,<br>Mary &<br>Leslie B.                              | W-94<br>W-82                     |   | S<br>S               |  |
| Greenfield Development Limited Liability Company          | R-56                             | Personal service on Julie Day, listed as resident agent with secretary of state   | S                    |  |
| Grosso,<br>Angelo &<br>Blanca                             |                                  |   | NS<br>NS             |  |
| Grosso, Charles   |                                  |   | NS                   |  |
| Grosso,<br>Ernest &<br>Maxine J.                          |                                  |   | NS<br>NS             |  |
| Gruili,<br>Ace<br>Marvin &<br>Felicia                     | R-152<br>R-151                   |   | NS<br>S<br>S         |  |
| Guild, Rolene V.  | R-455                            | Attempted service   | NS                   |  |

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|---------------------------------|--------------------------------|--|-------------------|--------------|
| Gustave, John, III **           |                                |  | NS                |              |
| Hadley, Ernest D. & Katherine   | R-286 & R-294<br>R-287 & R-295 | 2 forms filed (same date & time); 1 indicates personal service, other says copies left with Thomas Bobrick<br>2 forms filed (same date & time); 1 indicates copies left with husband Ernest, other says copies delivered to secretary Jennifer | S<br>S            |              |
| Hall, Blanche F.                | W-81<br>R-486                  |  | S                 |              |
| Hall, Blanche F., Trustee       |                                |  | NS                |              |
| Hall, Ralph & Ruth              | R-153                          | Left copies with "Dora Goddard - care giver, Ralph was in living room"; no indication if Dora resides therein  | Q<br>NS           | FRCP 4(e)(2) |
| Ham, Franklin C. & Dana C.      |                                |  | NS<br>NS          |              |
| John M. & Maryanna Hamer Trust  |                                |  | NS                |              |
| Hamilton, Richard R. & Alice J. |                                |  | NS<br>NS          |              |
| Hamlett Group Limited Partners  | R-155                          | Form indicates both personal service on Cecelia Hamlett without indicating her authority to accept service, & unable to execute service because "no one home"  | Q                 | FRCP 4(h)(1) |
| Hammond, Judy                   |                                |  | NS                |              |
| Hanitan, Phillip & Janet        | W-53                           |  | NS<br>S           |              |

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|---|-----------------|--|-------------------|-----------|
| Hanson, F.W. & Leona  |                 |  | NS<br>NS          |           |
| Hanson, Gary M. & Beverly                                       |                 |  | NS<br>NS          |           |
| Hara, Marjorie E.   |                 |  | NS                |           |
| John R. Hargus **<br>Edah M. Blinn Trust **                     | R-156           | Left copies with Mildred Hargus; no indication of Mildred's authority to accept service on behalf of Trust | Q                 |           |
| Hannon, Patricia  |                 |  | NS                |           |
| Harris, John R. & Carol C.                                      | R-300           |  | NS<br>S           |           |
| Harrison, B.A. & Linda  |                 |  | NS<br>NS          |           |
| Hartline, Deborah   |                 |  | NS                |           |
| Mathaway, Myrtle K. **<br>Eisenmayer, Jack L. ** & Wilman H. ** | R-157<br>R-75   |  | S<br>S<br>NS      |           |
| Hawkins, Benjamin F. & Juanita                                  | W-34<br>W-35    |  | S<br>S            |           |
| Hawkins, Kenneth R.   | R-158           |  | S                 |           |
| Hawkins, Terry & Margaret                                       |                 |  | NS<br>NS          |           |

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|---|-----------------|--|-------------------|------------------------------|
| Gazard, Michael J.  | W-52            |  | S                 |                              |
| Joseph W. Hefflin, Inc.                                     |                 |  | NS                |                              |
| Heimeman Family Trust<br>Heimeman,<br>John A. &<br>Leona T. | R-159<br>R-160  |  | S                 |                              |
| Henker,<br>Lynn M. &<br>Nancy                               | R-325<br>R-326  | Left copies with Lynn Henker; no indication of suitable age, discretion or residence<br>Left copies with Lynn Henker; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Henwood Associates Inc.                                     | R-485           | Mark Henwood informed server by phone that his easement has expired  | NS                |                              |
| Hill, Lynn M. **  |                 |  | NS                |                              |
| Hilton, Barron  | W-91<br>W-99    | Executed by Barron Hilton  | S                 |                              |
| Hilton, c/o Flying M Cattle Co.<br>Barron &<br>Marilyn June |                 | Waivers executed by Barron Hilton do not indicate waiving of service for Flying M Cattle Co.; no other proof of service on file  | NS                |                              |
| Hilton, Marilyn June  | W-92            | Executed by Marilyn June Hilton  | S                 |                              |
| Holbrook,<br>Richard &<br>Constance                         | R-162<br>R-161  |  | S<br>S            |                              |
| Holbrook,<br>Richard H. Jr. &<br>Vera L.                    | R-163<br>R-164  |  | S<br>S            |                              |
| Holbrook, (Tr.)<br>Richard &<br>Constance                   |                 |  | NS                |                              |

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|--|----------------------|--|-------------------|---------------|
| Dornes, Mr. Frank & Mrs.                         |                      |  | NS<br>NS          |               |
| Howard, Charles S., III & Loretta                | R-165<br>R-166       |  | S<br>S            |               |
| Huckins Family Trust<br>Huckins, Harry & Dorothy | R-168<br>R-167       |  | S                 |               |
| Huckins, Harry                                   |                      |  | NS                |               |
| Huggans, Jan                                     | S-8                  | Insufficient process; summons requires answer to complaint not on file | NS                | FRCP 12(b)(4) |
| Lughes, George & Eva                             | R-169<br>R-94 & R-95 |  | NS<br>S<br>S      |               |
| Menesini, Grace **                               |                      |  |                   |               |
| Dunewill Enterprises                             |                      |  | NS                |               |
| Dunewill Land & Livestock Co.                    | S-9                  | Insufficient process; summons requires answer to complaint not on file | NS                | FRCP 12(b)(4) |
| Dunewill, Gregory A.                             |                      |  | NS                |               |
| Dunewill, Harvey E. & Phyllis                    |                      |  | NS<br>NS          |               |
| Dunewill, (Tr.)<br>Harvey E. & Phyllis           |                      |  | NS                |               |
| Dyne, Marshall & Frances L.                      | R-500<br>R-354       | Deceased   | NS<br>S           |               |

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|---|-----------------|--|-------------------|------------------------------|
| England, Ward W. & Mariann  | R-172<br>R-171  |  | S<br>S            |                              |
| Thurburu, John ** & Marilyn **                                      |                 |  | NS<br>NS          |                              |
| Jacobsen, Finn & Michelle   | R-174<br>R-176  | Left copies with William Jacobsen without indicating suitable age, discretion or residence<br>Left copies with William Jacobsen without indicating suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| William & Judith  | R-177<br>R-175  | Left copies with William Jacobsen  | S<br>S            |                              |
| Jacobson, Bert A.   |                 |  | NS                |                              |
| Jason Corporation   | R-448           | Personal service on Prince A. Hawkins, listed as resident agent with secretary of state  | S                 |                              |
| Jenkins, Larry D. & Joyce   | R-410           |  | S<br>NS           |                              |
| Jensen, Jack E.   |                 |  | NS                |                              |
| Jesch, Sylvia<br>Margaret M. Wheat Trust**<br>Sylvia Jesch, Trustee |                 |  | NS                |                              |
| Jesch Family Trust<br>Jesch, Raymond & Sylvia J.                    |                 |  | NS                |                              |
| Johnson, Wallace D. & Leona E.                                      |                 |  | NS<br>NS          |                              |

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| Parson or Entry                               | Type of Service | Comments  | Status of Service | Authority |
|---|-----------------|---|-------------------|-----------|
| Johnston,<br>Charles &<br>Pearl D.            | W-109<br>W-77   |   | S<br>S            |           |
| Jones,<br>Frederick R. &<br>Georgianna        |                 |   | NS<br>NS          |           |
| Jones,<br>Gilbert E. &<br>Norma J.            | W-3<br>W-2      |   | S<br>S            |           |
| Jones,<br>Thomas F. &<br>Louise A.            | W-63            | Waiver signed only by Thomas F. Jones                     | S<br>NS           |           |
| Jones, (Tr.)<br>Thomas &<br>Louise            | W-63            | Executed by Thomas F. Jones, individually, not as Trustee | Q                 |           |
| Judd,<br>D. Leon &<br>Luch Charlene           |                 |   | NS<br>NS          |           |
| Julian,<br>Jay F. &<br>Darlene A.             |                 |   | NS<br>NS          |           |
| Junction Range<br>c/o Arnold Sattlemeyer      |                 |   | NS                |           |
| Karadanis, et al.<br>c/o Lake Tahoe Inn       |                 |   | NS                |           |
| Keeley,<br>Edith L. &<br>John H.<br>Marvin C. | W-111           |   | NS<br>S<br>NS     |           |

