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### Colo. Water Conservation Board v. Upper Gunnison River Water Conservancy Dist.

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SUPREME COURT, STATE OF COLORADO

2 E. 14<sup>th</sup> Ave., 4<sup>th</sup> Floor

Denver, Colorado 80203

Appeal from the District Court, Water Division No. 4,  
State of Colorado

Case No. 02CW38

Honorable J. Steven Patrick, Presiding

**Appellants-opposers:**

Colorado Water Conservation Board, State Engineer and  
Division Engineer for Water Division No. 4

v.

**Appellee-applicant:**

Upper Gunnison River Water Conservancy District

**Appellees-opposers:**

Virgil and Lee Spann Ranches and Robert and Geraldine  
Howard; the City of Gunnison; Uncompahgre Valley  
Water Users Association; Colorado River Water  
Conservation District; Trout Unlimited; and Gerald E.  
Bullock, Thomas C. Kelley, Brenda M. Kelley, Roy B.  
Winslow, Helen Winslow, Paula J. Lehr, William F.  
Chambliss, Linda Chambliss, Kenneth R. Bergan, Mary  
T. Bergan, Ben Peterson, Jill Peterson, Karl R. Peterson,  
Ruth S. Peterson, Nancy Ruehle, Raymond L. Ruehle,  
Arthur I. Means, Toni M. Bullock, Linda M. Goldman,  
Mike Peterson, Carl Long, Ruth Marie Long, J. Craig  
Bryant, and Lu Ann L. Bryant.

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Water Conservancy District:

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FILED IN THE  
SUPREME COURT

OCT 06 2004

OF THE STATE OF COLORADO  
SUSAN J. FESTAG, CLERK

▲ COURT USE ONLY ▲

Case Number: 04SA44

**ERRATA CONCERNING ANSWER BRIEF OF APPELLEE  
UPPER GUNNISON RIVER WATER CONSERVANCY DISTRICT**

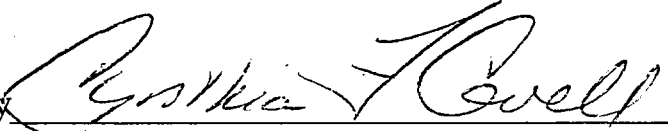
Appellee-applicant, Upper Gunnison River Water Conservancy District (“Upper Gunnison”), through its undersigned attorneys, submits the following errata concerning its answer brief:

After filing and serving its Answer Brief on September 30, 2004, Upper Gunnison discovered that references to exhibits admitted at trial did not include a citation to the record in which the exhibit was admitted as required under C.A.R. 28(e). Upper Gunnison therefore submits this errata sheet.

1. Exhibit UG-4 referenced in the brief at p. 3, and attached as Appendix 2, was admitted at Vol. IV, 230:1 - 4;
2. Exhibit UG-13 referenced in the brief at pp. 5, 6, 18, and 28, and attached as Appendix 3, was admitted at Vol. V, 24:6 - 9;
3. Exhibit UG-26 (also State’s Exhibit S-14b) referenced in the brief at pp. 2, 17, and 19, was admitted as S-14b at Vol. V, 176:7 - 13;
4. Exhibit UG-27 referenced in the brief at pp. 2 and 17, was admitted at Vol. V, 163:4 - 12;
5. Exhibit UG-198 referenced in the brief at pp. 6, 7, and 28, was admitted at Vol. VI, 74:15 - 22;
6. Exhibit UG-203 referenced in the brief at p. 16, was admitted at Vol. VII, 45:3 - 7;
7. Exhibit S-8 referenced in the brief at p. 24, was admitted at Vol. V, 187:23 - 190:4;
8. Exhibit S-9 referenced in the brief at pp. 11, 12, 13, and 14, was admitted at Vol. VI, 140:1 - 11; and
9. Exhibit S-10 referenced in the brief at p. 9, was admitted at Vol. VI, 141:4 - 9.

Respectfully submitted this 6<sup>th</sup> day of October, 2004.

ALPERSTEIN & COVELL P.C.

By 

Cynthia F. Covell #10169

Gilbert Y. Marchand, Jr., of counsel #19870

Andrea L. Benson #33176

ATTORNEY FOR UPPER GUNNISON RIVER WATER  
CONSERVANCY DISTRICT

**CERTIFICATE OF SERVICE**

I certify that on this 6<sup>th</sup> day of October, 2004, the foregoing **ERRATA CONCERNING ANSWER BRIEF OF APPELLEE UPPER GUNNISON RIVER WATER CONSERVANCY DISTRICT** was served by placing a copy of the same in the United States mail, first class postage prepaid, addressed as follows:

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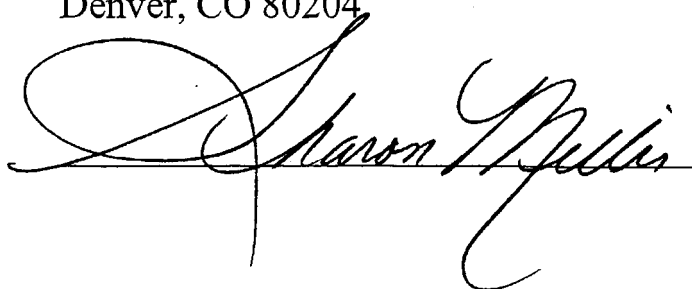
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A handwritten signature in black ink, appearing to read "Sharon Miller", is written over a horizontal line.