

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation for the DUCHESNE COUNTY UPPER COUNTRY WATER IMPROVEMENT DISTRICT ANNEXATION located in DUCHESNE COUNTY, dated JUNE 8, 2023, complying with Section §17B-1 et seq, Utah Code Annotated, 1953, as amended.

Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the DUCHESNE COUNTY UPPER COUNTRY WATER IMPROVEMENT DISTRICT ANNEXATION, located in DUCHESNE COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 8<sup>th</sup> day of June, 2023 at Salt Lake City, Utah.



A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor

*McKeachnie Law Offices, P.C.*

Attorneys, Mediators, Advisors, and Counselors

Gayle F. McKeachnie

P. O. Box 340  
2575 W. Hwy 40  
Vernal, Utah 84078  
Phone: (435) 789-4908  
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E-mail: gmckeachnie@mckeachnie.com

June 8, 2023

GOVERNOR DEIDRE HENDERSON  
UTAH LIEUTENANT GOVERNOR'S OFFICE  
350 N STATE ST, SUITE 220  
SALT LAKE CITY UT 84114

annexations@utah.gov

RE: Duchesne County Upper Country Water Improvement  
District Annexation - Notice of Impending Boundary  
Action

Dear Governor Henderson:

We are enclosing the following documents:

1. Notice of Public Hearing for the Annexation
2. Resolution Annexing Land into Duchesne County Upper Country Water Improvement District dated November 17, 2022
3. Final Local Entity Plat

Duchesne County Upper Country Water Improvement District is annexing additional property to its Annexation Area in accordance with Utah State Code Section 17B-1 et seq.

We understand the Lt. Governor's office will review this information within 10 days of receipt and if the requirements of Subsection (3) of Utah Code 67-1a-6.5 are met then the applicable certificate will be issued. We have enclosed a copy of the Utah Code Section 67-1a-6.5 for easy reference.

Please let us know if you have any questions.

Very truly yours,

McKeachnie Law Offices, P.C.

*Gayle McKeachnie*  
Gayle F. McKeachnie

cc: Tyler Allred  
Chasity McKinnon

RESOLUTION ANNEXING LAND INTO  
DUCHESNE COUNTY UPPER COUNTRY WATER IMPROVEMENT DISTRICT

WHEREAS the Duchesne County Upper Country Water Improvement District is a water improvement district, duly organized under the laws of the State of Utah, Duchesne County, Utah, and,

WHEREAS the Duchesne County Upper Country Water Improvement District was created by the Duchesne County, Utah Board of Commissioners by Resolution dated 1990 and,

WHEREAS in the year 2021, two petitions were received by the District Board requesting that lands be added to the District by Annexation. Each petition was signed by the persons owning the land proposed to be annexed under the signed petition., and,

WHEREAS, the petitions both met the signature and assessed value requirements for Annexation Petitions established by Utah Code in Section 17B-1 et seq, and,

WHEREAS, the Board reviewed the two petitions and approved them and certified that approval, and delivered copies to the contact sponsors and mailed written Notice of the proposed Petitions to the Duchesne County Clerk and Attorney with a copy of the petitions and the certifications, and,

WHEREAS the Duchesne County Clerk and Attorneys Office have approved the proposed Annexation, and,

WHEREAS, a Public Hearing was scheduled, the required Notices of the Hearing were mailed to all persons shown on the County land records as owning land within the proposed area to be annexed and the Hearing was held September 15, 2022, and,

WHEREAS the Board heard comments and answered questions from the public and land owners and more than 30 days have passed since the Hearing and no protests to the Annexation have been filed with the Board, and,

WHEREAS the legal requirement for approving the Annexation have been met, the Board approves and adopts the following resolution:

NOW THEREFORE it is hereby resolved by the Governing Board of the Duchesne County Upper Country Water Improvement District, that

the following described lands are annexed into the Duchesne County Upper Country Water Improvement District:

00-0035-0874

Beginning at a point 682.32 feet North 0°20'34" East of the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Base and Meridian; thence North 0°20'34" East 645.94 feet to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 10; thence North 88°59'11" East 531.93 feet; thence South 1°02'36" East 330.30 feet; thence South 88°40'24" West 58.00 feet; thence South 0°20'34" West 312.49 feet; thence South 88°39'35" West 482.01 feet to the point of beginning.