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|--|-----------------|---|--------------------|--------------|
| Gilly, Dr. Donald                              | W-98            |   | S                  |              |
| Kennedy, Dale S. & Cleo N.                     | R-178<br>R-179  |   | S<br>S             |              |
| Kennon, Vergie A. Burn, Babe Lona **           |                 |   | NS<br>NS           |              |
| Kyer, Melwood & La June F.                     | R-181<br>R-180  |   | S<br>S             |              |
| D.S. Church c/o Cal Jibson & L Hunewill        |                 |   | NS                 |              |
| T.R. Enterprises                               | R-374           |   | S                  |              |
| Landolt, David A. & Tamela Joseph & Beverly J. | R-183<br>R-182  | Left copies with Beverly as "David has passed away"; no indication if she has authority to accept service on Estates behalf | Q<br>NS<br>NS<br>S |              |
| Joseph G. & Beverly J. Landolt Trust Agreement | R-184           | Personal service & left copies without indicating with whom; however, same time & date as R-183 wherein Beverly accepted    | S                  |              |
| lands of Sierra, Inc.                          | R-451           | Personal service on "Jill Nichol, legal secretary"  | NS                 | FRCP 4(f)(1) |
| Barson, Roger                                  | R-439           | Sandy Stewart, partner, accepted copies on Roger's behalf; no indication of suitable age, discretion or residence           | Q                  | FRCP 4(e)(2) |
| Stewart, Sandy **                              | R-440           |   | S                  |              |
| Lazy Two-T Ranch **                            |                 |   | NS                 |              |
| Lee Family Trust<br>Lee, Trustee<br>Harry A.   |                 |   | NS                 |              |

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| Person or Entity                       | Type of Service | Comments   | Status of Service | Authority                    |
|--|-----------------|--|-------------------|------------------------------|
| Debra S. Debra S. Steven M. & Debra S. | R-173           | Personal service on Karen Ivey; no indication of authority to accept service   | Q                 | FRCP 4(h)(1)                 |
| Lehnner, Steven M. & Debra S.          |                 |  | NS<br>NS          |                              |
| Leinassar, Alan S. & Marianne          | R-186<br>R-185  | Attempted to leave copies with gardener, Linda Anderson; left on porch when refused<br>Attempted to leave copies with gardener, Linda Anderson; left on porch when refused   | NS<br>NS          | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Leinassar, M.F. **                     | R-72            | Attempted to leave copies with gardener, Linda Anderson; left on porch when refused  | NS                | FRCP 4(e)(2)                 |
| Lekunberry, Robert J. & Suzanne        |                 |  | NS<br>NS          |                              |
| Egtenberg, Roger F. & Joanne           | R-73<br>R-74    | Left copies with Mike Sturge; no indication of suitable age, discretion or residence<br>Left copies with Mike Sturge; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Linscott, George                       | S-15            | Service on Jeannie Pace as executor of Estate of George & Louise Linscott; insufficient process; summons requires answer to complaint not on file                            | NS                | FRCP 12(b)(4)                |
| Linsenmier, Jack L. ** & Willman H. ** | R-75            |  | S<br>NS<br>S      |                              |
| Hathaway, Myrtle K. **                 | R-157           |  | S                 |                              |
| Little, David & Sherry                 | R-76<br>R-77    |  | S<br>S            |                              |
| Livingston, George & Lori              | W-19<br>W-18    |  | S<br>S            |                              |

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|--|-----------------|--|-------------------|--------------|
| Raymond F. & Margaret M. Esli,                                       | R-499<br>R-78   | Deceased<br>Left copies with "a man on the premises"; no indication of suitable age, discretion or residence               | NS<br>Q           | FRCP 4(e)(2) |
| Lomiori,<br>Dante J. & Eleanor B.                                    | R-372<br>R-373  | Left copies with Dante on behalf of Lomiori Family Trust; no indicatio of service on Dante in individual capacity          | Q<br>S            |              |
| Joseph J. & Bessie J. Lomiori Trust<br>Lomiori, (Tr.)<br>J.J. & B.J. | R-371<br>R-370  | Service upon Joseph J. & Bessie J. by leaving copies with Dante<br>Service upon "Joe Lomiori" by leaving copies with Dante | Q<br>S            |              |
| Lomiori,<br>Julio & Della T.   | R-80<br>R-79    |  | S<br>S            |              |
| Julio & Della T. Lomiori Trust<br>Lomiori, Mario                     | R-81            |  | S                 |              |
| Lomiori Family Trust<br>Lomiori, (Tr.)<br>Mario & Clarice<br>Dante   | R-369           |  | S                 |              |
| Lompa Family Trust<br>Lompa, (Tr.)<br>Samuel & Duana                 |                 |  | NS                |              |
| Lorenz,<br>Joe E. & Ellie T.   |                 |  | NS<br>NS          |              |

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|---|-----------------|--|-------------------|-----------------------------|
| Grand,<br>Hans N. &<br>Marie N.                                 |                 |  | NS<br>NS          |                             |
| Dudel,<br>Samuel M. &<br>Donna                                  | W-7<br>W-23     |  | S<br>S            |                             |
| Lyon County Cemetery #2   | R-1             | Personal service on Lyon County Clerk's office; individual served not identified   | Q                 | FRCP 4(0)(2)                |
| Lyon County Fair Grounds, Inc.                                  | R-2             | Personal service on Lyon County Clerk's office; individual served not identified   | Q                 | FRCP 4(0)(2)                |
| Lyon County Trust<br>Lazy Two-T Ranch **                        |                 |  | NS<br>NS          |                             |
| Mabe,<br>James A. &<br>Sandra R.                                | R-324           |  | S<br>NS           |                             |
| Mackenzie, Andrew<br>Santa,<br>Ronald T. & **<br>Mary Louise ** |                 |  | NS<br>NS<br>NS    |                             |
| Mackey,<br>Russell &<br>Theresa                                 | R-82<br>R-83    | Left copies with 'adult on premises'; no indication of discretion or residence<br>Left copies with 'adult on premises'; no indication of discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP4(e)(2) |
| Madden,<br>Gerald &<br>Lois                                     | R-84<br>R-85    |  | S<br>S            |                             |
| Madsen,<br>Vernon Lee &<br>Patricia G.                          | W-80            | Waiver executed by only Vernon Lee Madsen  | S<br>NS           |                             |
| Maine,<br>D.C. &<br>Gayle                                       | W-4<br>W-44     |  | S<br>S            |                             |

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|----------------------------------|-----------------|---|-------------------|--------------|
| Maionchi, Eivira                 | R-503           | Deceased  | NS                |              |
| Maionchi, Melio                  | R-504           | Deceased  | NS                |              |
| Josephine Marha Family Trust     | R-86            | Left copies & personal service on Josephine of "Marha Family Trust"                             | S                 |              |
| Mann, Allen J., Jr. & Melinda L. |                 |   | NS<br>NS          |              |
| Mann, Luetta **                  | R-87            |   | S                 |              |
| Maple, Jr. G.D. & U.L.           | R-88<br>R-89    |   | S<br>S            |              |
| Maple, (Tr.) Gurney D. & Ura L.  |                 |   | NS                |              |
| Marriot, Carlis N.               |                 |   | NS                |              |
| Marriot, Jack Dale & Sandra K.   |                 |   | NS<br>NS          |              |
| Marriot, Lonnie E. & Sandra Jo   |                 |   | NS<br>NS          |              |
| Masini Investments               | R-101           | Personal service & "left with Lawrence C. Masini"; no indication of authority to accept service | Q                 | FRCP 4(b)(1) |
| Masini, Carrol G. & Maria O.     | W-45            | Waiver executed by only Carrol Masini   | S<br>NS           |              |
| Lawrence C. & Alma Masini Trust  | R-99            | Left copies with Lawrence C. & unable to execute on previous date                               | S                 |              |

