IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4

STATE OF COLORADO

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of October 2026.
The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:
The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.

Case No. 26CW23 Applicant Daren Hansen 300 SE Sandstone Court Cedaredge CO, 81413. Application for Absolute Surface Water Rights. Hansen Spring Collection Box - NE1/4SW1/4 Section 6 T13S R92W 6th. Easting 264692.922 Northing 431466.872. Source: Leroux Creek tributary to the North Fork of the Gunnison River. Date of Appropriation: May 01, 2026. Amount Claimed: 1gpm for stock watering and associated incidental uses including rinsing and cleaning. **DELTA COUNTY**

Case No. 26CW24 (Ref No. 20CW30) Applicant Jerald L. Sutton 689 25 ½ Rd, Grand Junction CO 81505. Application To Make Absolute in Whole or In Part. Sutton Glade Spring No. 2 - SE1/4SE1/4 Section 24 T13S R102W 6th. Easting 0175970.3 Northing 4312566.3. Source: Ground Spring of Little Dolores River. Date of Appropriation: June 19, 2020. Amount Claimed: ½ gpm for wildlife, livestock, trees, fire control, and domestic use. The application on file with the Water Court contains an outline of the work performed during the diligence period. **MESA COUNTY**

Case No. 26CW25 (Ref No. 01CW70) Applicants Barbara Bull 509 Jerstad Court, Moscow ID 83843, Deborah Dominguez 15776 Bull Mesa Rd, Cedaredge CO 81413, Ronald E. Jones and Holly S. Jones 15008 Happy Hollow Rd, Eckert CO 81418. Application for Correction for an Established but Erroneously Described Point of Diversion. Right Hand Ditch, Slaughter Draw Diversion Structure - SW1/4NE1/4 Section 25 T13S R95W 6th. Easting 243164.64 Northing 4309150.75. Source: Slaughter Draw, Childs Draw, Lingren Ranch, all Tributary to Happy Hollow in the Gunnison River. Date of Appropriation: September 1, 1894. Amount Claimed: 1.65 cfs for Irrigation. **DELTA COUNTY**

Case No. 26CW3052 Application for Conditional Underground Water Right. Applicant: Star Mountain Ranch Association, Inc., c/o John T. Howe, Hoskin Farina & Kampf, P.C., 200 Grand Avenue, Suite 400, Grand Junction, Colorado 81501; (970) 986-3400. Attorney for Applicant: John T. Howe, Hoskin, Farina & Kampf, Professional

Corporation, Post Office Box 40, Grand Junction, Colorado 81502; (970) 986-3400. **Summary of Application**: Applicant seeks a conditional groundwater right for groundwater captured by the abandoned Alpine Coal Mine located in the Ohio Creek Basin in Gunnison County, Colorado for fire protection and stock watering. The Alpine Coal Mine is located approximately 14.2 miles north of Highway 135 on County Road 730 (Ohio Creek Road) within the Star Mountain Ranch development. The Alpine Coal Mine operated in the late 19th Century and early 20th Century, but has been abandoned for many years. The plan involves tapping into an existing water source, the Alpine Coal Mine shaft, which is available year-round. The water that is the subject of this Application is intended to enhance fire-fighting capability in the greater Upper Ohio Creek Valley of Gunnison County by adding quick access to additional water resources in the Upper Ohio Creek Valley to effectively combat and contain residential fires and wildfires.. **Request for Underground Water Right**: Name of Well: Alpine Coal Mine. Source: groundwater tributary to Ohio Creek, tributary to the Gunnison River. Depth: 150 feet. Location: NW ¼ SE ¼ SW ¼ of Section 7, Township 15 South, Range 68 West of the 6th P.M. UTM Coordinates: 321952 Easting, 4291890 Northing, Zone 13, NAD83. Uses: fire protection, including storage for subsequent use, and stock watering. Appropriation Date: October 21, 2026 for fire protection; October 1, 1992 for stock watering. Quantity: 1.67 c.f.s. (750 gpm) for fire protection; .100 c.f.s. for stock watering. Landowner: John S. Walker and Janet E. Walker. Comments: Water runs out of the Alpine Coal Mine shaft year-round, continuously recharged from the Alpine Coal Mine adits and rooms. Preliminary calculations estimate that this mine shaft contains 350,000 to 420,000 gallons of water. Water discharging from the mine entrance has been used by Applicant's grazing lessees for stock watering of cattle since 1992. The application on file with the Water Court contains an outline of the work performed during the diligence period **GUNNISON COUNTY**

