

REV-6

WELLSVILLE-MENDON CONSERVATION DISTRICT
BY-LAWS
- GENERAL MATTERS -

SECTION 1
BACKGROUND

- A. Policy: This Policy shall be known as the Wellsville-Mendon Conservation District (the "District") General Policy.
- B. Purpose: The purpose of this Policy is to establish guidelines for the District in managing the day to day affairs of the District.

SECTION 2
COMPLIANCE WITH LAW

In adopting the Policy, the District recognizes the application of Utah law, including but not limited to Title 17A of the Utah Code. Any inconsistency or conflict between this Policy and applicable provisions of the Code shall be governed by the Code, as amended from time to time. This Policy may be amended or modified as required in accordance with said Title 17A of the Utah Code.

SECTION 3
OFFICE LOCATION

The office of the Board of Trustees shall always be located in Cache County, Utah. Until further notice, the office of the Board of Trustees shall be the home of the Secretary, W. Ray Bankhead, 190 East 800 South, Wellsville, Utah.

SECTION 4
BOARD OF TRUSTEES

- A. The Board shall have all powers granted under the laws of the State of Utah as the same may be from time to time amended.
- B. A Board member must either:
- (1) Own property serviced by the District and located within the boundaries of the election district to which he/she is seeking office;
 - (2) Be a Trustee for a Trust that owns property serviced by the District and located within the boundaries of the election district to which he/she is seeking office; or

- (3) Be an owner or officer of a company that owns property serviced by the District and located within the boundaries of the election district to which he/she is seeking office.
- C. A Member of the Board shall not be a full or part-time employee of the District while serving on the Board.
- D. The term of office for a Trustee shall be four (4) years. Elections shall be staggered so that no more than two (2) Trustee positions are up for election in a given year.
- E. Meetings of the Board of Trustees shall be held on the second Wednesday of every month.
- F. The Board of Trustees shall consist of three (3) members, and a minimum of two (2) Trustees must be present to constitute a quorum.

SECTION 5 OFFICERS

- A. The Board shall at all times maintain the following offices:
 - (1) President: The president shall be the principal executive officer of the District and, subject to the control of the Trustees, shall in general supervise and control all of the business and affairs of the District. The president shall, when present, preside at all meetings of the Trustees. He or she may sign, with the secretary or any other proper officer of the district thereunto authorized by the Board, any documents or instruments which the Trustees have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Trustees or by these by-laws to some other officer or agent of the District, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of president and such other duties as may be prescribed by the Trustees from time to time.
 - (2) Secretary/Clerk: The secretary shall keep the minutes of the Trustees' meetings in one or more books provided for that purpose and, in general, perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to him or her by the president or by the Trustees.
 - (3) Treasurer: If required by the Trustees, the treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Trustees shall determine. He or she shall have

charge and custody of and be responsible for all funds and securities of the District from any source whatsoever, and deposit all such moneys in the name of the District in such banks, trust companies, or other depositories as shall be selected in accordance with these by-laws and in general perform all of the duties incident to the office of treasurer and such other duties as from time to time may be assigned to him or her by the president or by the Trustees.

- B. Each Officer shall also be a Member of the Board of Trustees. However, no two (2) Officer positions shall be held by the same individual at any given time.
- C. The Officers shall have all powers granted under the laws of the State of Utah as the same may be from time to time amended.

SECTION 6 EMPLOYEES

The Board of Trustees may hire such employees as it may from time to time deem necessary, and shall fix the compensation to be paid to the employees. The District shall comply with Title 52, Chapter 3 prohibiting employment of relatives.

- A. Water Master: The Water Master is the official representative of the District, with authority to distribute the water of the District equitably, by share (acre foot), to the users.
 - (1) The Water Master has the duty and responsibility to establish and manage a water turn schedule and a system of head gate settings in order to effect the equitable distribution of water to share holders in accordance with the District Policy Statement and Procedure on Water Allotments and the Wellsville-Mendon Conservation District Water Management Manual.
 - (2) The Water Master shall ride the full length of the District's canals on a frequent and regular basis, as necessary, for the purpose of inspecting the canals and diversion devices, setting head gates and checking turns and usage. More frequent inspections of the canal may be required, for safety reasons, depending on circumstances.
 - (3) The Water Master shall meet with the Board of Trustees on a monthly basis during the irrigation season for the purpose of reporting and receiving guidance.
 - (4) The Water Master shall submit a written report to the Board of Trustees at the end of each irrigation season. This report should include a complete log of the Water Master's activities on the canal (canal trips, repair activities, maintenance and safety issues encountered, etc.); a log of

water delivery by zone and by user as to time of use and quantity of water used; recommendations for improvements, repairs, etc. for the off-season.