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|--|------------------------|--|-------------------|--------------|
| Masini,<br>Lawrence C. &<br>Patricia<br>Alma                   | R-100<br>R-102<br>R-98 | Left copies with Lawrence C. Masini<br>Service on "Lama" by leaving copies with Lawrence C.; no indication of suitable<br>age, discretion or residence | S<br>S<br>Q       | FRCP 4(e)(2) |
| Lawrence C. Masini Ranch                                       |                        |  | NS                |              |
| Matheson, Dorothy  | R-90                   |  | S                 |              |
| Mattice,<br>James L. &<br>Mary L.                              | R-296<br>W-105         | "Delivered copy to secretary Jennifer"   | NS<br>S           | FRCP 4(e)(2) |
| McAlister,<br>Edgar O. &<br>Betsy K.                           | R-92<br>R-91           |  | S<br>S            |              |
| Frank Joseph McBryde Trust<br>McBryde, Trustee<br>Frank Joseph |                        |  | NS                |              |
| McCargar,<br>Edward James &<br>Dois                            | W-27<br>W-57           |  | S<br>S            |              |
| McCain,<br>William T. &<br>Terry Lee                           | W-30<br>W-24           |  | S<br>S            |              |
| McColloch,<br>Robert L. &<br>Pamela                            | W-10                   | Waiver executed by only Robert L. McColloch  | S<br>NS           |              |
| McCray,<br>Nancy R. &<br>W.G.                                  |                        |  | NS<br>NS          |              |

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|---|-----------------|---|-------------------|------------------------------|
| Bohale,<br>Michael Martin &<br>Nora                     | W-5<br>W-6      |   | S<br>S            |                              |
| McKay, James C. **                                      | R-93            |   | S                 |                              |
| McKay, Mervin M.  |                 |   | NS                |                              |
| McKinnon,<br>Fred E. &<br>Barbara J.                    |                 |   | NS<br>NS          |                              |
| McWhirter, Mildred K.                                   |                 |   | NS                |                              |
| Meier,<br>Mr. Virgil &<br>Mrs. Virgil                   |                 |   | NS<br>NS          |                              |
| Amos Mercarini, Jr. Trust **<br>Teresa Shehady, Trustee | R-245           | Service on Amos Mercarini by personal service on T. Shehady   | Q                 |                              |
| Menesini,<br>Donald G. &<br>Lucinda                     | R-497           | Deceased  | NS<br>NS          |                              |
| Menesini, Gene  |                 |   | NS                |                              |
| Menesini, Gene J., Trustee                              |                 |   | NS                |                              |
| Menesini,<br>Gerald T. &<br>Renee E.                    | R-96<br>R-97    | Left copies with "mother-in-law - Mrs. Janice Tamagni"; no indication of discretion or residence<br>Left copies with Renee's mother; no indication of discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Menesini,<br>Orlando &<br>Grace **                      | R-94 &<br>R-95  |   | NS<br>S           |                              |
| Menesini, Pete  |                 |   | NS                |                              |

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|----------------------------------|-------------------------|---|-------------------|--------------|
| Merczak, Elvetia                 | R-391                   | Left copies with Lela Merczak, Elvetia's sister; no indication of suitable age, discretion or residence | Q                 | FRCP 4(e)(2) |
| Terry, L. **                     | R-393                   | Left copies with Lela Merczak; no indication of suitable age, discretion or residence                   | NS<br>Q           | FRCP 4(e)(2) |
| Merritt, David L. & Teresa C.    | R-103<br>R-104          |   | S<br>S            |              |
| Methodist Episcopal Church       |                         |   | NS                |              |
| Miller, Robert J. & Lucille B.   | R-505<br>R-376          | Deceased  | NS<br>S           |              |
| Milner, Frances Schmid, Ethel ** | R-306                   | Left copies with Ethel for service on Al Schmid   | NS<br>Q           |              |
| Minister, Rose Alice             |                         |   | NS                |              |
| Minister, Rose Alice, Trustee    | W-9                     |   | S                 |              |
| Mitchell, Ronald & Ginger        |                         |   | NS<br>NS          |              |
| Moria, Ray & Elaine              | R-429<br>R-430          |   | S<br>S            |              |
| Montgomery, Jeffery K. & Mary    | R-494<br>R-106<br>R-107 | Deceased<br>Left copies with "mother (Mary)"; no indication of discretion or residence                  | NS<br>S<br>Q      | FRCP 4(e)(2) |
| Moore, Anthony P. & Monica R.    | R-111                   | Left copies with Al Palmer; no indication of suitable age, discretion or residence                      | NS<br>Q           | FRCP 4(e)(2) |

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|--|---------------------------|--|-------------------|--------------|
| Moore, Harold & Joyce                                      | R-108<br>R-109            |  | S<br>S            |              |
| Moore, Laurie **   | R-110                     | Left copies with Tim Ojge; no indication of authority to accept service as Trustee   | Q                 |              |
| Emma M. Moorehead S.P. Trust<br>Moorehead, Trustee<br>Emma | W-29 &<br>W-33            | Executed by Emma M. Moorehead, for Emma M. Moorehead S & P Trust<br>Executed by Emma Moorehead   | S                 |              |
| Moreda, Clarence J. & Janet                                | R-112<br>R-114 &<br>R-115 |  | S<br>S            |              |
| Clarence J. Moreda Family Trust                            | R-113                     | Left copies with Janet Moreda; no indication of authority to accept service as Trustee   | Q                 | FRCP 4(f)(1) |
| Morse, George C., Jr. & Kathleen R.                        |                           |  | NS<br>NS          |              |
| Nadel, Natfali<br>do Western Nevada Supply                 |                           |  | NS                |              |
| Nagel, Robert R. & Shirley J.                              | R-116<br>R-117            |  | S<br>S            |              |
| Nagel, Helen   |                           |  | NS                |              |
| Nannini, Guido & Anna                                      | W-87<br>W-12              | Guido Nannini is deceased; executed by Anna Nannini without indicating authority to execute on Estate's behalf<br>Executed by Anna Nannini | Q<br>S            |              |
| Glodo, Joseph A. ** & Virginia M. **                       | W-93<br>W-90              | Executed by Joseph A. Glodo<br>Virginia Glodo is deceased; executed by Anna Nannini; no indication of authority to execute                 | S<br>Q            |              |

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|---|-----------------|---|-------------------|--------------|
| Desmith,<br>John F. &<br>Teresa M.                              |                 |   | NS<br>NS          |              |
| Desmith Family Trust Agreement<br>Desmith, Trustee<br>Teresa M. |                 |   | NS                |              |
| Neuhauser,<br>Larry &<br>Geneva Ruth                            | W-28 &<br>W-110 | Waiver executed by only Geneva Neuhauser  | NS<br>S           |              |
| Nevada Dept. of Wildlife  | W-60<br>R-443   | Executed by Craig Mortimore, Nevada Division of Wildlife<br>Personal service on Chris Healy, who will "give it to the director" | Q                 | FRCP 4(f)    |
| Nevada-Utah Association of Seventh<br>Day Adventists            | W-58            | Executed by Kenneth E. Ladd on behalf of Nevada-Utah Assoc. of S.D.A.   | S                 |              |
| State of Nevada Lands Division                                  | R-377           | Personal service on Maura Cochran, Management Assistant; no indication of<br>authority to accept service                        | Q                 | FRCP 4(f)(2) |
| Nevin,<br>Wilbur W. &<br>Melba                                  | W-50<br>W-49    |   | S<br>S            |              |
| Newcombe, Linda   | R-484           | Attempted service; informed Linda has moved   | NS                |              |
| Norton, Gary D.<br>Zot, Julie A. **                             |                 |   | NS<br>NS          |              |
| Novy, Lowell  | R-402           |   | S                 |              |
| Dugent,<br>George D. &<br>Evelyn                                |                 |   | NS<br>NS          |              |