Case No. 26CW3053 (Ref No. 20CW3038, 13CW3007, and 03CW278) APPLICATION FOR FINDING OF REASONABLE DILIGENCE **1. Name, address, email, and telephone number of Applicant:** RRE24 Cornerstone, LLC, a Delaware limited liability company c/o Rex McGuire 2600 N Ashton Blvd Ste 200B Lehi, UT 84048 Email: rex.mcguire@reefcp.com. Please send all pleadings and correspondence to: BROWNSTEIN HYATT FARBER SCHRECK, LLP Wayne F. Forman, #14082, Michael P. Smith, #48730, Jack Wold-McGimsey, #59382 at 675 15th Street, Suite 2900 Denver, CO 80202 Phone: 303.223.1100 Fax: 303.223.1111 E-mail: wforman@bhfs.com; msmith@bhfs.com; jwold-mcgimsey@bhfs.com **2. Name of Structure:** A. Cornerstone Reservoir #1 **3. Description of Conditional Water Rights:** A. Date of Original Decree: May 22, 2007, Case No. 03CW278, District Court, Water Division No. 4. B. Dates of Subsequent Decrees Awarding Findings of Diligence: October 13, 2020, Case No. 20CW3038 and March 3, 2014, Case No. 13CW3007, District Court, Water Division No. 4. C. Legal Description of Structure: County: Ouray SW ¼ SE ¼ of Section 6, Township 46 North, Range 9 West, N.M.P.M. 800 feet from the South section line and 1737 feet from the East section line. *See* map attached as **Exhibit 1**. D. Source: West Fork Horsefly Creek, a tributary to Horsefly Creek, a tributary to the Uncompahgre River. E. Appropriation Date: December 29, 2003. F. Amount: 220 acre feet per year, conditional. G. Uses: The reservoir is decreed for recreation,

irrigation, domestic, municipal, piscatorial, wildlife, augmentation and exchange. H. The Cornerstone Reservoir #1 is part of an integrated water supply system with Cornerstone Reservoir #4. *See* Case No. 13CW3007, ¶ 10; Case No. 03CW278, ¶ 8.

4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures during the diligence period: During the relevant diligence period between November 2020 and October 2026, the Applicant and its predecessor expended extraordinary effort and expense towards the development of the water resources at the real property comprising the Cornerstone development, including towards evaluating the Cornerstone Reservoir #1 conditional water right, including, but not limited to, the following: A. Before Applicant's acquisition, Cornerstone Acquisition Group ("CAG") owned the Cornerstone Property and the associated absolute and conditional water rights. During that time (November 2020 to December 2024), CAG expended hundreds of hours and significant financial resources managing and evaluating the water resources at Cornerstone, maintaining headgates and ditches, and filing diversion records. CAG also: i. engaged SGM, Inc. ("SGM") as its water resource consultant to conduct a hydrologic analysis of the water supplies available for the water rights decreed to Cornerstone Reservoirs # 1 and #4, and to analyze the water rights regime in the basin in which Cornerstone's water rights are located. ii. engaged Brownstein Hyatt Farber Schreck, LLP ("Brownstein"), as water counsel who, together with SGM, evaluated acquiring additional water resources, and pursued the filing and prosecution of an application for a First Enlargement water right for Cornerstone Reservoir #4 water right in Case No. 2020CW3070. B. On December 20th, 2024, Applicant purchased the Cornerstone Property for over $21 million, together with the conditional water rights and all associated structures, ditch rights, and easements, by deed recorded at Reception No. 238473 in the records of Ouray County and No. 977459 in the records of Montrose County. Applicant expended substantial time and effort evaluating, negotiating, and diligencing the acquisition. Applicant acquired the water rights, including the subject conditional water right, for the purpose of putting them to their decreed beneficial uses on the Cornerstone Property. C. In connection with the purchase, Applicant incurred approximately $14,500 in water rights due diligence expenses, including title review of the water rights, review of the decrees and diversion records, and engineering evaluation of the structures. D. In September 2026, Applicant purchased the Sanders Ranch property and its associated Albush water right for over $1.8 million, by deed recorded at Reception No. 994489 in the Montrose County records. This acquisition was for the purpose of adding to Applicant's water rights portfolio to enhance the water supply available to the Cornerstone Property. E. Applicant and Applicant's predecessor CAG incurred more than $58,000 in legal fees adjudicating new water rights and meeting its diligence obligations. F. Applicant incurred more than $45,000 in costs for technical support related to evaluating and enhancing the water supply available to Cornerstone, including for the following: i. planning for an enlargement of Cornerstone Reservoir #4; ii. project mapping; iii. preparing water supply yield estimates for Cornerstone Reservoir #4; iv. coordinating with Division of Water Resources staff and various stakeholders; v. investigating alternative water supplies and potential leases; vi. evaluating the historical use of the Albush Ditch; vi. interviewing the owner of the Albush Ditch about the historical use

