

# THE SLOAN LAW FIRM, PLLC

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August 10, 2018

**VIA EMAIL ONLY: psc@utah.gov**  
Public Service Commission  
160 E 300 S  
Salt Lake City, UT 84111

## ***Re. Request for Letter of Exemption - Wilson Arch Water and Sewer Company***

Dear PSC,

Enclosed, please find our request for a Letter of Exemption (“LOE”) for my client, the Wilson Arch Water and Sewer Company (“WAWSCo”). WAWSCo is exempt from state regulation under Utah Statute § 54-4-1, *et seq.*, because it supplies water and sewer services to its Shareholders only (the owners of Buildable Lots within the Wilson Arch Resort Community) and does not provide service to the general public.

By way of background, the Wilson Arch Resort Community is a subdivision with 131 buildable Lots 25.9 miles south of Moab, Utah. The Water System serving the Wilson Arch Resort Community is comprised of two parts – a system on the East side of Highway 191 and a system on the West side of Highway 191. While these systems are physically separate and distinct from each other, the Utah Division of Environmental Quality (“DEQ”) has combined the systems into one public water system known as the Wilson Arch Water System (UTAH19069). The Sewer System is located on the East side only; each Lot on the West Side has its own leachfield.

In addition, please note that during the subdivision approval process in 1998, San Juan County (“SJC”) required the Developer, Wilson Arch Properties, LLC, to create the Wilson Arch Water and Sewer Special Service District (the “SSD”) to operate the proposed Water and Sewer System for the subdivision. SJC then appointed an SSD Board of County Commissioners, but the SSD was not active for twenty years until SJC seated a new Board in June 2018. Thus, the Developer has installed, constructed, permitted, and operated the Water and Sewer System through WAWSCo. Upon compliance with the recent DEQ Order dated March 6, 2018, which we expect by year’s end, the Developer will convey the Water and Sewer System to the SSD.

The enclosed Request for LOE includes the following Attachments, for which I have included relevant notes:

1. Application for Public Service Commission Exemption.

2. Certificate of Existence from the State of Utah for the Corporation  
**NOTE:** San Juan County does not issue local business licenses.
3. March 6, 2018 DEQ Order for New Public Water System  
**NOTE:** WAWSCo is diligently working toward compliance with the Order in close coordination with the Division of Drinking Water (“DDW”). For more information, please contact Scott Hacking, the DDW District Engineer for the SE Utah District at scotth@utah.gov.
4. Certified Copies of the Articles of Incorporation and Bylaws for the Corporation.  
**NOTE:** As the drafter and filer of these documents, I hereby certify that these copies reflect true and accurate copies of the original Articles and Bylaws.
5. Proof of ownership of Water Rights No. 05-2992 for 110.50 acre-feet for use at Wilson Arch Resort Community consisting of: a) Summary of WR 05-2992 showing title in Wilson Arch Water and Sewer SSD; b) the original WRs Application, showing original ownership in WAWSCo; and c) the 2010 Report of Conveyance with Water Rights Deed moving WR 05-2992 from WAWSCo to the SSD.  
**NOTE:** In 1999, WAWSCo originally obtained Water Right No. 05-2992 in its name and delivered the water through the Water and Sewer System. In 2009 (recorded in 2010), prior to filing interim proof of Beneficial Use, WAWSCo transferred the water to the SSD. The SSD has allowed WAWSCo to use the water rights since 2010 without charge.
6. Proof of ownership of sufficient storage consisting of: a) As-Built Utility Maps showing the three existing (3) storage tank locations; b) the 2003 Operating Permit for the East Water System; c) the December 4, 2008 Letter from the State confirming required storage (for both Phase 1 and 2) and existing storage built out in Phase 1; and d) the August 7, 2007 SJC Fire/Emergency Services Approval letter.  
**NOTE:** The Water and Sewer System includes 80,000 gallons of storage within three (3) storage tanks on the East and West Systems. DEQ previously found this storage capacity slightly deficient. Accordingly, WAWSCo’s engineers are preparing a responsive engineering report to confirm the sufficiency of the existing storage since the Water System is underused, the large majority of residences are second homes, and the subdivision is not fully built-out yet (per Phase 2).
7. Proof of ownership of an approved water source with sufficient water flow consisting of the March 12, 2008 SJC Fire/Emergency Services approving the Water System flow. Please also see Attachments 5 and 6 for responsive documents showing the well locations and water flow.  
**NOTE:** The Water and Sewer System includes four underground wells, which are permitted points of diversions. The 4<sup>th</sup> well will serve Phase 2 and has not yet been developed.

8. Current Balance Sheet and Budget for WAWSCo.
9. Profit and Loss Statements for YTD and Prior 5 Years for WAWSCo.  
**NOTE:** Although WAWSCo was just incorporated this year, it has operated since 2001. Thus, additional P&L Statements are available if helpful.
10. Six (6) Plats of the Wilson Arch Resort Community, which is comprised of Phase 1 (as amended), Phase 2, Back of the Arch Cottages (a subdivision of Phase 1), and Red Canyon Villas (a subdivision of Phase 1).  
**NOTE:** Phase 2 is included in the service area of WAWSCo but is not yet built-out. It is actively being marketed for sale.
11. DWR Location Maps showing the location of the Wells within Wilson Arch Resort Community relative to nearby towns and highways and the proposed platted subdivision. See also Attachment 6 for additional As-Built Maps for the Water and Sewer System.  
**NOTE:** Given the remote location and surrounding public land owned by the Bureau of Land Management, service to the general public is impossible.

I appreciate PSC's consideration of this request for exemption from regulation. If you need further documentation, please contact me or Phillip Glaze at 435.686.2306 or PO Box 906, Moab, Utah 84532.

Sincerely,

THE SLOAN LAW FIRM, PLLC



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Christina R. Sloan

CRS/  
cc: WAWSCo  
Patricia Schmid (AG's Office)  
Attachments

# **Attachment 1**

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## **Application for Public Service Commission Exemption**

Legal name of applicant (company name): \_\_\_\_\_



## Questionnaire

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Please fill out the following questionnaire to assist you in determining if you are subject to PSC regulation. *(Please check only one for each question.)*

**Q1. Is this company providing water to anyone other than the owner (two houses or more)?:**

**Yes**

If. "Yes".then.please.continue to **Question Q2.**

**No**

If. "No":.then.this.company.or.water.distribution.system.is.not.subject.to.PSC. regulation. You are not required to register with the PSC at this time. If your circumstances change, you may be required to register with the PSC at a later time.

**Q2. Is the company serving its members only and not to the public generally?**

**Yes**

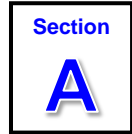
If. "Yes".then.this.company.appears.to.meet the criteria to be exempt from PSC regulation. Please complete and provide the information requested in **Section A** and **Section C.**

**No**

If. "No".then.this.company.meets.the.criteria.requiring.it.to.be.regulated.by.the.PSC... Please complete and provide the information requested in **Section A, Section B** and **Section C.**

# See Attachments 1 through 11 for all responsive documents

Legal name of applicant (company name): \_\_\_\_\_



## Items to be included with this application for ALL applicants, both regulated and exempt.

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The following documentation **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

- A copy of your Business License verifying proof of authority to conduct business in Utah.
- Verification of the review and approval of the water system by the Division of Drinking Water.
- Certified copy of the articles of incorporation and by-laws. (Whatever restrictions there are in use of water on an annual basis should be explained in by-laws, restrictive covenants and protective covenants.)
- Proof of ownership of water rights, in the name of the company sufficient to provide the water promised to each customer. (Water rights must be held by the water company for the use of the shareholders or customers of the company. Water rights must stay with the water company in the event a lot is sold rather than with the lot owner.)
- Proof of ownership of sufficient water storage.
- Proof of ownership of an approved water source with sufficient water flow.
- A balance sheet for the water company.
- A historical operating statement if the water company is already operating, a projected statement if not yet operating.
- All phases of a proposed development should be identified in the application whether they are to be developed immediately or not. Otherwise, an additional application may be required for each additional phase before the Public Service Commission will give plan approval.
- Maps (8 1/2" by 11") showing the location of water system relative to nearby towns and highways and the proposed platted subdivision.

*The above list covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.*

Legal name of applicant (company name): \_\_\_\_\_

Section

**B**

**Additional items to be included with this application for applicants applying for authority to operate as a regulated public utility.**

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The following documentation **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

1

**A Proposed TARIFF**

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Proposed tariff should include proposed rates and service rules and regulations...Applicant's tariff must comply with the format, construction and elements as set forth in Utah Administrative Rule : R746-405 < Use Ctrl+Click to follow link >

2

**Rates**

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For item 2, please select one of the following regarding rates and provide the information requested.

**Proposed rates will cover the entire cost of service.**

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Please provide calculations to show that the proposed rates are reasonable based upon actual cost of service.

**OR**

**Developer agrees to subsidize costs.**

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A statement that the proposed rates are less than the full cost of service but that the developer will subsidize such rates until the system has enough customers on line to operate and cover costs at the proposed rates.

3

**A balance sheet for the developer.**

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If the water company is to be, or was, constructed by a developer please provide a personal balance sheet for the developer to ensure that funds are available for the operations of the water company.

*The above list covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.*



## Application

The following information **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

1. Legal name of applicant (company name): \_\_\_\_\_

2. Principal office address, phone number and email address:

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Email address: \_\_\_\_\_

3. Name of the state in which applicant is incorporated and date of incorporation

Name of State: \_\_\_\_\_ Date of Incorporation: \_\_\_\_\_

*(A certified copy of the Articles of Incorporation and By-laws should accompany this application).*

If not incorporated, describe the type of organization and state in which it is organized.

4. The officers and directors (or partners) of the applicant are as follows:

Name	Title	Phone #	Email



5. The type of service (water, sewer or both) which applicant proposes to render is:  
(Please check the services that apply.)

Water Only     Sewer Only     Both Water and Sewer

6. If the applicant is conducting operations at present, please enter the date applicant commenced rendering such service: 01/01/2003

7. How Many Connections will the company serve and type (residential/commercial)?

Residential Customers: 121

Commercial Customers: 10

Total Number of Customers: 131


8. The names of any water companies that are providing (or proposing to provide) similar service near or in any part of the area covered by this applicant are as follows:



**Applicant Must Sign and Date below:**

I certify that to the best of my knowledge the above information is true, accurate and complete. I am in compliance with and agree to comply with all regulations and requirements of all State and local government agencies.

Legal name of applicant (company name): Wilson Arch Water and Sewer Company, LLC

Sign Here:  Date: 07/26/2018

Your Name: PHILLIP V. GLAZE Title: MANAGER

(Please enter electronically or print clearly)

*This Application covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.*

If you have any questions regarding the information, the Division is requesting, please feel free to contact us at (800) 874-0904 or (801) 530-7622.



## **PSC Filing Requirements**

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Public Service Commission (PSC) Filing Requirements and Submissions may be found on-line at the following site:

<https://psc.utah.gov/psc-filing-requirements/>

If you have any questions regarding the PSC Filing Requirements, please contact the PSC at 801 530-6716

***Please Note:***

*A complete application includes all pages of the application (you may omit the first page that contains the laws and rules), all requested documentation and an original signature on the signature page.*

*Electronic copies should include all files in their native formats. For example, all spreadsheets should be in their original EXCEL format and documents should be in their original WORD format. Files formatted as Adobe PDF are acceptable to use for documents that must be copied or scanned from an original source.*

**(A \$100.00 filing fee must accompany this application. If applying for an EXEMPTION the \$100 fee is waived.)**

## **Attachment 2**

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# **Certificate of Existence**



**Utah Department of Commerce**  
**Division of Corporations & Commercial Code**  
160 East 300 South, 2nd Floor, PO Box 146705  
Salt Lake City, UT 84114-6705  
Service Center: (801) 530-4849  
Toll Free: (877) 526-3994 Utah Residents  
Fax: (801) 530-6438  
Web Site: <http://www.commerce.utah.gov>

08/10/2018  
10908181-014008102018-628045

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## CERTIFICATE OF EXISTENCE

**Registration Number:** 10908181-0140  
**Business Name:** WILSON ARCH WATER AND SEWER COMPANY  
**Registered Date:** July 12, 2018  
**Entity Type:** Corporation - Domestic - Non-Profit  
**Status:** Current

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.



Jason Sterzer  
Director  
Division of Corporations and Commercial Code

# **Attachment 3**

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## **DEQ Order dated March 6, 2018 for New Public Water System**



State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Department of  
Environmental Quality

Alan Matheson  
*Executive Director*

DIVISION OF DRINKING WATER  
Marie E. Owens, P.E.  
*Director*

March 6, 2018

Phillip V. Glaze, Registered Agent  
Wilson Arch Resort Community Association, Inc.  
PO Box 906  
Moab, UT 84532

Anderson & Anderson PC  
Registered Agent  
Wilson Arch Properties, L.L.C.  
81 E 100 S  
Monticello, UT 84535

Wilson Arch Water & Sewer Special Service District  
P.O. Box 326  
Monticello, UT 84535

Dear Reader:

**Subject: Initial Order for New Public Water System for Wilson Arch Water System –  
UTAH19069**

According to available information, it has come to the attention of the Utah Division of Drinking Water (the "Division") that the Wilson Arch Water System now qualifies as a public community water system as defined in the Utah Public Drinking Water Rules, R309-100-4. Legal responsibility for public water systems falls to both owners and operators. The identity of the legal owner and operator of the system is not self-evident. As a result, the attached Order is addressed to all entities listed above. Based on the foregoing, the Division is required by Utah and federal law to initiate a formal administrative process with respect to your system. To that end, attached is an Initial Order for New Public Water System explaining the requirements for your system.

The Division understands that compliance with stringent state and federal legal requirements gives rise to significant administrative and financial burdens for all public drinking water systems, especially new systems. Compliance requires time and resources. At the same time, Utah's public water systems provide essential services that directly impact human health and welfare.

The Division employs experienced staff to assist water systems. The attached order includes references to a number of specific individuals with expertise in the various areas that apply to public water systems. To help you with the required sampling, we have also enclosed a list of certified laboratories who perform water testing. Containers for samples are available from all certified laboratories. The Division cannot recommend specific laboratories apart from the attached list. However, other water system operators may be in a better position to make recommendations.

In all correspondence with our office and the laboratories, indicate your public water system number. The number for the Wilson Arch Water System is UTAH19069. Clearly mark your system number on all samples. Enclosed is the inventory list for your system. Please carefully review this report, and return to our office any corrections.

Enclosed is a copy of your Improvement Priority System (IPS) Report. This report indicates several dormant deficiencies associated with the required actions listed in the attached Order. These dormant deficiencies serve as a tracking tool and reminder; they do not affect the water system's points or rating unless the due date for the required task has expired. The dormant deficiencies are removed from our database when the PWS completes the required tasks and notifies the Division.

The Division has online tools to help manage your water system, such as:

- Current information included in the Inventory, Monitoring Schedule, IPS Report, Operator records and the system's Bacteriological record for the last 12 months at <https://waterlink.utah.gov>. Please contact Colt Smith at (801) 536-4155 or [acsmith@utah.gov](mailto:acsmith@utah.gov) if you have any questions.
- Historic public records about water systems are at <http://eqedocs.utah.gov>. These records may include previous monitoring results, Division correspondence, former Consumer Confidence Reports, and other documents related to the water system. Browse to your water system listed alphabetically under "County" to see what we may have available for your system. Please call Shaunna Heuser, the Division's Records Manager, at (801) 536-4190 if you have any questions.

Wilson Arch Water System

Page 3

March 6, 2018

If you have any questions about this Order, please contact Jennifer Yee at (801) 536-4216 or [jyee@utah.gov](mailto:jyee@utah.gov). To contest or appeal this Order, please contact Bret Randall of the Attorney General's office at (801) 536-0284 or [bfrandall@agutah.gov](mailto:bfrandall@agutah.gov).

Sincerely,



Marie, E. Owens, P.E., Director  
Division of Drinking Water

Cc: Deidre Beck, Division of Drinking Water  
Michael Grange, Division of Drinking Water  
David Hansen, Division of Drinking Water  
Scott Hacking, District Engineer  
Shauna Benvegnu-Springer, Utah Division of Public Utilities, [sbenvegn@utah.gov](mailto:sbenvegn@utah.gov)  
Rick Meyer, San Juan County Health Department  
Kelly Pehrson, San Juan County Administrator, P.O. Box 9, Monticello, Utah 84535  
Christina R. Sloan, The Sloan Law Firm, PLLC, 76 South Main Street, Suite 1, Moab, UT 84532  
Marc Stilson, Division of Water Rights Regional Engineer, P.O. Box 718, Price, Utah 84501  
Bret F. Randall, Assistant Attorney General





**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

**DIVISION OF DRINKING WATER**

<b>In the Matter of:</b>  <b>Wilson Arch Water System, a Utah Public Community Water System (UTAH19069)</b>	<b>INITIAL ORDER FOR NEW PUBLIC WATER SYSTEM</b>  <b>Docket No. UTAH19069-2018-01-WTTC</b>
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This INITIAL ORDER FOR NEW PUBLIC WATER SYSTEM (“Order”) is issued to **Wilson Arch Water System** by the Director of the Utah Division of Drinking Water (“Director”) under the Utah Safe Drinking Water Act, Utah Code §§ 19-4-101 to 19-4-113 (the “Act”) and related rules in the Utah Administrative Code (the “UAC”), codified at UAC R309.

**A. STATUTORY AND REGULATORY AUTHORITY**

1. Utah Code § 19-4-104 authorized the Utah Drinking Water Board (the “Board”), among other things, to make rules regulating public water systems in the state of Utah.
2. The Board has defined public water systems under the Utah Public Drinking Water Rules, UAC R309-100-4.
3. Pursuant to Utah Code § 19-4-106(d), the Director may enforce rules made by the board through the issuance of orders.
4. Utah Code § 19-4-107 provides that upon discovery of any violation of a rule or order of the Board, the Director shall promptly notify the supplier of the violation, state the nature of the violation, and issue an order requiring correction of that violation.

**B. FACTS**

Based on available information, upon information and belief, the Director makes the following Findings of Fact for purposes of this Order:

1. Wilson Arch Resort Community is a residential development located in San Juan County, Utah near Mile Marker 100, U.S. Hwy 191, approximately 28 miles north of Monticello, Utah.
2. The developer of the Wilson Arch Resort Community is actively selling residential and commercial lots. The community operates year-round.
3. Upon information and belief, the developer of the Wilson Arch Resort Community is Wilson Arch Properties, L.L.C., a Utah limited liability company (“WA Properties”).

4. There also exists a Utah corporation known as Wilson Arch Resort Community Association, Inc. ("WA Community").

5. Upon information and belief, both WA Properties and WA Community own and/or operate a drinking water system that presently maintains 16 active water service connections within the Wilson Arch Community (the "Wilson Arch Water System").

6. WA Community and/or WA Properties manage three active water sources (1) WS001 Well No. 1, (2) WS002 Well No. 2, and (3) WS003 Well #3.

7. Phillip V. Glaze is the registered agent for WA Community. Mr. Glaze's Registered Agent Address is listed as follows: 171 RYAN CT HWY 191, PO BOX 906, MOAB, UT 84532.

8. The law firm of Anderson & Anderson, a professional corporation operating in Monticello, Utah is the registered agent for WA Properties. The Registered Agent address is listed as follows: 81 E 100 S, MONTICELLO, UT 84535.

9. According to records on file with the Utah State Engineer, the underlying water rights related to the Wilson Arch Community (Water Right No. 05-2992 and Change Applications a28592 and a36959) are listed in the name of Wilson Arch Water & Sewer Special Service District, with an address as follows: P.O. Box 326, Monticello, UT 84535.

### **C. CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Director hereby makes the following conclusions of law:

10. That the Wilson Arch Water System is a public water system within the meaning of UAC R309-100-4, and specifically a community public water system.

11. That Phillip V. Glaze is the person in "direct responsible charge" of the Wilson Arch Water System within the meaning of the Utah Public Drinking Water Rules promulgated by the Board, Utah Administrative Code R309, until Mr. Glaze's successor is approved.

12. That the address for the Wilson Arch Water System for purposes of all notices and other communications from the Division is 171 RYAN CT HWY 191, PO BOX 906, MOAB, UT 84532.

### **D. ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED as follows:

#### **1. Plan Review**

- a. System Status: Wilson Arch Water System is assigned the public water system identification number UTAH19069 by the Division of Drinking Water. As of the date of this Order, the System is deemed to be an active but unrated community

under the Division's water rating system rules, UAC R309-400. A water system's rating can only become "approved" after it obtains an Operating Permit from the Division Director for the entire water system, including its drinking water sources.

- b. New Public Water System Supplemental Form: Included with this Initial Order is a blank copy of the Division's New Public Water System Supplemental Form (the "Information Form"). **The System must complete and return this form to the Division by April 30, 2018.** The findings set forth in this Initial Order, together with Division records, may be updated based on information submitted in the Information Form.
- c. Engineering Evaluation Report: Because the System has been in existence and operation prior to the date of this Order, **an Engineering Evaluation Report prepared by a Professional Engineer (PE) licensed to practice in Utah must be submitted to the Division by October 31, 2018.** This engineering evaluation report must contain detailed information of the current physical facilities, including the source, storage, pump, distribution system, number of connections, water rights, system schematics, etc. The purpose of this review is to ensure compliance with the design and construction standards of public drinking water systems and to determine whether an after-the-fact Operating Permit can be issued for the entire water system.

Based on the limited historical records from the Division's files, it appears that existing water system facilities located on the east side of US Highway 191 within the Wilson Arch Water System service area did go through the Division's plan review and Operating Permit process in 2003 and earlier. However our records indicate that water system facilities located on the west side of US-191 did not completely go through our plan review process, nor did they receive the required Operating Permits. "As-Built" plans prepared by a PE licensed to practice in Utah must be submitted to the Division to document these existing facilities that have not gone through the Division's plan review and Operating Permit process. Those facilities include but are not necessarily limited to: Well No.1, Well No. 2, the two existing 30,000-gallon storage tanks located near Well No. 2, the existing pump house located near the storage tanks, and that portion of the associated distribution system that was constructed on the west side of US-191 to serve proposed residential and commercial connections.

- d. Sanitary Survey: An onsite engineering inspection/sanitary survey, conducted by an engineering representative of the Division, will be required. This inspection will cover all drinking water facilities that are currently in use. **The onsite engineering inspection must be scheduled and completed by October 31, 2018.** Please contact Scott Hacking, our District Engineer for the Southeast District, at (435)559-3825, if you have any questions regarding scheduling of the onsite inspection or engineering review.
- e. Plan Review Files: The System currently has the following plan review files in the Division's plan review database:

- **File #07494 and File #07495 — Well No.1 (identified as WS001 in the Division’s database) and Well No. 2 (WS002).** As-built plans are required for both wells, including well completion and well casing details, grout sealing details, and existing well pump installation details.
  - **File #07496, File #07497, File #07498, and File #07499.** These file numbers cover “after-the fact” plan review for the two existing 30,000-gallon storage tanks (ST002 and ST003), the existing pump house located near the storage tanks (PF002), and those existing and planned portions of the distribution system for Phase I (originally shown as 55 lots from our records) and Phase II (originally shown as 74 lots from our records). As-built plans are required for these facilities that have been constructed, and new plans and specifications will be needed for the unconstructed portions of the distribution system in both Phase I and Phase II.
- f. **Operating Permit: The System is required to obtain an Operating Permit by December 31, 2018.** Please be aware that the Division will assess 50 deficiency points for using unapproved facilities and 200 deficiency points for using unapproved water sources if this water system is in operation and does not obtain an Operating Permit for the entire water system by December 31, 2018. The water system’s rating will be changed from “unrated” to “not approved” if these deficiency points are assessed. We appreciate your assistance in providing the needed information, so the plan review process can be completed by the due date.

2. **Capacity Development Evaluation**

Drinking Water Rule R309-800 requires an assessment of a new community water system’s technical, managerial, and financial capabilities.

The System is required to comply with the conditions of R309-800 by documenting the System’s capabilities using one of the methods described on the Division’s website:

- Existing Systems can submit the Capacity Assessment Evaluation forms, at: <https://deq.utah.gov/forms/water/dw/docs/2014/03Mar/pdf/e-capassworksheet.pdf>
- New or Proposed Systems must submit a business plan as described in UAC R309-800-5(4), for review and approval by the Division.

Receiving approval of the capacity assessment worksheets or the business plan is a prerequisite for issuing an Operating Permit for this water system. Please contact Nagendra Dev at (801) 536-0098 or [ndev@utah.gov](mailto:ndev@utah.gov) for assistance related to capacity assessment.

3. **Cross Connection Control Program**

A cross connection control program must be developed for the System to prevent any cross contamination. There are five elements to a cross connection control program: local

authority statement, annual public education or awareness, operator training, written records and an on-going enforcement plan. Ten Improvement Priority System (“IPS”) points will be assessed to the System for each element not completed by **December 31, 2018**. If you have any questions about your cross connection control program please contact Gary Rager at (801) 536-4498.

4. **Source Protection Program**

Your sources are fundamentally in compliance with source protection requirements. However, your plans do need to be updated and submitted to the Division for review. Updated source protection plans will be due by **December 31, 2018**. Guidance for preparing the updated plans is included on the Information CD. Please call (801) 536-4200 and ask to speak to the source protection staff if you have questions about this requirement.

5. **Operator Certification**

Operators of community water systems serving a population below 500 must become certified at the Small Systems level. The System has one year to obtain the appropriate grade level. Please call (801) 536-4200 and ask to speak to the operator certification staff if you have questions about this requirement.

6. **Consumer Confidence Reports**

The System must prepare a consumer confidence report and notify all System consumers of its availability and make it available upon request by **July 1, 2019**. This report must include administrative information on the System, information on the source of water delivered, the level of detected contaminants during 2018, information regarding System violations and deficiencies, and other specific language as provided more fully in UAC R309. The enclosed flash drive includes more detailed information on this report and its requirements.