- (5) Other duties as prescribed by the Board of Trustees.

SECTION 7 SALARIES

- A. The officers and employees shall be paid salaries as determined by the Trustees and no officer shall be prevented from receiving such salary by reason of the fact that he is also a Trustee of the District.
- B. As provided by Utah Code Ann. Section 17B-2-404(1)(b) the amount of compensation paid to a Member of the Board of Trustees may not exceed \$3,500.00 per year. The Board may also be compensated on a per diem basis in addition to the annual salary.

SECTION 8 FINANCIAL MATTERS

- A. All financial matters of the District shall be handled in accordance with the Uniform Fiscal Procedures for Special District Act, Utah Code Ann. 17A-1-401 *et seq.* and 17A-2-718 of the Irrigation District Act.
- B. The accounting records of the District shall be established and maintained, and financial statements prepared from those records, in conformity with generally accepted accounting principles promulgated from time to time by the authoritative bodies in the United States and in accordance with the Uniform Accounting Manual for Special Districts.
- C. The fiscal year shall be January 1 to December 31.

SECTION 9 LIABILITY

Members of the Board of Trustees or of the Board of Directors or members at large shall not be held personally liable for the obligations of the District.

**WELLSVILLE-MENDON CONSERVATION DISTRICT
BY-LAWS
- WATER ALLOTMENTS -**

**SECTION 1
BACKGROUND**

- A. Policy: This Policy shall be known as the Wellsville-Mendon Conservation District (the "District") Water Allotment Policy.
- B. Purpose: The Policy establishes guidelines for the distribution of water allotments, assessments for the allotment, and the rights to transfer said allotment.

**SECTION 2
COMPLIANCE WITH STATE AND FEDERAL LAW**

In adopting this Policy, the District recognizes the application of both state and federal law, including but not limited to Title 43, Chapter 12 of the United States Federal Code. Any inconsistency or conflict between this Policy and applicable provisions of state or federal law shall be governed by the requirements of state and /or federal law, as the same may be amended from time to time.

**SECTION 3
WATER DISTRIBUTION**

- A. Allotment: A landowner's allotment of water is as set forth in the books and records of the District. The District Secretary is responsible for keeping these books and records up to date and available, upon request, to any landowner serviced by the District. A copy, which is known as the "Wellsville/Mendon List" (current copy attached as Attachment A.), is also kept and maintained by the Cache County Treasurer. The "Wellsville/Mendon List" shows the number of acre-feet of water allotted to each landowner of record together with the number of the assessed parcel and the address of the landowner. Notwithstanding, no landowner shall be entitled to an allotment that would violate state or federal law.
- B. Distribution Plan: On or before March 15th of each year, the Water Master shall provide to the Board, for their consideration and approval, a water distribution plan for the upcoming irrigation season. Said plan shall ensure the equitable distribution of water among the landowners entitled to water and shall be available, upon request, to any landowner serviced by the District. This plan shall include an estimate of the water available over the water season, the water allocation percentage and quantity available for distribution within each of the water Zones (see E.), the water usage schedule by

month, and a water distribution plan for each Zone. This plan shall be in sufficient detail to allow all landowners to know when and under what circumstances they may use their lawful allotment of water. Except in the case of an emergency, changes to this plan must be in writing and available to landowners in advance of the changes being implemented.

C. Water Delivery: Each acre-foot (share) shall entitle its holder to one acre-foot of irrigation water per annum, or so much thereof as will constitute a proportionate part of water available for each acre-foot that the landowner has subscribed for or purchased from the District. The water delivery to each landowner shall be at the head gate or other point of delivery established by the District and measured as explained in (D.). The serviced landowner is responsible for assuring that the entitled water allotment is not exceeded nor the distribution plan violated.

