

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8977-77, W-9052-77,  
W-9064-77 and W-9065-77)

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STIPULATION

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IN THE MATTER OF THE AMENDED APPLICATIONS OF THE UNITED STATES OF AMERICA FOR RESERVED WATER RIGHTS IN THE SOUTH PLATTE RIVER IN BOULDER, CLEAR CREEK, DOUGLAS, EL PASO, GILPIN, JEFFERSON, LARIMER, PARK AND TELLER COUNTIES, (PIKE, ROOSEVELT, SAN ISABEL AND ARAPAHO NATIONAL FORESTS).

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Come now Applicant the United States of America ("United States"), and Objectors the State of Colorado ("State"), the Northern Colorado Water Conservancy District ("District"), and the City and County of Denver, acting by and through its Board of Water Commissioners ("Denver"), through their respective undersigned attorneys, and stipulate as follows:

1. In the course of discovery, Denver, the District, the State and the United States have requested copies of computer programs developed and used by each other's consultants or employees.

2. The parties or their consultants may have proprietary interests in the requested computer programs, and desire to limit their use to use for discovery and trial of the above-captioned cases.

3. Accordingly, the parties agree that, for any computer program received from any other party: (a) the program will not be used for any purpose other than trial preparation or trial of the above-captioned cases; (b) the program will not be released to anyone other than the undersigned parties' attorneys, employees, or consultants working on the above-captioned cases; and (c) no more than three copies will be made of the program and the

copies exchanged, any duplicates made, and any modifications thereof will be returned to the originating party within 30 days of the close of trial in the above-captioned cases.

4. The parties also recognize that the programs have been developed and modified for the originating party's use and convenience only. Any use and reliance on the programs by any other party shall be at that party's own risk, and the originating party shall not be liable for any alleged defects in the program.

Dated this 9<sup>th</sup> day of August, 1989.

FOR THE ATTORNEY GENERAL



CAROL D. ANGEL, 13123  
MARIE SANSONE, 17176  
Assistant Attorneys General  
Natural Resources Section

Attorneys for State of Colorado

1525 Sherman Street, 3d Floor  
Denver, Colorado 80203  
Telephone: 866-5114  
AG Alpha No. LW NR YNR  
AG File No. EWA8900604

MICHAEL J. NORTON  
United States Attorney

By: 

Andrew F. Walch  
Lynn A. Johnson, 15394  
Daria J. Zane  
U.S. Department of Justice  
Land & Natural Resources Division  
1961 Stout Street, Drawer 3607  
Denver, CO 80294  
Telephone: 844-2894

DAVIS, GRAHAM & STUBBS

By: Alison L. Taylor  
Robert V. Trout, 7190  
Alison L. Taylor, 17509  
370 Seventeenth Street  
Suite 4700  
P.O. Box 185  
Denver, CO 80201-0185  
Telephone: 892-9400  
Attorneys for Objector Northern  
Colorado Water Conservancy District

Wayne D. Williams, 4152  
Michael L. Walker, 2828  
Henry C. Teigen, 5936  
Anne R. Avery, 9092  
Casey S. Funk, 11638  
Mary B. Moore, 12734

By: Casey S Funk  
Attorney for Opposer,  
City and County of Denver,  
acting by and through its  
Board of Water Commissioners  
1600 West 12th Avenue  
Denver, Colorado 80254  
Telephone: 628-6460

ORDER

The foregoing Stipulation is hereby approved, this \_\_\_\_\_  
day of \_\_\_\_\_, 1989.

BY THE COURT

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ROBERT A. BEHRMAN, JUDGE