7. **Monitoring and Reporting Requirements**

- a. **Bacteriologic Monitoring**: At least one routine coliform bacteria sample must be taken from the distribution system and submitted to a certified laboratory for each calendar month that the water system is used. It is the responsibility of the System to send a copy of the results to our office by the 10<sup>th</sup> of the following month. In the event of a coliform positive result, the System is required to take four repeat samples and a triggered source *E. coli* sample for each ground water source in service at the time of the original positive sample. For any questions regarding the Total Coliform rule or Groundwater rule, contact Janet Lee at (801) 536-0088 (jjlee@utah.gov) or Pete Keers at (801) 536-4150 (pkeers@utah.gov).
- b. **Lead and Copper Monitoring**: Five lead and copper first-draw tap samples are required from the distribution system every six months. After two consecutive six month sample periods the frequency may be reduced to annual or once every three

years. The results of the analysis must be sent to the Division of Drinking Water. Please refer to this letter for the most accurate information, or contact Emily Frary at (801) 536-0070 or emilyfrary@utah.gov.

- c. Chemical Monitoring: All community water systems must monitor each source for six classes of chemicals: Inorganics and Metals, Nitrate, Nitrite, Volatile Organic Chemicals, Radionuclides, and Pesticides. The sampling frequency for each class is different, and will be specified after receipt of the new source chemistry results.
- d. Monitoring Schedule: A current monitoring schedule for your system has been enclosed. We will expect you to become current with your bacteriologic monitoring by **March 31, 2018**, your lead and copper by **June 30, 2018**, and chemical monitoring by **December 31, 2018**.

8. Contest and Appeal Rights

This Order constitutes an "initial order" within the meaning of UAC R305-7-102(g). As a result, this Order is subject to appeal pursuant to UAC R305-7-301 *et seq.* This Order is effective immediately and shall become final thirty (30) days after the date of issuance unless contested by filing a written Request for Agency Action in accordance with UAC R305-7-303. Filing a request for hearing or a general statement of disagreement is not sufficient under Utah Code § 63G-4-201(3)(a) to preserve your right to contest this determination. A request for Agency Action must include the information specified in UAC R305-7-203. Contest proceedings are also governed by Utah Code Section 19-1-301. Failure to file a Request for Agency Action within the period provided waives any right of administrative contest, reconsideration, review or judicial appeal. An extension is only available under UAC R305-7-303(5).

**IT IS SO ORDERED.**

DATED this 6<sup>th</sup> day of March, 2018.

DIVISION OF DRINKING WATER

By: 

Marie E. Owens, P.E.  
Director

Approved as to form and substance:



Bret F. Randall  
Assistant Attorney General

## Attachments





## Utah Department Of Environmental Quality

### Division Of Drinking Water

<b>WILSON ARCH RESORT COMM</b>	<b>PWS ID: UTAH19069</b>	<b>Rating:</b>	<b>Active</b>
------------------------------------	--------------------------	----------------	---------------

Legal Contact	Site Updates	Consumptive Use Zone
WILSON ARCH RESORT COMM	Last Inventory Update: 02/15/2018	Irrigation Zone: 3
PHIL GLAZE	Last Surveyor Update:	Date: 02/15/2013
PO BOX 326	Surveyor:	
MONTICELLO, UT 84535	Operating Period: 1/1 - 12/31	
Phone: 435- -	Last IPS Update: 03/05/2018 12:00:00	
County: SAN JUAN COUNTY		
System Type: Community		
Population: 25		

#### Admin Contacts

Name	Title	Office	Emergency	Email
GLAZE, PHIL				

### Inventory Report

#### Service Connections

Type	Meter Type	Meter Size	# Of Connections
Combined	Unknown	0	16
			<b>Total Service Connections: 16</b>

#### Storage

ID	Name	Type	Effective Volume	Material	Status	Status Reason
ST001	EAST SIDE STORAGE TANK	Underground	42,000 GAL	Concrete	Active	Op Issued - Check
ST002	WEST SIDE NORTH STORAGE TANK	Underground	30,000 GAL	Fiberglass	Active	In Use - Not Approved
ST003	WEST SIDE SOUTH STORAGE TANK	Underground	30,000 GAL	Fiberglass	Active	In Use - Not Approved
Total Effective Volume: 102,000 GAL						

#### Pumping Stations

ID	Station Name	Status	Reason	Capacity	Availability
PF001	EAST SIDE PUMP FACILITY	Active	Op Issued - Check		Permanent
PF002	WEST SIDE PUMP FACILITY	Active	In Use - Not Approved		Permanent
Total Capacity: 0 null					

#### Sources

ID	Source Name	OP Date	Status	Reason	Source Type	Water Type	Period Of Op
WS001	WELL NO. 1		Active		Well	Groundwater	
WS002	WELL NO. 2		Active		Well	Groundwater	
WS003	WELL #3		Active	Op Issued - Check	Well	Groundwater	1/1 - 12/31

Flow	Flow Rate	UOM
TYLD		42 GPM
SYLD		28 GPM
PUMP		18 GPM

WS004 PROPOSED #4                      Inactive                      Well                      Groundwater

### Site Visit History

Date Visited	Survey Type	Surveyor	Notified Date	Next Inspection
01/22/2018	Engineering Determination/Advice/Plan Review	HACKING, SCOTT DONALD	01/22/2018	
02/13/2018	Compliance Assessment		02/13/2018	

# Utah Department Of Environmental Quality

## Division Of Drinking Water

**WILSON ARCH RESORT COMM**      **PWS ID: UTAH19069 Rating:**      **Active**

<b>Legal Contact</b> WILSON ARCH RESORT COMM PHIL GLAZE PO BOX 326 MONTICELLO, UT 84535 Phone: 435- - County: SAN JUAN COUNTY System Type: Community Population: 25	<b>Site Updates</b> Last Inventory Update: 02/15/2018 Last Surveyor Update: Surveyor: Operating Period: 1/1 - 12/31 Last IPS Update: 03/05/2018 12:00:00	<b>Consumptive Use Zone</b> Irrigation Zone: 3 Date: 02/15/2013
---	---	---

**Admin Contacts**

Name	Title	Office	Emergency	Email
GLAZE, PHIL				

### IPS Report

**IPS Summary**

Total IPS Points	Admin & Physical Facilities	Quality & Monitoring	Operator Certification	Significant Deficiency
0	0	0	0	0

**Physical Facility Points**

Code	Description	Severity	Point Effective																								
G001	WATER SYSTEM FACILITY LACKS PLAN APPROVAL	SIG	0																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Facility</th> <th style="width: 20%;">Comments</th> <th style="width: 10%;">Status</th> <th style="width: 10%;">Determined</th> <th style="width: 10%;">Point Not Assessed</th> <th style="width: 10%;">Point Assessed</th> </tr> </thead> <tbody> <tr> <td>PF002 WEST SIDE PUMP FACILITY</td> <td></td> <td>Active</td> <td>01/22/2018</td> <td>50</td> <td>0</td> </tr> <tr> <td>ST002 WEST SIDE NORTH STORAGE TANK</td> <td></td> <td>Active</td> <td>01/22/2018</td> <td>50</td> <td>0</td> </tr> <tr> <td>ST003 WEST SIDE SOUTH STORAGE TANK</td> <td></td> <td>Active</td> <td>01/22/2018</td> <td>50</td> <td>0</td> </tr> </tbody> </table>				Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed	PF002 WEST SIDE PUMP FACILITY		Active	01/22/2018	50	0	ST002 WEST SIDE NORTH STORAGE TANK		Active	01/22/2018	50	0	ST003 WEST SIDE SOUTH STORAGE TANK		Active	01/22/2018	50	0
Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed																						
PF002 WEST SIDE PUMP FACILITY		Active	01/22/2018	50	0																						
ST002 WEST SIDE NORTH STORAGE TANK		Active	01/22/2018	50	0																						
ST003 WEST SIDE SOUTH STORAGE TANK		Active	01/22/2018	50	0																						
M003	CCC-LACKS LOCAL AUTHORITY	MIN	0																								
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			02/13/2018	10	0																						
M004	CCC-NO ANNUAL PUBLIC EDUCATION OR AWARENESS	MIN	0																								
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Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed																						
			02/13/2018	10	0																						
M005	CCC-LACKS OPERATOR TRAINING	MIN	0																								
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Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed																						
			02/13/2018	10	0																						

M006		CCC-LACKS WRITTEN RECORDS		MIN		0	
Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed		
			02/13/2018	10		0	
M007		CCC-LACKS ON-GOING ENFORCEMENT PLAN		MIN		0	
Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed		
			02/13/2018	10		0	
S001		SOURCE LACKS PLAN APPROVAL		SIG		0	
Facility	Comments	Status	Determined	Point Not Assessed	Point Assessed		
WS001 WELL NO. 1		Active	01/22/2018	200		0	
WS002 WELL NO. 2		Active	01/22/2018	200		0	
<b>Total Effective Points:</b>						<b>0</b>	

**Operator Certification Points**

Type	Level Required	Highest Certificate	Point Effective
Distribution			0
Treatment			0
<b>Total Effective Points:</b>			<b>0</b>

## Utah Department Of Environmental Quality

### Division Of Drinking Water

<b>WILSON ARCH RESORT COMM</b>	<b>PWS ID: UTAH19069 Rating:</b>	<b>Active</b>
------------------------------------	----------------------------------	---------------

Legal Contact	Site Updates	Consumptive Use Zone
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Phone: 435- -	Last IPS Update: 03/05/2018 12:00:00	
County: SAN JUAN COUNTY		
System Type: Community		
Population: 25		

#### Admin Contacts

Name	Title	Office	Emergency	Email
GLAZE, PHIL				

### Water Monitoring Report

#### BACTERIOLOGICAL MONITORING

Sample Count	Type	Frequency	Schedule Begin	Schedule End	Analyte Name
1	Routine	Monthly	03/01/2018		COLIFORM (TCR)

#### Other Distribution Monitoring

Analyte Name	ID	Sample Count	Type	Frequency	Last Sampled	Next Sample Due
LEAD AND COPPER	DS001	5	Routine	6 Months		01/01/2018 - 06/30/2018

#### MONITORING REQUIREMENTS BY FACILITY

ID	NAME																																										
WS001	WELL NO. 1																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Name</th> <th style="width: 10%;">Sample Count</th> <th style="width: 10%;">Type</th> <th style="width: 15%;">Frequency</th> <th style="width: 15%;">Last Sampled</th> <th style="width: 30%;">Next Sample Due</th> </tr> </thead> <tbody> <tr> <td>INORGANICS-COMPL</td> <td>1</td> <td>Routine</td> <td>3 Years</td> <td>05/14/1998</td> <td>01/01/2017 - 12/31/2019</td> </tr> <tr> <td>NITRATE</td> <td>1</td> <td>Routine</td> <td>Yearly</td> <td>05/14/1998</td> <td>01/01/2018 - 12/31/2018</td> </tr> <tr> <td>PESTICIDES-COMPL</td> <td>1</td> <td>Routine</td> <td>3 Years</td> <td>05/22/1998</td> <td>01/01/2017 - 12/31/2019</td> </tr> <tr> <td>RADS - COMPLIANCE</td> <td>1</td> <td>Routine</td> <td>Quarterly</td> <td>05/14/1998</td> <td>01/01/2018 - 03/31/2018</td> </tr> <tr> <td>SULFATE,SODIUM,TDS</td> <td>1</td> <td>Routine</td> <td>3 Years</td> <td>05/14/1998</td> <td>01/01/2017 - 12/31/2019</td> </tr> <tr> <td>VOC-COMPL</td> <td>1</td> <td>Routine</td> <td>Yearly</td> <td>05/22/1998</td> <td>01/01/2018 - 12/31/2018</td> </tr> </tbody> </table>	Name	Sample Count	Type	Frequency	Last Sampled	Next Sample Due	INORGANICS-COMPL	1	Routine	3 Years	05/14/1998	01/01/2017 - 12/31/2019	NITRATE	1	Routine	Yearly	05/14/1998	01/01/2018 - 12/31/2018	PESTICIDES-COMPL	1	Routine	3 Years	05/22/1998	01/01/2017 - 12/31/2019	RADS - COMPLIANCE	1	Routine	Quarterly	05/14/1998	01/01/2018 - 03/31/2018	SULFATE,SODIUM,TDS	1	Routine	3 Years	05/14/1998	01/01/2017 - 12/31/2019	VOC-COMPL	1	Routine	Yearly	05/22/1998	01/01/2018 - 12/31/2018
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NITRATE	1	Routine	Yearly	05/14/1998	01/01/2018 - 12/31/2018																																						
PESTICIDES-COMPL	1	Routine	3 Years	05/22/1998	01/01/2017 - 12/31/2019																																						
RADS - COMPLIANCE	1	Routine	Quarterly	05/14/1998	01/01/2018 - 03/31/2018																																						
SULFATE,SODIUM,TDS	1	Routine	3 Years	05/14/1998	01/01/2017 - 12/31/2019																																						
VOC-COMPL	1	Routine	Yearly	05/22/1998	01/01/2018 - 12/31/2018																																						
WS002	WELL NO. 2																																										

Name	Sample Count	Type	Frequency	Last Sampled	Next Sample Due
INORGANICS-COMPL	1	Routine	3 Years	05/21/1998	01/01/2017 - 12/31/2019
NITRATE	1	Routine	Yearly	05/21/1998	01/01/2018 - 12/31/2018
PESTICIDES-COMPL	1	Routine	3 Years	05/21/1998	01/01/2017 - 12/31/2019
RADS - COMPLIANCE	1	Routine	Quarterly	05/21/1998	01/01/2018 - 03/31/2018
SULFATE,SODIUM,TDS	1	Routine	3 Years	05/21/1998	01/01/2017 - 12/31/2019
VOC-COMPL	1	Routine	Yearly	05/21/1998	01/01/2018 - 12/31/2018

WS003

WELL #3

Name	Sample Count	Type	Frequency	Last Sampled	Next Sample Due
INORGANICS-COMPL	1	Routine	3 Years	04/26/2000	01/01/2017 - 12/31/2019
NITRATE	1	Routine	Yearly	04/26/2000	01/01/2018 - 12/31/2018
PESTICIDES-COMPL	1	Routine	3 Years	04/26/2000	01/01/2017 - 12/31/2019
RADS - COMPLIANCE	1	Routine	Quarterly	04/26/2000	01/01/2018 - 03/31/2018
SULFATE,SODIUM,TDS	1	Routine	3 Years	04/26/2000	01/01/2017 - 12/31/2019
VOC-COMPL	1	Routine	Yearly	04/26/2000	01/01/2018 - 12/31/2018

**Open Compliance Schedule**

Type	Required Activities	Severity	Created	Due
Welcome to the Club Letter	NOTIFY THE DIVISION		02/13/2018	04/30/2018
Welcome to the Club Letter	NOTIFY THE DIVISION		02/13/2018	10/31/2018
Welcome to the Club Letter	NOTIFY THE DIVISION		02/13/2018	09/30/2018
Welcome to the Club Letter	CROSS CONNECTION PROGRAM IN PLACE	MIN	02/13/2018	12/31/2018
Welcome to the Club Letter	CROSS CONNECTION PROGRAM IN PLACE	MIN	02/13/2018	12/31/2018
Welcome to the Club Letter	CROSS CONNECTION PROGRAM IN PLACE	MIN	02/13/2018	12/31/2018
Welcome to the Club Letter	CROSS CONNECTION PROGRAM IN PLACE	MIN	02/13/2018	12/31/2018
Welcome to the Club Letter	CROSS CONNECTION PROGRAM IN PLACE	MIN	02/13/2018	12/31/2018
DEFY	SOURCE LACKS PLAN APPROVAL	SIG	01/22/2018	12/31/2018
DEFY	WATER SYSTEM FACILITY LACKS PLAN APPROVAL	SIG	01/22/2018	12/31/2018
DEFY	WATER SYSTEM FACILITY LACKS PLAN APPROVAL	SIG	01/22/2018	12/31/2018
DEFY	SOURCE LACKS PLAN APPROVAL	SIG	01/22/2018	12/31/2018
DEFY	WATER SYSTEM FACILITY LACKS PLAN APPROVAL	SIG	01/22/2018	12/31/2018

# **Attachment 4**

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## **Articles of Incorporation and Bylaws**





State of Utah  
 Department of Commerce  
 Division of Corporations & Commercial Code  
 Articles of Incorporation (Nonprofit)

This form cannot be hand written.

10908181-0140

CONVERSION

Important: Read instructions before completing form Non-Refundable Processing Fee: \$30.00

1. Name of Corporation:	Wilson Arch Water and Sewer Company		
2. Purpose:	Own and manage water and sewer infrastructure for Wilson Arch Resort Community		
3. Who/What is the name of the Registered Agent (Individual or Business Entity or Commercial Registered Agent)?:	The Sloan Law Firm, PLLC		
The address must be listed if you have a non-commercial registered agent. What is a commercial registered agent?			
Address of the Registered Agent: 76 S. Main Street, Suite 1			
Utah Street Address Required, PO Boxes can be listed after the Street Address			
City: Moab		State UT	Zip: 84532
4. Name, Signature and Address of Incorporator <small>(attach additional page if there is more than 1 incorporator)</small>	Phillip Glaze		
	Name	P.O. Box 906, Moab, UT 84532	
	Address	City	State Zip
	Signature: <i>[Signature]</i>	Date: 08.01.18	
5. Voting Members:	The nonprofit corporation <input checked="" type="radio"/> will <input type="radio"/> will not have voting members.		
6. Shares:	The nonprofit corporation <input checked="" type="radio"/> will <input type="radio"/> will not issue shares evidencing membership or interests in water or other property rights.		
	The aggregate number of shares that the nonprofit corporation has authority to issue shall be 13,200		
	The shares <input type="radio"/> will <input checked="" type="radio"/> will not be divided up in to classes.		
	Type 1: [Redacted]	Number of Shares:	[Redacted]
Statement: [Redacted]			
Type 2: [Redacted]	Number of Shares:	[Redacted]	
Statement: [Redacted]			
7. Assets: Upon dissolution assets of the corporation will be distributed in a manner consistent with law.			
8. Principal Address:	P.O. Box 906, Moab, UT 84532		
	Address	City	State Zip
9. Name and Address of Directors: <small>(attach an additional page if there are more than 3 directors)</small>	1. Phillip Glaze		Director <input type="checkbox"/>
	Name	Position	
	P.O. Box 906, Moab, UT 84532		
	Address	City	State Zip
	2. _____		Select Position from the dropdown <input type="checkbox"/>
	Name	Position	
	Address		City State Zip
	3. _____		Select Position from the dropdown <input type="checkbox"/>
	Name	Position	
Address		City State Zip	
Under GRAMA {63-2-201}, all registration information maintained by the Division is classified as public record.			
Optional Inclusion of Ownership Information: This information is not required.			
Is this a female owned business? <input type="radio"/> Yes <input checked="" type="radio"/> No			
Is this a minority owned business? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please specify: Select/Type the race of the owner here <input type="checkbox"/>			

AUG 1 2018 PM 3:50

RECEIVED

AUG 01 2018

01/14

Utah Div. of Corp. & Comm. Code

State of Utah  
 Department of Commerce  
 Division of Corporations and Commercial Code  
 I hereby certified that the foregoing has been filed  
 and approved on this 1 day of Aug 2018  
 in this office of this Division and hereby issued  
 This Certificate thereof.

Examiner SLB Date 8/5/18



*[Signature]*  
 Jason Sterzer  
 Division Director

**BYLAWS  
OF  
WILSON ARCH WATER AND SEWER COMPANY  
*a Utah Nonprofit Corporation***

The undersigned Incorporator formed the Corporation (referred to herein as the “Corporation”) by filing the Articles of Incorporation in the Utah Division of Corporations on July 12, 2018 (“Effective Date”) and hereby adopts the following Bylaws:

**Article I  
General Information**

Section 1. Name. The name of the Corporation shall be Wilson Arch Water and Sewer Company.

Section 2. Purpose. The Corporation is organized to operate and manage domestic water and sewer infrastructure serving the Wilson Arch Resort Community (collectively, the “Water and Sewer System”). The service area of the Corporation shall be those 131 Buildable Lots that comprise the Wilson Arch Resort Community particularly described in the attached Exhibit A, according to the final plats thereof recorded in the real property records of San Juan County, Utah.

Section 3. Term. The business of the Corporation shall continue until terminated as herein provided.

Section 4. Registered Agent, Registered Office, Principal Office. The Corporation shall have and continuously maintain in the State of Utah a Registered Agent, Registered Office, and Principal Office, record of which shall be kept on file with the Utah Division of Corporations.

**Article II  
Shareholders**

Section 1. Shareholders: The Shareholders of the Corporation are the Developer of the Wilson Arch Resort Community, Wilson Arch Properties, LLC, and the record owner of each Lot.

Section 2. Meetings. There shall be an Annual Meeting of the Corporation, the date for which shall be determined by the Shareholders. The Annual Meeting shall be for the purpose of, but not limited to, the transaction of corporate business as specified in the Notice and Agenda. Special meetings of the Corporation may be called by at least two (2) Directors or by the President at the written request of the Shareholders owning at least thirty percent (30%) of the voting shares of record for the conduct of such business as shall be specified in the Notice and Agenda.

Section 3. Place of Meetings. Meetings shall be held at such place, either within or without the State of Utah, as may be provided in a resolution of the Board of Directors. In the absence of any such provision, all meetings shall be held at the Principal Office of the Corporation.

Section 4. Notice of Meetings. Notice shall be given of Annual Meetings at least ten (10) days and not more than thirty (30) days prior to the meeting. Notice of Special Meetings shall be given at least two (2) days prior to the meeting. Notice shall be provided by email to all Shareholders entitled to vote if an email address is on record with the Corporation; otherwise, all such notice shall be provided by US Mail. The Notice shall state the place, day, and time of the meeting and include an Agenda or recitation of the purpose for which the meeting is called. Attendance of a Shareholder at any meeting shall constitute waiver of notice of such meeting unless such Shareholder objects to the sufficiency of notice at the beginning of the meeting.

Section 5. Action without a Meeting. Any action required or permitted by the Act to be taken at a meeting of the Corporation, may be taken without a meeting if, by formal written ballot, the majority of holders of Class A and Class B Shares waive their right to an in-person meeting and vote on said action, in writing and as evidenced by their signature. In the event there are two or more Shareholders, a majority of holders of Class A and Class B Shares must waive the right to an in-person meeting. Such electronic action shall have the same force and effect as a vote of the Shareholders at a meeting, effective on the date the last ballot is received by the Corporation.

Section 6. Voting List. The List of Shareholders and number of shares each Shareholder is entitled to vote shall be provided at the start of the meeting.

Section 7. Quorum. A majority of Shareholder votes properly cast in person, by ballot, or by proxy shall constitute a quorum for action on the matter for which such votes are cast.

Section 8. Voting. All matters properly presented at a meeting of the Shareholders, or outside a meeting as provided in Section II.5, shall be determined by a vote of the Shareholders as follows:

- a. Each Shareholder shall be entitled to vote on the basis of share ownership.
- b. Every matter properly submitted to a vote of the Shareholders, except as otherwise provided herein, shall be decided by a majority vote of the holders of Class A and Class B Shares.

### **Article III** **Board of Directors**

Section 1. Number. The Board of Directors shall consist of not fewer than two (2) Directors.

Section 2. Election and Term. Each Director shall serve on the Board of Directors for an Initial Term of three (3) years and is eligible for re-election for up to three (3) consecutive terms.

Elections shall occur at the Regular Meeting following the expiration of a term or an event that causes a vacancy.

Section 3. Meetings. The Board shall hold quarterly Regular Meetings, established by Schedule adopted by the Board on an annual basis, and at a time and place agreed upon by the Board. Interim Special Meetings may also be called by the President or a majority of the Directors, at a time and place stated in the Notice of Meeting. Directors may attend Meetings by telephonic or electronic (computer conferencing) means upon 48-hours' advanced written request for accommodation, which request shall be made to the Secretary.

Section 4. Notice. Once the Board adopts the Schedule of Regular Meetings pursuant to Section III.4, additional notice of such Regular Meetings is not required. The Secretary shall provide notice of Special Meetings, by email or telephone, to each Director at least forty-eight (48) hours before such Special Meeting.

Section 5. Quorum. A quorum shall consist of a majority of the Board attending a duly-noticed Regular or Special Meeting in person or by proxy. As used herein "in person" shall include participation by telephonic or electronic (computer conferencing) means.

Section 6. Voting Requirement. All action of the Corporation shall be taken by majority vote of the Directors. As used herein, "Majority Vote" shall mean a majority of the Board present at a meeting at which a quorum is present.

Section 7. Action without a Meeting. Any action required or permitted to be taken at a meeting of the Board of Directors (including amendment of these Bylaws) or of any committee may be taken without a meeting if the Directors consent in writing to taking the action without a meeting unanimously and approve the specific action by majority vote.

Section 8. Committees. The Board may establish committees composed of at least three (3) persons which, except for an Executive Committee, may include persons who are not Directors. The Board may make such provisions for appointment of the chair of such committees, establish such procedures to govern their activities, and delegate thereto such authority as may be necessary or desirable for the efficient management of the property, affairs, business, or activities of the Corporation.

Section 10. Reimbursement. Directors shall serve without compensation with the exception that expenses incurred in the furtherance of the Corporation's business may be reimbursed to the Director, subject to documentation and Board approval. This provision shall not be construed to limit the ability of the Executive Director, who serves the Corporation as staff, from receiving compensation for said employment.

Section 11. Resignation and Removal. A Director may resign at any time upon written notice directed to the Secretary. Resignation is effective upon receipt by the Secretary. The Board, by majority vote, shall remove a Director for missing more than two (2) Regular Meetings a year, for acting contrary to the best interest of the Corporation, or for other just cause; provided, however, that the Board may not remove the Executive Director from the Board except in the

event of termination of employment. Removal is effective upon an affirmative vote of the Board hereunder.

#### **Article IV** **Officers**

Section 1. Officers, Term, and Vacancies. The Officers of the Corporation shall consist of a President, Secretary, Treasurer and such other officers and agents as may be deemed necessary by the Board. Officers shall serve one (1) year terms and shall be elected by the Board of Directors at the first Regular Meeting of each fiscal year, or at the Regular Meeting following an event that causes a vacancy.

Section 2. President. The President shall preside over all meetings of the Board. The President shall perform all duties attendant to that office, subject, however, to the direction and delegation of the Board.

Section 3. Vice-President. The Vice-President, if any shall preside over meetings of the Board in the absence of or request of the President. The Vice-President shall perform other duties as requested and assigned by the President, subject to the direction of the Board.

Section 4. Secretary. The Secretary shall keep records of board actions, including overseeing the taking of minutes at all Board meetings, publishing notice of said meeting as required hereunder, distributing copies of minutes and the agenda to each Director, and assuring that corporate records are maintained.

