

*ANNOUNCEMENTS*  
*COLORADO SUPREME COURT*  
*TUESDAY, JANUARY 18, 2005*

"Slip opinions" are the opinions as filed by the judges with the clerk. Slip opinions are subject to modification, rehearing, withdrawal, or clerical corrections. A link to any modifications to previously posted opinions will appear in the petition for rehearing section of the announcement document the day the changes are announced.

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OPINIONS

<p>SUPREME COURT, STATE OF COLORADO  Two East 14<sup>th</sup> Avenue  Denver, Colorado 80203</p> <p>Original Proceeding Pursuant to C.A.R. 21  Colorado Court of Appeals, Case No. 04CA0514</p>	<p><a href="#">Case No. 04SA194</a></p>
<p>In re:</p> <p><b>Plaintiff:</b></p> <p>THE PEOPLE OF THE STATE OF COLORADO,</p> <p>v.</p> <p><b>Defendant:</b></p> <p>BOBBY L. BAKER.</p>	
<p style="text-align:center">RULE MADE ABSOLUTE  EN BANC</p> <p>CHIEF JUSTICE MULLARKEY delivered the Opinion of the Court.  JUSTICE COATS dissents, and JUSTICE KOURLIS joins in the dissent.</p>	

<p>SUPREME COURT, STATE OF COLORADO Two East 14<sup>th</sup> Avenue Denver, Colorado 80203</p> <p>Certiorari to the Colorado Court of Appeals Court of Appeals Case No. 00CA2196</p>	<p><a href="#">Case No. 03SC567</a></p>
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**Petitioner:**

ROBERT QUINTANO,

v.

**Respondent:**

THE PEOPLE OF THE STATE OF COLORADO.

JUDGMENT AFFIRMED  
EN BANC

JUSTICE KOURLIS delivered the Opinion of the Court.  
JUSTICE COATS does not participate.

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<p>SUPREME COURT, STATE OF COLORADO Two East 14<sup>th</sup> Avenue Denver, Colorado 80203</p> <p>Certiorari to the Colorado Court of Appeals Court of Appeals No. 02CA1145</p>	<p><a href="#">Case No. 03SC556</a></p>
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**Petitioner:**

ENRIQUE LOBATO,

v.

**Respondents:**

INDUSTRIAL CLAIM APPEALS OFFICE OF THE STATE OF COLORADO and WESTERN FORGE.

JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS  
EN BANC

JUSTICE HOBBS delivered the Opinion of the Court.  
JUSTICE COATS dissents.

<p>SUPREME COURT, STATE OF COLORADO Two East 14<sup>th</sup> Avenue Denver, Colorado 80203</p> <p>Certiorari to the Colorado Court of Appeals Court of Appeals Case No. 00CA2351</p>	<p><a href="#">Case No. 03SC664</a></p>
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<p><b>Petitioner:</b></p> <p>WARREN WOELLHAF,</p> <p>v.</p> <p><b>Respondent:</b></p> <p>THE PEOPLE OF THE STATE OF COLORADO.</p>	
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JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS  
EN BANC

JUSTICE MARTINEZ delivered the Opinion of the Court.

<p>SUPREME COURT, STATE OF COLORADO Two East 14<sup>th</sup> Avenue Denver, Colorado 80203</p> <p>Appeal from the District Court, Water Division 1 Case No. 96CW14 Honorable Jonathan Hays, Judge</p>	<p><a href="#">Case No. 01SA412</a></p>
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IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF PARK COUNTY SPORTSMEN'S RANCH,

**Applicants-Appellants:**

CITY OF AURORA, a municipal corporation of the counties of Adams, Arapahoe and Douglas, acting by and through its Utility Enterprise; PARK COUNTY SPORTSMEN'S RANCH, L.L.P., a limited liability partnership; and KENNETH BURKE, former counsel for Park County Sportsmen's Ranch, LLP,

v.