D. Water Measurement: Accurate water measurement is the responsibility of each landowner and/or water user. Water may be measured by either of the following methods: (1) For all types of irrigation systems, water may be measured by a properly maintained, District authorized water meter installed at the head gate. (2) Fully enclosed sprinkler systems (no open ditches) may be measured by measuring the water pressure at the sprinkler heads and using sprinkler manufacturer's data or calculators for standard nozzle types and sizes. Landowners and/or water users must have one of these two measurement methods installed and in operation not later than April 1, 2006 in order to receive water after that date. Those landowners and/or water users who irrigate with dual water systems (i.e. creek water and canal water) in the same pipeline or ditch, must install a District approved measuring device at the canal headgate servicing said pipeline or ditch on or before April 1, 2004.

E. Water Distribution: In order to facilitate efficient use of the canal facilities and to assure reasonable water availability to all water users, the District shall divide the water users into five Zones (Attachment B.). Each Zone will be entitled to use a certain percentage of the water flowing in the canal(s) according to the percentage of total acre-feet of water allotment that falls within that particular Zone. The Water Master is responsible for assuring that water usage in each Zone is properly managed to assure that all Zones are able to receive the allotted amount of water. The Water Master shall also oversee water usage within each Zone to the extent necessary to assure equitable distribution to each user according to share and to assure that the users in each Zone do not exceed the overall water allocation to each Zone. The Water Master shall keep a complete written record of the water measurements taken through the season, by date, including flow at each zone boundary (bridge), quantity used within each zone, and quantity delivered to each user. At the end of the water season, the Water Master shall submit these water flow and usage records to the Board of Trustees. Upon request, the Water Master and Board of Trustees shall make these and other water distribution records available to District water users. In times of water shortage due to drought or any other natural or man-made condition or occurrence, the Board shall have the full right and authority to declare a water emergency, and to ration or otherwise regulate the

distribution and use of water to the shareholders, in such manner as it deems appropriate, until the emergency situation has been alleviated.

F. Water Usage: Water may be used to irrigate contiguous land allocated water, as described in (A.), that is owned by the landowner as the landowner deems most beneficial, provided that the landowner does not change the point of diversion from the canal or exceed the proper allotment of water as set forth in (A.) and (C.) or violate any other water distribution policies as set forth herein.

G. Water Waste And Control: Landowners serviced by the District are responsible for avoiding the waste of water. They are responsible for assuring that head gates, pipes, measurement apparatus, risers, valves, sprinkler line seals, sprinkler heads, nozzles, end caps, ditches, etc. are in place and in proper working condition and maintained so as to avoid leakage and waste. Serviced landowners are also responsible for assuring that water does not flow or spray onto neighboring properties or public facilities such as roads and side walks. Serviced landowners shall not allow non-serviced landowners to access water through their head gates, ditches or piping systems.

H. Water Season: The nominal water season for the District is from April 1 through September 30. The actual water delivery schedule will be determined, before April 1 of each year, by the Board of Trustees after considering weather conditions and available water in the Hyrum Reservoir and the Little Bear River. In 'normal' years it is recommended that not more than 15% of the available water would be used before June 1; 40% before July 1; 65% before August 1; 90% before September 1; and 100% before September 30. Water usage exceeding these rates will be discouraged and users requesting water beyond these rates will only be served on a 'water available' basis.

I. Obtaining Water: At least 24 hours before taking water, the water user will notify the Water Master by telephone message (voice-mail message acceptable) of intent to water. The water user shall inform the Water Master as to the amount of water usage intended along with reporting the amount of water used previously during the season. The water to be used may be measured by the users approved water meter or by providing the Water Master the following information: (1) The number of sprinklers to be deployed, (2) The manufacture's specified Gallons Per Minute capacity of the type of heads deployed (seven gallons per minute is the District standard and will be assumed by the water master unless other arrangements have been made by the user and approved by the Board of Trustees), (3) The starting date, time and number of days that water will be drawn, (4) The number of acre-feet and/or fraction thereof of water to be drawn, (5) The number of the Zone where water will be drawn.