and operations of the water right; viii. analyzing the historical consumptive use of the Albush Ditch water right; ix. preparing water supply yield estimates for Cornerstone Reservoir #1; and x. conducting a site visit to evaluate the installation of a measurement device (gage) in the channel near the Cornerstone Reservoir #1 dam location. G. Since acquiring the Cornerstone Property, Applicant has also: i. retained Cow Creek Consulting for water rights supply investigation at an approximate cost of $1,000; ii. performed cleaning and repair of ditches in 2026 at a cost of approximately $6,000; iii. expended over $5,000 worth of employees' time in salaries to assist with diligence efforts for the Sanders Ranch properties and Albush water rights acquisitions; iv. retained Brian Wallin as a consultant, who assisted both CAG and the Applicant with diligence efforts and water management throughout the diligence period, at an approximate cost of over $23,000; v. installed measuring devices in 2026; and vi. prepared a land use and development plan for the Cornerstone Property that relies on the conditional water rights. **5. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored including any modification to the existing storage pool:** A. All diversion or storage structures are located on Applicant's land. WHEREFORE, Applicant requests the Court enter a decree: 1. Finding that reasonable diligence has been exercised and that the subject conditional water right for Cornerstone Reservoir #1 remains in full force and effect; and 2. Granting such other relief as the Court deems just and proper. The application on file with the Water Court contains an outline of the work performed during the diligence period. **OURAY AND MONTROSE COUNTIES**

Case No. 26CW3054 1. Applicant: Zachary Jess Hotchkiss, 422 Riverside Dr., Hotchkiss, CO 81419; (970) 250-5542 c/o Camp & Skarka, LLC, 415 Palmer St., Delta, CO 81416. APPLICATION FOR CHANGE OF WATER RIGHT (ALTERNATE POINT OF DIVERSION). 2. Name of Structure: Hotchkiss Ditch No. 2 (WDID 4000999). 3. Date of Original Decree: May 28, 1937, Civil Action No. 2563, District Court in and for Delta County, Colorado (Water District No. 40), Priority No. H-42. There are no subsequent decrees. 4. Decreed Location: The headgate is located on the left bank of Miller Gulch at a point whence the South quarter corner of Section 30, Township 14 South, Range 92 West, of the 6th P.M. bears South 7 deg. 10' East 1675 feet. The Colorado Division of Water Resources locates the structure in the NE1/4SW1/4 of Section 30, Township 14 South, Range 92 West, of the 6th P.M. The location in UTM format is described as Zone 13, NAD83 Easting 0264109, Northing 4298461. 5. Source: Return and seepage water running into Miller Gulch (identified by DWR as Short Draw), tributary to the North Fork of the Gunnison River. 6. Date of Appropriation: June 1, 1902. 7. Amount and Use: 3.37 c.f.s., absolute, for irrigation of 135 acres. 8. Historical Use: The water right has been used to irrigate up to 135 acres of land lying under the ditch in Section 31, Township 14 South, Range 92 West, of the 6th P.M., Delta County. A summary of the diversion records for WDID 4000999 is attached to the application as Exhibit B. 9. Proposed Change: Applicant seeks a change of water right pursuant to C.R.S. §§ 37-92-103(5)(a), 37-92-302(1)(a), and 37-92-305(3)(a) to change the entire 3.37 c.f.s. from a fixed point of diversion to alternate points of diversion, so that the water right may be diverted at either

the decreed point of diversion or the following Alternate Point of Diversion ("APOD"): NE1/4NW1/4 of Section 31, Township 14 South, Range 92 West, of the 6th P.M. The location in UTM format is described as Zone 13, NAD83 Easting 0263975, Northing 4297865. The APOD is on the same drainage as the decreed headgate and lies near the lower end of the ditch as described in the decree. Water has been diverted at the APOD. Applicant will retain the decreed point of diversion. Applicant does not seek to change the type, place, or time of use of the water right, the decreed amount, or its priority. 10. Proposed Terms and Conditions: The combined diversions at the decreed point of diversion and the APOD shall not exceed 3.37 c.f.s. at any time; diversions at the APOD shall be made only when the water right is in priority and only to the extent water is physically and legally available at the decreed point of diversion; water diverted at the APOD shall be used only for irrigation of the lands historically irrigated, with no expansion of historical use; and, if required by the Division Engineer, Applicant will install and maintain measuring devices at both points of diversion. 11. Names of owners of the land upon which any new diversion structure or modification to any existing diversion structure is or will be located: Applicant. **DELTA COUNTY**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of **December 2026** to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: $192.00; Forms may be obtained from the Water Clerk's Office or on our website at Division 4 | Colorado Judicial Branch This publication can be viewed in its entirety on the state court website at: Division 4 | Colorado Judicial Branch.) JODI HANSON, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401