Together with and subject to a 33.00 feet wide right-of-way being described as being 16.50 feet both left and right of the following described centerline:

Beginning at a point 482.01 feet North 88°39'35" East of the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Base and Meridian; thence North 0°20'34" East 994.81 feet.

00-0004-3749

The Southwest quarter of the Southwest quarter of Section 10, Township 1 South, Range 3 West, Uintah Special Base and Meridian.

00-0004-6049

Beginning at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Meridian; thence North 0°20'34" East 682.32 feet; thence North 88°39'35" East 482.01 feet; thence South 0°20'34" West 682.32 feet to the South line of said Section 10; thence South 88°39'35" West 482.01 feet along said South line to the point of beginning. Subject to a 16.5 feet right of way running the entire length of the East boundary of the parcel. Subject to that part being used as County Road right of way.

Adopted and approved by the Governing Board of the Duchesne County Upper Country Water Improvement District, November 17th, 2022.

Clyde Watton  
VICE CHAIR, Board Member

Charla Mills  
TREASURER, Board Member

Jimmy D. Brotherton  
MEMBER, Board Member

Curtis Miles  
MEMBER, Board Member

Ronald White  
MEMBER, Board Member

Notice of Public Hearing

Duchesne County Upper Country Water District  
Public Notice - Annexation

Notice is hereby given that the 15th day of September, 2022 has been set by the Board of the Duchesne County Upper Country Water District as the day for a public hearing to propose the annexation of the Annexation Area described below:

00-0004-6049

Beginning at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Meridian; thence North  $0^{\circ}20'34''$  East 682.32 feet; thence North  $88^{\circ}39'35''$  East 482.01 feet; thence South  $0^{\circ}20'34''$  West 682.32 feet to the South line of said Section 10; thence South  $88^{\circ}39'35''$  West 482.01 feet along said South line to the point of beginning. Subject to a 16.5 foot right of way running the entire length of the East boundary of the parcel. Subject to that part being used as County Road right of way.

00-0035-0874

Beginning at a point 682.32 feet North  $0^{\circ}20'34''$  East of the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Base and Meridian; thence North  $0^{\circ}20'34''$  East 645.94 feet to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 10; thence North  $88^{\circ}59'11''$  East 531.93 feet; thence South  $1^{\circ}02'36''$  East 330.30 feet; thence South  $88^{\circ}40'24''$  West 58.00 feet; thence South  $0^{\circ}20'34''$  West 312.49 feet; thence South  $88^{\circ}39'35''$  West 482.01 feet to the point of beginning.

Together with and subject to a 33.00 feet wide right-of-way being described as being 16.50 feet both left and right of the following described centerline:

Beginning at a point 482.01 feet North  $88^{\circ}39'35''$  East of the Southwest corner of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 4 West, Uintah Special Base and Meridian; thence North  $0^{\circ}20'34''$  East 994.81 feet.

00-0004-3749

The Southwest quarter of the Southwest quarter of Section 10, Township 1 South, Range 3 West, Uintah Special Base and Meridian.

The above described lands are not within the current service boundaries of the District. The District will provide service to the annexed area upon final approval.

The public hearing will be held at the Upper Country Office at 4132 North 15675 West, Altamont, Utah at 7:30 pm.

The estimated financial impact of this annexation on future taxes will be \$0.00. The operation of the District has been funded from the sale of water.

Property owners within the above described areas may file a written protest with the District Board within 30 days after the public hearing.

Please contact Chasity McKinnon at the District with any questions at 435-454-3513.

This Notice is given in accordance with Utah State Code 17B-1-407.

MAILING CERTIFICATE

Delaynee Reece, legal assistant of McKeachnie Law Offices, P.C., attorney for Duchesne County Upper Country Water District certifies that she mailed the attached Notice of Public Hearing upon each of the below property owners by placing a copy in an envelope and deposited the same, sealed, with first class postage prepaid thereon, in the United States Mail at Vernal, Utah, on the 30<sup>th</sup> day of August, 2022:

  
\_\_\_\_\_  
Delaynee Reece

Jesse Louder & Suzanne Louder  
PO Box 35  
Altonah, UT 84001

Spencer S. Ross & Brielle Fae Ross & Richard Wade Ross  
4416 W 3000 S  
Roosevelt, Utah 84066