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|---|---------------------------|--|-------------------|--|
| Nuti,<br>Ralph C. &<br>Mary R.                              | R-189<br>R-118 &<br>R-187 | Left copies with "Mary"<br>Service on "Nuti Brothers" by leaving copies with Mary  | S                 |  |
| Lawrence<br>Leslie<br>Michael                               | R-121<br>R-122<br>R-188   | Personal service<br>Left copies with "Nancy"; no indication of suitable age, discretion or residence<br>Left copies with "Nancy"; no indication of suitable age, discretion or residence<br>Left copies with "Nancy"; no indication of suitable age, discretion or residence | S<br>Q<br>Q<br>Q  | FRCP 4(e)(2)<br>FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Nuti,<br>Armando &<br>Helen L.                              | R-119<br>R-120            |  | S<br>S            |  |
| Nuti,<br>Ralph E. &<br>Mary E.                              |                           |  | NS<br>NS          |  |
| Barion, James R.  |                           |  | NS                |  |
| Connor,<br>Paul D. &<br>Kelli S.                            |                           |  | NS<br>NS          |  |
| Ogle, Leanna M.<br>Moore, Laurie **<br>Giorgi, Daniel E. ** | R-209                     | Left copies with Tim Ogle; no indication of suitable age, discretion or residence  | Q<br>NS<br>NS     | FRCP 4(e)(2)                                 |
| Orin, Kenneth<br>Osborn, Henry S.                           | R-315<br>R-210            |  | S<br>S            |  |
| Osborne,<br>R.E. &<br>G.L.                                  | R-298<br>R-297            |  | S<br>S            |  |
| Owens,<br>David A. &<br>Cindy R.                            |                           |  | NS<br>NS          |  |

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|--|-----------------|--|-------------------|---------------|
| Olsen,<br>Pater &<br>Nancy                 |                 |  | NS<br>NS          |               |
| Palmer, (Tr.)<br>Alfred &<br>Joy           |                 |  | NS                |               |
| Palmer,<br>Alfred &<br>Joy L.              |                 |  | NS<br>NS          |               |
| Park, W.B.                                 |                 |  | NS                |               |
| Park Livestock Co.                         | S-4             | Insufficient process; summons requires answer to complaint not on file | NS                | FRCP 12(b)(4) |
| Parker,<br>Raymond E. &<br>Patricia        | W-71<br>W-83    |  | S<br>S            |               |
| Parraguirre, D.                            |                 |  | NS                |               |
| Parris,<br>Thomas A. &<br>Judy Y.          |                 |  | NS<br>NS          |               |
| Patton,<br>Thomas C. &<br>Marolyn B.       |                 |  | NS<br>NS          |               |
| Patton, Co-Trustees<br>Thomas &<br>Marolyn |                 |  | NS                |               |
| P.D. Explorations, Inc.                    |                 |  | NS                |               |
| Peoples, Frank Terry                       | W-119           |  | S                 |               |

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|---|-----------------|---|-------------------|------------------------------|
| Peoples,<br>(Norma M. &<br>Josiah P.    | R-192<br>R-501  | Deceased  | S<br>NS           |                              |
| Baderson,<br>Alenzo &<br>Katie          | R-190<br>R-191  |   | S<br>S            |                              |
| Palayo,<br>Dan &<br>R.A.                | R-424<br>R-425  | Left copies with a relative; no indication of suitable age, discretion or residence<br>Left copies; no indication with whom suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Pallegrini,<br>Steven W. &<br>Debra L.  | W-113           | Waiver executed by only Stephen W. Pallegrini   | S<br>NS           |                              |
| Pallegrini, Violet                      |                 |   | NS                |                              |
| Gendleton,<br>Cleo C. &<br>Janet L.     |                 |   | NS<br>NS          |                              |
| Pendleton,<br>Daniel L. &<br>Jennifer   |                 |   | NS<br>NS          |                              |
| Penrose General Improvement<br>District |                 |   | NS                |                              |
| Herbert W. Penrose Family Trust         |                 |   | NS                |                              |
| Peri & Peri, A Partnership              |                 |   | NS                |                              |
| Perin Trusts<br>c/o Francis L. Perin    |                 |   | NS                |                              |
| Perriseau,<br>Melvin ** &<br>Modesta ** | W-69            | Waiver executed by only Melvin Perriseau  | S<br>NS           |                              |

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|---|------------------|--|-------------------|------------------------------|
| Parry, Gena   |                  |  | NS                |                              |
| Perumean, c/o Pete Perumean, Jr.                          | R-196            | Service on Pete, Jr. by leaving copies with Mary Ann Perumean; no indication of suitable age, discretion or residence  | Q                 | FRCP 4(e)(2)                 |
| Pete & Cecelia C.   | R-195<br>R-194   | Left copies with MaryAnn Perumean; no indication of suitable age, discretion or residence<br>Left copies with MaryAnn Perumean; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Perumean, Peter, et al., Trustee<br>c/o Pete Perumean Jr. |                  |  | NS                |                              |
| Peters,<br>Glen &<br>Darlene                              |                  |  | NS<br>NS          |                              |
| Petersen, Leon E.   |                  |  | NS                |                              |
| Peterson,<br>Leland C. &<br>Marion W.                     | R-197<br>R-198   |  | S<br>S            |                              |
| Petersen,<br>Martin W. &<br>Norma D.                      |                  |  | NS<br>NS          |                              |
| Phelps Dodge Corporation Real<br>Estate Department        |                  |  | NS                |                              |
| Phillip,<br>Richard L. &<br>Joan F.                       | W-15<br>W-16     |  | S<br>S            |                              |
| Pinehut Ranch Corporation<br>c/o David Traitel            | R-202 &<br>R-272 | Left copies with "Jim Talbot hired hand"<br>Left copies with "Jim Talbot hired hand"   | NS                | FRCP 4(f)(1)                 |
| Plett,<br>Walter &<br>Pauline                             | R-199            |  | S<br>NS           |                              |

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|--|--------------------------------------|--|----------------------|------------------------------|
| Plymouth Land & Stock Co.                      |                                      |  | NS                   |                              |
| Poli,<br>John &<br>Nancy                       | R-201<br>R-200                       |  | S<br>S               |                              |
| Polish,<br>Louis &<br>Evelyn                   | W-46 &<br>W-95                       | Executed by only Evelyn M. Polish<br>Executed by Evelyn M. Polish (appear to be duplicate copies of same waiver)   | NS<br>S              |                              |
| Porter, c/o Benny Romero<br>Harold &<br>Sherri |                                      |  | NS<br>NS             |                              |
| Porter,<br>Randy &<br>Tracee                   |                                      |  | NS<br>NS             |                              |
| Pumpkin Hollow Farms, Inc.                     |                                      |  | NS                   |                              |
| Ruett Ranches, Inc.                            |                                      |  | NS                   |                              |
| Purrell Trust<br>Purrell, Earlene D., Trustee  | R-459 &<br>R-460                     | Attempted service<br>Attempted service   | NS                   |                              |
| Purrell,<br>James E. &<br>Karen M.             | R-461 &<br>R-462<br>R-457 &<br>R-458 | Attempted service on James E. on behalf of Purrell Trust; no answer<br>Attempted service on James E. on behalf of Purrell Trust; no answer<br>Attempted service on Karen M. on behalf of Purrell Trust; no answer<br>Attempted service on Karen M. on behalf of Purrell Trust; no answer | NS<br>NS<br>NS<br>NS |                              |
| Pursel Ranch, a Partnership                    |                                      |  | NS                   |                              |
| Pursel,<br>Melvin E. &<br>Phyllis A.           | R-205<br>R-207                       | Documents left with Suzanne Pursel; no indication of suitable age, discretion or residence<br>Documents left with Suzanne Pursel; no indication of suitable age, discretion or residence   | Q<br>Q               | FRCP 4(e)(2)<br>FRCP 4(e)(2) |

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| Ersel,<br>Norman &<br>Norma<br>Delbert &<br>James                  | R-208<br>R-206<br>R-203<br>R-204 | Left copies with Norma; no indication of discretion or residence<br>Left copies with Norma; no indication of discretion or residence | S<br>S<br>Q<br>Q  | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Quealy,<br>T.H. &<br>B.V.  |                                  |  | NS<br>NS          |                              |
| Quilici,<br>Basil A. &<br>Pauline L.                               |                                  |  | NS<br>NS          |                              |
| Quilici,<br>Louise &<br>Basil A.                                   |                                  |  | NS<br>NS          |                              |
| Quilici, Norma Yvonne  |                                  |  | NS                |                              |
| Carlos & Ofelia Quiroga Trust<br>Quiroga,<br>Hector &<br>Guadalupe | R-314                            | Personal service on Hector   | S                 |                              |
| R. & R. Services   | W-47                             | Executed by Robert Rupprachter on behalf of R & R Services   | S                 |                              |
| Raisbeck,<br>Peter D. &<br>Nancy L.                                | R-212<br>R-211                   |  | S<br>S            |                              |
| Ramsey, Leila c/o Eva Hughes                                       |                                  |  | NS                |                              |
| Rathbun, Richard M., Jr.   |                                  |  | NS                |                              |
| Rauber, William S., Trustee  | W-20                             | Executed by William S. Rauber  | S                 |                              |
| Regan, Ruby **   | R-213                            | Personal service on behalf of Regan Trust  | S                 |                              |