Section 5. Treasurer. The Treasurer shall report to the Board at each Regular Meeting on the status of the Corporation's finances, assist the Executive Director and other paid executive staff to prepare the budget, help develop fundraising plans, and make financial information available to Directors and the Shareholders.

Section 6. Resignation and Removal. The resignation or removal of a Director pursuant to Section III.1 shall automatically result in the resignation or removal of an Officer.

Section 7. Committee Formation. The Board may create committees as needed. The President shall appoint all committee chairs.

#### **Article V** **Shares**

Section 1. Shares Defined.

- a. The Corporation shall issue one hundred (100) Class A (Development) Shares to Developer for each Lot owned by the Developer, for a Class A Share total of 13,100 for 131 Buildable Lots in the Wilson Arch Resort Community. Class A Shares shall be entitled to vote on every matter properly presented to the Shareholders. Class A Shares are not chargeable with the general assessment for

operation and maintenance of system facilities, but are subject to special assessments for the initial construction, installation, and permitting of the Water System.

b. Upon initial sale of a Lot from the Developer, the Corporation shall convert 100 Class A Shares into one (1) Class B (Use) Share, which Share shall be appurtenant to such Lot and may not be sold, conveyed, or otherwise transferred away from said Lot. Any attempt to sell, convey, or otherwise transfer a Class B Share to any person or persons except the record owner of the Lot shall be null and void and not recognized by the Corporation. Class B Shares shall not be subject to general assessment until such Shares are placed into use by the Owner thereof calling for delivery of water or sewer services. Prior to activation and imposition of the general assessment, the Corporation may impose a standby fee on vacant lots as determined and imposed by the Board of Directors.

c. The Corporation shall not issue or assign any Shares to Lot 19A, which Lot is not buildable and shall be used as a leachfield only for Lot 19.

Section 2. Share Register. The Secretary shall maintain a “Share Register” in which a record is kept of all shares issued by the Company. The Secretary shall enter into the Share Register the class of Share issued, the identification number of each share, the name and address of the Shareholder, the Lot to which it is appurtenant, and any other such information as shall be determined by the Board of Directors.

Section 3. Share Transfer. The Secretary shall record all transfers in the Share Register upon evidence that demonstrates transfer of ownership of the Lot, as follows:

a. The conversion of Class A Shares to Class B Shares shall occur automatically upon recordation of the deed from the Developer to the new record owner affecting the sale and conveyance of the Lot.

b. The ownership of Class B Shares appurtenant to each Lot shall automatically transfer to the new record owner of the Lot to which such Share is appurtenant, upon recordation of the deed effecting the sale and conveyance of such Lot.

c. The ownership of Class A Shares shall automatically transfer to Developer’s successors or assigns upon filing a Bill of Sale of all of substantially all of the assets of Developer with the Corporation.

## **Article VI** **Service and Use**

Section 1. Title. The Corporation shall hold title for and on behalf of the Shareholders to all wells, pumps, pumphouses, valves, meters, service lines, lateral lines, and related facilities from

the water and sewer mains up to the boundary line of each Lot, which comprise the Water and Sewer System.

Section 2. Maintenance. The Corporation shall maintain, repair, and replace the Water and Sewer System as needed, subject to this Article. Each Shareholder shall own and bear sole responsibility for repair, upkeep, and maintenance of the service lateral from the property line to the premises being serviced. The Corporation may, without incurring liability, make emergency repairs to service laterals, in order to mitigate damage, prevent waste of water, and to prevent contamination of the water supply, but the cost of any such repairs shall be the Shareholder's sole responsibility.

Section 3. Sale of Water and Outside Connections Prohibited. Water delivered by and through the Water and Sewer System shall not be used on any other parcel of land except the Lot to which it is appurtenant, and shall not be sold, conveyed or otherwise transferred away from said appurtenant Lot. Further, connections with other water systems or any other source of water supply are prohibited.

Section 4. Exclusive Use. The Water and Sewer System, and the services delivered thereby, are for the exclusive use of the Lots within the Wilson Arch Resort Community. Shareholders shall not allow or permit other persons, other than household guests, to take, draw, use or receive water from the Water and Sewer System, nor permit other persons to connect to the pipes or mains serving a Lot within the Wilson Arch Resort Community.

Section 5. Cross Connections Prohibited. In order to protect the Water and Sewer System from the possibility of contamination, there shall be no physical connection or arrangement of piping or fixtures which may allow non-potable water including, without limitation, industrial fluids or waste liquids, compounds or other materials or substances of questionable quantity to come into contact with water delivered through the Water and Sewer System. This shall further include, but not be limited to, temporary conditions such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multiport tubes or any other such plumbing arrangements.

Section 6. Backflow Prevention Assembly Required. Whenever the Corporation determines that a Shareholder's usage of water through the Shareholder's water service connection contributes a sufficient hazard to the Water and Sewer System, in its sole discretion, the Shareholder shall install, maintain, and repair a backflow prevention assembly on the Shareholder's individual service line, at the Shareholder's cost, which location may be at or near the property line or immediately inside the structure being served but in all cases before the first branch leading off the service line.

## **Article VII** **Assessments**

Section 1. Assessments. The Corporation shall make assessments on a pro rata share for its Common Expenses to maintain, repair, improve, and manage the Water and Sewer System. In addition, the Corporation may make assessments on other than a pro rata basis where actual costs

of water delivery, costs resulting from water use in excess of normal annual demand, engineering and attorneys' fees, underlying water use charges, or the like, result in increased costs to the Corporation, which costs are directly attributable to a particular Shareholder. All assessments shall be levied and collected at times, in the amount, and in the manner provided by law and as the Board of Directors may direct, subject to Article V.

Section 2. Notice of Assessment. The Notice of Assessment shall be provided by email to all Shareholders if an email address is on record with the Corporation; otherwise, all such notice shall be provided by US Mail. The Notice of Assessment shall contain the information required by the Utah Revised Nonprofit Corporation Act.

Section 3. Enforcement and Collections.

a. Super Priority Lien. The Board may charge interest in the amount of two percent (2%) per month, together with the costs of enforcement, including attorneys' fees, on all unpaid assessments. To the extent allowed by law, such delinquent assessment, costs and fees shall constitute a super priority lien against the delinquent Lot, the enforcement of which requires no further notice.

b. Suspension of Service. The Board may also suspend service to the delinquent Lot upon Notice and Hearing. As used herein, Notice and Hearing shall mean written notice delivered to the delinquent Lot Owner(s) to the mailing address of record via First-Class U.S. Mail; and an opportunity to be heard at a Special Meeting of the Board, to be held no more than fourteen (14) business days after notice is given. The Notice shall include the Hearing date, location, time, and agenda.

## **Article VIII** **Indemnification of Officers and Directors**

Section 1. Indemnification. The Corporation shall indemnify its Directors, Officers, and staff ("Indemnified Party[ies]") against reasonably incurred expenses (including attorneys' fees), judgments, penalties, fines and amounts paid in settlement reasonably incurred by an Indemnified Party in connection with such action, suit or proceeding if it is determined that the conduct of the Indemnified Party was made in good faith and that the Indemnified Party reasonably believed (i) in the case of conduct in an official capacity for the Corporation, that the conduct was in the Corporation's best interests, or (ii) in all other cases (except criminal cases), that the conduct was at least not opposed to the Corporation's best interest, or (iii) in the case of any criminal proceeding, that the Indemnified Party had no reasonable cause to believe the conduct was unlawful. No indemnification shall be made if an Indemnified Party is adjudged liable to the Corporation or in connection with any proceeding charging that the Director or Officer derived an improper personal benefit, whether or not involving action in an official capacity.

Section 2. Advance of Expenses. Reasonable expenses (including attorneys' fees) incurred in defending an action, suit or proceeding as described in Section 1 may be paid by the



Corporation to an Indemnified Party in advance of the final disposition of such action, suit or proceeding upon receipt of: (i) a written affirmation of the Indemnified Party's good faith belief that the standards of conduct prescribed by Section 1 have been met; (ii) a written promise to repay such advances if it is ultimately determined that the Indemnified Party did not meet the prescribed standards of conduct, and (iii) a determination is made by the Board that the facts as then known would not preclude indemnification.

Section 3. Witness Expenses. The sections of this Article do not limit the Corporation's authority to pay or reimburse expenses incurred by a Director, Officer, or staff in connection with an appearance as a witness in a proceeding at a time when the Director, Officer, or staff has not been made a named defendant or respondent in the proceeding.

## **ARTICLE IX** **Financial Administration**

Section 1. Fiscal Year. The fiscal year of the Corporation shall end on December 31<sup>st</sup>.

Section 2. Checks, Drafts, Etc. All checks, orders for payment of money, and obligations shall be signed or endorsed by the Executive Director; provided, however, that all such checks, orders for payment of money, and obligations that exceed \$10,000 shall be approved by majority vote of the Board in advance.

Section 3. Deposits and Accounts. All funds of the Corporation, not otherwise employed, shall be deposited from time to time in general or special accounts in such banks, trust companies, or other depositories as the Board may select.

Section 4. Investments. The funds of the Corporation may be retained in whole or in part in cash or be invested and reinvested on occasion in such property, real, personal, or otherwise, or stock, bonds, or other securities, as the Board in its sole discretion may deem desirable.

## **Article X** **Dissolution, Liquidation, and Termination**

Section 1. Dissolution. The Corporation shall dissolve and its affairs shall be wound up on the first to occur of the following: the written consent of a majority of holders of Class A and Class B Shares, or the sale of all or substantially all of the assets of the Corporation in a manner which limits the liability of the Directors and Shareholders, including without limitation a conveyance of such assets in as-is where-as condition without warranty or representation. Any sale, transfer or conveyance of the assets of the Corporation without such protection shall be void without the written consent of the majority of holders of Class A and Class B Shares.

Section 2. Liquidation and Termination. On dissolution of the Corporation, the Board of Directors shall act as liquidators or may appoint the President or one or more Directors as liquidator. The liquidator shall proceed diligently to wind up the affairs of the Corporation and make final distributions as provided herein and in the Act. The costs of liquidation shall be borne

as a Corporation expense. Until final distribution, the liquidator shall continue to operate the Corporation properties. The steps to be accomplished by the liquidator are as follows:

a. As promptly as possible after dissolution and again after final liquidation, the liquidator shall cause a proper accounting to be made of the Corporation's assets, liabilities, and operations through the last day of the calendar month in which the dissolution occurs or the final liquidation is completed, as applicable.

b. The liquidator shall pay, satisfy, or discharge from Corporation funds all of the debts, liabilities, and obligations of the Corporation (including, without limitation, all debts to Officers, Shareholders and all expenses incurred in liquidation) or otherwise make adequate provision for payment and discharge thereof (including, without limitation, the establishment of a cash escrow fund for contingent liabilities in such amount and for such term as the liquidator may reasonably determine).

c. All remaining assets of the Corporation shall be distributed to the Shareholders as follows:

i. The liquidator may sell any or all Corporation property, including to Shareholders, and any resulting gain or loss from each sale shall be computed and allocated to the capital accounts of Shareholders in accordance with each Shareholder's percentage of Shares.

ii. With respect to all Corporation property that has not been sold, the fair market value of that property shall be determined by independent appraisal or by agreement of the Directors. Such assets shall be deemed to have been sold as of the date of dissolution for their fair market value, and the capital accounts of the Shareholders shall be adjusted to reflect such deemed sale.

iii. Corporation property shall be distributed among the Shareholders in accordance with the positive capital account balances of the Shareholders, as determined after taking into account all capital account adjustments for the taxable year of the Corporation during which the liquidation of the Corporation occurs (other than those made by reason of this clause (iii)); and those distributions shall be made by the end of the taxable year of the Corporation during which the liquidation of the Corporation occurs (or, if later, ninety (90) days after the date of the liquidation).

All distributions in kind to the Shareholders shall be made subject to the liability of each distributee for costs, expenses, and liabilities theretofore incurred or for which the Corporation has committed prior to the date of termination, and those costs, expenses, and liabilities shall be allocated to the distributee pursuant to this paragraph. The distribution of cash and/or property to a Shareholder in accordance with the provisions of this paragraph constitutes a complete return

to the Shareholder of its capital contributions and a complete distribution to the Shareholder of its interest in the Corporation.

Section 3. Deficit Capital Accounts. Notwithstanding anything to the contrary contained in this Agreement and notwithstanding any custom or rule of law to the contrary, each Shareholder shall be required to restore to zero any deficit in his capital account that remains after the distribution of liquidation proceeds, and such amount shall be paid to creditors of the Corporation or distributed to other Shareholders in accordance with their positive capital account balances.

Section 4. Articles of Dissolution. On completion of the distribution of Corporation assets as provided herein, the Corporation is terminated, and the President (or such other person or persons as the Act may require or permit) shall file Articles of Dissolution with the Utah Division of Corporations and take such other actions as may be necessary to terminate the Corporation.

#### **Article XI** **Amendment**

The Board may amend these Bylaws by a majority vote of the Directors, after notice is given of the proposed amendment in advance of the meeting or provided all Directors waive such notice.

#### **Article XII** **Miscellaneous**

Section 1. Conflicts. In the event of conflict between these Bylaws and Utah law, Utah law shall control. In the event of conflict between these Bylaws and the Articles of Incorporation, these Bylaws shall control.

Section 2. Definitions. Except as otherwise specifically provided in these Bylaws, all terms used in these Bylaws shall have the same definition as in the Utah Revised Nonprofit Corporation Act.

Section 3. No Private Inurement. No Part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its Directors, Officers, or staff, or other private persons; provided, however, that the Corporation shall be authorized and empowered to pay reasonable compensation for the employment of its Water System Manager and staff and to make expense reimbursements as set forth herein.

Section 4. Entry upon Lot. The Corporation, and its agents, employees and contractors, shall have the right to enter upon a Lot to install, operate, inspect, read, monitor, maintain, repair, and replace any and all meters and other equipment on or attached to the Water and Sewer System. The Lot Owner shall not obstruct the ability of the Corporation to gain access as provided herein. The cost of removing such obstruction, including attorneys' fees and costs, shall be charged to and paid by the Lot Owner.

**CERTIFICATE**

These Bylaws are hereby adopted by the undersigned Incorporator and effective as of July 12, 2018.

**WILSON ARCH WATER AND SEWER COMPANY**

  
Phillip Glaze, Incorporator

**EXHIBIT A**  
**Wilson Arch Resort Community**

The following real property located within Sections 15 & 22, T29S, R23E, SLB&M, in San Juan County, Utah:

**Parcels A, D through L, and Lots 1 through 15, and 18**, Phase I, Wilson Arch Resort Community, according to the Phase I Amended Plat recorded in the real property records of San Juan County at Entry No. 064023 on July 2, 2001, also known as Parcel Nos. 0005700000A0, 0005700000D0 through 0005700000L0, 000570000010 through 000570000150, 000570000180; and

**Lot 19**, Phase I, Wilson Arch Resort Community, according to the Phase I Amended Plat recorded in the real property records of San Juan County at Entry No. 064023 on July 2, 2001, also known as Parcel No. 000570000190; and

**Parcels B-1 and B-2**, Phase I, Wilson Arch Resort Community, according to the Phase I Amended Subdivision Plat for Parcel B, recorded in the real property records of San Juan County at Entry No. 070056 on September 8, 2003, also known as Parcel Nos. 0005700000B1 and 0005700000B2; and

**Lots D-1 through D-6**, Red Canyon Villas at Wilson Arch, according to the Final Plat thereof recorded in the real property records of San Juan County at Entry No. 079555 on June 15, 2005, also known as Parcel Nos. 0007900000D1 through 0007900000D6; and

**Lot 16A**, Phase I, Wilson Arch Resort Community, according to the Phase I Amended Subdivision Plat for Lots 16 & 17 recorded in the real property records of San Juan County at Entry No. 109939 on April 12, 2010, also known as Parcel No. 00057000016A; and

**Lots 1, 3, 7, 8, 10, 26, and 28** of Parcel C, Cottage & Spa Site, Wilson Arch Resort Community, according to the Phase I Amended Plat recorded in the real property records of San Juan County at Entry No. 064023 on July 2, 2001, also known as Parcel Nos. 000570000C01, 000570000C03, 000570000C07, 000570000C08, 000570000C10, 000570000C26, and 000570000C28, and particularly described as follows:

**Lot 1:** Beginning at a corner which bears S 0 deg. 13' E 1709.4 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 0 deg. 13' E 215.3 feet, thence N 55 deg. 42' W 137.5 feet, thence along the arc of a 35.0 foot radius curve to the left 65.0 feet (said curve has a chord which bears N 6 deg. 41' W 56.0 feet), thence N 6 deg. 39' W 8.8 feet, thence N 58 deg. 35' E 141.1 feet to the point of beginning; and

**Lot 3:** Beginning at a corner which bears S 9 deg. 44' W 1656.4 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 86 deg 24' E 103.8 feet; thence S 3 deg. 31' W 131.4 feet, thence N 86 deg. 24' W 103.8 feet, thence N 3 deg. 31' E 131.4 feet to the point of beginning; and

**Lot 7:** Beginning at a corner which bears S 0 deg. 13' E 1613.2 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 0 deg. 13' E 96.2 feet, thence S 58 deg. 35' W 141.1 feet, thence N 6 deg. 39' W 90.3 feet, thence N 58 deg. 29' E 153.1 feet to the point of beginning; and

**Lot 8:** Beginning at a corner which bears S 0 deg. 13' E 1388.0 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 0 deg. 13' E 225.2 feet to a corner, thence S 58 deg. 29' W 153.1 feet to a corner, thence N 13 deg. 44' E 189.1 feet to a corner, thence N 13 deg. 41' E 138.0 feet to a corner, thence S 76 deg. 19' E 53.7 feet to the point of beginning; and

**Lot 10:** Beginning at a corner which bears S 6 deg. 18' W 1358.8 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 76 deg. 19' E 105.0 feet, thence S 13 deg. 41' W 138.0 feet, thence N 76 deg. 19' W 105.0 feet, thence N 13 deg. 41' E 138.0 feet to the point of beginning; and

**Lot 26:** Beginning at a corner which bears S 0 deg. 13' E 1213.2 feet from the East 1/16 corner to Sections 15 and 22, T29S, R23E, SLBM, and proceeding thence S 0 deg. 13' E 174.8 feet, thence N 76 deg. 19' W 158.7 feet, thence N 9 deg. 54' E 139.3 feet, thence S 89 deg. 59' E 129.4 feet to the point of beginning; and

**Lot 28:** Beginning at a corner which bears S 0 deg. 13' E 1117.7 feet from the East 1/16 corner to Sections 15 and 22, T29E, R23E, SLBM, and proceeding thence S 0 deg. 13' E 95.5 feet, thence N 89 deg. 59' W 129.4 feet, thence N 2 deg. 54' E 57.8 feet, thence along the arc of a 35.0 foot radius curve to the left 64.8 feet (said curve has a chord which bears N 47 deg. 18' 55.9 feet), thence E 91.0 feet to the point of beginning; and

**Lots 4, 6, 11 through 21, 23 through 25,** Back of the Arch Cottage Lots, according to the Final Plat thereof recorded in the real property records of San Juan County, Utah at Entry No. 070144 on September 16, 2003, also known as Parcel Nos. 000730000040, 000730000060, 000730000110 through 000730000210, 000730000230 through 000730000250; and

**Lots 20 through 92,** Phase II, Wilson Arch Resort Community, according to the Final Plat thereof recorded on Entry No. 097346 on August 29, 2007, also known as Parcel Nos. 000570020200 through 000570020920.

## **Attachment 5**

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# **Proof of Ownership of Water Rights 05-2992**



[View New Water Right Webpage Design](#)

Select Related Information

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 08/02/2018

WATER RIGHT: **05-2992** APPLICATION/CLAIM NO.: **A30414di** CERT. NO.:  
CHANGES: [a28592](#) (Filed: 01/20/2004) Amended by Subsequent Change  
[a36959](#) (Filed: 10/18/2010) Approved

OWNERSHIP\*\*\*\*\*

NAME: Wilson Arch Water & Sewer Special Service District  
ADDR: P.O. Box 906  
Moab UT 84532

DATES, ETC.\*\*\*\*\*

LAND OWNED BY APPLICANT? COUNTY TAX ID#:  
FILED: 08/07/1958 | PRIORITY: 08/07/1958 | PUB BEGAN: | PUB ENDED: | NEWSPAPER:  
ProtestEnd: | PROTESTED: [No] | HEARNG HLD: | SE ACTION: [Approved] | ActionDate:10/06/1959 | PROOF DUE: 10/31/2025  
EXTENSION: | ELEC/PROOF:[ ] | ELEC/PROOF: | CERT/WUC: | LAP, ETC: | LAPS LETTER:  
RUSH LETTR: | RENOVATE: | RECON REQ: | TYPE: [ ] | 50YR DATE: 10/06/2009  
PD BOOK: [ 05- ] | MAP: [ ] | PUB DATE:

\*TYPE -- DOCUMENT -- STATUS  
Type of Right: Application to Appropriate Source of Info: Application to Segregate Status: Approved

LOCATION OF WATER RIGHT\*\*\*(Points of Diversion: Click on Location to access PLAT Program.)\*\*\*\*\*[MAP VIEW](#)\*\*\*\*\*

FLOW: 110.5 acre-feet  
SOURCE: Four Underground Water Wells (Three Existing)  
COUNTY: San Juan COMMON DESCRIPTION: Wilson Arch Resort Community

POINT OF DIVERSION -- UNDERGROUND: (Click Well ID# link for more well data.)

- (1) [N 78 ft E 637 ft from S4 cor., Sec 15, T 29S, R 23E, SLBM](#)  
DIAMETER OF WELL: 7 ins. DEPTH: 840 to ft. YEAR DRILLED: WELL LOG? No [WELL ID#:](#)  
Comment: Existing Well
- (2) [S 406 ft E 333 ft from N4 cor., Sec 22, T 29S, R 23E, SLBM](#)  
DIAMETER OF WELL: 7 ins. DEPTH: 840 to ft. YEAR DRILLED: WELL LOG? No [WELL ID#:](#)  
Comment: Existing Well
- (3) [S 1818 ft E 845 ft from N4 cor., Sec 22, T 29S, R 23E, SLBM](#)  
DIAMETER OF WELL: 7 ins. DEPTH: 880 to ft. YEAR DRILLED: WELL LOG? No [WELL ID#:](#)  
Comment: Existing Well
- (4) [S 2215 ft W 200 ft from N4 cor., Sec 22, T 29S, R 23E, SLBM](#)  
DIAMETER OF WELL: 7 ins. DEPTH: 900 to ft. YEAR DRILLED: WELL LOG? No [WELL ID#:](#)

USES OF WATER RIGHT\*\*\*\*\* ELU -- Equivalent Livestock Unit (cow, horse, etc.) \*\*\*\*\* EDU -- Equivalent Domestic Unit or 1 Family  
(The Beneficial Use Amount is the quantity of Use that this Water Right contributes to the Group Total.)

WATER USE GROUP NO.: [2244](#)  
MUNICIPAL: Wilson Arch Water & Sewer Sp. Ser. Dist. PERIOD OF USE: 01/01 TO 12/31  
Acre Feet Contributed by this Right for this Use: Unevaluated

To be used in the service area of Wilson Arch Water & Sewer Special Service District.

DIVERSION & DEPLETION ESTIMATES\*\*\*\*\*

	(All values in acre-feet, Growing Season in days)	MANUALLY	ACRE-FEET	DIVERSION	DEPLETION	GROWING WATER-USE
	IRRIGATION STOCK DOMESTIC MUNICIPAL MINING POWER OTHER EVALUATED EXPORTED DUTY DUTY SEASON REPORTING					
DIV:	52.500 5.600 43.200	9.200 Yes		5.00	2.52	214
DEP:	26.492 5.600 8.640	1.840				

OTHER COMMENTS\*\*\*\*\*

GENERAL:  
The origin of this water right is Flaming Gorge Project water, Water Right No. 41-3479, and that segregated portion, Water Right 41-3515. This Change Application proposes to divert 100 acre-feet of water from four wells, within the Colorado River Drainage. The water will be used for domestic, stock, irrigation, and commercial uses by Wilson Arch Water and Sewer Company. The diversion limit of this water right is 100 acre-feet, and the depletion limit is 40.45 acre-feet.

The irrigation duty value in this area has been administratively changed from 4.0 acre-feet/acre to 5.0 acre-feet/acre. This application has been re-quantified using the current duty value of 5.0 acre-feet/acre. Additionally, the irrigation season recognized by the State Engineer for this area has been changed from April 1 through October 31 to March 15 through November 15.



Limited to the municipality use in the service area of Wilson Arch Water & Sewer Special Service District.

As of December 3, 2013, the priority date and/or filing date have administratively changed to reflect that of the original right.

=====
SEGREGATION HISTORY\*\*\*\*\*
=====

This Right was Segregated from 41-3479, with Appl#: A30414d, Approval Date: 10/06/1959 under which Proof is to be submitted.
This Right as originally filed:

Table with columns: FLOW IN CFS, QUANTITY IN ACRE-FEET, IRRIGATED ACREAGE, STOCK (ELUs), DOMESTIC (FAMILIES), WATER USE MUNICIPAL, MINING, POWER, OTHER. Value 100.0 is shown under QUANTITY IN ACRE-FEET.

=====
PROTESTANTS\*\*\*\*\*
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NAME: United States Bureau of Reclamation
ADDR: c/o Bruce C. Barrett
302 East 1860 South
Provo, UT 84606-7317
TYPE: EXT (10/20/2009)
RCVD: 01/04/2010
NAME: Bureau Of Reclamation United States Department of the
ADDR: 302 East 1860 South
Provo, UT 84606-7317
TYPE: EXT (10/02/2015)
RCVD: 11/12/2015

=====
APPLICATIONS FOR EXTENSIONS OF TIME WITHIN WHICH TO SUBMIT PROOF\*\*\*\*\*
=====

FILED: 02/04/1999|PUB BEGAN: 02/24/1999|PUB ENDED: 03/03/1999|NEWSPAPER: Vernal Express
ProtestEnd:03/23/1999|PROTESTED: [Yes ]|HEARNG HLD: |SE ACTION: [Approved]|ActionDate:05/13/1999|PROOF DUE: 10/31/2009
FILED: 10/20/2009|PUB BEGAN: 12/09/2009|PUB ENDED: 12/16/2009|NEWSPAPER: The San Juan Record
ProtestEnd:01/04/2010|PROTESTED: [No ]|HEARNG HLD: |SE ACTION: [Approved]|ActionDate:12/28/2010|PROOF DUE: 10/31/2015
FILED: 10/02/2015|PUB BEGAN: 10/21/2015|PUB ENDED: 10/28/2015|NEWSPAPER: The San Juan Record
ProtestEnd:11/17/2015|PROTESTED: [No Hear ]|HEARNG HLD: |SE ACTION: [Approved]|ActionDate:03/10/2016|PROOF DUE: 10/31/2025

\*\*\*\*\*
\*\*\*\*\*END OF DATA\*\*\*\*\*
\*\*\*\*\*

# APPLICATION TO SEGREGATE A WATER RIGHT

## STATE OF UTAH

Rec. by \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_

Receipt # \_\_\_\_\_

For the purpose of obtaining permission to segregate a water right in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-27, Utah Code Annotated 1953, as amended.