FINAL LOCAL ENTITY PLAT FOR ANNEXATION OF  
**UPPER COUNTRY WATER  
 IMPROVEMENT DISTRICT**  
 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 4 WEST  
 UTAH SPECIAL BASE AND MERIDIAN  
 DUCHESNE COUNTY, UTAH

**WARNING**  
 THIS PLAT HAS BEEN PREPARED AT THE REQUEST OF THE UPPER COUNTRY WATER IMPROVEMENT DISTRICT

**DESCRIPTION OF PORTION TO BE ANNEXED**  
 This plat is a portion of Section 10, Township 1 South, Range 4 West, Duchesne County, Utah, as shown on the plat of the Upper Country Water Improvement District, recorded in the County Clerk's Office of Duchesne County, Utah, on July 27, 2022, and is located along the North line of said district plat. The portion to be annexed is bounded as follows:  
 Thence North 89°23'00" East 131.23 Feet along the North line of said district plat;  
 Thence South 89°23'00" East 131.23 Feet;  
 Thence South 89°23'00" East 131.23 Feet to the POINT OF BEGINNING, CONTAINING 15.00 ACRES.

**DISTRICT BOARD APPROVAL AND ACCEPTANCE**

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE DISTRICT BOARD:  
 \_\_\_\_\_  
 RECORDY (FOR DISTRIBUTION)

**SURVEYOR'S CERTIFICATE**

This is to certify that this plat was prepared from data obtained from the Duchesne County Surveyor's Office, and that the same is a true and correct copy of the original survey. The survey was conducted by the Surveyor on \_\_\_\_\_, 20\_\_\_\_, and the plat was prepared on \_\_\_\_\_, 20\_\_\_\_. The survey was conducted in accordance with the provisions of the Utah Surveying Act, Chapter 2, Title 73B, Utah Code Annotated, 1953, as amended.

**COUNTY SURVEYOR'S CERTIFICATE**

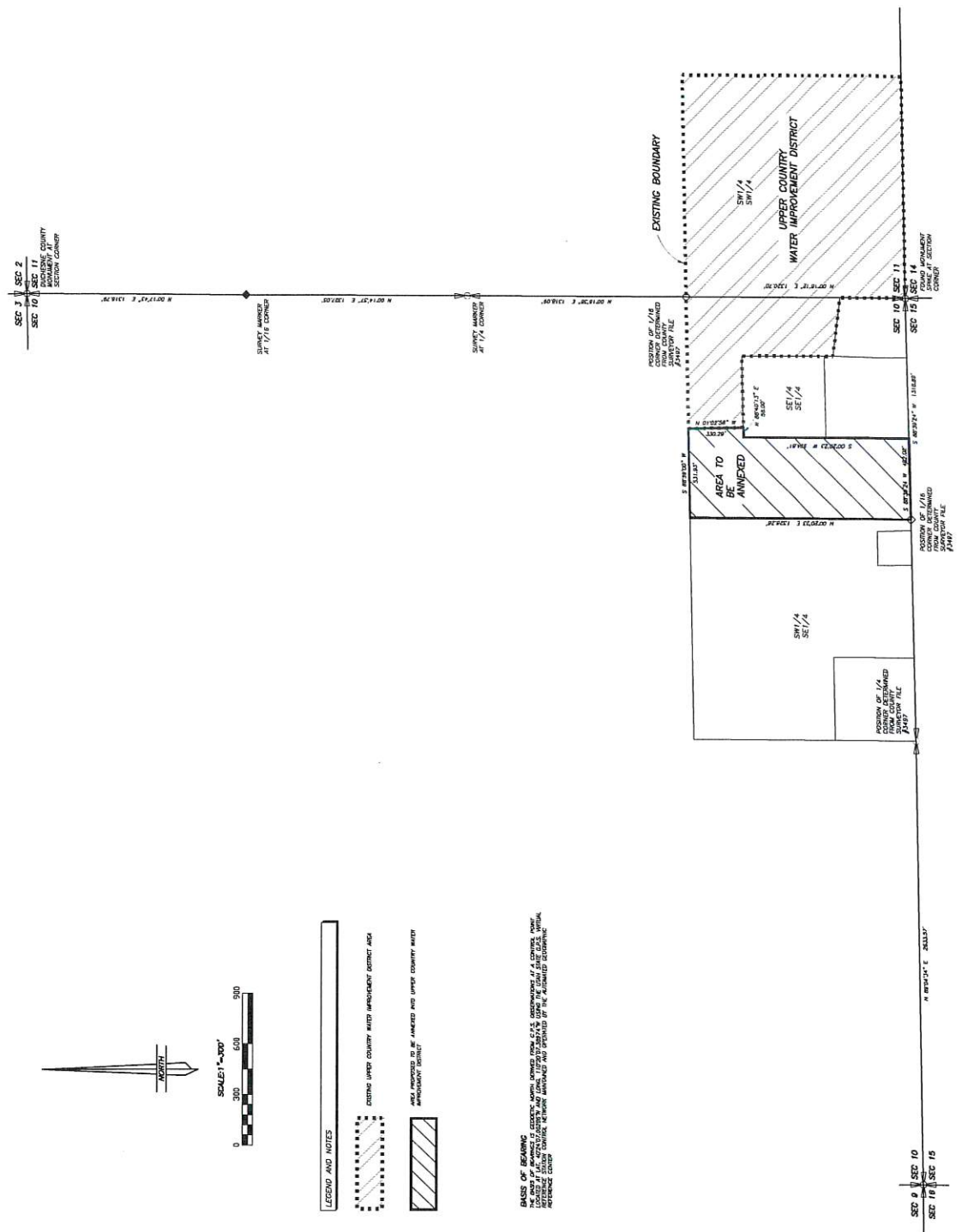
This is to certify that this plat was prepared from data obtained from the Duchesne County Surveyor's Office, and that the same is a true and correct copy of the original survey. The survey was conducted by the Surveyor on \_\_\_\_\_, 20\_\_\_\_, and the plat was prepared on \_\_\_\_\_, 20\_\_\_\_. The survey was conducted in accordance with the provisions of the Utah Surveying Act, Chapter 2, Title 73B, Utah Code Annotated, 1953, as amended.