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| Person or Entity  | Type of Service         | Comments   | Status of Service | Authority     |
|---|-------------------------|--|-------------------|---------------|
| Penner,<br>Dorothea K. &<br>Thomas R. **<br>Donald W.         | R-214<br>R-216<br>R-215 | Personal service on Tom Penner; no indication of suitable age, discretion or residence | S<br>S<br>Q       | FRCP 4(e)(2)  |
| Richardson, Elizabeth **                                      | W-61                    |  | S                 |               |
| Richardson,<br>Ralph &<br>Glenna                              | R-218<br>R-217          |  | S<br>S            |               |
| Ritter,<br>John G., Jr. &<br>Lucille<br>Gustave, John, III ** |                         |  | NS<br>NS<br>NS    |               |
| Siva,<br>Herbert R. &<br>Anne M.                              | R-219<br>R-493          | Deceased   | S<br>NS           |               |
| Burnett,<br>Kenneth R. &<br>Sharon L.                         |                         |  | NS<br>NS          |               |
| Roberts, George C.  | S-6                     | Insufficient process; summons requires answer to complaint not on file                 | NS                | FRCP 12(b)(4) |
| Roderick,<br>Joseph &<br>Laurel                               | R-221<br>R-220          |  | S<br>S            |               |
| Rogers,<br>Ralph S. &<br>Carole J. Lee (Rogers)               |                         |  | NS<br>NS          |               |
| Holston,<br>Kenneth J. &<br>Linda                             |                         |  | NS<br>NS          |               |

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|---|-----------------|---|-------------------|--------------|
| Tomaro, Dennis & Diane R.                                   |                 |   | NS<br>NS          |              |
| Roman Catholic Bishop of Reno                               | R-447           | Left copies with secretary, Judy Lubick | Q                 | FRCP 4(f)(1) |
| Fosaschi, Angelo Joseph                                     |                 |   | NS                |              |
| Fosaschi, Lena, Trustee                                     |                 |   | NS                |              |
| Fosaschi, Lester & Connie                                   |                 |   | NS<br>NS          |              |
| Fosaschi, Michael G. & Paula L.                             |                 |   | NS<br>NS          |              |
| Gosse, Jerry R. & Debra D.                                  | R-340<br>R-339  |   | S<br>S            |              |
| Bupe Family Trust Agreement<br>Rupe, (Tr.)<br>Marvin & Jean |                 |   | NS                |              |
| Dyerson, Morris E. & Alison M.                              | R-491<br>R-222  | Deceased                                | NS<br>S           |              |
| Salmanson, Michael L. & Karen                               |                 |   | NS<br>NS          |              |
| William & Leota Salvador Trust                              | R224            | Personal service on William Salvador    | S                 |              |
| Salvador, William M. & Leota P.                             | R-225<br>R-223  |   | S<br>S            |              |

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|---|-----------------|---|-------------------|--------------|
| Santos, Paul J. & Christena M.              | R-226<br>R-227  |   | S<br>S            |              |
| Sarno Livestock Co.                         | R-312           | Left copies with Mrs. Presto; no indication of authority to accept service              | Q                 | FRCP 4(h)(1) |
| Saunders, Eva Irene                         |                 |   | NS                |              |
| Gora Sayer Trust                            |                 |   | NS                |              |
| Scatena, Louis G. & Lorraine B.             | R-229<br>R-228  |   | S<br>S            |              |
| Scerifre, David A. & Joseph E.              | R-230           |   | S<br>NS           |              |
| Edna Jayne Herbert                          | R-231           |   | S<br>NS<br>NS     |              |
| Jackie Duane Lester                         | R-496           | Deceased  | NS<br>NS          |              |
| Schendel, Robert J. & Madge E.              |                 |   | NS<br>NS          |              |
| Schmid, Ethel **                            | R-306           | Left copies with Ethel for service on Al Schmid   | Q                 |              |
| Schmitt, Judy                               | R-237           | Left copies with James C. McKay; no indication of suitable age, discretion or residence | Q                 | FRCP 4(e)(2) |
| McKay, James C. **                          | R-93            |   | S                 |              |
| Schrotz, Robert J. & Peggy L.               |                 |   | NS<br>NS          |              |
| Schuster Family Trust<br>Schuster, Donna R. |                 |   | NS                |              |

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|---|-----------------|--|---------------------|-----------|
| Schwake, Frederick & Patricia   | R-238<br>R-239  |  | S<br>S              |           |
| Sciaroni, Arnold, Jr. Nelson<br>Eugo John   | R-235           |  | NS<br>S<br>NS<br>NS |           |
| Sciaroni, Nelson, et al. Trustee<br>Sciaroni Trust Agreement<br>Sciaroni, Arnold, Jr. & Pauline | R-236           | Left copies "with brother (James)"; no indication of authority to accept service | Q<br><br>NS         |           |
| Sciaroni, Paul<br>Glenn<br>Nelson<br>Mildred  | R-235<br>R-234  |  | NS<br>NS<br>S<br>S  |           |
| Sciaroni, James & Donna   | R-232           | Left with husband, James   | NS<br>S             |           |
| Scribner, Vance & Cynthia   |                 |  | NS<br>NS            |           |
| Seifert, Stanley D. & Judy A.   | R-395<br>R-394  |  | S<br>S              |           |
| Saubert, Donald R. & Sophia   | R-240<br>R-241  |  | S<br>S              |           |

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|--|-------------------------|--|-------------------|------------------------------|
| Donald & Teresa Shehady Trust<br>Shehady, Daniel<br>Panner,<br>Tom & **<br>Tosca | R-216                   |  | S                 |                              |
| Shehady,<br>Donald &<br>Teresa   | R-244<br>R-242<br>R-243 | Served T. Shehady on behalf of Teresa & Donald<br><br>Personal service   | S<br><br>S        |                              |
| Amos Mercarini, Jr. Trust **   | R-245                   | Service on Amos Mercarini by personal service on T. Shehady  | Q                 |                              |
| Sherlock,<br>Michael<br>Robert D. &<br>Michelle                                  | R-246<br>R-247          | Left copies with Joe Ciglielmi & unable to execute service "no one home"<br>Left copies with Joe Ciglielmi & unable to execute service "no one home" | Q<br>Q<br>NS      | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Shively 1991 Revocable Trust<br>Shively, (T.),<br>Russelle &<br>E. Duane         | W-31<br>W-17            | Executed by Russelle B. Shively<br>Executed by E. Duane shively  | S                 |                              |
| Shoemaker, Janis<br>Jo Joe Scelrine  |                         |  | NS                |                              |
| Shope,<br>Edward B. &<br>Joanna C.   |                         |  | NS<br>NS          |                              |
| Sierra Pacific Power Co.<br>Westpac Utilities / Bob Squires                      | R-445                   | Left copies with Squires' secretary, Lannette Shere  | NS                | FRCP 4(n)(1)                 |
| Silva, Edward B.   | R-248                   |  | S                 |                              |
| Silva,<br>Paul S. &<br>Dorthella A.  | W-104                   | Paul S. Silva deceased<br>Waiver executed by Dorthella A. Silva  | NS<br>S           |                              |

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|---|----------------------------------|--|-------------------|---------------|
| Silva Trust<br>Silva, (Tr.):<br>Vaughn B. &<br>Shirley A. | R-367<br>R-367                   |  | S                 |               |
| Silverado, Inc.   |                                  |  | NS                |               |
| Simmons,<br>Stanley C. &<br>Leja H.<br>Patricia           |                                  |  | NS<br>NS<br>NS    |               |
| Simpson, E.R. **<br>vs Ralcoal Tholke                     | S-2                              | Insufficient process; summons requires answer to complaint not on file           | NS                | FRCP 12(b)(4) |
| State of California Dept. of Fish &<br>Game **            | R-404                            |  | Q                 | FRCP 4(f)     |
| Singer,<br>Steve &<br>Linda                               | W-42                             | Waiver executed by only Steve Singer   | S<br>NS           |               |
| Six N Ranch, Inc  |                                  |  | NS                |               |
| Smith,<br>Cary R. &<br>Cheryl Ann                         |                                  |  | NS<br>NS          |               |
| Smith,<br>Daniel G. &<br>Shawna S.                        |                                  |  | NS<br>NS          |               |
| Smith,<br>Ermon W. &<br>Mary Lee                          |                                  |  | NS<br>NS          |               |
| Smith, Grant B.   | R-466<br>R-467<br>R-468<br>R-469 | Attempted service<br>Attempted service<br>Attempted service<br>Attempted service | NS                |               |