WATER RIGHT #: 05-2992      APPLICATION #: A30414di      Priority Date: August 7, 1958

WATER RIGHT SEPARATED FROM: 41-3479 (A30414d)      (This document was created on: January 23, 2004 by JAUSTCK.)  
\*\*\*\*\*

### 1. OWNERSHIP INFORMATION:

NAME: State of Utah Board of Water Resources  
ADDRESS: Box 146201, Salt Lake City, UT 84114-6201

NAME: Wilson Arch Water & Sewer Company  
ADDRESS: P.O. Box 326, Monticello, UT 84535

### 2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 100.0 acre-feet

B. SOURCE: Green River

COUNTY: Daggett

C. COMMON DESCRIPTION: Flaming Gorge Dam

D. POINT OF DIVERSION -- SURFACE:

(1) S 1,087 feet E 1,020 feet from the N¼ corner, Section 15, T 2N, R 22E, SLBM  
DIVERT WORKS: Flaming Gorge Dam

### 3. WATER USE INFORMATION:

IRRIGATION: from Apr 1 to Oct 31.      IRRIGATING: 10.0000 acres.

STOCKWATERING: from Jan 1 to Dec 31.      EQUIVALENT LIVESTOCK UNITS: 20.

DOMESTIC: from Jan 1 to Dec 31.      FAMILIES: 80.

COMMERCIAL: from Jan 1 to Dec 31.      resort, motel, restaurant, dude ranch, spa,  
equestrian center, etc. (23.44 ac-ft)

\*-----\*

LIMITATION(S): The Stockwatering portion of this right is limited to the annual diversion of 0.5600 acre-feet.  
The Domestic portion of this right is limited to the annual diversion of 36.0000 acre-feet.

### 4. EXPLANATORY:

This water is used in the service area of the Flaming Gorge Project for irri-

Segregation

Scanned

gation, stockwatering, domestic, and municipal purposes. Eventually it is proposed to use the water for a residential and commercial community being developed by Wilson Arch Water and Sewer Company located near LaSal Junction in San Juan County.

5. SIGNATURE OF APPLICANT(S):

\*\*\*\*\*

If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If there is more than one applicant, a power of attorney, authorizing one to act for all should accompany the application.

\*\*\*\*\*

The undersigned hereby acknowledge that even though he or she may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the State Engineer's Office, all responsibility for the accuracy of the information contained therein, at the time of filing, rests with the applicant(s).

\_\_\_\_\_  
State of Utah Board of Water Resources

\_\_\_\_\_  
Wilson Arch Water & Sewer Company

# APPLICATION FOR PERMANENT CHANGE RECEIVED OF WATER RECEIVED

JAN 20 2004 STATE OF UTAH JAN 12 2004

Rec. by MK  
Fee Rec. \$100.00  
Receipt # 04-00259

## WATER RIGHTS PRICE

## WATER RIGHTS

Check #1273

For the purpose of obtaining permission to make a permanent change of water in the State of ~~PRICE~~ application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated, as amended.

\*WATER RIGHT NO. 05 - 2992 \*APPLICATION NO. a a28592

Changes are proposed in (check those applicable)

point of diversion.  place of use.  nature of use.  period of use.

### 1. OWNER INFORMATION

Name(s): Wilson Arch Water and Sewer Company State of Utah Board of Water Resources  
Address: P.O. Box 326 P.O. Box 146201  
City: Monticello, Utah 84535 Salt Lake City, Utah 84114-6201

2. \*PRIORITY OF CHANGE: January 20, 2004 \*FILING DATE: January 20, 2004

\*Is this change amendatory? (Yes/No): No

**RECEIVED**  
JAN 27 2004

3. RIGHT EVIDENCED BY: 41-3515 (A30414di)  
41-3515 is a segregated portion of 41-3479 (A30414d)

Prior Approved Change Applications for this right: \_\_\_\_\_

**WATER RIGHTS  
SALT LAKE**

\*\*\*\*\*HERETOFORE\*\*\*\*\*

4. QUANTITY OF WATER: \_\_\_\_\_ cfs and/or 100 ac-ft.

5. SOURCE: Green River

6. COUNTY: Daggett

7. POINT(S) OF DIVERSION: \_\_\_\_\_  
S. 1087 ft. & E. 1020 ft. from N $\frac{1}{4}$  Cor. Sec. 15, T2N, R22E, SLB&M

Description of Diverting Works: Flaming Gorge Dam

### 8. POINT(S) OF REDIVERSION

The water has been rediverted from \_\_\_\_\_ at a point: \_\_\_\_\_

Description of Diverting Works: \_\_\_\_\_

### 9. POINT(S) OF RETURN

The amount of water consumed is \_\_\_\_\_ cfs or 100 ac-ft.

The amount of water returned is \_\_\_\_\_ cfs or \_\_\_\_\_ ac-ft.

The water has been returned to the natural stream/source at a point(s): \_\_\_\_\_

\* These items are to be completed by the Division of Water Rights

**SCANNED**

Permanent Change

10. NATURE AND PERIOD OF USE

Irrigation: From April 1 to October 31
Stockwatering: From January 1 to December 31
Domestic: From January 1 to December 31
Municipal: From to
Mining: From to
Power: From to
Other: From January 1 to December 31

11. PURPOSE AND EXTENT OF USE

Irrigation: 10 acres. Sole supply of acres.
Stockwatering (number and kind): 20 ELUs
Domestic: 80 Families and/or Persons.
Municipal (name):
Mining: Mining District in the Mine.
Ores mined:
Power: Plant name: Type: Capacity:
Other (describe): Commercial: Resort, Motel, Restaurant, Dude Ranch, Spa, Equestrian

12. PLACE OF USE center, etc. (23.44 acre-feet)

Legal description of place of use by 40 acre tract(s): Under the Flaming Gorge Project

13. STORAGE

Reservoir Name: Storage Period: from to
Capacity: ac-ft. Inundated Area: acres.
Height of dam: feet.
Legal description of inundated area by 40 acre tract(s):

\*\*\*\*\*THE FOLLOWING CHANGES ARE PROPOSED\*\*\*\*\*

14. QUANTITY OF WATER: cfs and/or 100 ac-ft.

15. SOURCE: Four Underground Water Wells (Three Existing)
Balance of the water will be abandoned: or will be used as heretofore: X

16. COUNTY: San Juan

17. POINT(S) OF DIVERSION: 1) N. 85 ft. & E. 630 ft. from S 1/4 Cor. Sec. 15 (Existing);
2) S. 400 ft. & E. 330 ft. from N 1/4 Cor. Sec. 22 (Existing);
3) S. 1810 ft. & E. 850 ft. from N 1/4 Cor. Sec. 22 (Existing);
4) S. 2215 ft. & W. 200 ft. from N 1/4 Cor. Sec. 22; all T29S, R23E, SLB&M
Description of Diverting Works: 1) 7" 840'; 2) 7" 840'; 3) 7" 880'; 4) 7" 900'.
\*COMMON DESCRIPTION: 1/2 mile South of Wilson Arch LaSal West Quad

18. POINT(S) OF REDIVERSION

The water will be rediverted from at a point:
Description of Diverting Works:

19. POINT(S) OF RETURN

The amount of water to be consumed is \_\_\_\_\_ cfs or 100 ac-ft.
The amount of water to be returned is \_\_\_\_\_ cfs or \_\_\_\_\_ ac-ft.
The water will be returned to the natural stream/source at a point(s): \_\_\_\_\_

20. NATURE AND PERIOD OF USE

Irrigation: From April 1 to October 31
Stockwatering: From January 1 to December 31
Domestic: From January 1 to December 31
Municipal: From \_\_\_\_\_ to \_\_\_\_\_
Mining: From \_\_\_\_\_ to \_\_\_\_\_
Power: From \_\_\_\_\_ to \_\_\_\_\_
Other: From January 1 to December 31

21. PURPOSE AND EXTENT OF USE

Irrigation: 10.5 acres. Sole supply of \_\_\_\_\_ acres.
Stockwatering (number and kind): 200 ELUs
Domestic: 96 Families and/or \_\_\_\_\_ Persons.
Municipal (name): \_\_\_\_\_ Mine.
Mining: \_\_\_\_\_ Mining District at the \_\_\_\_\_
Ores mined: \_\_\_\_\_
Power: Plant name: \_\_\_\_\_ Type: \_\_\_\_\_ Capacity: \_\_\_\_\_
Other (describe): Commercial: Motel, Restaurant, Service Station, Equestrian Center, Fire Protection

22. PLACE OF USE

Legal description of place of use by 40 acre tract(s):
SW 1/4 SE 1/4 Sec. 15; NW 1/4, W 1/2 NE 1/4 Sec. 22; all T29S, R23E, SLB&M

23. STORAGE

Reservoir Name: \_\_\_\_\_ Storage Period: from \_\_\_\_\_ to \_\_\_\_\_
Capacity: \_\_\_\_\_ ac-ft. Inundated Area: \_\_\_\_\_ acres.
Height of dam: \_\_\_\_\_ feet.
Legal description of inundated area by 40 acre tract(s): \_\_\_\_\_

24. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. Include any supplemental water rights used for the same purpose. (Use additional pages of the same size if necessary): The origin of this water right is Flaming Gorge Project water, WR No. 41-3479, and that segregated portion, WR 41-3515. This Change Application proposes to divert 100 acre-feet of water from 4 wells, within the Colorado River Drainage. The water will be used for domestic, stock, irrigation, and commercial uses by Wilson Arch Water and Sewer Company. The diversion limit of this water right is 100 AF, and the depletion limit is 40.45 AF.

The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).

Signature of Applicant

Signature of Applicant

SCANNED

05-2992(028592)

### WILSON ARCH WATER AND SEWER COMPAY

The following values were taken from Utah State Administrative Rules for Public Drinking Water Systems, Department of Environmental Quality, Division of Drinking Water, Title R309-510-7 Source Sizing:

- Hotel/Resort, 150 gal/day/unit.
- Restaurant, 35 gal/day/seat.
- Service Station, 250 gal/day/pump.

USE	UNITS	DIVERSION	DEPLETION
Domestic 0.45 ac-ft/family	96 Families	43.20 ac-ft	8.64 ac-ft @20%
Livestock 0.028 ac-ft/elu	200 ELU's	5.60 ac-ft	5.60 ac-ft @100%
Irrigation 4.00 ac-ft/ac	10.50 Acres	42.00 ac-ft	24.36 ac-ft @58%
Motel/Resort 150 gpd/unit	40 Rooms 80% Occupancy	5.38 ac-ft	1.08ac-ft @20%
Restaurant 35 gpd/seat	60 Seats 80% Occupancy	1.88 ac-ft	0.38 ac-ft @20%
Service Station 250 gpd/pump	6 Pumps	1.68 ac-ft	0.34 ac-ft @20%
	<b>TOTAL =</b>	99.74 ac-ft	40.40 ac-ft
	<b>ALLOWABLE =</b>	100.00 ac-ft	40.45 ac-ft

**RECEIVED**

APR 23 2004

**WATER RIGHTS  
SALT LAKE**

RECEIVED

JAN 12 2004

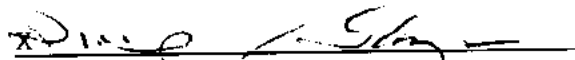
WATER RIGHTS  
PRICE

**APPLICANT'S MAP VERIFICATION STATEMENT**

State of Utah Board of Water Resources

I/we, Wilson Arch Water & Sewer Company, hereby acknowledge that this map  
(or, the map attached to this application), consisting of 1 pages numbered  
       to        was prepared in support of Application Number 05-2992 (a28592).

I/we hereby accept and submit this map as a true representation of the facts shown thereon  
to the best of my\our knowledge and belief.

  
Wilson Arch Water & Sewer Company

  
State of Utah Board of Water Resources

SCANNED

x





# WATER RIGHT DEED

WILSON ARCH WATER & SEWER COMPANY, Grantor, for good and valuable consideration, hereby DEEDS, TRANSFERS, and CONVEYS all right, title, and interest to WILSON ARCH WATER & SEWER SPECIAL SERVICE DISTRICT, grantee, whose mailing address is P. O. Box 326, Monticello, Utah 84535, the following described water right, located in San Juan County, as identified on the records of the Utah State Division of Water Rights:

Water Right 05-2992 (a28592)

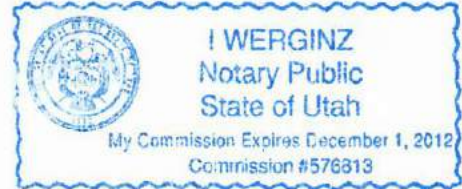
Points of diversion as follows:

1. N. 85 ft. & E. 630 ft. from S4 Cor., Sec. 15, T29S, R23E, SLB&M.
2. S. 400 ft. & E. 330 ft. from N4 Cor., Sec. 22, T29S, R23E, SLB&M.
3. S. 1810 ft. & E. 850 ft. from N4 Cor., Sec. 22, T29S, R23E, SLB&M.
4. S. 2215 ft. & W. 200 ft. from N4 Cor., Sec. 22, T29S, R23E, SLB&M.

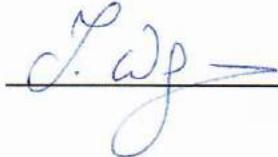
IN WITNESS WHEREFORE, I have unto set my signature this 21 day of December, 2009.

  
\_\_\_\_\_  
Wilson Arch Water & Sewer Company by Phillip V. Glaze

State of Utah            )  
                                  )ss.  
County of ~~San Juan~~ Grand Co.



On this 21 day of December, 2009, personally appeared before me Phillip V. Glaze, and acknowledged before me that he duly executed the forgoing instrument for and in behalf of Wilson Arch Water & Sewer Company.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

December 1, 2012

Residing at:

MOAB, UTAH

# **Attachment 6**

---

## **Proof of Sufficient Storage**

A FINAL PLAT OF  
**BACK OF THE ARCH COTTAGE LOTS**

A SUBDIVISION OF PARCEL C OF THE AMENDED PLAT OF  
 WILSON ARCH RESORT COMMUNITY PHASE I,  
 WITHIN SECTION 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH

**NOTES**

- THOSE ROADS SHOWN THROUGH PARCEL C ARE PRIVATE ROAD AND UTILITY EASEMENTS DEDICATED TO THE PROPERTY OWNERS ASSOCIATION. AS SUCH, THESE ROADS ARE ACCESS FOR THE LOTS PLATTED HEREON AND COTTAGE LOTS PLATTED PREVIOUSLY.
- THE OPEN SPACE HEREON IS BLANKETED WITH ACCESS AND UTILITY EASEMENTS TO BE UTILIZED AS DETERMINED BY THE PROPERTY OWNERS ASSOCIATION.
- EACH LOT IS SUBJECT TO A 20 FT. WIDE UTILITY EASEMENT ALONG ALL LOT LINES.

**LEGEND**

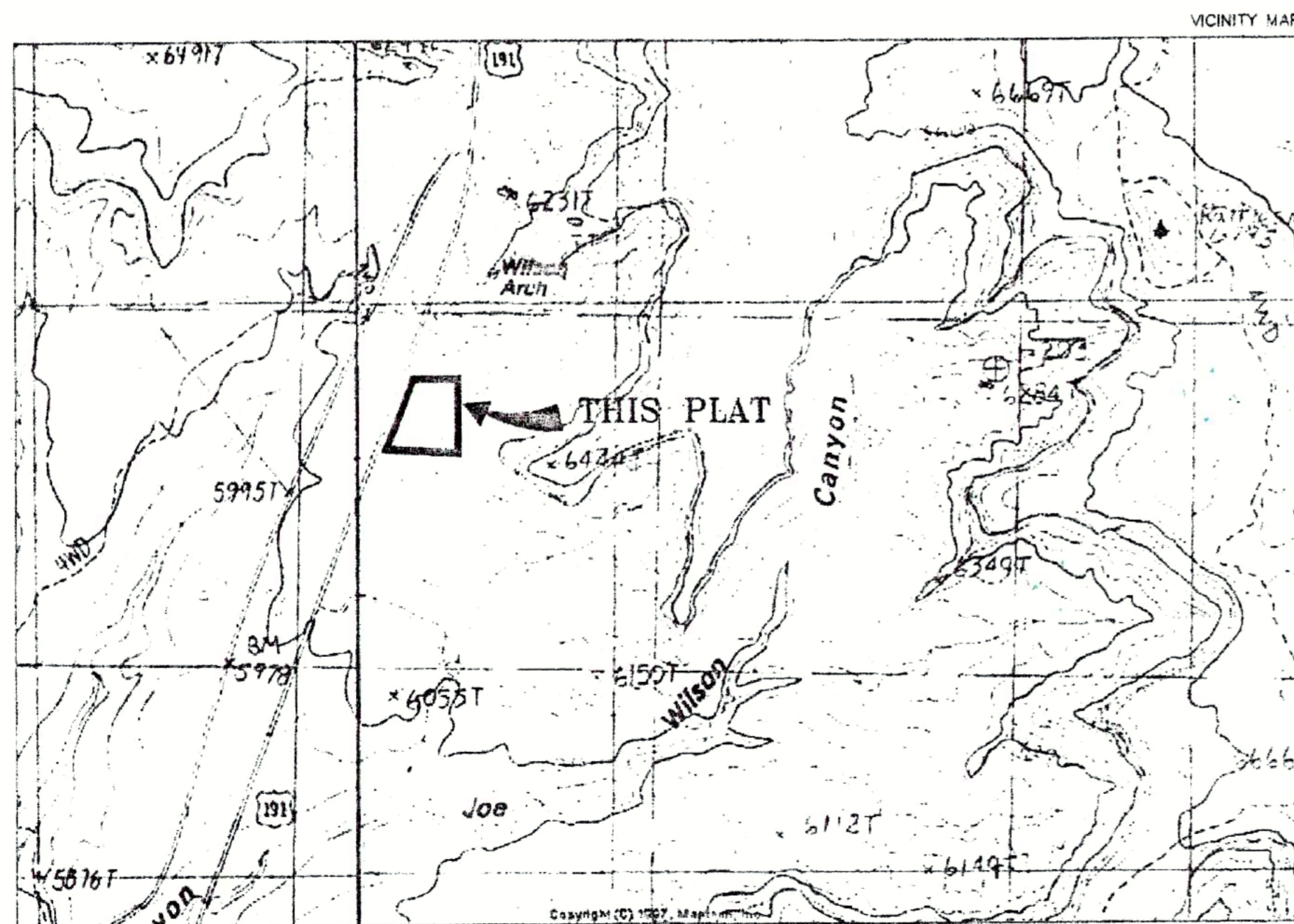
- FOUND 5/8" REBAR WITH PLASTIC CAP SET BY THIS SURVEYOR
- 3/8" REBAR WITH PLASTIC CAP SET THIS SURVEY
- FOUND BLM ALUMINUM MONUMENT (1995)

CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	CHORD
1	23.5'	774.9'	11.8'	N15°25'E	23.5'	
2	65.9'	774.9'	33.0'	N12°07'E	65.9'	
3	72.4'	229.9'	36.5'	S18°42'W	72.1'	
4	125.5'	229.9'	64.1'	S43°22'W	124.0'	
5	59.1'	110.2'	30.8'	N43°24'E	59.3'	
6	56.9'	344.8'	28.5'	S32°30'W	56.8'	
7	37.5'	344.8'	18.8'	S40°21'W	37.5'	
8	64.9'	35.0'	46.7'	N47°24'E	56.0'	
9	36.8'	35.0'	20.3'	S49°19'E	36.2'	
10	86.2'	314.8'	43.4'	S39°37'W	86.9'	
11	26.7'	140.2'	13.4'	N33°14'E	26.7'	
12	49.7'	140.2'	25.1'	N48°51'E	49.4'	
13	172.1'	199.9'	91.3'	S34°21'W	166.3'	
14	92.9'	804.9'	46.5'	N12°59'E	92.8'	
15	68.4'	100.0'	35.6'	S45°59'W	67.1'	
16	148.7'	100.0'	91.9'	N71°49'W	135.4'	
17	65.0'	33.0'	46.7'	N06°41'W	56.0'	

**WATER AND SEWER AS-BUILT  
 Wilson Arch Resort Community  
 Back of the Arch Cottage Lots**

LEGEND	
VALVE	○
YARD HYDRANT	△
MANHOLE	■
FIRE HYDRANT	⬡
WELL	⊙
WATER LINE	— — — — —
SEWER LINE*	- - - - -

\*All Lots Larger than 1 Acre Use Septic



**SURVEYOR'S CERTIFICATE**  
 I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS BACK OF THE ARCH COTTAGE LOTS AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

**BOUNDARY DESCRIPTION**  
 A PORTION OF PARCEL C OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED, BEING IN THE NE 1/4 SECTION 22, T 29 S, R 23 E, SLB, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SE CORNER OF PARCEL C OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED AS FILED IN THE OFFICE OF THE SAN JUAN COUNTY RECORDER, SAID CORNER BEARS WITH THE 1/16 LINE N 0°13'W 724.0 FT. FROM THE CENTER-EAST 1/16 CORNER SECTION 22, T 29 S, R 23 E, SLB, AND PROCEEDING THENCE WEST 997.2 FT. TO THE SW CORNER OF SAID PARCEL C, THENCE WITH THE WEST LINE OF SAID PARCEL C, COMMON WITH THE EAST R-O-W OF U.S. HIGHWAY 191, N 2°18'E 860.3 FT. TO THE NW CORNER OF SAID PARCEL C, THENCE EAST 805.3 FT., THENCE ALONG THE ARC OF A 35.0 FT. RADIUS CURVE TO THE RIGHT 64.9 FT. (SAID CURVE HAS A CHORD WHICH BEARS S 47°24'W 56.0 FT.) TO A CORNER, THENCE S 2°54'E 57.8 FT. TO A CORNER, THENCE S 9°54'W 139.3 FT. TO A CORNER, THENCE S 13°41'W 138.0 FT. TO A CORNER, THENCE S 76°19'E 105.0 FT. TO A CORNER, THENCE S 13°44'W 189.1 FT. TO A CORNER, THENCE S 8°39'E 99.1 FT. TO A CORNER, THENCE ALONG THE ARC OF A 35.0 FT. RADIUS CURVE TO THE RIGHT 64.9 FT. (SAID CURVE HAS A CHORD WHICH BEARS S 6°41'E 56.0 FT.) TO A CORNER, THENCE S 55°42'E 137.5 FT. TO THE POINT OF BEGINNING, AND LESS LOT 3 AS PREVIOUSLY RECORDED (13,640 S.F.).  
 SAID PLAT, LESS SAID LOT 3, CONTAINS 13.09 ACRES, MORE OR LESS, AND THE CORNERS ARE MONUMENTED AS SPECIFIED ON THE ATTACHED PLAT.  
 BEARINGS ARE BASED ON THE RECORD EAST LINE FOR PARCEL C.  
 DATE: Sept. 2, 2003  
 TIMOTHY M. KEOGH  
 STATE OF UTAH

**OWNERS DEDICATION**  
 KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE  
**BACK OF THE ARCH COTTAGE LOTS**  
 DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
 IN WITNESS WHEREOF WE HAVE HEREUNTO SET \_\_\_\_\_ THIS  
2nd DAY OF Sept. A.D., 2003  
 PHILIP V. GLAZE, Managing Member, Wilson Arch Properties, LLC  
 BRENDIA M. GLAZE, Managing Member, Wilson Arch Properties, LLC

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF San Juan, S.S.  
 ON THE 2nd DAY OF September A.D., 2003 PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC RESIDING IN \_\_\_\_\_ COUNTY

**ACKNOWLEDGMENT**  
 STATE OF \_\_\_\_\_ S.S.  
 ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
 45 EAST CENTER STREET  
 MOAB, UTAH 84532  
 DATE: SEPTEMBER 2, 2003  
 PHLSITD.DWG  
 DRAWN BY: TMK  
 CHECKED BY: TMK

**COUNTY HEALTH APPROVAL**  
 APPROVED THIS 9th DAY OF September A.D. 2003, BY  
 [Signature]

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS 8th DAY OF September A.D. 2003, BY  
 [Signature]  
 CHAIRMAN PLANNING COMMISSION