**COUNTY RECORDER'S CERTIFICATE**

DATE OF PLAT \_\_\_\_\_, 20\_\_\_\_.  
 THIS IS TO CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE COUNTY RECORDER'S OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ A.M. AND IS DATE RECORDED.  
 COUNTY RECORDER



12 MAY 2022 22-171-001



**LEGEND AND NOTES**

EXISTING UPPER COUNTRY WATER IMPROVEMENT DISTRICT AREA

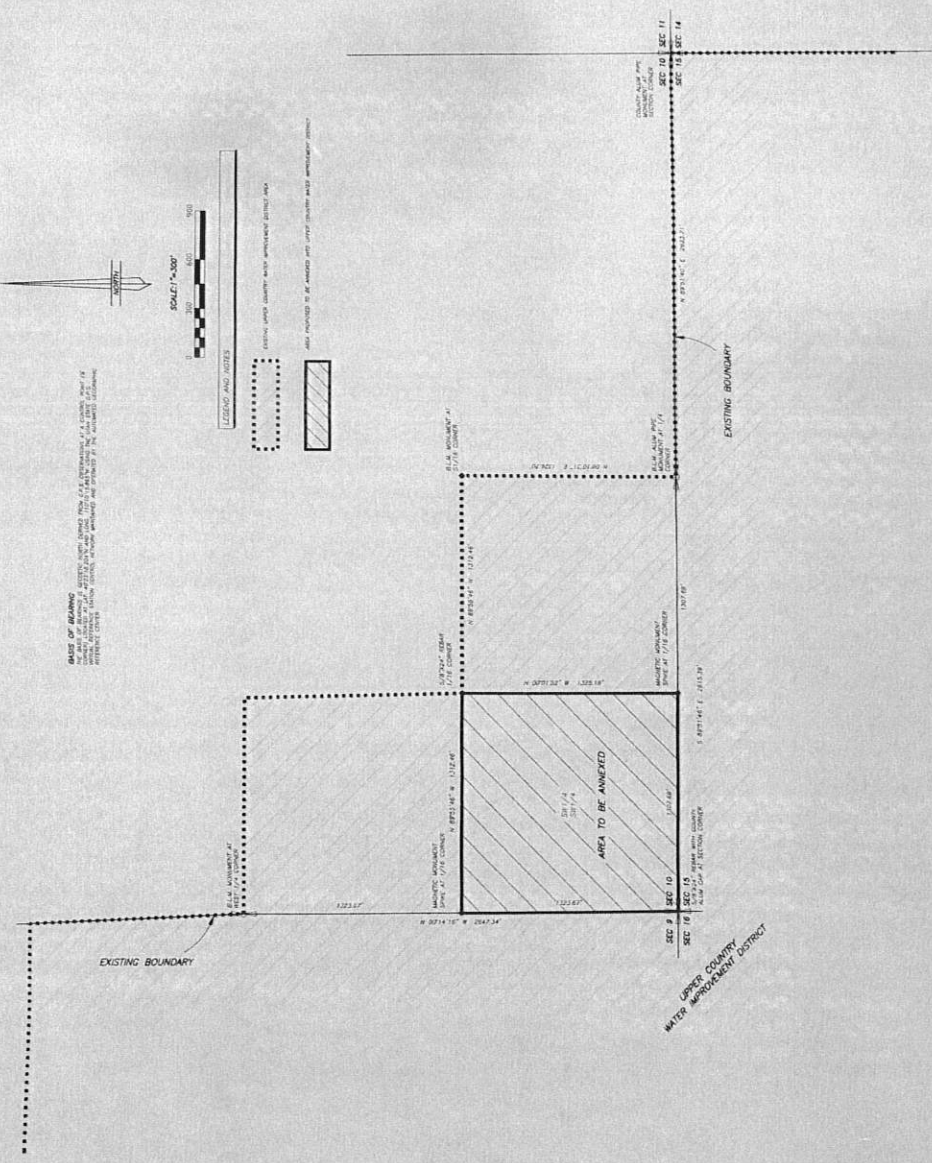
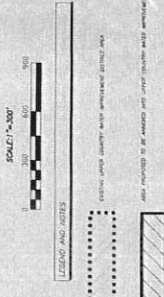
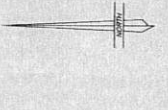
AREA ANNEXED TO BE ANNEXED AND UPPER COUNTRY WATER IMPROVEMENT DISTRICT