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|---|------------------------|---|-------------------|--------------|
| Smith, Keith A. & Kathy L.                          | W-36<br>W-115<br>R-250 |   | S<br>S            |              |
| Smith, Mary E.                                      |                        |   | NS                |              |
| Smith, Mr. Norville W. & Mrs. Norville W.           |                        |   | NS<br>NS          |              |
| Smith, Patricia Ann                                 | R-375                  | Left copies with Robert Smith, nephew; no indication of suitable age, discretion or residence | Q                 | FRCP 4(e)(2) |
| Smith Ranch Partnership<br>c/o Glen & Barbara Smith | R-330<br>R-331         |   | S                 |              |
| Smith Valley Cattle Feeders                         | R-414                  | Personal service on Steve Miller; no indication of authority to accept service                | Q                 | FRCP 4(h)(1) |
| Smith, Wilbur L. & Verda                            | R-252<br>R-251         |   | S<br>S            |              |
| Snyder Livestock Co., Inc.                          |                        |   | NS                |              |
| Snyder, Eddie R. & Theresa                          | R-253<br>R-254         |   | S<br>S            |              |
| Snyder, Frances                                     | W-25                   |   | S                 |              |
| Snyder, Lucy A.                                     |                        |   | NS                |              |
| Soderstrom, Dave, Jr. & Joan                        |                        |   | NS<br>NS          |              |
| Softume, Inc.                                       | R-397                  | Personal service on Dyan Wilcox; no indication of authority to accept service                 | Q                 | FRCP 4(h)(1) |

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|--|-----------------|--|-------------------|---------------|
| Sorenson, Kenneth A. & Marge O.                                    | R-255<br>R-256  |  | S<br>S            |               |
| Spezzi, Stanely R., U/C  | R-470 & R-480   | Attempted service<br>Attempted service   | NS                |               |
| Company of Spragues  |                 |  | NS                |               |
| Stanley, John D. & Marlyse R.                                      |                 |  | NS<br>NS          |               |
| Stark, Glenn M. & Ruth L.  | R-258<br>R-257  |  | S<br>S            |               |
| Starr, D.E. **   | S-2             | Insufficient process; summons requires answer to complaint not on file                     | NS                | FRCP 12(b)(4) |
| State Water Resources Control Board, Division of Water Rights (CA) | R-405           | Personal service on Judith Carlson, secretary to Roger Johnson                             | Q                 | FRCP 4(f)     |
| Stebbins, Richard W. & Roberta                                     |                 |  | NS<br>NS          |               |
| Steele, Charis R. & Karen R.                                       | R-260<br>R-259  |  | S<br>S            |               |
| Steneri Trust<br>Robert S. Capurro, Trustee                        | R-388           | Copies left with Robert's daughter, Jennifer, no indication of authority to accept service | Q                 |               |
| Steneri, Donald R. & Mary L.                                       |                 |  | NS<br>NS          |               |
| Stevens, Ronald Lynn   | W-88            |  | S                 |               |

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|--|-----------------|--|-------------------|--------------|
| Stewart, Michael B.  | R-261           | Left copies with "Kim Stewart, brother, who claims he is the water rights holder, not his brother" | Q                 | FRCP 4(e)(2) |
| Stewart, Sandy **  | R-440           |  | S                 |              |
| Stillfield,<br>Donna Jeanne Thomas<br>Wilson Thomas            |                 |  | NS<br>NS          |              |
| Stoughton,<br>Robert G. &<br>Candace Selbert                   |                 |  | NS<br>NS          |              |
| Stottmeyer,<br>Charles E., Jr. &<br>E.                         | R-262<br>R-263  |  | S<br>S            |              |
| Stout,<br>Jack F. &<br>Nancy                                   | W-74<br>W-103   |  | S<br>S            |              |
| Stovall, Judith Lee  |                 |  | NS                |              |
| Strong, Charles W.   | W-43            |  | S                 |              |
| Strosnider, Inc.   |                 |  | NS                |              |
| Strosnider Family Trust<br>Strosnider,<br>Kenneth &<br>Carolyn |                 |  | NS                |              |
| Sturge,<br>Michael A. &<br>Michelle A.                         |                 |  | NS<br>NS          |              |
| Sturtevant, Helen M.<br>Mann, Luetta A. **                     | R-264<br>R-87   | Left copies with Luetta Mann; no indication of suitable age, discretion or residence               | Q<br>S            | FRCP 4(e)(2) |
| Stundance Feedlot, Inc.  | R-423           |  | S                 |              |

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|---|---|---|-------------------------|--|
| Swagger Ranch, Inc.<br>c/o George C. Koenig                       | S-5   | Insufficient process; summons requires answer to complaint not on file  | NS                      | FRCP 12(b)(4)                                |
| Swainston Family Trust<br>Swainston, (Tr.)<br>George &<br>Dorothy | R-332<br>R-333                              | George is deceased; left copies with son, John Swainston; no indication of authority to accept service on behalf of the Trust<br>Left copies with son, John Swainston; no indication of authority to accept service on behalf of the Trust  | Q                       |  |
| Sweetwater Land & Cattle Co.                                      |   |   | NS                      |  |
| Taber,<br>Don G. &<br>Phyllis B.                                  | W-37<br>W-70                                |   | S<br>S                  |  |
| Talbot Land & Livestock   | W-96  | Executed by Thomas J. Talbot on behalf of Talbot Land & Livestock   | S                       |  |
| Raymond Tamagni Family Trust                                      | R-266                                       | Personal service & left copies with Janice Tamagni  | S                       |  |
| Tamagni,<br>Raymond E. &<br>Janice E.<br>Victor &<br>Florence     | R-349<br>R-506<br>R-265 &<br>R-347<br>R-348 | Left copies with Florence Tamagni; no indication of suitable age, discretion or residence<br>Deceased<br>Personal service by leaving "document with Janice Tamagni"; no indication of suitable age, discretion or residence<br>Personal service on Florence as Trustee<br>Left copies with Florence Tamagni; no indication of suitable age, discretion or residence | Q<br>NS<br>NS<br>Q<br>Q | FRCP 4(e)(2)<br>FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Nielson, N.   |   |   | Q                       | FRCP 4(e)(2)                                 |
| Taylor,<br>Laurence B. &<br>Mary M.                               | R-498<br>W-107                              | Deceased<br>Executed by Mary M. Taylor, widow   | NS<br>S                 |  |
| Taylor,<br>Lloyd T. &<br>Dola F.                                  | R-268<br>R-267                              |   | S<br>S                  |  |
| Terry, L. **  |   |   | NS                      |  |

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|--|-------------------|--|-------------------|---|
| Thorschuse, Donald & Barbara   | R-417<br>R-418    | Contacted by phone only<br>Contacted by phone only   | NS<br>NS          |   |
| Thorschuse, Robert W. & Marie  |                   |  | NS<br>NS          |   |
| Rachel Tholke Trust<br>c/o Don Cook                                  |                   |  | NS                |   |
| Tholke, R. Starr, D.E., **<br>Simpson, E.R., **<br>c/o Rachel Tholke | S-2<br>S-2<br>S-2 | Insufficient process; summons requires answer to complaint not on file<br>Insufficient process; summons requires answer to complaint not on file<br>Insufficient process; summons requires answer to complaint not on file                     | NS<br>NS<br>NS    | FRCP 12(b)(4)<br>FRCP 12(b)(4)<br>FRCP 12(b)(4) |
| Thom, Douglas & May  | W-117<br>W-114    |  | S<br>S            |   |
| Thomas, Jim R.   | W-118             |  | S                 |   |
| Thomas, Terry S. & Katherine L.                                      | W-65              | Waiver executed by only Katherine L. Thomas  | NS<br>S           |   |
| Thomas, Tracy Glaze & Arni   |                   |  | NS<br>NS          |   |
| Thompson, Clifford A. & Evelyn                                       | R-269<br>R-270    | Personal service & left copies with grandson Mark, approx. 16; no indication of suitable age, discretion or residence<br>Personal service & left copies with grandson Mark, approx. 16; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2)                    |
| Tibbals Family Trust<br>Tibbals, Donald H. & Joy M.                  |                   |  | NS                |   |

