

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

Civil Action No. 1:18-cv-3258-CMA

SAVE THE COLORADO, a Colorado nonprofit corporation;
THE ENVIRONMENTAL GROUP, a Colorado nonprofit corporation;
WILDEARTH GUARDIANS, a nonprofit corporation;
LIVING RIVERS, a nonprofit corporation;
WATERKEEPER ALLIANCE, INC., a nonprofit corporation; and
SIERRA CLUB, a nonprofit corporation.

Petitioners,

v.

LIEUTENANT GENERAL SCOTT A. SPELLMON, in his official capacity as the Chief of
the U.S. Army Corps of Engineers;
DEB HAALAND, in her official capacity as Secretary of the Interior; and
MARTHA WILLIAMS, in her official capacity as the Principal Deputy Director, exercising
the authority of Acting Director, of the U.S. Fish and Wildlife Service.

Respondents.

NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1291 and Federal Rule of Appellate Procedure 3(a)(1),
Petitioners Save The Colorado, The Environmental Group, WildEarth Guardians, Living
Rivers, Waterkeeper Alliance, Inc., and Sierra Club (collectively, "Petitioners") hereby
timely appeal to the United States Court of Appeals for the Tenth Circuit from the District
Court's Order (ECF No. 70) granting Federal Respondents' and Respondent-Intervenor's
motions to dismiss Petitioners' Petition for Review (ECF Nos. 49 & 47), and the District
Court's Judgment (ECF No. 71) dismissing this action, both filed on March 31, 2021.

Respectfully submitted,

/s/ William S. Eubanks II

William S. Eubanks II

bill@eubankslegal.com

Eubanks & Associates, PLLC

1331 H Street NW, Suite 902

Washington, DC 20005

Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2021, a copy of the foregoing was filed through the Court's CM/ECF management system and electronically served on counsel of record.

/s/ William S. Eubanks II
William S. Eubanks II