**BAIS OF BEARING**  
 BEARINGS AND DISTANCES WERE OBTAINED FROM THE COUNTY SURVEYOR'S OFFICE, DUCHESNE COUNTY, UTAH, ON \_\_\_\_\_, 20\_\_\_\_. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH SURVEYING ACT, CHAPTER 2, TITLE 73B, UTAH CODE ANNOTATED, 1953, AS AMENDED.

SEC 9 SEC 10  
 SEC 18 SEC 19

FINAL LOCAL ENTITY PLAN FOR ANNEXATION OF  
**UPPER COUNTRY WATER  
 IMPROVEMENT DISTRICT**  
 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 3 WEST  
 UTAH SPECIAL BASE AND MERIDIAN  
 DUCHESE COUNTY, UTAH

**BASE OF BEARING**  
 THE BEARING AND DISTANCE FROM THE CORNER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 3 WEST, UTAH SPECIAL BASE AND MERIDIAN TO THE CORNER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 3 WEST, UTAH SPECIAL BASE AND MERIDIAN IS AS SHOWN ON THIS PLAN.



**ANNEXATION**  
 THE PLAN HAS BEEN PREPARED BY THE REQUEST OF THE UPPER COUNTRY WATER IMPROVEMENT DISTRICT.

**DESCRIPTION OF WORK TO BE ANNEXED IN T10, R3W, 13.00N4M**  
 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 3 WEST, UTAH SPECIAL BASE AND MERIDIAN.

**DISTRICT BOARD APPROVAL AND ACCEPTANCE**  
 I, the undersigned, District Board member, do hereby certify that the above described work has been approved by the District Board on this 22nd day of JUNE, 2012.

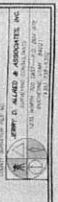
**SURVEYOR'S CERTIFICATE**  
 I, the undersigned, a duly licensed Professional Engineer, do hereby certify that the above described work has been surveyed and shown to be correct according to the laws of the State of Utah.



**COUNTY SURVEYOR'S CERTIFICATE**  
 I, the undersigned, County Surveyor, do hereby certify that the above described work has been surveyed and shown to be correct according to the laws of the State of Utah.



**COUNTY RESOLUTION CERTIFICATE**  
 I, the undersigned, County Clerk, do hereby certify that the above described work has been approved by the County Board on this 22nd day of JUNE, 2012.



**UPPER COUNTRY WATER IMPROVEMENT DISTRICT**  
 DISTRICT BOARD APPROVAL AND ACCEPTANCE