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|---|-----------------|---|-------------------|------------------------------|
| Tibbals, Joseph W. & Carol J.                       |                 |   | NS<br>NS          |                              |
| Tibbals, Joseph E. & Margaret F.                    | R-271<br>R-316  | Personal service & left copies with "Joe Tibbals, age 13, appeared to be responsible person"; no indication of suitable age, discretion or residence Documents for Margaret Tibbals of Als Family Trust Agreement "Delivered to Sherron Cook"; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| Tibbals, Walter C. & Shair L.                       |                 |   | NS<br>NS          |                              |
| Tierney, Karen M. **                                | R-403           | Personal service on father, Joseph Tierney; no indication of residence  | Q                 |                              |
| Tjesseling, Dick G. & Judith A.                     |                 |   | NS<br>NS          |                              |
| Tilley E. Tilley Trust<br>Tilley, Jerry E., Trustee |                 |   | NS                |                              |
| Titus, Robin Lee                                    |                 |   | NS                |                              |
| Toigo, Thomas J. & Kathleen A.                      |                 |   | NS<br>NS          |                              |
| Tollhouse Canyon Partners                           | W-108           | Executed by Ellen Wood Grijalva on behalf of Tollhouse Canyon Partners  | S                 |                              |
| Tomac, Steve & Laura                                | W-54<br>W-55    |   | S<br>S            |                              |
| Twelves, James & Helen                              |                 |   | NS<br>NS          |                              |

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|--|-----------------|--|-------------------|------------------------------|
| J. S. Bureau of Indian Affairs   | W-114<br>R-383  | Executed by Robert Huter, Superintendent, BIA, Western Nevada Agency<br>Personal service on George Fredericks, Contract Admin. BIA office in Carson City | Q                 | FRCP 4(i)                    |
| J. S. Bureau of Land Management  | R-441<br>R-488  | BLM offices closed; left copy with Denton Soroka, of Dean Witter office located next to BLM<br>Office closed due to lack of funding                      | NS                | FRCP 4(i)                    |
| J. S. Forest Service   |                 |  | NS                |                              |
| J. S. Plumas National Forest   |                 |  | NS                |                              |
| J. S. Toiyabe National Forest  | R-449           | Personal service on Maureen Joplin   | Q                 | FRCP 4(i)                    |
| J. S. Indian Irrigation Service,<br>Western Nevada Agency of BIA       |                 |  | NS                |                              |
| Valdez,<br>Ramon &<br>Myrna  | W-102<br>W-101  |  | S<br>S            |                              |
| Van Horn,<br>Phillip &<br>Karen  | R-422<br>R-421  |  | S<br>S            |                              |
| Twombly,<br>C.W. &<br>V.   | R-399<br>R-399  | Personal service on J. Snook, Trustee of W.W. & V.B. Twombly Trust; no service on C.W. or V. individually  | NS<br>NS          | FRCP 4(e)(2)<br>FRCP 4(e)(2) |
| The Uhland Family Trust<br>Uhland, (Tr.)<br>Craig &<br>Shawn           |                 |  | NS                |                              |
| Umberger,<br>William W. &<br>Lodema L.                                 |                 |  | NS<br>NS          |                              |
| Insufficient process; summons requires answer to complaint not on file | S-11            |  | NS                | FRCP 12(b)(4)                |

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|--|-----------------|---|-------------------|------------------------------|
| Ed Van Vliet & Sons, Inc.                                |                 |   | NS                |                              |
| Wandabrake, Vernon & Audrey                              | W-112<br>W-51   |   | S<br>S            |                              |
| Tierney, Karen M. **                                     | R-403           | Personal service on father, Joseph Tierney; no indication of residence  | Q                 |                              |
| Vetsch, Leonard & Robert                                 | R-435<br>R-511  | Left documents with Robert Vetsch; no indication of suitable age, discretion or residence<br>Personal service   | Q<br>S            | FRCP 4(e)(2)                 |
| Virdin, William M. & Virginia Sue                        | R-408<br>R-409  |   | S<br>S            |                              |
| Virginia Creek Hydro, Inc.<br>c/o John Pelichowski, Mgr. | R-442           | Personal service on Pelichowski; no indication of authority to accept service   | Q                 | FRCP 4(h)(1)                 |
| Virginia Lakes Water Corp.<br>c/o James L. Keller        |                 |   | NS                |                              |
| Vogel, Bruce G. & Beverly K.                             | R-274<br>R-273  |   | S<br>S            |                              |
| Walker River Irrigation District                         | R-3             | Personal service; individual not unidentified   | S                 |                              |
| Wallin, Lawrence B. & Theresa M.                         |                 |   | NS<br>NS          |                              |
| Ward, Mark D. & Catherine M.                             |                 |   | NS<br>NS          |                              |
| Warr, David T.<br>John                                   | R-276<br>R-275  | Left copies with Ms. Warr; no indication of suitable age, discretion or residence<br>Left copies with Mrs. Warr; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |

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|--|-----------------|---|-------------------|--------------|
| Warburton Family Trust<br>Warburton,<br>Joseph A. &<br>Winifred        |                 |   | NS                |              |
| Watkins,<br>Louis H. &<br>Mildred A.                                   | W-72            | Waiver executed by only Louis H. Watkins  | S<br>NS           |              |
| Day,<br>C.E. ** &<br>Lucile **<br>Weaver, William M., Jr.              | R-279           | Left copies with Carol Weaver; no indication of suitable age, discretion or residence                 | NS<br>NS<br>Q     | FRCP 4(e)(2) |
| Weaver,<br>John R. &<br>Lura K.  | R-278<br>R-277  |   | S<br>S            |              |
| Wedertz, Gilbert C.  |                 |   | NS                |              |
| West Highland Ditch Co-Op  | R-281           | Personal service on "man on premises claiming to be West Highland Ditch Co."                          | Q                 | FRCP 4(h)(1) |
| Jesch, Sylvia<br>Margaret M. Wheat Trust**<br>Jesch, Trustee<br>Sylvia |                 |   | NS                |              |
| Wilder, Joan   | R-336           |   | S                 |              |
| Wildlife Dept., State of Nevada  | W-60            | Executed by Craig Morimore, Nevada Division of Wildlife   | NS                | FRCP 4(f)    |
| Wilens Family Trust  |                 |   | NS                |              |
| Wilkinson,<br>Philip &<br>Vivian                                       |                 |   | NS<br>NS          |              |
| Durrell & Virginia Williams Trust                                      | W-11            | Executed by Durrell E. & Virginia J. Williams, co-trustees for Durrell E & Virginia J. Williams Trust | S                 |              |

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| Person or Entity   | Type of Service         | Comments   | Status of Service | Authority                    |
|--|-------------------------|--|-------------------|------------------------------|
| Williams, Harold S. & Doris M.   |                         |  | NS<br>NS          |                              |
| Williams, Jack H. & Evangeline   | R-507<br>R-406          | Deceased   | NS<br>S           |                              |
| Kenneth & Eliz. Williams Trust<br>Williams, Kenneth & Elizabeth            | W-79<br>W-76            | Executed by Kenneth & Elizabeth M. Williams on behalf of illegible entity<br>Executed by Elizabeth Williams  | S                 |                              |
| Leonard & Emily Williams Trust<br>Williams, (Tr.)<br>Leonard S. & Emily M. | R-416<br>R-453<br>R-454 | E.M. Williams deceased; personal service on Ward L. Jennings, CPA, who "handles this estate"<br>Attempted service<br>Attempted service   | Q<br><br>S<br>S   |                              |
| Williams, Phillip A. & Jori Fay<br>Williams, Thomas E.                     | R-283<br>R-510          |  | S<br>NS           |                              |
| Wills, Dennis & Marilyn  |                         |  | NS<br>NS          |                              |
| Mines, Daniel R. & Karen L.  | R-280<br>R-282          |  | S<br>S            |                              |
| Wpfil, Tom & Candyce   | R-309<br>R-310          | Left copies with Rudy Clements; no indication of suitable age, discretion or residence<br>Left copies with Rudy Clements; no indication of suitable age, discretion or residence | Q<br>Q            | FRCP 4(e)(2)<br>FRCP 4(e)(2) |