**Objectors-Appellees:**

COLORADO STATE ENGINEER, HAROLD D. SIMPSON, Division Engineer For Water Division No. 1; COLORADO WATER CONSERVATION BOARD; COLORADO STATE DIVISION OF WILDLIFE; CITY OF THORNTON; CITY OF ENGLEWOOD; CITY AND COUNTY OF DENVER; COUNTY OF PARK; CENTER OF COLORADO WATER CONSERVANCY DISTRICT; ELKHORN RANCH HOME OWNERS ASSOCIATION; UPPER SOUTH PLATTE WATER CONSERVANCY DISTRICT; BOARD OF COMMISSIONERS OF COUNTY OF PARK; PARK COUNTY WATER PRESERVATION COALITION; UNITED STATES OF AMERICA; CENTENNIAL WATER and SANITATION DISTRICT; UNION PACIFIC RESOURCES COMPANY; THE FRIEDA WAHL TRUST; STEVE BARGAS; KIMBERLY BARGAS; FRIDA BARGAS; H. D. and MARY CATHERINE COLEMAN; JAMES T. BENES; JAMES T. BENES, JR.; CASSANDRA L. BENES TRUST; TARRYALL LAND and CATTLE LLC; MAGNESS LAND HOLDINGS, LLC; ESTATE OF BOB MAGNESS; PERSONAL REPRESENTATIVE OF THE ESTATE OF BOB MAGNESS; TOWN OF FAIRPLAY; JIM CAMPBELL; JAMES CAMPBELL; RUTH BARTLE; INDIAN MOUNTAIN CORPORATION; JILL E. BOICE; BOB BURCH; ROBERT W. HECKENDORF; MICHAEL and VICKI LOTHROP; RICHARD A. GRENFELL; DAVID WILSON; DARRELL JOHNS; DAVID JOHNS; JOHN JOHNS; JOSEPH G. and JOYCE C. MINKE; JAMES E. COPANOS; CENTRAL COLORADO CATTLEMEN'S ASSOCIATION; GREGORY SNAPP; ROY G. DOERR; ERIK TAYLOR; WILDWOOD RECREATIONAL VILLAGE ASSOC.; MARK and CAROL CARRINGTON; HANSLUDWIG KOMMERT; and STEPHEN R. CLINE.

JUDGMENT AFFIRMED IN PART, REVERSED IN PART AND CASE REMANDED  
EN BANC

JUSTICE RICE delivered the Opinion of the Court.

PETITIONS FOR REHEARING

NONE

PETITIONS FOR WRIT OF CERTIORARI

No. 04SC324  
Court of Appeals Case No. 01CA2194 (3/25/04)

THE PEOPLE OF THE STATE OF COLORADO,                   Petitioner/Cross-Respondent,  
                  v.  
DARRICK LOVE,   Respondent/Cross-Petitioner.

Petition and Cross-Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE COATS does not participate.

JUSTICE KOURLIS would grant as to the following issue:

Whether the court of appeals erred in determining that the trial court committed reversible error when it responded to the jury's question during deliberations requesting a transcript of the defendant's testimony without consulting the defendant or counsel.

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No. 04SC484  
                  Court of Appeals Case No. 03CA0421 (6/24/04)

JAMES METTER and LARRY MOHME, individually,  
and d/b/a LAKE FORK GUEST RANCH; and  
RONNIE LANDERS, HARRY LANDERS, and  
JEAN LANDERS, individually, and d/b/a  
WILD HORSE OUTFITTERS,   Petitioners,  
                  v.  
BILL MUMMA, JAN MUMMA, JIM PEDERSON,  
and MARCIE PEDERSON,   Respondents.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 04SC621  
Court of Appeals Case No. 02CA2365 (8/5/05)

ANTHONY PETE SALAZAR,   Petitioner,  
                  v.  
THE PEOPLE OF THE STATE OF COLORADO,                         Respondent.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 04SC627  
Court of Appeals Case No. 03CA0537 (8/12/04)

HEIDI GRIFFIN,   Petitioner,  
                  v.  
STATE FARM FIRE & CASUALTY COMPANY,                             Respondent.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of Issue:

Whether the application and statements made by the agent for respondent were an offer to petitioner that she properly accepted in the manner requested.

DENIED AS TO ALL OTHER ISSUES.

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No. 04SC684  
Court of Appeals Case No. 02CA2249 (9/2/04)

THE CITY OF BOULDER, COLORADO, Petitioner,  
v.  
GARY CHRISTEL; MARINELA CHRISTEL;  
THERON MERRILL; and E.C. and C.C.,  
Minor Children, by their next friends  
GARY CHRISTEL and MARINELA CHRISTEL, Respondents.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 04SC735  
Court of Appeals Case No. 02CA2078 (10/7/04)

MICHAEL COOPER, Petitioner,  
v.  
THE PEOPLE OF THE STATE OF COLORADO, Respondent.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 04SC805  
Court of Appeals Case Nos. 03CA1839 & 03CA1868 (8/12/04)

E.H. and G.H., Petitioners,  
v.  
THE PEOPLE OF THE STATE OF COLORADO, Respondent,

In the Interest of:  
B.H., C.H., K.H., V.H., M.H., and B.H., Minor Children.

Petition for Writ of Certiorari DENIED. EN BANC.  
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