**COUNTY SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
9-11-03  
 DATE

**COUNTY COMMISSION APPROVAL**  
 APPROVED AS TO FORM THIS 7th DAY OF September A.D., 2003.  
 ATTEST [Signature]

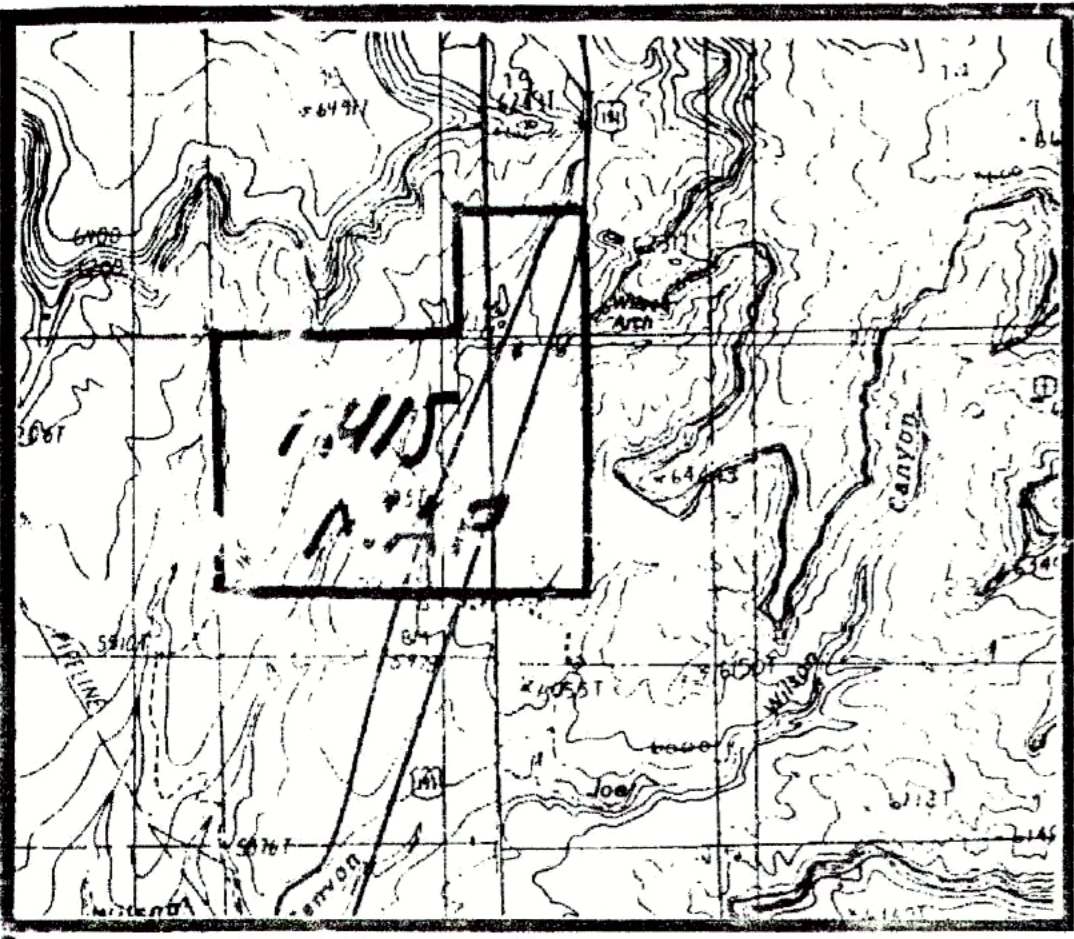
**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM THIS 7th DAY OF September A.D., 2003.  
 [Signature] ATTORNEY

**COUNTY RECORDER NO. 070144**  
 STATE OF UTAH, CO. OF SAN JUAN, RECORDED AT THE REQUEST OF WILSON ARCH PROPERTIES, LLC  
 FILED  
 DATE 09-16-03 TIME 8:36am BOOK 820 PAGE 147 FEE 55.00  
 0073  
 [Signature] COUNTY RECORDER

070144  
 09-16-03  
 8:36am  
 BOOK 820  
 PAGE 147  
 FEE 55.00  
 FILED BY  
 LINDSEY J. BLAKE  
 SAN JUAN COUNTY CORPORATION

WILSON ARCH RESORT COMMUNITY PHASE I AMENDED

WITHIN SECTIONS 15 & 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH



LOCALITY MAP SCALE 1"=2000'

NOTES:

- 1. JENNAH CIRCLE, JENNAH COURT, AUSTIN COURT, RYANS COURT, BACK OF THE ARCH DRIVE, CANYON VIEW DRIVE, PIONEER DRIVE, AND ROCK VIEW COURT ARE PRIVATE ROADS & OWNERSHIP OF SAME WILL BE VESTED IN THE PROPERTY OWNERS ASSOCIATION FOR THE WILSON ARCH COMMUNITY. CONSTRUCTION AND MAINTENANCE OF THESE PRIVATE ROADS IS THE RESPONSIBILITY OF THE OWNER, PRIVATE OWNERS ASSOCIATION, OR DEVELOPER, NOT SAN JUAN COUNTY.
2. PRIVATE ROADS HEREON HAVE A 30 FT. WIDE RIGHT-OF-WAY WITH 70 FT. DIAMETER TURN-AROUNDS. SAID PRIVATE ROADS ARE ALSO UTILITY EASEMENTS IN THEIR ENTIRETY.
3. ALL SIDE AND REAR LOT LINES, ... LINES NOT COMMON WITH A ROAD RIGHT-OF-WAY, ARE SUBJECT TO A 15.0 FT. WIDE UTILITY EASEMENT. IN THE CASE OF LINES COMMON TO TWO LOTS, THE 15 FT. EASEMENT WILL BE CENTERED ON THE PROPERTY LINE WITH 7.5 FT. ON EITHER SIDE. IN THE CASE OF A LOT LINE ADJOINING OPEN SPACE, THE 15 FT. EASEMENT SHALL BE ENTIRELY ON THE LOT SIDE OF THE LINE.
4. LOCATION SHOWN IS PREFERRED HOME LOCATION. VARIATION FROM THIS LOCATION REQUIRES APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE.

SURVEYORS NARRATIVE

TO DETERMINE THE EXTERIOR BOUNDARIES OF THIS PROPERTY, THIS SURVEYOR USED THOSE METHODS OF SECTIONAL SUBDIVISION AS PRESCRIBED IN THE U.S. B.L.M. MANUAL OF SURVEY INSTRUCTIONS. ALL MONUMENTS NECESSARY FOR SAME WERE FOUND AND USED.
TO DETERMINE THE BOUNDARIES COMMON WITH THE RIGHT-OF-WAY OF U.S. HIGHWAY 191, THIS SURVEYOR LOCATED SEVERAL EXISTING HIGHWAY RIGHT-OF-WAY MONUMENTS. SAME WERE FOUND TO BE IN AGREEMENT WITH RECORD INFORMATION AND WERE ACCEPTED AS THE RIGHT-OF-WAY LINE/PROPERTY LINE.
THE RIGHT-OF-WAY OF THE OLD HIGHWAY ALIGNMENT, CURRENTLY A 100 FT. WIDE COUNTY ROAD RIGHT-OF-WAY, WAS DETERMINED BY DOING A "BEST FIT" OF THE EXISTING HIGHWAY AND ASSOCIATED RIGHT-OF-WAY FENCES. THE ORIGINAL CONVEYANCE OF THIS RIGHT-OF-WAY CONTAINS ERRORS AND DOES NOT AGREE WITH THE PHYSICAL LOCATION OF THE OLD HIGHWAY.
BEARINGS ARE BASED ON THE WEST LINE OF THE NW 1/4 SECTION 22 (BEARING FROM 1902 G.L.O. SURVEY PLAT = N 0° 02' W).

CURVE SCHEDULE

Table with 7 columns: CURVE, RADIUS, LENGTH, TANGENT, CHORD, BEARING, DELTA. Lists 46 curves with their respective measurements.

LEGEND

- 5/8" IR WITH PLASTIC CAP SET BY THIS SURVEYOR
FOUND HIGHWAY RIGHT-OF-WAY MONUMENT (BRASS CAP)
FOUND B.L.M. ALUMINUM MONUMENT (1936)
FOUND U.S. G.L.O. STONE MONUMENT
FOUND B.I.M. R.R. SPIKE (1996) WITH REFERENCE MONUMENTS
WELL
CURVE IDENTIFICATION NUMBER. CORRESPONDS WITH CURVE SCHEDULE.
CENTER OF HOMESITE (SEE NOTE #4)
DEDICATED OPEN SPACE

NW 1/4 CORNER SECTION 22, T 29 S, R 23 E, SLB & M

S 89°57' E 2633.7'

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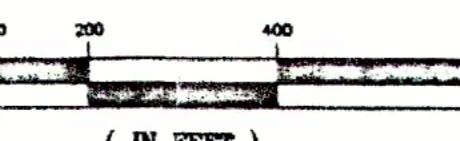
FUTURE PHASES

WATER AND SEWER AS-BUILT

Legend table for water and sewer lines: VALVE (blue circle), YARD HYDRANT (blue triangle), MANHOLE (blue square), FIRE HYDRANT (red pentagon), WELL (blue circle with center dot), WATER LINE (blue dashed line), SEWER LINE (green dashed line). Includes note: \*All Lots Larger than 1 Acre Use Septic.

NW 1/4 CORNER SECTION 22, T 29 S, R 23 E, SLB & M. FOUND SCRIBED STONE 1/4 CORNER. SET 5/8" REBAR WITH PLASTIC CAP AT BASE.

GRAPHIC SCALE



(IN FEET) 1 inch = 200 ft.

SURVEYOR'S CERTIFICATION

I, TIMOTHY M. KEOGH, SURVEYOR, STATE OF UTAH, AND FURTHER AS AIDED BY THE OWNERS, I HAVE MADE A SURVEY AND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THE TRACT OF LAND INTO LOTS AND STREETS, HEREIN SHOWN AS AMENDED PLAT OF WILSON ARCH RESORT COMMUNITY, PHASE I AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STATED ON THE GROUND AS SHOWN ON THIS PLAT.

BEGINNING AT THE NW CORNER OF SECTION 22, T 29 S, R 23 E, SLB & M, AND PROCEEDING THENCE WITH THE NORTH LINE OF SAID SECTION 22, S 89°57' E, 2633.7 FT. TO THE 1/4 CORNER COMMON TO SECTIONS 15 & 22, THENCE WITH THE CENTER 1/4 LINE OF SECTION 15, N 0°04' E, 1326.8 FT. TO THE CENTER SOUTH 1/16 CORNER SECTION 15, THENCE S 89°57' E, 1318.4 FT. TO THE NE CORNER SW 1/4 SE 1/4 SAID SECTION 15, THENCE S 0°04' E, 1326.6 FT. TO THE EAST 1/16 CORNER SECTIONS 15 & 22, THENCE S 0°17' E, 2648.7 FT. TO THE CENTER EAST 1/16 CORNER SECTION 22, THENCE N 89°44' W, 3964.9 FT. TO THE WEST 1/4 CORNER SAID SECTION 22, THENCE WITH THE WEST LINE SAID SECTION 22, N 0°02' W, 2633.7 FT. TO THE POINT OF BEGINNING.
LESS: THE RIGHT-OF-WAY FOR U.S. HIGHWAY 191 AND THE OLD HIGHWAY RIGHT-OF-WAY (COUNTY ROAD #179) PASSING THROUGH SAME.

DATE: May 21, 2001. Signature of Timothy M. Keogh, Surveyor.

KEOGH LAND SURVEYING, 45 EAST CENTER STREET, MOJAVE, UT 84053. PREPARED BY: TIMOTHY M. KEOGH.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER ( ) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE AMENDED PLAT OF WILSON ARCH RESORT COMMUNITY, PHASE I

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL THIS DAY OF May, 2001.

ACKNOWLEDGMENT. STATE OF UTAH, COUNTY OF ... ON THE ... DAY OF ... A.D. ... PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF ... STATE OF UTAH, THE SIGNER ( ) OF THE ABOVE DESCRIBED TRACT OF LAND, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

COUNTY SURVEYORS APPROVAL

HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. DATE: 5-29-01. Signature of Surveyor.

COUNTY COMMISSION APPROVAL

PRESENTED TO THE San Juan County Commission on the 21 DAY OF May, A.D. 2001. SUBDIVISION WAS ACCEPTED AND APPROVED. ATTEST: Phillip Glaze, County Recorder.

HEALTH DEPARTMENT APPROVAL

APPROVED THIS 21 DAY OF May, A.D. 2001. Signature of Health Department Official.

FILED COUNTY RECORDER NO. 064023

STATE OF UTAH, CO. OF SAN JUAN. RECORDED AT THE REQUEST OF Phillip Glaze. DATE 07-02-01 TIME 14:31pm. BOOK 296, PAGE 93. FEE \$9.00. Signature of Phillip Glaze, County Recorder.

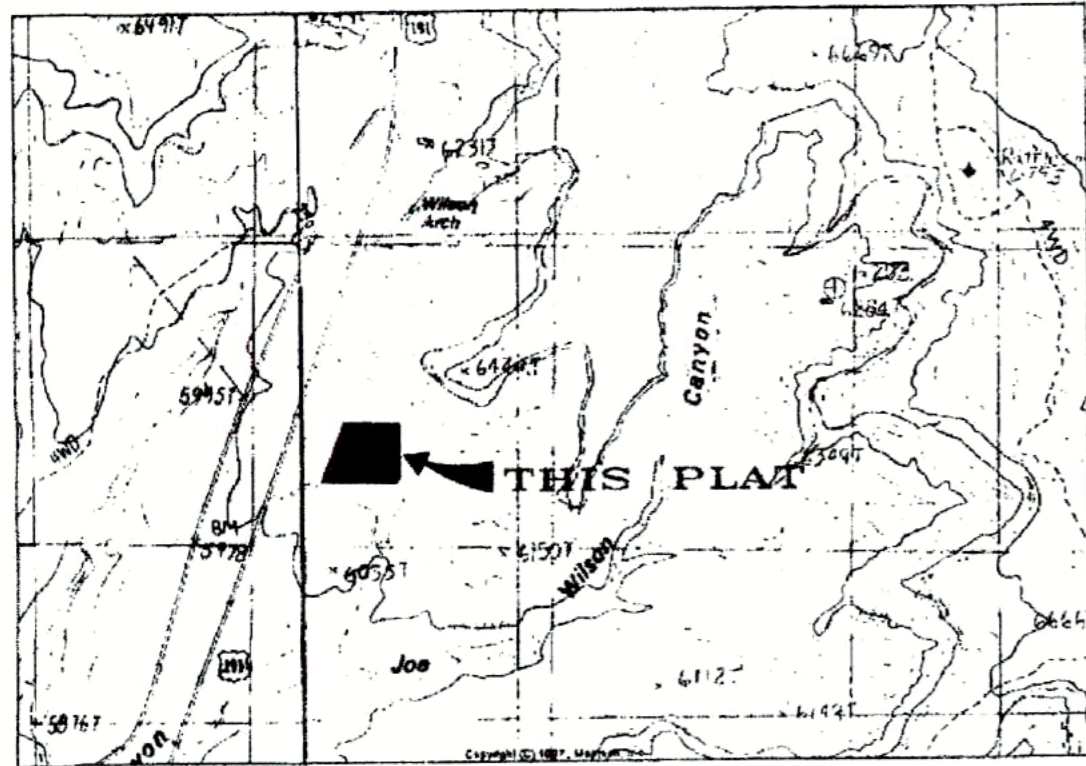
APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 21 DAY OF May, A.D. 2001. Signature of San Juan County Attorney.

PLANNING COMMISSION APPROVAL

APPROVED THIS 21 DAY OF May, A.D. 2001, BY THE SAN JUAN COUNTY PLANNING COMMISSION. Signature of Chairman of Planning Commission.

E 064023 B 796 P 0513. Date 2-10-2001 14:31pm. Fee \$9.00 Check. LOUISE C JONES, Recorder. Filed by MBD. For PHILLIP G LAZE. SAN JUAN COUNTY CORPORATION.



## A FINAL PLAT OF RED CANYON VILLAS AT WILSON ARCH

A SUBDIVISION OF A PORTION OF PARCEL D OF THE AMENDED PLAT OF  
WILSON ARCH RESORT COMMUNITY PHASE I,  
WITHIN SECTION 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH

**SURVEYOR'S CERTIFICATE**  
I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HERE-AFTER TO BE KNOWN AS RED CANYON VILLAS AT WILSON ARCH, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

**BOUNDARY DESCRIPTION**  
A PORTION OF PARCEL D OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED, BEING IN THE NE 1/4 SECTION 22, T 29 S, R 23 E, SLB, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SE CORNER OF PARCEL D OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED AS FILED IN THE OFFICE OF THE SAN JUAN COUNTY RECORDER, SAID CORNER BEARS WITH THE 1/4 LINE N 89°44'W 1323.9 FT. FROM THE EAST 1/4 CORNER TO SAID SECTION 22, T 29 S, R 23 E, SLB, SAID POINT OF BEGINNING BEING THE CENTER-EAST 1/16 CORNER TO SAID SECTION 22, AND PROCEEDING THENCE N 89°44'W 920.4 FT. TO A CORNER, THENCE N 14°48' 744.6 FT. TO A CORNER, THENCE EAST 728.2 FT. TO A CORNER, THENCE S 09°13' 724.0 FT. TO THE POINT OF BEGINNING. CORNERS ARE MONUMENTED AS SPECIFIED ON THE ATTACHED PLAT.  
BEARINGS ARE BASED ON THE RECORD WEST LINE NW 1/4 SECTION 22 (N 0°02'W).

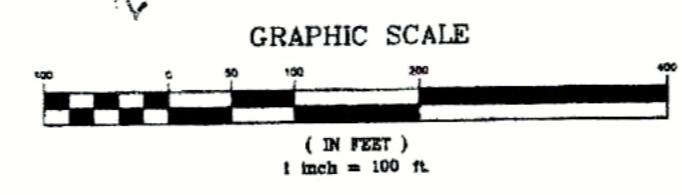
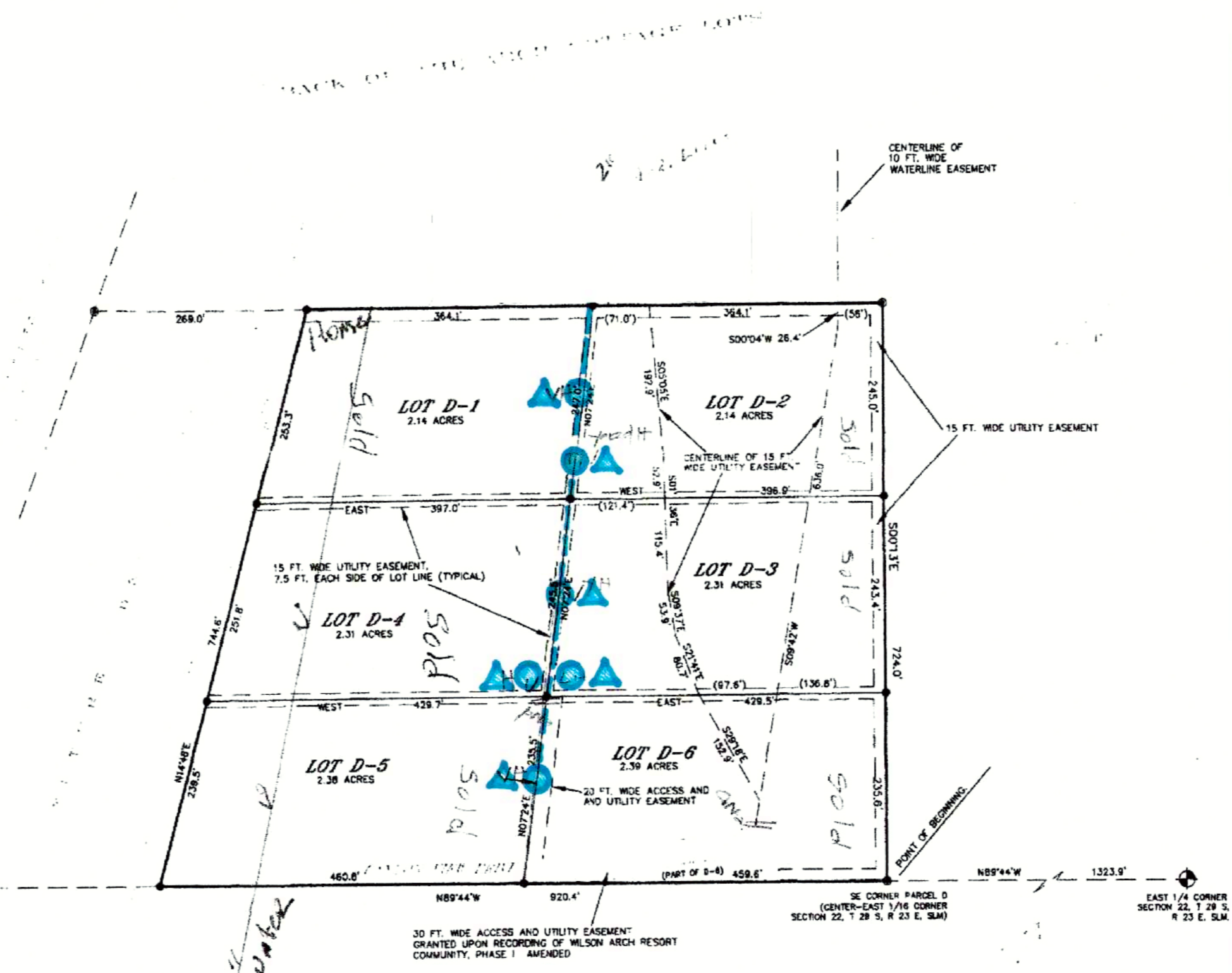


DATE: Jan 27/05  
TIMOTHY M. KEOGH

**WATER AND SEWER AS-BUILT**  
Red Canyon Villas at Wilson Arch

LEGEND	
VALVE	
YARD HYDRANT	
MANHOLE	
FIRE HYDRANT	
WELL	
WATER LINE	
SEWER LINE*	

\*All Lots Larger than 1 Acre Use Septic



**SURVEYORS NARRATIVE**  
THE PURPOSE OF THIS PLAT WAS TO SUBDIVIDE THAT PORTION OF PARCEL D OF WILSON ARCH RESORT COMMUNITY LYING EAST OF BACK OF THE ARCH DRIVE INTO THE SIX LOTS DEPICTED HEREON. BEARINGS ARE BASED ON THE WEST LINE NW 1/4 SECTION 22 (BEARING FROM BLM SURVEY=N 0°02'W).

**OWNERS DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT THEY, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE

**RED CANYON VILLAS AT WILSON ARCH**  
DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
IN WITNESS WHEREOF WE HAVE HERELUNTO SET OUR HANDS THIS 17TH DAY OF FEBRUARY D. 2005  
WILSON ARCH PROPERTIES, LLC.  
PHILIP V. BLAZE, MANAGING MEMBER  
SHERRA M. GLAZE, MANAGING MEMBER

**ACKNOWLEDGMENT**  
STATE OF UTAH  
COUNTY OF GRAND S.S.  
ON THE 17TH DAY OF FEBRUARY A.D. 2005 PERSONALLY APPEARED BEFORE ME PEGGY G. THORP AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
MY COMMISSION EXPIRES 1-5-07  
Peggy G. Thorp  
NOTARY PUBLIC  
RESIDING IN GRAND COUNTY

**ACKNOWLEDGMENT**  
STATE OF \_\_\_\_\_ S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
45 EAST CENTER STREET  
MOAB, UTAH 84532

DATE: JANUARY 24, 2005  
DRAWN BY: TMK  
PHILS72.DWG  
CHECKED BY: TMK

**COUNTY HEALTH APPROVAL**  
APPROVED THIS 23rd DAY OF February A.D. 2005, BY  
Richard Meyer

**PLANNING COMMISSION CERTIFICATE**  
APPROVED THIS 22nd DAY OF February A.D. 2005, BY  
Debra Williams  
CHAIRMAN  
PLANNING COMMISSION

**COUNTY SURVEYORS CERTIFICATE**  
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
02/21/05  
DATE

**COUNTY COMMISSION APPROVAL**  
PRESENTED TO THE San Juan County Commission  
THIS 22nd DAY OF February A.D. 2005. SUBDIVISION WAS ACCEPTED AND APPROVED.  
ATTEST Debra Williams Debra Williams

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS 12 DAY OF February A.D. 2005  
Walter J. Fina  
DEPUTY COUNTY ATTORNEY

**COUNTY RECORDER NO. 079555**  
STATE OF UTAH, CO. OF SAN JUAN, RECORDED AT THE REQUEST OF WILSON ARCH PROPERTIES, LLC. FILED  
DATE 02-15-05 TIME 12:43 PM BOOK 841 PAGE 151 FEE 36.00  
0079  
Laura L. Jones  
COUNTY RECORDER

RECORDED - JAN 24 2005  
171004  
TIMOTHY M. KEOGH  
REGISTERED LAND SURVEYOR  
STATE OF UTAH



# Utah!

Where ideas connect

Department of Environmental Quality  
Division of Drinking Water

Michael O. Leavitt  
Governor

Dianne R. Nielson, Ph.D.  
Executive Director

Kevin W. Brown, P.E.  
Director

150 North 1950 West  
P.O. Box 144830  
Salt Lake City, Utah 84114-4830  
(801) 536-4200  
(801) 536-4211 Fax  
(801) 536-4414 T.D.D.  
drinkingwater.utah.gov

### Drinking Water Board

Boyd Workman  
Chairman  
Dale F. Pierson  
Vice-Chairman  
Myron Bateman  
Anne Erickson, Ed.D.  
Jay W. Franson, P.E.  
Laurie McNeill, Ph.D  
Nancy Melich  
Dianne R. Nielson, Ph.D  
Ruth Perry  
Charlie Roberts  
Chris Webb

February 24, 2003

Phil Glaze  
Wilson Arch Water and Sewer Special Service District  
PO Box 326  
Monticello, Utah 84535

Dear Mr. Glaze:

Subject: Operating Permit: Wilson Arch Resort Community Casitas, File #05644, System #19069

We have reviewed information submitted and determined the requirements of the State of Utah Rules for Public Drinking Water Systems, R309-500-9 have been met. You are hereby issued an operating permit and are authorized to place the completed project in operation.

The project consisted of a public drinking water system utilizing a well as a source, a 42,000 gallon concrete storage reservoir, pump station, and 6 inch and 4 inch diameter PVC distribution pipe. Thirty resort type residential units will be served by these facilities.

Thank you for your cooperation. If you have any other questions, call David Ariotti at (435) 637-3671.

Sincerely,

DRINKING WATER BOARD

Kevin W. Brown, P.E.  
Executive Secretary

DA

cc: Balaz and Associates, Grand Junction, Co.  
David Ariotti, DEQ District Engineer  
Claron D. Bjork, Southeastern Utah District Health Department



State of Utah

JON M. HUNTSMAN, JR.  
Governor

GARY HERBERT  
Lieutenant Governor

Department of  
Environmental Quality

William Sinclair  
Acting Executive Director

DIVISION OF DRINKING WATER  
Kenneth H. Bousfield, P.E.  
Director

December 4, 2008

Wilson Arch Water & Sewer Co.  
P.O. Box 326  
Monticello, Ut. 84535

Re: Status of Public Drinking Water System

Dear Phil,

On November 19, 2008 we met at my office and discussed the current status of the public water system serving the Wilson Arch development. Based upon our conversation, review of files, and on-site inspections, I offer the following summary.

When we were first contacted in 1998 regarding applicable Environmental Quality Rules, we required feasibility analysis of the proposed development be performed. The purpose of the feasibility analysis is to demonstrate drinking water can be provided and wastewater can be treated and disposed of. Three wells were developed information provided satisfying our requirements for proof of wet water, quality, and adequate protection. This feasibility review was based upon serving 124 residential connections and commercial property equivalent to 6 residential connections.