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| Person or Entity                   | Type of Service | Comments  | Status of Service | Authority    |
|------------------------------------|-----------------|---|-------------------|--------------|
| Wise<br>David E. &<br>Catherine E. | R-284<br>R-285  |   | S<br>S            |              |
| Wolff, William J.                  | S-1             | Deceased  | NS                |              |
| Woodward, Arlene Aiazzi **         | R-304           | Personal service  | S                 |              |
| Woodward, Carol                    |                 |   | NS                |              |
| Wright,<br>Joseph &<br>Susan       |                 |   | NS<br>NS          |              |
| Wright, Mary Mackedie              |                 |   | NS                |              |
| Wright,<br>Wayne D. &<br>Nadia     | R-338<br>R-337  |   | S<br>S            |              |
| Wymore, Gerald Lee                 |                 |   | NS                |              |
| Yerington Paiute Tribe             | R-145           | Served Beckie Giron by leaving copies   | Q                 | FRCP 4(f)(1) |
| Zippwald, Jack C.                  |                 |   | NS                |              |
| Zwiebel,<br>A.J. &<br>A.E.         | R-407           | Personal service on Jack Springer, husband of Sharon Springer; no indication of authority to accept service on behalf of A.J. Zwiebel | Q<br>NS           | FRCP 4(e)(2) |

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**TABLE OF WAIVER OF SERVICE FORMS,  
RETURN OF SERVICE FORMS AND SUMMONSES  
FILED BY MINERAL COUNTY  
FOR NAMES OR ENTITIES THAT DO NOT APPEAR ON MINERAL COUNTY'S LIST**

| Person or Entity             | Type of Service | Comments  | Status of Service | Authority     |
|------------------------------|-----------------|---|-------------------|---------------|
| Bargstrom, Cynthia K.        | R-17            | Left copies with Jeff Peterson; no indication of suitable age, discretion or residence                | Q                 |               |
| Blakey, Richard              | R-22            | Left copies with Robert Blakey; no indication of suitable age, discretion or residence                | Q                 |               |
| Blakey, Robert               | R-23            |   | S                 |               |
| Bolt, Billy F.               | R-290           |   | S                 |               |
| Bolt, Norton                 | R-288           | Left copies with Ethel Schmid, & with son; no indication of suitable age, discretion or residence     | Q                 |               |
| Brown, Lois                  | R-26            | Left copies with Eva Jamison, daughter-in-law; no indication of suitable age, discretion or residence | Q                 |               |
| Cielei, Elena                | R-396           |   | S                 |               |
| County of Lyon, County Clerk | R-4             |   | S                 |               |
| Farias, D.W.                 | R-328           | Left copies with Carmen Farias; no indication of suitable age, discretion or residence                | Q                 |               |
| Hall, Walter                 | R-154           | Left copies with Dora Goddard, caregiver; no indication if Dora resides therein                       | Q                 |               |
| Hanks, Lawrence G.           | W-41            |   | S                 |               |
| Lewis, Marcy                 | R-438           |   | S                 |               |
| Lloyd, Norma M.              | R-400           |   | S                 |               |
| Lloyd, Thomas E.             | R-401           |   | S                 |               |
| Mausbach, Judith             | S-3             | Insufficient process; summons requires answer to complaint not on file                                | NS                | FRCP 12(b)(4) |

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| Parson or Entity      | Type of Service             | Comments   | Status of Service | Authority |
|-----------------------|-----------------------------|--|-------------------|-----------|
| Westraker, Robert     | R-105                       |  | S                 |           |
| Miller, Robert L.     | W-8                         |  | S                 |           |
| Moorehead, S.F., M.D. | W-86                        |  | S                 |           |
| Moss, Donald L.       | W-39                        |  | S                 |           |
| Sen, Nancy            | R-318                       |  | S                 |           |
| Sen, Peter            | R-317                       |  | S                 |           |
| Silva, Tildean        | R-249                       | "Parson accepting summons didn't know Tildean, but accepted anyways, as address was correct" | NS                |           |
| Smith, Gaila M.       | R-463 &<br>R-464 &<br>R-465 | Unable to execute because "no one at home"   | NS                |           |
| Neuve, Gary J.        | W-106<br>R-415              |  | S                 |           |
| Neuve, Mary R.        | W-38                        |  | S                 |           |

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 WALKER RIVER PAIUTE )  
 TRIBE, )  
 )  
 Plaintiff-Intervenor, )  
 )  
 vs. )  
 )  
 WALKER RIVER IRRIGATION )  
 DISTRICT, a corporation, et al. )  
 )  
 Defendants. )

IN EQUITY NO. C-125-ECR  
Subfile No. C-125-C

RETURN OF SERVICE

I \_\_\_\_\_, hereby certify that service of process of Mineral  
(print name of server)  
County's "Intervention Documents" was made pursuant to the Orders of the Court and  
Notice in Lieu of Summons

upon: \_\_\_\_\_ (print name of person served)  
of: \_\_\_\_\_ (title and company where applicable)  
on: \_\_\_\_\_ (date of service)  
at: \_\_\_\_\_ (time of service)

at the following place:  
\_\_\_\_\_ (address or location)

in the following manner:

served personally

left copies

unable to execute service (why) \_\_\_\_\_

\_\_\_\_\_

other (Specify) \_\_\_\_\_

\_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_

\_\_\_\_\_  
Address of Server



1 TREVA J. HEARNE, ESQ.  
2 JAMES SPOO, ESQ.  
3 ZEH, SPOO & HEARNE  
4 450 Marsh Avenue  
5 Reno, Nevada 89509  
6 (702)323-4599  
7  
8 Attorneys for Intervenor  
9 MINERAL COUNTY OF NEVADA  
10

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE DISTRICT OF NEVADA  
14

15 UNITED STATES OF AMERICA, ) IN EQUITY NO. C-125-ECR  
16 ) SUBFILE NO. C-125-C  
17 Plaintiff, )  
18 )  
19 WALKER RIVER PAIUTE TRIBE, )  
20 )  
21 Plaintiff-Intervenor, ) WAIVER OF PERSONAL SERVICE  
22 ) OF MOTIONS  
23 vs. )  
24 )  
25 WALKER RIVER IRRIGATION DISTRICT, )  
26 ) a corporation, et al., )  
27 )  
28 Defendants. )

29 TO: Zeh, Spoo & Hearne, attorneys for proposed  
30 Plaintiff/Intervenor, Mineral County, Nevada

31 I acknowledge receipt of your request that I waive  
32 personal service of the documents involving the motion to  
33 intervene of Mineral County, Nevada, in the action of United  
34 States of America, Plaintiff v. Walker River Irrigation District  
35 et al., Defendants, which is Case No. C-125, Subfile No. C-125-C,  
36 in the United States District Court for the District of Nevada.  
37 I have also received a copy of the motion to intervene of Mineral  
38 County, the proposed complaint-in-intervention of Mineral County,

1 the motion for preliminary injunction of Mineral County, and the  
2 Order Requiring Service of and Establishing Briefing Schedule  
3 Regarding the Motion to Intervene of Mineral County, along with  
4 two copies of this Waiver. I have also received a means by which  
5 I can return this signed waiver to you without cost to me.

6 I agree to save the cost of personal service of the  
7 documents, as above-described, by not requiring that I (or the  
8 entity on whose behalf I am acting) be served with judicial  
9 process in the manner provided by Federal Rules of Civil  
10 Procedure, Rule 4. I (or the entity on whose behalf I am acting)  
11 will retain all defenses or objections to this matter or to the  
12 jurisdiction or venue of the Court except for objections based on  
13 a defect, if any, in the manner in which these documents have been  
14 provided to me.

15 I understand, that if I (or the entity on whose behalf  
16 I am acting) do not appear and respond to the motion to intervene,  
17 by July 11, 1995, and if the Court enters further orders with  
18 respect to answers or other responses to the proposed complaint-  
19 in-intervention or responses to the Motion for Preliminary  
20 Injunction, that I (or the entity on whose behalf I am acting)

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

28

1 shall nevertheless be deemed to have notice of those subsequent  
2 orders of the Court.

3 DATED this \_\_\_\_ day of \_\_\_\_\_, 1995.

4  
5 \_\_\_\_\_  
6 (Signature)

7 \_\_\_\_\_  
8 (Printed name and title, if any)

9 \_\_\_\_\_  
10 (Company or entity, if any)

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