In order to assure proper water distribution, the Water Master will keep records of water usage as reported by users and will check periodically to ensure the accuracy of usage

(number and capacity of heads utilized, days of use, etc.). The Water Master may enter on the property of the water user to take any necessary measurements, and if that access is denied, water will not be distributed to that water user. In times of critical water shortage the Board of Trustees may approve and publish a water rotation schedule to be managed by the Water Master with the intent of assuring each water patron a fair and equitable share of the available water according to the number of acre-feet paid for by and allotted to each user.

J. District System:

(1) District System Described; Title; Operation and Maintenance. The water distribution system of the District (the "District System") shall consist of all rights-of-way, real property, easements, roads, lanes, canals, ditches, pipes, conduits, delivery headgates, weirs, and flumes used in the delivery and measurement of water, and all facilities and equipment related thereto. Title to the District System shall at all times be and remain vested in the District and shall be operated, maintained, repaired and replaced by the District, at its sole cost and expense. Notwithstanding the foregoing, any meters or other measuring devices shall be owned and maintained by the water users regardless of whether such meter or measuring device is located on the District System.

(2) Exclusive Control. The District System shall be under the exclusive control and management of the Board, the President, the Water Master and other employees acting under authority of the Board or the President. Distributions of water shall only be made by order of the Board or by the Water Master. In all instances, the Board shall have the responsibility to assure that the water of the District is used in a beneficial manner, efficiently and without waste. No person shall divert water from the District System through any pump without the express written approval of the Board or the Water Master. No pump shall be installed within the District System without the express written approval of the Board or the Water Master.

(3) Checks, Dams & Obstructions. No person shall place any check, dam or obstruction in the District System, for any purpose, without the express written approval of the Water Master. Any person who maintains checks or dams in the canal shall defend, indemnify and hold the District and its trustees, officers, employees and consultants harmless from and against any claim, liability or damage to the District System and/or other property, real or personal, of the District, or any other person, and for injury to persons or animals, resulting from or arising out of the use and maintenance of said check or dam.

(4) District System Encroachments. No person, corporation, association or entity, public or private, shall be authorized to construct, install or place any structure, including, but not limited to, any bridge, fence, pipeline, utility line or other such structure which extends over, under, into, across or through or otherwise encroaches upon any part of the District System, without the express written approval of the Board. No such use of the District System shall be authorized except by specific grant of license or easement from the District, and no such license or easement shall be granted

except upon the conditions established by the Board. No substance or material, of any kind or nature, including, without limitation, storm drainage water off of roadways or other developments, shall be introduced into any part of the District System, without the express written approval of the Board. Absent authority from the Board, any unauthorized encroachment or introduction of material into any part of the District System is prohibited and any such trespass may be prosecuted by the District to the full extent of the law. The Board may authorize such lawful action as is necessary to secure the removal of any unauthorized structure or unauthorized material upon consultation with the District's legal counsel. Any person, corporation, association or entity, public or private, which owns, operates and maintains any existing structure that extends over, under, into, across or through the District System or otherwise encroaches upon any part of the District System, or allows any substance or material to be introduced into the District System, shall, as of the effective date hereof, be subject to the terms and provisions of this Section.

✓ K. Disciplinary Actions: Any landowner or water user who uses water outside of a published rotation schedule or who uses more water during the allotted times than permitted by the 'Obtaining Water' policy of (I.) above or who otherwise violates the Water Distribution Policy is acting unlawfully. The first offense will generate a verbal warning from the Water Master. If the offense is not corrected within 24 hours after receiving the verbal warning, the Water Master will serve a written notice describing the offense and warning the water user that water usage may be denied if the offense is not corrected. If the offense is not corrected within 24 hours of the written notice, the user may be denied water until the offense is corrected. After a third offense, the water user may be denied water use for up to three (3) weeks. Continued violation of the Water Distribution Policy may lead to loss of water rights? If the landowner or user disagrees with the Water Master's findings of violation, he may appeal the matter for review by the full Board of Trustees.