The initial phase of development, on the East side of State Highway 192, is approved for 30 residential units. Plans have been submitted for additional residential lots on the West side of the Highway. This will be completed in two phases. Phase I includes 19 lots and Phase II will include 75 lots. *Based upon our requirements for water use, a total of approximately 80 acre feet is required for the total development. This total assumes homeowner association restrictions will limit outdoor use.*

Existing constructed infrastructure will serve all development on the east side of the highway and Phase I on the west side. Three well sources have been developed capable of providing 61 gallons per minute. 60,000 gallons of storage capacity has been constructed. Based upon Utah Division of Drinking Water Rules and San Juan County requirements for fire protection, the current status of constructed facilities is as follows:



Component	Required	Constructed	Percent
Storage	81,091 gallons	80,000 gallons	98
Source	84 gallons/minute	61 gallons/minute	73
Distribution			40 Estimated

Based upon recent inspections, some of the constructed facilities do not meet applicable Drinking Water Rules. We have been working to resolve these deficiencies and information has been provided documenting the most recent repairs. Additional documentation has been provided as requested, primarily restrictive covenants limiting outdoor use and flood stage in the vicinity of Well No. 3 and storage tanks.

Well #2

I have attached a copy of the analysis used in this evaluation. If you have any questions, feel free to contact me at (435) 637-3671.

Sincerely,



David Ariotti, P.E.  
Southeast District Engineer  
Utah Department of Environmental Quality

Cc: Claron Bjork, Southeastern Utah District Health Department  
Patti Fauver, Utah Division of Drinking Water  
Ying Ying Macauley, Utah Division of Drinking Water

## R309-510 MINIMUM SIZING REQUIREMENTS

**Development System No.**

Wilson Arch Resort Community

### Summary of Existing and Proposed Facilities

Connections

Active	0
Committed	0
Proposed	130
<b>Total</b>	<b>130</b>

Type of System **Year Round**  
 Days in Use **365**  
 Outdoor Irrigation **Yes**  
 Fire Protection **Yes**  
 94 residential plus 36 ERU's for commercial

### R309-500 DESIGN CRITERIA

#### Source & Storage for Indoor Use

Connections	Source			Storage	
	gpd/conn	gpm	a.f./yr.	gpd/conn	gal
130	800	72.22	58.25	400	52,000

#### Source and Storage for Outdoor Use

Connections	Zone No.	Source			Storage		
		gpm/acre	acre/conn	gpm	a.f./yr.	gal/acre	gal
130	5	4.52	0.075	44.07	71.09	4,081	39,790

Water Right Application indicates 10 acres irrigation

#### Fire Protection Storage

Flow gpm	Alt Flow gpm	Storage gal
1000	154	18480

Written concurrence from local fire authority req'd.  
 Letter from San Juan County 8/21/2008 154 gpm acceptable

### EXISTING & PROPOSED FACILITIES

Source No.	Rated gal/min	Rated gpd	Tank No.	Volume gal
Well No. 1	18	25,920	1	30000
Well No. 2	18	25,920	2	30000
		0		
		0		
<b>Total</b>	<b>36</b>	<b>51,840</b>		<b>60,000</b>

### WATER RIGHTS

#### Annual Use Requirements

	DWQ	DWR
Connections	acre ft.	acre ft.
Indoor	58.25	58.5
Outdoor	71.09	
<b>Total</b>	<b>129.34</b>	

#### Annual Use Available

Water Right No.	Source	cfs	acre ft
<b>Totals</b>		<b>0.00</b>	<b>0.00</b>

Following is a summary of the feasibility of the proposed development:

**Summary**

	Required	Available		
Storage	110,270	60,000	gal	<b>INCREASE STORAGE CAPACITY</b>
Source	116.29	36.00	gal/min	<b>INCREASE SOURCE CAPACITY</b>
Water Rights	129.34	0.00	acre ft.	<b>ACQUIRE ADDITIONAL WATER RIGHTS</b>

	Min. psi	Flow gpm
Peak Day + Fire	20	270.29
Peak Instantaneous	30	243.42
Peak Day	40	116.29

**Special Requirements:**

- Written concurrence from local fire authority req'd.
- Deed restrictions limiting outdoor used recommended
- 8 inch diameter pipe req'd.

## R309-510 MINIMUM SIZING REQUIREMENTS

**Development System No.**

Wilson Arch Resort Community

### Summary of Existing and Proposed Facilities

Connections

Active	0
Committed	0
Proposed	130
<b>Total</b>	<b>130</b>

Type of System

Year Round

Days in Use

365

Outdoor Irrigation

Yes

Fire Protection

Yes

94 residential plus 36 ERU's for commercial

### R309-500 DESIGN CRITERIA

#### Source & Storage for Indoor Use

Connections	Source			Storage	
	gpd/conn	gpm	a.f./yr.	gpd/conn	gal
130	800	72.22	58.25	400	52,000

#### Source and Storage for Outdoor Use

Connections	Zone No.	Source			Storage		
		gpm/acre	acre/conn	gpm	a.f./yr.	gal/acre	gal
130	5	4.52	0.02	11.75	18.96	4,081	10,611

Minimal outdoor use

#### Fire Protection Storage

Flow gpm	Alt Flow gpm	Storage gal
1000	154	18480

Written concurrence from local fire authority req'd.

Letter from San Juan County 8/21/2008 154 gpm acceptable

### EXISTING & PROPOSED FACILITIES

Source No.	Rated gal/min	Rated gpd	Tank No.	Volume gal
Well No. 1	18	25,920	1	30000
Well No. 2	18	25,920	2	30000
		0		
		0		
<b>Total</b>	<b>36</b>	<b>51,840</b>		<b>60,000</b>

### WATER RIGHTS

#### Annual Use Requirements

	DWQ acre ft.	DWR acre ft.
Connections		
Indoor	58.25	58.5
Outdoor	18.96	
<b>Total</b>	<b>77.21</b>	

#### Annual Use Available

Water Right No.	Source	cfs	acre ft
<b>Totals</b>		<b>0.00</b>	<b>0.00</b>

Following is a summary of the feasibility of the proposed development:

**Summary**

	Required	Available	
Storage	81,091	60,000	gal
Source	83.97	36.00	gal/min
Water Rights	77.21	0.00	acre ft.

**INCREASE STORAGE CAPACITY  
INCREASE SOURCE CAPACITY  
ACQUIRE ADDITIONAL WATER RIGHTS**

	Min. psi	Flow gpm
Peak Day + Fire	20	237.97
Peak Instantaneous	30	243.42
Peak Day	40	83.97

**Special Requirements:**

- Written concurrence from local fire authority req'd.
- Deed restrictions limiting outdoor used recommended
- 8 inch diameter pipe req'd.



## San Juan County Fire/Emergency Services

Office of Emergency Management  
PO Box 9 • 117 South Main St #202  
Monticello, Utah 84535-0009  
(435) 587-3225 FAX 587-2447

August 7, 2007

To Whom It May Concern:

San Juan County has reviewed the fire protection plan for the Wilson Arch Subdivision, Phase II and has found the plan adequate for fire protection. If found necessary, the placement of the fire hydrants will be adjusted in the field at the time of installation.

Very truly,



Rick M. Bailey, Fire Marshal  
San Juan County Fire and Emergency Services

CC: Phil and Brenda Glaze



## **Attachment 7**

---

**Proof of Ownership  
of an  
Approved Water Source  
with  
Sufficient Water Flow**



3/13/08  
Original of this letter  
mailed to Dave Ariotti  
today. Bma

## San Juan County Fire/Emergency Services

Office of Emergency Management  
PO Box 9 • 117 South Main St #202  
Monticello, Utah 84535-0009  
(435) 587-3225 FAX 587-2447

March 12, 2008

David Arriotti, District Engineer  
Utah Department of Environmental Quality  
Post Office Box 800  
Price, Utah 84501

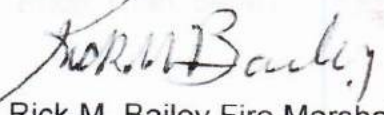
RE: Wilson Arch Special Service District

Dear Mr. Ariotti:

Phil Glaze has asked to review the information that you have provided to him regarding the proposed flow for the fire hydrants within the Wilson Arch Special Service District. I have previously stated that based on the location of this project along with the distance from the nearest fire department that fire response will take over 30 minutes. Mr. Glaze and I have discussed several items that can be done to provide additional protection for the homes in addition to fire hydrants. Based on all of these items, San Juan County will accept the 100 gallons per minute for fire hydrants within the subdivision.

Please feel free to contact me if you have any questions.

Very truly,

  
Rick M. Bailey Fire Marshal and Director  
San Juan County Fire and Emergency Services

CC: D. Bruce Bunker  
L. Gregory Adams  
Phil and Brenda Glaze  
County Commissioners



*Called  
to Guy  
Nigley 8/24/07  
D:02MST*

August 21, 2007

David Arriotti, District Engineer  
Utah Department of Environmental Quality  
Post Office Box 800  
Price, Utah 84501

RE: Wilson Arch Special Service District

Dear Mr. Arriotti:

San Juan County has reviewed the proposed flow of 154 gallons per minute from the fire hydrants within the Wilson Arch Special Service District and the subdivision within the Special Service District and have determined that based on the location of this project along with the distance from the nearest fire department, that this flow will be sufficient.

Please feel free to contact me if you have any questions.

Very truly,

Rick M. Bailey, Fire Marshal and Director  
San Juan County Fire and Emergency Services

CC: D. Bruce Bunker  
L. Gregory Adams  
Phil and Brenda Glaze

**Subject:** Wilson Arch Water Flow for Fire Hydrants

**From:** Brenda at Wilson Arch <brendaatwilsonarch@ftitel.net>

**Date:** Mon, 20 Aug 2007 14:57:45 -0600

**To:** rmbailey@sanjuancounty.org

Rick - Hi -- You may or may not have gotten to messages today with Commissioners Meeting and thought I would email you to ask for another letter from you as Fire Marshall to Dave Ariotti ([dariotti@utah.gov](mailto:dariotti@utah.gov)) that 154 gallons per minute at our fire hydrants is sufficient here at Wilson Arch Resort Community. Any questions, please call us 686-2306, and when you can get to that, kindly email us a copy. Again, and again, many thanks. Brenda Glaze

September 18, 2001

David R. Ariotti  
District Engineer  
Utah Department of Environmental Quality  
Post Office Box 800  
Price, Utah 84501

RE: Wilson Arch Subdivision

Dear Mr. Ariotti:

I have reviewed the request of Mr. Phil Glaze and I concur that at the present time a 20,000 gallon water capacity for fire fighting/hydrant capacity is sufficient. However, as the development proceeds and new business and or residential building occurs, this may need to be raised.

If you have any questions, please feel free to contact me.

Very truly,

Rick M. Bailey, Fire Marshall  
San Juan County

CC: Phil Glaze  
Subdivision File

# **Attachment 8**

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## **Current Balance Sheet And Budget**

**WILSON ARCH WATER & SEWER COMPANY**

**Balance Sheet**

As of August 7, 2018

Cash Basis

	<u>Aug 7, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
<b>ZIONS BANK</b>	
Checking - 1426	151.37
<b>Total ZIONS BANK</b>	151.37
<b>Total Checking/Savings</b>	151.37
<b>Total Current Assets</b>	151.37
<b>Fixed Assets</b>	
<b>Equipment</b>	
Case 580 L Super Loader/Backhoe	5,525.63
John Deer 570 Motorgrader	5,045.82
<b>Total Equipment</b>	10,571.45
<b>Leach Fields</b>	
Back of Arch Cottages Tract C1	4,800.00
Back of Arch Cottages Tract C2	4,400.00
Phase II	8,080.00
<b>Total Leach Fields</b>	17,280.00
<b>Total Fixed Assets</b>	27,851.45
<b>Other Assets</b>	
Small Tools and Equipment	121.22
<b>Total Other Assets</b>	121.22
<b>TOTAL ASSETS</b>	<b>28,124.04</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
Loans	
Wilson Arch Properties, LLC	500.00
<b>Total Loans</b>	500.00
<b>Total Other Current Liabilities</b>	500.00
<b>Total Current Liabilities</b>	500.00
<b>Total Liabilities</b>	500.00
<b>Equity</b>	
Paid In Capital	68,846.88
Retained Earnings	-40,171.89
Net Income	-1,050.95
<b>Total Equity</b>	27,624.04
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>28,124.04</b>

**WAWS BUDGET AMENDMENT AND RATE INCREASE**

**EFFECTIVE JULY 01, 2018**

<b>WAWS BUDGET</b>	<b>Expenses Actual Paid 2017</b>	<b>Expenses Actual Paid Jan - Jun 2018</b>	<b>Expenses Projected Jul - Dec 2018</b>
<b>Enter Year:</b>	2017	2018	2018
<b>1. Beginning Cash on Hand</b>	<b>\$437.66</b>	<b>\$732.32</b>	<b>\$56.83</b>
<b>2. Cash Receipts:</b>			
a. Unmetered Water Revenue	\$7,530.00	\$3,840.00	
b. Metered Water Revenue			
c. Other Water Revenue			
<b>d. Total Water Revenues (2a thru 2c)</b>	<b>\$7,530.00</b>	<b>\$3,840.00</b>	<b>\$0.00</b>
e. Connection Fees			
f. Interest and Dividend Income			
g. Other Income			
<b>h. Total Cash Revenues (2d thru 2g)</b>	<b>\$7,530.00</b>	<b>\$3,840.00</b>	<b>\$0.00</b>
i. Transfers in/Additional Rev Needed			
j. Loans, Grants or other Cash Injection please specify			
Loan from Phill Glaze 2017	\$294.99		
Loan from Wilson Arch Properties 2017	\$2,038.86		
Loan from WARCA 2017	\$0.00		
<b>3. Total Cash Receipts (2h thru 2j)</b>	<b>\$9,863.85</b>	<b>\$3,840.00</b>	<b>\$0.00</b>
<b>4. Total Cash Available (1+3)</b>	<b>\$10,301.51</b>	<b>\$4,572.32</b>	<b>\$56.83</b>
<b>5. Operating Expenses</b>			
a. Salaries and wages			
b. Employee Pensions and Benefits			
c. Purchased Water			
d. Purchased Power	\$3,034.22	\$1,044.26	\$2,055.74
e. Fuel for Power Production (Backup LP)			
f. Chemicals			
g. Materials and Supplies	\$1,185.23		
h. Contractual Services - Engineering			
i. Contractual Services - Other			
Accounting	\$1,000.00		\$500.00
Labor	\$195.00		
Legal	\$1,908.49	\$2,000.00	
Manager / Certified Water Operator		\$250.35	\$2,800.00
j. Rental of Equipment/Real Property			
k. Transportation Expenses			
Fuel - Heavy Equipment	\$679.39		
Maintenance & Repairs - Heavy Equipment	\$246.75	\$157.18	\$100.00
l. Laboratory		\$900.00	\$2,515.00
m. Insurance	\$400.94		
n. Regulatory Commission Expenses			
Property Tax (Leechfields)	\$253.44		\$260.00
Personal Property Tax			
Licenses	\$79.55		
Certified Operator Exam			
Sewer Inspection	\$250.00		\$250.00
UASD Membership			
RWAU Membership			\$305.00
o. Advertising			
p. Office Supplies / Postage Expenses	\$80.97	\$163.70	
<b>q. Total Cash O&amp;M Expenses (5a thru 5p)</b>	<b>\$9,313.98</b>	<b>\$4,515.49</b>	<b>\$8,785.74</b>
r. Replacement Expenditures			
<b>s. Total OM&amp;R Expenditures (5q+5r)</b>	<b>\$9,313.98</b>	<b>\$4,515.49</b>	<b>\$8,785.74</b>
t. Loan Principal/Capital Lease Payments			
Loan from Phill Glaze	\$0.00		
Loan from Wilson Arch Properties	\$0.00		
Loan from WARCA	\$255.21		
u. Loan Interest Payments			
v. Transfers Out			
w. Capital Purchases (specify):			
x. Other			
<b>6. Total Cash Paid Out (5s thru 5x)</b>	<b>\$9,569.19</b>	<b>\$4,515.49</b>	<b>\$8,785.74</b>
<b>7. Ending Cash Position (4 - 6)</b>	<b>\$732.32</b>	<b>\$56.83</b>	<b>(\$8,728.91)</b>
<b>8. Number of Customer Accounts</b>	<b>15</b>	<b>16</b>	<b>18</b>

<b>INCOME</b>		
<b>Actual 4th Qtr. 2017</b>		
-30.00	Credit on Acct.	-30.00
<b>2</b>	<b>0</b> Connections	
120.00	75.00 Rate	
240.00	0.00	240.00
<b>Actual 1st Qtr. 2018</b>		
<b>14</b>	<b>1</b> Connections	
120.00	75.00 Rate	
1680.00	75.00	1755.00
<b>Actual 2nd Qtr. 2018</b>		
<b>15</b>	<b>1</b> Connections	
120.00	75.00 Rate	
1800.00	75.00	1875.00
<b>Sub-Total Thru June 2018</b>		<b>3840.00</b>
<b>Estimated 3rd Qtr. 2018</b>		
<b>16</b>	<b>1</b> Connections	
255.00	159.00 Rate	
4080.00	159.00	4239.00
<b>Estimated 4th Qtr. 2018</b>		
<b>17</b>	<b>1</b> Connections	
255.00	159.00 Rate	
4335.00	159.00	4494.00
<b>3rd + 4th Qtr. Income</b>		<b>8733.00</b>

<b>ADJUSTED RATE for 3rd &amp; 4th Qtr. 2018</b>	
<b>Water (Cottages Only)</b>	<b>159.00</b>
<b>Sewer (Cottages Only)</b>	<b>96.00</b>
<b>Water (Large Homes)</b>	<b>255.00</b>

\* (Balance pd by WAP)

\*

\* (Best Guess for Water Samples Required)

\*

\* = New Expenses for NPWS compliance

# **Attachment 9**

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## **Profit and Loss Statements**

# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

January 1 through August 7, 2018

Cash Basis

	<u>Jan 1 - Aug 7, 18</u>
Ordinary Income/Expense	
Income	
WS Fee Income	3,870.00
Total Income	3,870.00
Gross Profit	3,870.00
Expense	
Auto & Heavy Equipment Expense	
Maintenance & Repairs	157.18
Total Auto & Heavy Equipment Expense	157.18
Bank Service Charges	139.10
Office Supplies	28.65
Postage and Delivery	53.50
Professional Fees	
Certified Water Operator	250.35
Legal Fees	2,000.00
Total Professional Fees	2,250.35
Property Expenses	
Repairs & Maintenance Supplies	18.63
Total Property Expenses	18.63
Taxes	
Property Tax	0.00
Total Taxes	0.00
Utilities	
Electric	1,344.09
Total Utilities	1,344.09
Water Sample Expenses	
Lab Test Expense	900.00
Shipping Expenses	29.45
Total Water Sample Expenses	929.45
Total Expense	4,920.95
Net Ordinary Income	-1,050.95
Net Income	<u><u>-1,050.95</u></u>



# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

January through December 2017

Cash Basis

	<u>Jan - Dec 17</u>
Ordinary Income/Expense	
Income	
WS Fee Income	7,455.00
Total Income	<u>7,455.00</u>
Gross Profit	7,455.00
Expense	
Auto & Heavy Equipment Expense	
Fuel	679.39
Insurance	400.94
Maintenance & Repairs	246.75
Total Auto & Heavy Equipment Expense	1,327.08
Business Licenses and Permits	329.55
Debt Forgiveness Expense	75.00
Office Supplies	31.47
Postage and Delivery	49.50
Professional Fees	
Accounting	1,000.00
Contracted Labor Fees	195.00
Legal Fees	1,908.49
Total Professional Fees	3,103.49
Property Expenses	
Repairs & Maintenance Supplies	1,185.23
Total Property Expenses	1,185.23
Taxes	
Property Tax	253.44
Total Taxes	253.44
Utilities	
Electric	3,034.22
Total Utilities	<u>3,034.22</u>
Total Expense	<u>9,388.98</u>
Net Ordinary Income	<u>-1,933.98</u>
Net Income	<u><u>-1,933.98</u></u>

# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

January through December 2016

Cash Basis

	<u>Jan - Dec 16</u>
Ordinary Income/Expense	
Income	
WS Fee Income	7,260.00
Total Income	<u>7,260.00</u>
Gross Profit	7,260.00
Expense	
Auto & Heavy Equipment Expense	
Fuel	760.35
Insurance	462.90
Maintenance & Repairs	714.68
Total Auto & Heavy Equipment Expense	1,937.93
Bank Service Charges	73.50
Business Licenses and Permits	239.87
Debt Forgiveness Expense	120.00
Interest Expense	30.00
Office Supplies	70.73
Professional Fees	
Accounting	400.00
Legal Fees	300.00
Total Professional Fees	700.00
Property Expenses	
Repairs & Maintenance Supplies	438.39
Total Property Expenses	438.39
Taxes	
Property Tax	394.06
Total Taxes	394.06
Utilities	
Electric	2,861.85
Utilities - Other	-269.26
Total Utilities	2,592.59
Total Expense	<u>6,597.07</u>
Net Ordinary Income	662.93
Other Income/Expense	
Other Income	
Interest Income	0.01
Total Other Income	<u>0.01</u>
Net Other Income	0.01
Net Income	<u><u>662.94</u></u>

# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

Cash Basis

January through December 2015

	<u>Jan - Dec 15</u>
Ordinary Income/Expense	
Income	
WS Fee Income	7,185.00
Total Income	<u>7,185.00</u>
Gross Profit	7,185.00
Expense	
Auto & Heavy Equipment Expense	
Fuel	609.96
Insurance	363.97
Maintenance & Repairs	412.27
Total Auto & Heavy Equipment Expense	1,386.20
Bank Service Charges	164.50
Business Licenses and Permits	730.00
Office Supplies	41.86
Professional Fees	
Accounting	500.00
Total Professional Fees	500.00
Property Expenses	
Repairs & Maintenance Supplies	3,535.52
Total Property Expenses	3,535.52
Taxes	
Personal Property Tax	64.76
Property Tax	256.57
Total Taxes	321.33
Utilities	
Electric	3,022.14
Propane and Gas	84.06
Total Utilities	3,106.20
Total Expense	<u>9,785.61</u>
Net Ordinary Income	-2,600.61
Other Income/Expense	
Other Income	
Interest Income	0.16
Total Other Income	0.16
Net Other Income	0.16
Net Income	<u><u>-2,600.45</u></u>

# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

January through December 2014

Cash Basis

	<u>Jan - Dec 14</u>
Ordinary Income/Expense	
Income	
WS Fee Income	6,495.00
Total Income	<u>6,495.00</u>
Gross Profit	6,495.00
Expense	
Auto & Heavy Equipment Expense	
Fuel	1,139.61
Insurance	362.90
Maintenance & Repairs	<u>168.06</u>
Total Auto & Heavy Equipment Expense	1,670.57
Bank Service Charges	50.00
Business Licenses and Permits	250.00
Office Supplies	36.99
Professional Fees	
Accounting	<u>500.00</u>
Total Professional Fees	500.00
Property Expenses	
Repairs & Maintenance Supplies	<u>1,552.95</u>
Total Property Expenses	1,552.95
Taxes	
Personal Property Tax	69.94
Property Tax	<u>125.51</u>
Total Taxes	195.45
Utilities	
Electric	2,694.49
Propane and Gas	<u>249.24</u>
Total Utilities	2,943.73
Total Expense	<u>7,199.69</u>
Net Ordinary Income	-704.69
Other Income/Expense	
Other Income	
Interest Income	<u>0.29</u>
Total Other Income	<u>0.29</u>
Net Other Income	0.29
Net Income	<u><u>-704.40</u></u>

# WILSON ARCH WATER & SEWER COMPANY

## Profit & Loss

Cash Basis

January through December 2013

	<u>Jan - Dec 13</u>
Ordinary Income/Expense	
Income	
WS Fee Income	6,300.00
Total Income	6,300.00
Gross Profit	6,300.00
Expense	
Auto & Heavy Equipment Expense	
Fuel	754.26
Insurance	201.43
Maintenance & Repairs	1,028.41
Total Auto & Heavy Equipment Expense	1,984.10
Bank Service Charges	21.00
Business Licenses and Permits	250.00
Debt Forgiveness Expense	360.00
Office Supplies	7.00
Postage and Delivery	36.10
Professional Fees	
Accounting	856.67
Total Professional Fees	856.67
Property Expenses	
Repairs & Maintenance Supplies	94.16
Total Property Expenses	94.16
Taxes	
Personal Property Tax	32.51
Property Tax	126.89
Total Taxes	159.40
Utilities	
Electric	3,159.60
Propane and Gas	193.95
Total Utilities	3,353.55
Total Expense	7,121.98
Net Ordinary Income	-821.98
Other Income/Expense	
Other Income	
Interest Income	0.16
Total Other Income	0.16
Net Other Income	0.16
Net Income	<u><u>-821.82</u></u>

# **Attachment 10**

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## **Plats of the Wilson Arch Resort Community**

# WILSON ARCH RESORT COMMUNITY

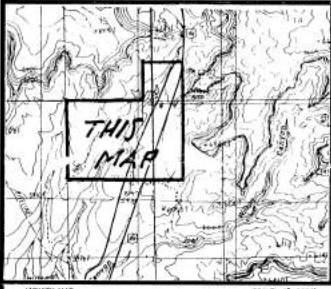
PHASE I AMENDED  
WITHIN SECTIONS 15 & 22, T 29 S, R 23 E, SLS & M, SAN JUAN COUNTY, UTAH

**NOTES:**

- JENNIFER CIRCLE, JENNIFER COURT, AUSTING COURT, RYANS COURT, BACK OF THE ARCH DRIVE, CANYON VIEW DRIVE, PIONEER DRIVE, AND ROCK VIEW COURT ARE PRIVATE ROADS & "MEMBERSHIP OF SAME" WILL BE VESTED IN THE PROPERTY OWNERS ASSOCIATION FOR THE WILSON ARCH COMMUNITY. CONSTRUCTION AND MAINTENANCE OF THESE PRIVATE ROADS IS THE RESPONSIBILITY OF THE OWNER, PROPERTY OWNERS ASSOCIATION, OR DEVELOPER, NOT SAN JUAN COUNTY.
- PRIVATE ROADS HEREON HAVE A 30 FT. WIDE RIGHT-OF-WAY WITH 70 FT. DIAMETER TURN-AROUNDS. SAID PRIVATE ROADS ARE ALSO UTILITY EASEMENTS IN THEIR ENTIRETY.
- ALL SIDE AND REAR 10' LINES, 1' LINES NOT COMMON WITH A ROAD RIGHT-OF-WAY ARE SUBJECT TO A 15.0 FT. WIDE UTILITY EASEMENT. IN THE CASE OF LINES COMMON TO TWO LOTS, THE 15 FT. EASEMENT WILL BE CENTERED ON THE PROPERTY LINE WITH 7.5 FT. ON EITHER SIDE. IN THE CASE OF A LOT LINE ADJOINING OPEN SPACE, THE 15 FT. EASEMENT SHALL BE ENTIRELY ON THE LOT SIDE OF THE LINE.
- LOCATION SHOWN IS PREFERRED HOME LOCATION. VARIATION FROM THIS LOCATION REQUIRES APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE.

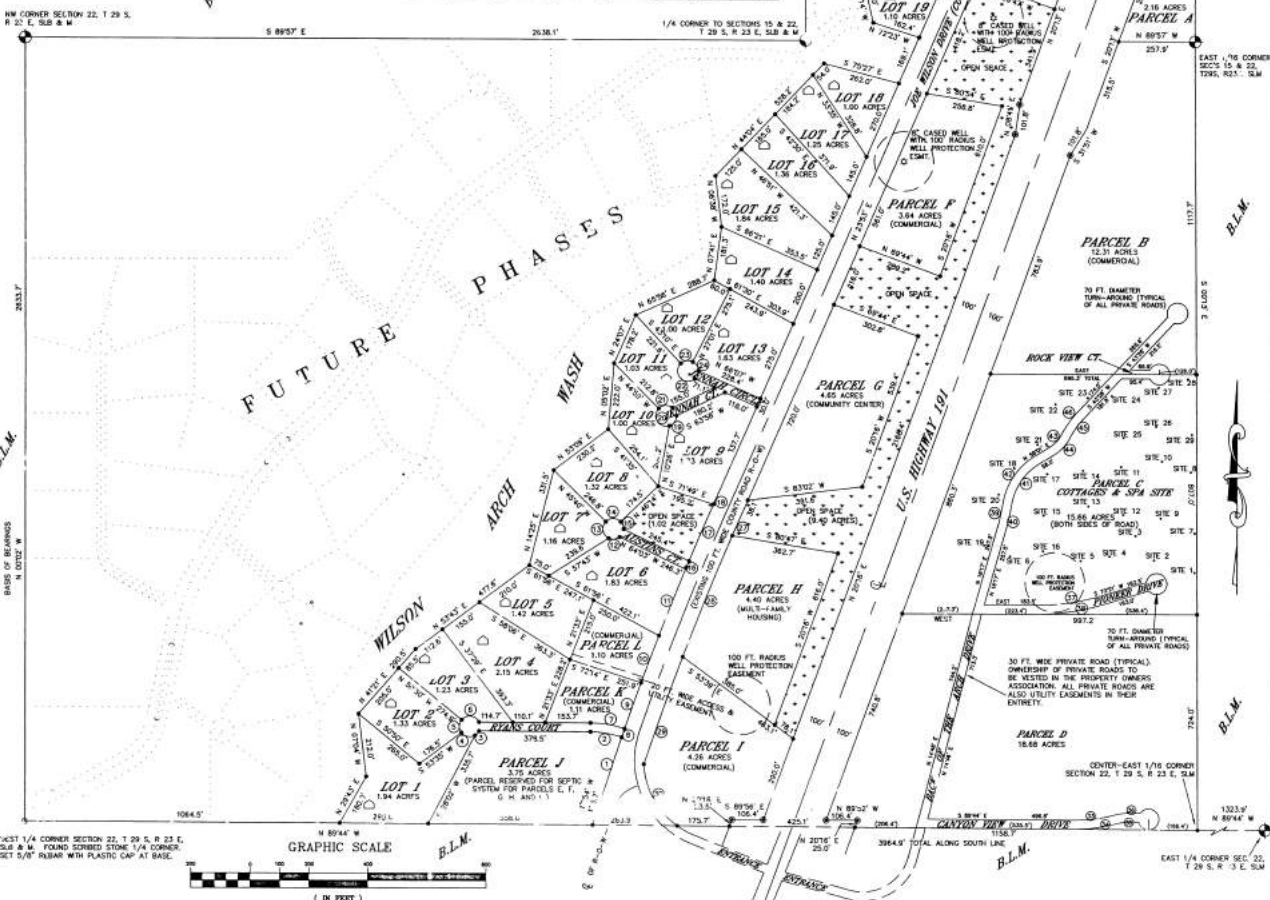
**SURVEYORS NARRATIVE**

TO DETERMINE THE EXISTING BOUNDARIES OF THIS PROPERTY, THE SURVEYOR USED THOSE METHODS OF SECTIONAL SUBDIVISION AS PRESCRIBED IN THE U.S. B.L.M. MANUAL OF SURVEY INSTRUCTIONS. ALL MONUMENTS NECESSARY FOR SAME WERE FOUND AND USED.  
TO DETERMINE THE BOUNDARIES COMMON WITH THE RIGHT-OF-WAY OF U.S. HIGHWAY 191, THIS SURVEYOR LOCATED SEVERAL EXISTING MONUMENTS. SAME WERE FOUND TO BE IN AGREEMENT WITH RECORD INFORMATION AND WERE ACCEPTED AS THE RIGHT-OF-WAY LINE, PROPERTY LINE, OR THE RIGHT-OF-WAY OF THE OLD HIGHWAY ALONGSIDE HIGHWAY 191. THE RIGHT-OF-WAY OF THE OLD HIGHWAY WAS DETERMINED BY DOING A "BEST FIT" OF THE EXISTING HIGHWAY AND ASSOCIATED RIGHT-OF-WAY FENCES. THE ORIGINAL CORNER OF THIS RIGHT-OF-WAY CONTAINS ERRORS AND DOES NOT AGREE WITH THE PHYSICAL LOCATION OF THE OLD HIGHWAY. BEARING IS BASED ON THE WEST LINE OF THE NW 1/4 SECTION 22 (BEARING FROM 1902 G.L.O. SURVEY PLAT = N 0° 02' 00").



CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	1000.00	100.00	100.00	S 89°57' E	100.00
2	1000.00	100.00	100.00	S 89°57' E	100.00
3	1000.00	100.00	100.00	S 89°57' E	100.00
4	1000.00	100.00	100.00	S 89°57' E	100.00
5	1000.00	100.00	100.00	S 89°57' E	100.00
6	1000.00	100.00	100.00	S 89°57' E	100.00
7	1000.00	100.00	100.00	S 89°57' E	100.00
8	1000.00	100.00	100.00	S 89°57' E	100.00
9	1000.00	100.00	100.00	S 89°57' E	100.00
10	1000.00	100.00	100.00	S 89°57' E	100.00
11	1000.00	100.00	100.00	S 89°57' E	100.00
12	1000.00	100.00	100.00	S 89°57' E	100.00
13	1000.00	100.00	100.00	S 89°57' E	100.00
14	1000.00	100.00	100.00	S 89°57' E	100.00
15	1000.00	100.00	100.00	S 89°57' E	100.00
16	1000.00	100.00	100.00	S 89°57' E	100.00
17	1000.00	100.00	100.00	S 89°57' E	100.00
18	1000.00	100.00	100.00	S 89°57' E	100.00
19	1000.00	100.00	100.00	S 89°57' E	100.00
20	1000.00	100.00	100.00	S 89°57' E	100.00
21	1000.00	100.00	100.00	S 89°57' E	100.00
22	1000.00	100.00	100.00	S 89°57' E	100.00
23	1000.00	100.00	100.00	S 89°57' E	100.00
24	1000.00	100.00	100.00	S 89°57' E	100.00
25	1000.00	100.00	100.00	S 89°57' E	100.00
26	1000.00	100.00	100.00	S 89°57' E	100.00
27	1000.00	100.00	100.00	S 89°57' E	100.00
28	1000.00	100.00	100.00	S 89°57' E	100.00
29	1000.00	100.00	100.00	S 89°57' E	100.00
30	1000.00	100.00	100.00	S 89°57' E	100.00
31	1000.00	100.00	100.00	S 89°57' E	100.00
32	1000.00	100.00	100.00	S 89°57' E	100.00
33	1000.00	100.00	100.00	S 89°57' E	100.00
34	1000.00	100.00	100.00	S 89°57' E	100.00
35	1000.00	100.00	100.00	S 89°57' E	100.00
36	1000.00	100.00	100.00	S 89°57' E	100.00
37	1000.00	100.00	100.00	S 89°57' E	100.00
38	1000.00	100.00	100.00	S 89°57' E	100.00
39	1000.00	100.00	100.00	S 89°57' E	100.00
40	1000.00	100.00	100.00	S 89°57' E	100.00
41	1000.00	100.00	100.00	S 89°57' E	100.00
42	1000.00	100.00	100.00	S 89°57' E	100.00
43	1000.00	100.00	100.00	S 89°57' E	100.00
44	1000.00	100.00	100.00	S 89°57' E	100.00
45	1000.00	100.00	100.00	S 89°57' E	100.00
46	1000.00	100.00	100.00	S 89°57' E	100.00
47	1000.00	100.00	100.00	S 89°57' E	100.00
48	1000.00	100.00	100.00	S 89°57' E	100.00
49	1000.00	100.00	100.00	S 89°57' E	100.00
50	1000.00	100.00	100.00	S 89°57' E	100.00

- LEGEND**
- 5/8" IR W/ PLASTIC CAP 2.1" BY THIS SURVEYOR
  - FOUND HIGHWAY RIGHT-OF-WAY MONUMENT (BRASS CAP)
  - FOUND BLM ALUMINUM MONUMENT (1936)
  - FOUND U.S. G.L.D. STONE MONUMENT
  - FOUND BLM R.R. SPIKE (1996) WITH REFERENCE MONUMENTS
  - WELL
  - CURVE IDENTIFICATION NUMBER, CORRESPONDS WITH CURVE SCHEDULE
  - CENTER OF HOME SITE (SEE NOTE #4)
  - DEDICATED OPEN SPACE



**COUNTY SURVEYORS APPROVAL**  
HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
DATE: 5-27-01  
*Deborah E. Bell*

**COUNTY COMMISSION APPROVAL**  
PRESENTED TO THE *San Juan County Commission* ON THIS *27* DAY OF *May*, A.D. 20*01*. SUBDIVISION WAS ACCEPTED AND APPROVED.  
ATTEST: *Deborah E. Bell*  
*Deborah E. Bell*

**HEALTH DEPARTMENT APPROVAL**  
APPROVED THIS *27* DAY OF *May*, A.D. 20*01*.  
*Sister P. Moore*  
HEALTH DEPARTMENT OFFICIAL

**COUNTY RECORDER NO. 064083**  
STATE OF UTAH, CO. OF SAN JUAN  
RECORDED AT THE REQUEST OF *Timothy M. Keogh*  
DATE RECORDED: *May 21, 2001* 1:58 PM, BOOK 296, PAGE 50.  
FEE \$2.00.  
*Timothy M. Keogh*  
COUNTY RECORDER

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS *27* DAY OF *May*, A.D. 20*01*, BY THE SAN JUAN COUNTY PLANNING COMMISSION.  
*Deborah E. Bell*  
CHAIRMAN OF PLANNING COMMISSION

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS *27* DAY OF *May*, A.D. 20*01*.  
*Deborah E. Bell*  
SAN JUAN COUNTY ATTORNEY

**SURVEYOR'S CERTIFICATE**  
I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH, AND I FURTHER CERTIFY THAT I AM THE SURVEYOR OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SURVEYED AND STAKED ACCORDING TO THE PLAT AND DESCRIBED BELOW, AND DIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREIN SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.  
BEGINNING AT THE NW CORNER OF SECTION 22, T 29 S, R 23 E, SLS & M, AND PROCEEDING THENCE WITH THE NORTH LINE OF SAID SECTION 22, S 89°57' E, 2034.1 FT. TO THE 1/4 CORNER COMMON TO SECTIONS 15 & 22, THENCE WITH THE CENTER 1/4 LINE OF SECTION 15, N 0° 02' 00" E, 1326.3 FT. TO THE OTHER SOUTH 1/4 CORNER SECTION 15, THENCE S 0° 02' 00" E, 1326.3 FT. TO THE NE CORNER SW 1/4 SAID SECTION 15, THENCE S 0° 02' 00" E, 1326.3 FT. TO THE EAST 1/2 CORNER SECTIONS 15 & 22, THENCE S 0° 02' 00" E, 2652.7 FT. TO THE CENTER EAST 1/2 CORNER SECTION 22, THENCE N 89° 57' 00" E, 3848.9 FT. TO THE WEST 1/4 CORNER SAID SECTION 22, THENCE WITH THE WEST LINE SAID SECTION 22, N 0° 02' 00" E, 2652.7 FT. TO POINT OF BEGINNING.  
LESS: THE RIGHT-OF-WAY FOR U.S. HIGHWAY 191 AND THE OLD HIGHWAY RIGHT-OF-WAY (COUNTY ROAD #179) PASSING THROUGH SAME.

DATE: *May 21, 2001*  
*Timothy M. Keogh*  
TIMOTHY M. KEOGH  
SURVEYOR

**OWNERS DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED (OWNER) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE AMENDED PLAT OF WILSON ARCH RESORT COMMUNITY, PHASE I DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET THIS DAY OF *May*, A.D. 20*01*.  
*Timothy M. Keogh*

**ACKNOWLEDGMENT**  
STATE OF UTAH  
COUNTY OF *SAN JUAN*  
S.S.  
ON THIS *27* DAY OF *May*, A.D. 20*01*, I, *Timothy M. Keogh*, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF *SAN JUAN*, IN SAID STATE OF UTAH, THE SIGNER (S) OF THE ABOVE DESCRIBED TRACT OF LAND, WHO DULY ACKNOWLEDGED TO ME THAT HE FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.  
MY COMMISSION EXPIRES *May 21, 2004*  
*Timothy M. Keogh*  
NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
45 EAST CENTER STREET  
MOAB, UT, 84032  
DATE: DEC 16, 2000 OF 146 BY: NK CHECKED BY: JH NK

E 064083 1796 P 00513  
DATE: 5-27-01 14:00  
FEE: 20.00 checker  
LISEE C 28624, RECORDER  
FILED BY: JH  
FOR PHILLIP V. GLAZE  
SAN JUAN COUNTY CORPORATION

A FINAL PLAT OF  
**BACK OF THE ARCH COTTAGE LOTS**

A SUBDIVISION OF PARCEL C OF THE AMENDED PLAT OF  
 WILSON ARCH RESORT COMMUNITY PHASE I,  
 WITHIN SECTION 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH

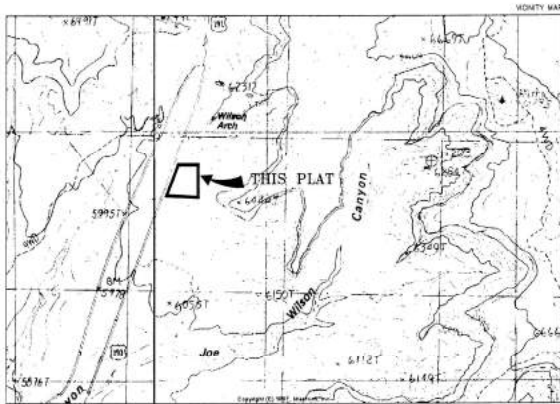
**NOTES**

- THOSE ROADS SHOWN THROUGH PARCEL C ARE PRIVATE ROAD AND UTILITY EASEMENTS DEDICATED TO THE PROPERTY OWNERS ASSOCIATION, AS SUCH THESE ROADS ARE ACCESS FOR THE LOTS PLATTED HEREON AND COTTAGE LOTS PLATTED PREVIOUSLY.
- THE OPEN SPACE HEREON IS BLANKETED WITH ACCESS AND UTILITY EASEMENTS TO BE UTILIZED AS DETERMINED BY THE PROPERTY OWNERS ASSOCIATION.
- EACH LOT IS SUBJECT TO A 20 FT. WIDE UTILITY EASEMENT ALONG ALL LOT LINES.

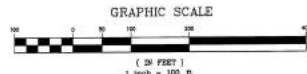
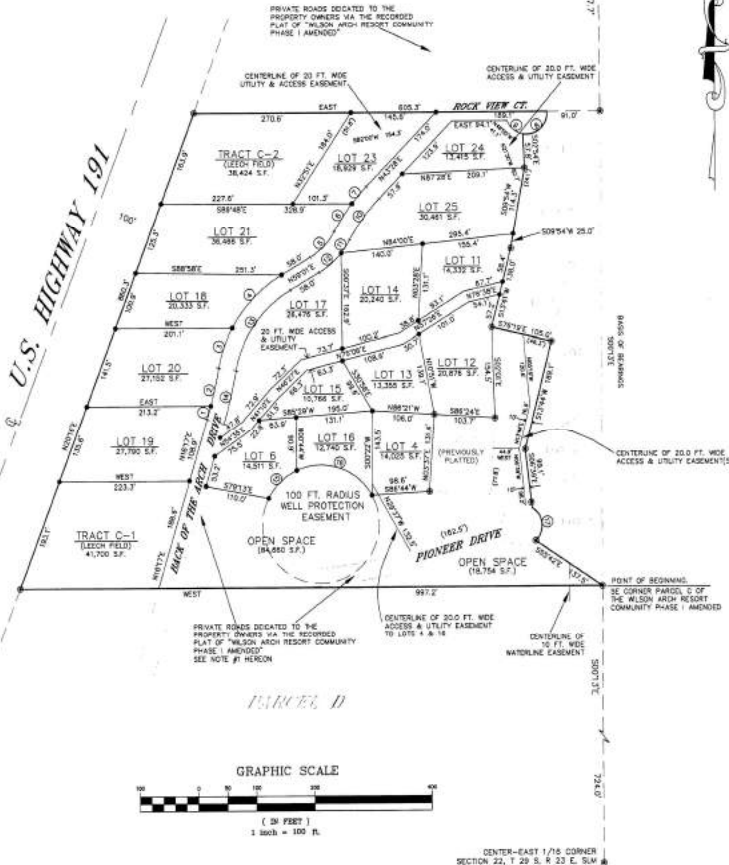
**LEGEND**

- FOUND 5/8" REBAR WITH PLASTIC CAP SET BY THIS SURVEYOR
- FOUND 5/8" REBAR WITH PLASTIC CAP SET THIS SURVEYOR
- FOUND 3/4" ALUMINUM MONUMENT (1988)

CURVE TABLE			
CURVE LENGTH	BEGINNING	END	BEARING
1	235.774	11.8	N10°25'E
2	85.9	774.9	S10°25'E
3	124.4	859.9	S70°25'E
4	129.6	239.9	S44°E
5	65.1	129.6	N45°25'E
6	56.9	344.6	S85°E
7	27.3	244.6	S88°E
8	54.9	35.0	N47°25'E
9	36.8	35.0	S49°15'E
10	36.8	314.8	S44°E
11	26.7	143.2	S34°E
12	49.7	143.2	S21°E
13	172.1	299.9	S19°E
14	102.9	854.9	N10°25'E
15	48.4	102.9	S26°E
16	148.7	102.9	S19°E
17	65.2	29.9	N38°45'E



U.S. HIGHWAY 191



**SURVEYOR'S CERTIFICATE**

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004. AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS BACK OF THE ARCH COTTAGE LOTS, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

**BOUNDARY DESCRIPTION**

A PORTION OF PARCEL C OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED BEING IN THE NE 1/4 SECTION 22, T 29 S R 23 E, SLB, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SE CORNER OF PARCEL C OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED AS FILED IN THE OFFICE OF THE SAN JUAN COUNTY RECORDER, SAID CORNER BEARS WITH THE 1/8 LINE N 0°15'W 124.0 FT. FROM THE CENTER-EAST 1/8 CORNER SECTION 22, T 29 S, R 23 E, SLB, AND PROCEEDS THENCE WEST 897.0 FT. TO THE SW CORNER OF SAID PARCEL C, THENCE WITH THE WEST LINE OF SAID PARCEL C, COMMENCING WITH THE EAST 80'-0" OF U.S. HIGHWAY 191, N 87°16'E 863.1 FT. TO THE NW CORNER OF SAID PARCEL C, THENCE EAST 863.3 FT. THENCE ALONG THE ARC OF A 38.3 FT. RADIUS CURVE TO THE RIGHT 84.9 FT. TO A CORNER, THENCE S 8°14'E 84.9 FT. TO A CORNER, THENCE S 2°34'E 87.8 FT. TO A CORNER, THENCE S 8°14'E 158.3 FT. TO A CORNER, THENCE S 13°48'W 105.1 FT. TO A CORNER, THENCE S 7°16'E 103.0 FT. TO A CORNER, THENCE S 13°48'W 188.1 FT. TO A CORNER, THENCE S 8°14'E 88.7 FT. TO A CORNER, THENCE ALONG THE ARC OF A 38.3 FT. RADIUS CURVE TO THE RIGHT 84.9 FT. TO A CORNER, THENCE S 8°14'E 16.0 FT. TO A CORNER, THENCE S 8°14'E 137.7 FT. TO THE POINT OF BEGINNING, AND LESS LOT 2 AS PREVIOUSLY RECORDED (10,640 S.F.).  
 SAID PLAT, LESS SAID LOT 3, CONTAINS 13.00 ACRES, MORE OR LESS, AND THE CORNERS ARE MONUMENTED AS SHOWN ON THE ATTACHED PLAT. THE BEARINGS AND DISTANCES ARE BASED ON THE RECORD EAST LINE FOR PARCEL C OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED.

DATE: Sept 2, 2003  
 SURVEYOR: Timothy M. Keogh

**OWNERS DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE **BACK OF THE ARCH COTTAGE LOTS**  
 DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
 IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE THIS 2nd DAY OF September, A.D. 2003.  
 Timothy M. Keogh, Surveyor  
 Managing Member, Wilson Arch Properties, LLC  
 Managing Member, Wilson Arch Properties, LLC

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF SAN JUAN  
 ON THE 2nd DAY OF September, A.D. 2003, PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES 9/2/07  
 NOTARY PUBLIC  
 RESIDING IN SAN JUAN COUNTY

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF SAN JUAN  
 ON THE 2nd DAY OF September, A.D. 2003, PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES \_\_\_\_\_  
 NOTARY PUBLIC  
 RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
 45 EAST CENTER STREET  
 MOAB, UTAH 84532

DATE: SEPTEMBER 2, 2003  
 DRAWN BY: TW  
 CHECKED BY: TW  
 COUNTY RECORDER NO. 070144  
 STATE OF UTAH, CO. OF SAN JUAN, RECORDER AT THE REQUEST OF WILSON ARCH PROPERTIES, LLC. FILED  
 DATE 09/02/03 TIME 8:36 AM BOOK 880 PAGE 147 FEE \$6.00  
 0073  
 COUNTY RECORDER

**COUNTY HEALTH APPROVAL**  
 APPROVED THIS 2nd DAY OF September, A.D. 2003, BY  
Sue Johnson

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS 2nd DAY OF September, A.D. 2003, BY  
 SAN JUAN COUNTY PLANNING COMMISSION  
Raymond H. Johnson CHAIRMAN  
\_\_\_\_\_ PLANNING COMMISSION

**COUNTY SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
 DATE: 9-11-03  
Christy E. Johnson

**COUNTY COMMISSION APPROVAL**  
 PRESENTED TO THE San Juan Co. Commission  
 THIS 2nd DAY OF September, A.D. 2003. SUBDIVISION WAS ACCEPTED AND APPROVED.  
 ATTEST: Christy E. Johnson

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM THIS 2nd DAY OF September, A.D. 2003.  
Whitney Lind  
Bonny Cobby ATTORNEY

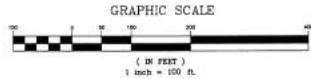
**COUNTY RECORDER NO. 070144**  
 STATE OF UTAH, CO. OF SAN JUAN, RECORDER AT THE REQUEST OF WILSON ARCH PROPERTIES, LLC. FILED  
 DATE 09/02/03 TIME 8:36 AM BOOK 880 PAGE 147 FEE \$6.00  
 0073  
 COUNTY RECORDER

UTAH COUNTY RECORDERS ASSOCIATION  
 100 WEST CENTER STREET, SUITE 200  
 SALT LAKE CITY, UTAH 84143  
 (801) 461-1111  
 WWW.UHRA.UTAH.GOV

0073  
 State of Utah  
 County of San Juan  
 Recorder

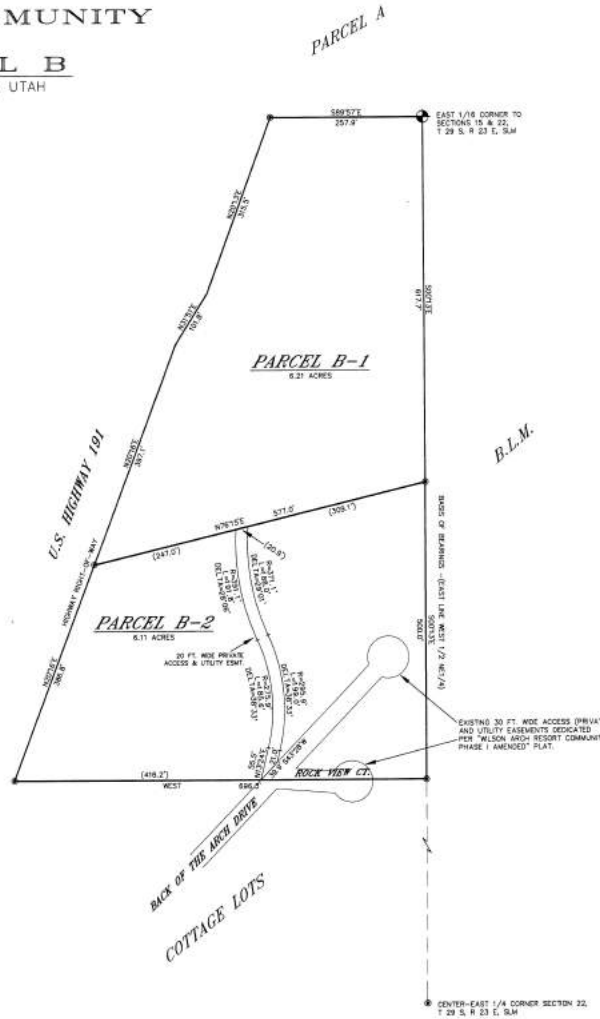
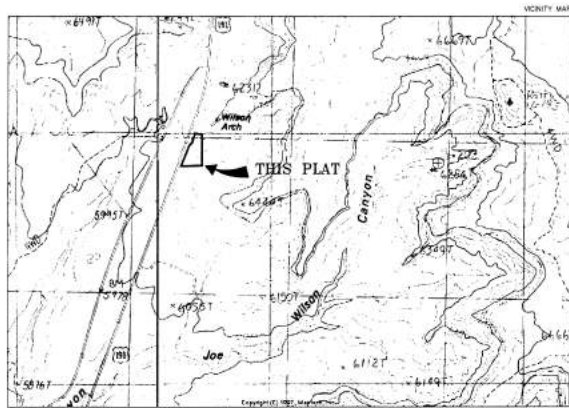


A FINAL PLAT OF  
**WILSON ARCH RESORT COMMUNITY  
 PHASE I AMENDED  
 SUBDIVISION OF PARCEL B**  
 WITHIN SECTION 22, T 29 S, R 23 E, SLM, SAN JUAN COUNTY, UTAH



**LEGEND**

- BLM PIPE WITH CAP MONUMENT
- REBAR WITH PLASTIC CAP SET BY THE SURVEYOR



**SURVEYOR'S CERTIFICATE**

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HERE-AFTER TO BE KNOWN AS WILSON ARCH RESORT COMMUNITY PHASE I AMENDED, SUBDIVISION OF PARCEL B, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

**BOUNDARY DESCRIPTION**

THAT PARCEL OF LAND KNOWN AS PARCEL B OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED, BEING IN THE NE 1/4 SECTION 22, T 29 S, R 23 E, SLM, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST 1/4 CORNER TO SECTIONS 15 & 22, T 29 S, R 23 E, SLM, THE CORNER NW 1/4 NE 1/4 SECTION 22, AND PROCEEDING THENCE S 0°13' 11.7" E 117.3 FT. TO THE SE CORNER OF PARCEL B, THENCE WEST 888.3 FT. TO THE SW CORNER OF PARCEL B, THENCE WITH THE EASTERN RIGHT OF WAY OF U.S. HIGHWAY 191 THE FOLLOWING THREE COURSES: N 20°16' 28.5" E 788.5 FT., THENCE N 31°51' 10.8" E 101.8 FT., THENCE N 80°13' 11.7" E 117.3 FT. TO THE NW CORNER OF PARCEL B, THENCE WITH THE NORTH LINE OF PARCEL B, ALONG THE NORTH LINE OF SECTION 22, S 89°57' 29.7" E 257.4 FT. TO THE POINT OF BEGINNING. THE WEST 1/2 OF THE NE 1/4 OF SECTION 22 (BEARINGS-S 0°13').

DATE Aug 13, 03  
 TIMOTHY M. KEOGH  
 171004  
 UTAH  
 574 E OF UT

**OWNERS DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT ~~THE~~ THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFETER TO BE KNOWN AS THE WILSON ARCH RESORT COMMUNITY PHASE I AMENDED SUBDIVISION OF PARCEL B DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF I HAVE HERETO SET THIS 13th DAY OF Aug, A.D., 2003.  
 Wilson Arch Properties, LLC  
 Managing Members  
 Scott R. O'Brien  
 Brent H. O'Brien

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF San Juan S.S.  
 ON THE 13th DAY OF August, A.D., 2003, PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES 6-19-04 Joe Scher  
 NOTARY PUBLIC  
 RESIDING IN San Juan COUNTY

**ACKNOWLEDGMENT**

STATE OF MONTANA  
 COUNTY OF \_\_\_\_\_ S.S.  
 ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.  
 MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC  
 RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
 45 EAST CENTER STREET  
 MOAB, UTAH 84532

DATE: AUGUST 6, 2003 PLAT/DRAWING  
 DRAWN BY: TMK CHECKED BY: TMK

**COUNTY HEALTH APPROVAL**  
 APPROVED THIS 8th DAY OF Sept, A.D. 2003, BY  
Richard D. Wagner

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS 21st DAY OF October, A.D. 2003, BY  
 SAN JUAN COUNTY PLANNING COMMISSION  
Raymond Peterson  
 CHAIRMAN PLANNING COMMISSION

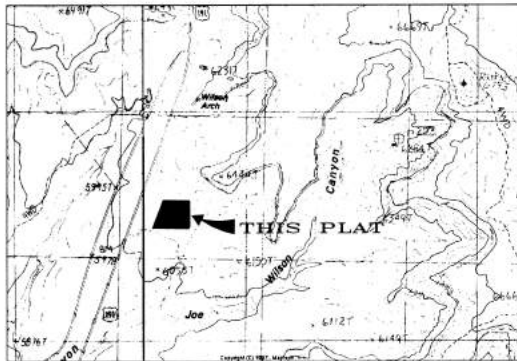
**COUNTY SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
8-26-03 Timothy M. Keogh  
 DATE

**COUNTY COMMISSION APPROVAL**  
 PRESENTED TO THE San Juan County Commission  
 THIS 22nd DAY OF September, A.D. 2003. SUBDIVISION WAS ACCEPTED AND APPROVED.  
Attest: Lynn M. Spencer Raymond Peterson

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM THIS 6th DAY OF August, A.D., 2003.  
Walter J. Reed  
Dawn Colby ATTORNEY

**COUNTY RECORDER NO. 070056**  
 STATE OF UTAH, CO. OF SAN JUAN, RECORDED AT THE REQUEST OF  
Wilson Arch Properties, LLC FILED  
 DATE 08/06/03 TIME 9:53 AM BOOK 88 PAGE 678 FEE 32.00  
Laurie L. Jones  
 COUNTY RECORDER

U.S. DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 567 WEST CENTER STREET, SUITE 200  
 CORTLAND, NEBRASKA 68801  
 TEL: 402/338-8300 FAX: 402/338-8374



A FINAL PLAT OF  
**RED CANYON VILLAS AT WILSON ARCH**

A SUBDIVISION OF A PORTION OF PARCEL D OF THE AMENDED PLAT OF  
 WILSON ARCH RESORT COMMUNITY PHASE I,  
 WITHIN SECTION 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH

**SURVEYOR'S CERTIFICATE**

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HERE-AFTER TO BE KNOWN AS **RED CANYON VILLAS AT WILSON ARCH**, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

**BOUNDARY DESCRIPTION**

A PORTION OF PARCEL D OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED BEING IN THE NE 1/4 SECTION 22, T 29 S R 23 E, SLB, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SE CORNER OF PARCEL D OF WILSON ARCH RESORT COMMUNITY PHASE I AMENDED AS FILED IN THE OFFICE OF THE SAN JUAN COUNTY RECORDER, SAID CORNER BEARS WITH THE 1/4 LINE, IN 89°44'W 1333.0 FT. FROM THE EAST 1/4 CORNER TO SAID SECTION 22, T 29 S R 23 E, SLB, SAID POINT OF BEGINNING BEING THE CENTER-EAST 1/8 CORNER TO SAID SECTION 22, AND PROCEEDING THENCE N 89°44'W 920.4 FT. TO A CORNER, THENCE N 14°45'W 744.6 FT. TO A CORNER, THENCE EAST 726.2 FT. TO A CORNER, THENCE S 00°13'E 724.0 FT. TO THE POINT OF BEGINNING. CORNERS ARE MONUMENTED AS SPECIFIED ON THE ATTACHED PLAT.  
 BEARINGS ARE BASED ON THE RECORD WEST LINE NW 1/4 SECTION 22 (N 0° 02'00").



DATE Jan 27/05  
 TIMOTHY M. KEOGH

**OWNERS DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT THEY, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HERE-AFTER TO BE KNOWN AS THE

**RED CANYON VILLAS AT WILSON ARCH**

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 17TH DAY OF FEBRUARY, A.D. 2005

WILSON ARCH PROPERTIES, LLC

Phillip W. Glaze Brenda W. Glaze  
 MANAGING MEMBER MANAGING MEMBER

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF GRAND, S.S.

ON THE 17TH DAY OF FEBRUARY, A.D. 2005, PERSONALLY APPEARED BEFORE ME Peggy G. Threlkeld AND PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.

MY COMMISSION EXPIRES 1-5-07

Peggy G. Threlkeld  
 NOTARY PUBLIC  
 RESIDING IN GRAND COUNTY

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ S.S.  
 COUNTY OF \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ AND PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE/THEY) EXECUTED THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
 RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
 45 EAST CENTER STREET  
 MOAB, UTAH 84532

DATE: JANUARY 24, 2005

PHL12.DWG

DRAWN BY: TNK

CHECKED BY: TNK

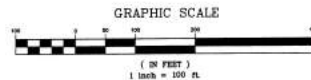
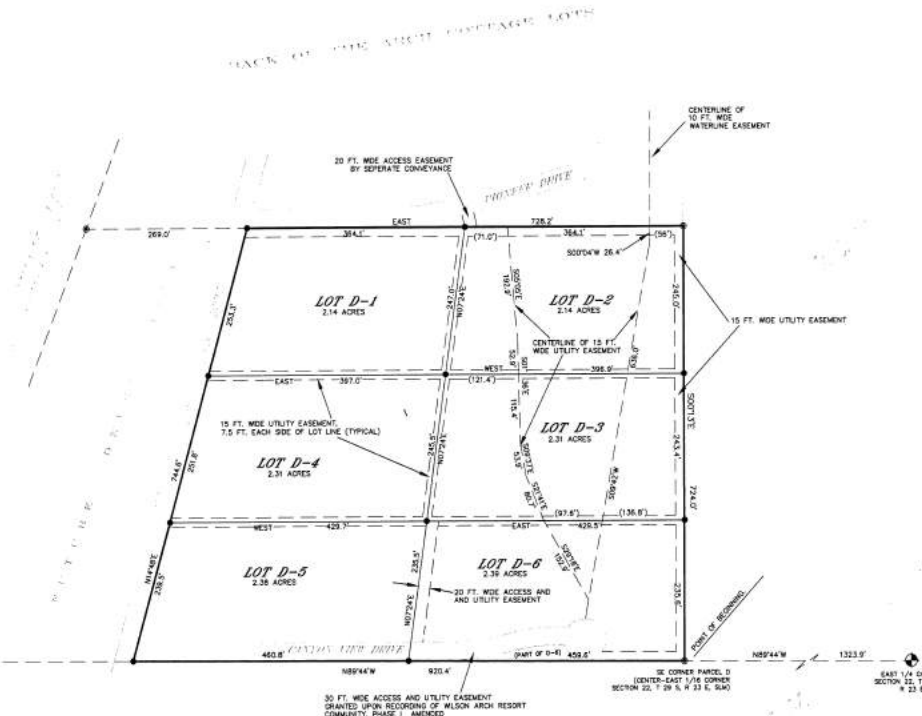
NORTHWEST CORNER SECTION 22, T 29 S, R 23 E, SLB  
 BASIS OF BEARINGS N 00°0'W  
 2633.7'  
 WEST 1/4 CORNER SECTION 22, T 29 S, R 23 E, SLB  
 N89°44'W 3044.5'

**LEGEND**

- FOUND 5/8" REBAR WITH PLASTIC CAP SET BY THIS SURVEYOR
- FOUND 5/8" REBAR WITH PLASTIC CAP SET BY THIS SURVEYOR
- ⊕ FOUND 8LM ALUMINUM MONUMENT (1896)
- FOUND 8LM STONE CORNER

**NOTES**

1. THESE ROADS SHOWN HEREIN AS ACCESS TO LOTS D-1 THRU D-6 ARE ROAD AND UTILITY EASEMENTS CREATED VIA THE RECORDATION OF THE FINAL PLAT FOR WILSON ARCH RESORT COMMUNITY PHASE I AMENDED. CONSTRUCTION AND MAINTENANCE OF THESE ROADS IS THE RESPONSIBILITY OF THE OWNER OR DEVELOPER, NOT SAN JUAN COUNTY.



**SURVEYORS NARRATIVE**

THE PURPOSE OF THIS PLAT WAS TO SUBDIVIDE THAT PORTION OF PARCEL D OF WILSON ARCH RESORT COMMUNITY LYING EAST OF BACK OF THE ARCH DRIVE INTO THE SIX LOTS SHOWN HEREON. BEARINGS ARE BASED ON THE WEST LINE NW 1/4 SECTION 22 (BEARING FROM BLM SURVEY "H 02'00").

**COUNTY HEALTH APPROVAL**  
 APPROVED THIS 23rd DAY OF February, A.D. 2005, BY  
Richard Meyer

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS 27th DAY OF February, A.D. 2005, BY  
Janet Williams  
 CHAIRMAN PLANNING COMMISSION

**COUNTY SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE.  
02/24/05  
Janet Williams  
 DATE

**COUNTY COMMISSION APPROVAL**  
 PRESENTED TO THE San Juan County Commission ON THIS 22nd DAY OF February, A.D. 2005. SUBDIVISION WAS ACCEPTED AND APPROVED.  
James H. ...  
 ATTEST

**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM THIS 23rd DAY OF February, A.D. 2005.  
Walter ...  
 DEPUTY COUNTY ATTORNEY

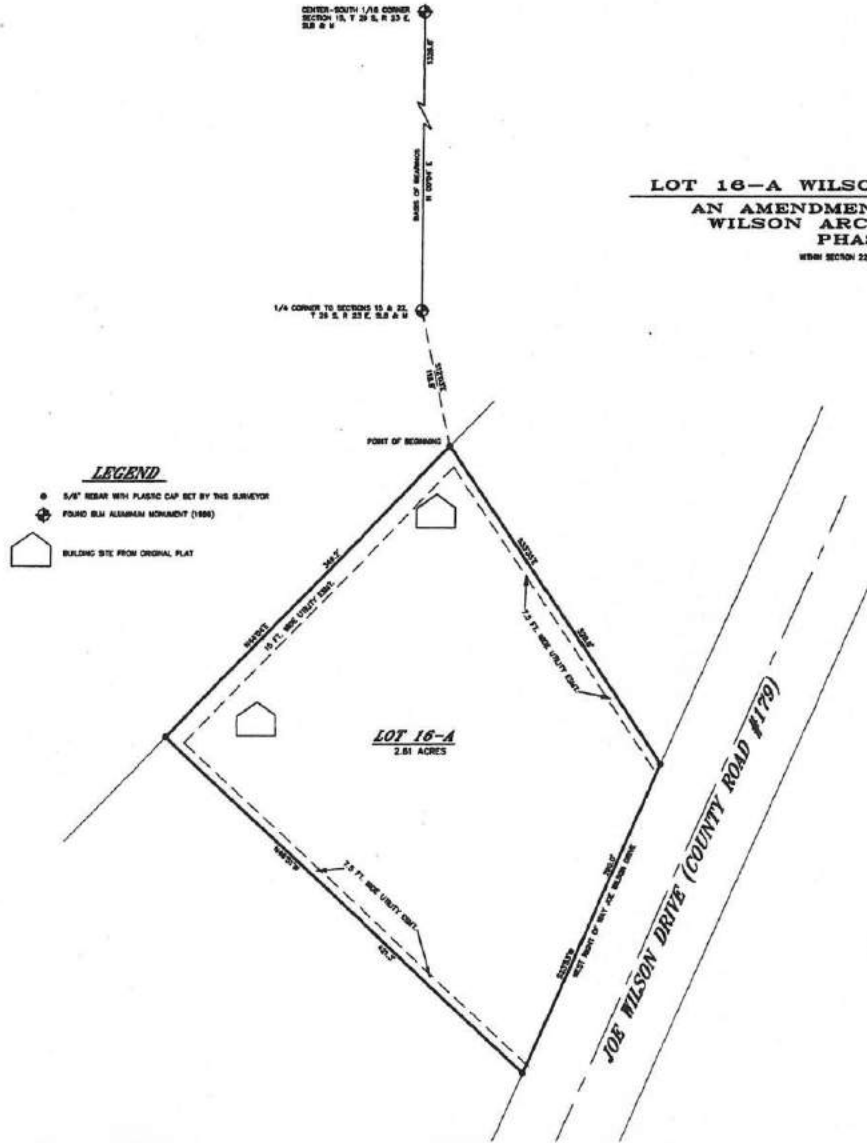
**COUNTY RECORDER NO. 079555**  
 STATE OF UTAH, CO. OF SAN JUAN... RECORDED AT THE REQUEST OF WILSON ARCH PROPERTIES, LLC. FILED  
 DATE 02-23-05 TIME 12:29 PM BOOK 881 PAGE 161 FEE 36.00  
0079  
Janet Williams  
 COUNTY RECORDER

RECORDING INFORMATION  
 1. THIS INSTRUMENT IS FILED FOR RECORDATION IN THE PUBLIC RECORDS OF THE STATE OF UTAH, COUNTY OF SAN JUAN, AT THE OFFICE OF THE COUNTY RECORDER, MOAB, UTAH, ON FEBRUARY 23, 2005 AT 12:29 PM. THE FEE FOR RECORDATION IS \$36.00.  
 2. THIS INSTRUMENT IS FILED FOR RECORDATION IN THE PUBLIC RECORDS OF THE STATE OF UTAH, COUNTY OF SAN JUAN, AT THE OFFICE OF THE COUNTY RECORDER, MOAB, UTAH, ON FEBRUARY 23, 2005 AT 12:29 PM. THE FEE FOR RECORDATION IS \$36.00.  
 3. THIS INSTRUMENT IS FILED FOR RECORDATION IN THE PUBLIC RECORDS OF THE STATE OF UTAH, COUNTY OF SAN JUAN, AT THE OFFICE OF THE COUNTY RECORDER, MOAB, UTAH, ON FEBRUARY 23, 2005 AT 12:29 PM. THE FEE FOR RECORDATION IS \$36.00.  
 4. THIS INSTRUMENT IS FILED FOR RECORDATION IN THE PUBLIC RECORDS OF THE STATE OF UTAH, COUNTY OF SAN JUAN, AT THE OFFICE OF THE COUNTY RECORDER, MOAB, UTAH, ON FEBRUARY 23, 2005 AT 12:29 PM. THE FEE FOR RECORDATION IS \$36.00.



PLAT OF SECTION 16, T. 24 N., R. 23 E., S. 8 N., SAN JUAN COUNTY, UTAH, BEING PARTICULARLY DESCRIBED AS FOLLOWS: BEING A CORNER WHICH BEARS S. 12°37' 18.8" E. 118.8 FT. FROM THE S. CORNER OF SECTION 18, S. 22 OF T. 24 N., R. 23 E., S. 8 N., AND PROCEEDING THENCE S. 89°28' 28.8" E. 288.8 FT. TO A CORNER AT THE RIGHT OF WAY OF JOE WILSON DRIVE (COUNTY ROAD #170) THENCE WITH SAID RIGHT OF WAY S. 23°25' 28.0" E. TO A CORNER, THENCE N. 89°28' 28.8" E. 433.3 FT. TO A CORNER, THENCE N. 89°28' 28.8" E. TO THE POINT OF BEGINNING AND CONTAINING 2.81 ACRES, MORE OR LESS. EACH CORNER IS BENCHMARK AS SPECIFIED ON THE ATTACHED PLAT. BEARINGS ARE BASED ON THE WEST LINE 9th SEC SECTION 18 (DEARHORN 10744).

**LOT 16-A WILSON ARCH RESORT COMMUNITY**  
**AN AMENDMENT OF LOTS 16 & 17 OF**  
**WILSON ARCH RESORT COMMUNITY**  
**PHASE I AMENDED**  
 WITHIN SECTION 22, T. 24 N. R. 23 E. S. 8 N., SAN JUAN COUNTY, UTAH



**NOTES:**  
 1. ALL SIDES AND REAR LOT LINES, ALL LINES NOT COMMON WITH A ROAD RIGHT-OF-WAY, ARE SUBJECT TO A 130 FT. WIDE UTILITY EASEMENT. IN THE CASE OF LINES SHOWN TO TWO LOTS, THE 15 FT. EASEMENT WILL BE DIVIDED ON THE PROPERTY LINE WITH 7.5 FT. ON EITHER SIDE. IN THE CASE OF A LOT LINE ADJOINING OPEN SPACE, THE 15 FT. EASEMENT SHALL BE ENTIRELY ON THE LOT SIDE OF THE LINE.

**SURVEYORS NARRATIVE**  
 THE PURPOSE OF THIS AMENDED PLAT IS TO JOIN THE FORMER LOTS 16 & 17 INTO A SINGLE LOT, LOT 16-A. THE END RESULT BEING THE REMOVAL OF THAT LINE COMMON TO SAID LOTS 16 & 17. THIS WAVEY PLAT OF THE ORIGINAL LOT CORNER AS ESTABLISHED IN THE ORIGINAL SURVEY. BEARINGS ARE BASED ON THE WEST LINE 9th SEC SECTION 18 (DEARHORN 10744).

**SURVEYOR'S CERTIFICATE**  
 I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 1711004 IN ACCORDANCE WITH TITLE 66, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND I FURTHER CERTIFY THAT, UNDER AUTHORITY OF THE CHIEF ENGINEER, I HAVE MADE A SURVEY OF THE PROPERTY DESCRIBED HEREIN IN ACCORDANCE WITH SECTION 17-23-17, HAVE SUBDIVIDED SAID TRACT INTO LOTS AND STREETS, AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS AS REPRESENTED ON THIS PLAT WHICH IS HEREAFTER TO BE KNOWN AS LOT 16-A WILSON ARCH RESORT COMMUNITY.

**BOUNDARY DESCRIPTION**  
 A DESCRIPTION OF THESE LANDS FORMERLY PLATTED AS LOTS 16 & 17 OF WILSON ARCH RESORT COMMUNITY, PHASE I AMENDED, IN SECTION 22, T. 24 N., R. 23 E., S. 8 N., SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING A CORNER WHICH BEARS S. 12°37' 18.8" E. 118.8 FT. FROM THE S. CORNER OF SECTION 18, S. 22 OF T. 24 N., R. 23 E., S. 8 N., AND PROCEEDING THENCE S. 89°28' 28.8" E. 288.8 FT. TO A CORNER AT THE RIGHT OF WAY OF JOE WILSON DRIVE (COUNTY ROAD #170) THENCE WITH SAID RIGHT OF WAY S. 23°25' 28.0" E. TO A CORNER, THENCE N. 89°28' 28.8" E. 433.3 FT. TO A CORNER, THENCE N. 89°28' 28.8" E. TO THE POINT OF BEGINNING AND CONTAINING 2.81 ACRES, MORE OR LESS. EACH CORNER IS BENCHMARK AS SPECIFIED ON THE ATTACHED PLAT. BEARINGS ARE BASED ON THE WEST LINE 9th SEC SECTION 18 (DEARHORN 10744).

DATE: March 8/10  
 TIMOTHY M. KEOGH  
 REGISTERED LAND SURVEYOR  
 STATE OF UTAH

**OWNERS DEDICATION**  
 KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS THE  
**LOT 16-A WILSON ARCH RESORT COMMUNITY**  
 DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
 IN WITNESS WHEREOF \_\_\_\_\_ HAVE HERETO SET THIS DAY OF March, A.D. 2010.

Paula A. Boyd  
 CLIFFORD WALTER BOYD

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF SAN JUAN  
 ON THE 13 DAY OF March, A.D. 2010, PERSONALLY APPEARED BEFORE ME Paula A. Boyd and Clifford A. Boyd AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE)/THEY EXECUTED THE SAME.  
 MY COMMISSION EXPIRES Aug. 24, 2012  
 NOTARY PUBLIC  
 RESIDING IN \_\_\_\_\_  
 BEAL

WILSON ARCH PROPERTIES, LLC  
 WILSON ARCH RESORT COMMUNITY  
 HOME OWNERS ASSOCIATION  
Paula A. Boyd  
 PAULA A. BOYD, MEMBERSHIP BOARD AND  
 H.O.A. PRESIDENT

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF SAN JUAN  
 ON THE 13 DAY OF March, A.D. 2010, PERSONALLY APPEARED BEFORE ME Paula A. Boyd, Clifford A. Boyd, and Paul J. Keogh AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE (SHE)/THEY EXECUTED THE SAME.  
 MY COMMISSION EXPIRES 2/27/2012  
 NOTARY PUBLIC  
 RESIDING IN \_\_\_\_\_ COUNTY

PREPARED BY  
**KEOGH LAND SURVEYING**  
 45 EAST CENTER STREET  
 MOAB, UTAH 84532

DATE: MARCH 8, 2010 OLIZE/LOT 16-A AMENDED.DWG  
 DRAWN BY: TMK CHECKED BY: TMK

**COUNTY HEALTH DEPARTMENT**  
 APPROVED THIS 10th DAY OF April, A.D. 2010, BY  
Sue D. Meyer

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS 8th DAY OF April, A.D. 2010, BY  
Walter J. Keogh  
 CHAIRMAN, SAN JUAN COUNTY PLANNING COMMISSION

**COUNTY SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE MADE THIS AMENDED TRACT AS STATED EXAMINED BY THIS OFFICE IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE AND IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODES AND IN ACCORDANCE WITH THE UTAH SURVEYING ACT AND RULES AND REGULATIONS THEREUNDER.  
 DATE: 4-6-2010  
 SAN JUAN COUNTY SURVEYOR

**COUNTY COMMISSION APPROVAL**  
 PRESENTED TO THE SAN JUAN COUNTY COMMISSION THIS 13 DAY OF March, A.D. 2010. SUBDIVISION WAS ACCEPTED AND APPROVED.  
 ATTEST: Paula A. Boyd  
 SAN JUAN COUNTY COMM. CHAIR

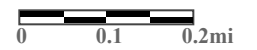
**APPROVAL AS TO FORM**  
 APPROVED AS TO FORM THIS 10th DAY OF April, A.D. 2010  
Walter J. Keogh  
 DEPUTY SAN JUAN COUNTY ATTORNEY

**COUNTY RECORDER NO.**  
 STATE OF UTAH, CO. OF SAN JUAN, RECORDED AT THE REQUEST OF South Eastern Utah Title Co.  
 DATE FILED: 12th DAY OF April, 2010, PAGE 360, FEE \$10.00  
Christine L. Jones  
 SAN JUAN COUNTY RECORDER

# **Attachment 11**

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## **Location Maps**



25.9 Miles from Moab to Wilson Arch Resort Community

28.3 Miles from Monticello to Wilson Arch Resort Community