L. Changes to Canal Right-of-way: Any person who wishes to make any change to the canal must submit a "Trespass or Use Permit" to the Board of Directors of the Wellsville-Mendon Conservation District and to the Bureau of Reclamation for approval. This includes but is not limited to the addition or removal of any pipe, head gate, obstruction, bridge, or right-of-way on or in the canal.

SECTION 4 USE CHARGE

A. Use Charge: A use charge (the amount charged for each acre foot of water) shall be established from time to time at a price per acre foot of water allocated to a Member of the District. Said use charge shall be due and payable on or before November 30th of each year.

B. Delinquency: Any unpaid and delinquent use charges will be certified by the Secretary to the Cache County Assessor. The amount of the delinquent use charges,

together with interest and penalties, will immediately upon certification become a lien on the delinquent premises on a parity with and collectible at the same time and in the same manner as general county taxes are a lien on the premises and are collectible. All methods of enforcement available for the collection of general county taxes, including sale of the delinquent premises, are available and may be used in the collection of the delinquent use charges. At any time after the sale of property resulting from delinquent use charges has closed and before the time for redemption has expired, the county treasurer is authorized and required to sell and assign the interest of the county in any of the real estate sold to the county for delinquency of District use charges to the District itself, or to any person or corporation holding a recorded mortgage or other lien against such real estate, or to any person or corporation holding a recorded mortgage or other lien against such real estate, or to any holder of bonds issued by such District, or to any person who will pay the use charges, interest, penalties, and costs. The period of redemption from the sale for delinquent use charges under this part shall be two (2) years. In all respects, the irrigation District shall be the beneficiary of use charges imposed by it, provided, however, that the county treasurer may retain costs and expenses provided by law for the advertisement, sell, and redemption of use charges. No water shall be delivered to any lands that are delinquent or in default in the payment of any amount due to the District.

SECTION 5 TRANSFER OF ALLOTMENT

A. Transfer: Water allotments shall be deemed appurtenant to the land associated with said allotment and may not be used or transferred to any other land or put to any other use without the prior written approval of the District and the United States Bureau of Reclamation (the "Bureau"). No person may change the point of delivery or place of use of the District's water without the prior written approval of the Board and the Bureau. As a condition to making such a change, the person requesting the change shall first be required to submit a formal application for such change to the Board prior to January 1 of the year in which the change is proposed to be made. The application shall contain the following information: (i) the name and address of the applicant; (ii) the water allotment to be changed; (iii) the current point of diversion and place of use of the water; (iv) the proposed point of diversion and/or place of use, and the nature of use of District water proposed at the new place of use; and (v) the purpose for which the change is requested. The applicant shall be required to pay a non-refundable application fee in such amount as may be determined from time to time by separate resolution of the Board to cover administrative costs incurred by the District in reviewing and processing the application. The applicant, at applicant's sole expense, shall pay all costs of constructing and installing any facilities made necessary by the approval of any such request, including reimbursing the District for all costs and expenses incurred by it in constructing and installing any District facilities. The applicant, at applicant's sole expense, shall re-construct, install, alter, repair and/or replace any part of the District System and related facilities used in connection with the delivery of water to the applicant in connection with the requested change so as to avoid or remedy any adverse effect or interference to the District or other allotment holders resulting from the

change requested by the applicant. If in the opinion of the Board, there is a need for the District's attorneys, engineers or other consultants to review the application to ensure that the proposed changes do not adversely affect the District and/or any other shareholder, then the District shall provide the applicant with a detailed statement of the costs and fees incurred by the District in connection with such review and the applicant shall be required to pay all such costs and fees as billed by the District. The applicant shall defend, indemnify and hold the District, its trustees, officers, employees and consultants harmless from and against any claims, liability or damage to any property, real or personal, of the District, or any other person, and for injury to persons or animals, resulting from or arising out of the applicant's change. All fees, costs and expenses which are required to be paid by the applicant in connection with the application for a change as provided herein shall be deemed to be a special assessment against the applicant, collectible in conformance with the provisions for collection of use charges.

B. Cost of Transfer: In the event a proposed transfer of the allotment to another use or another parcel is approved by the District and the Bureau, the Transferor shall pay to the District any cost incurred by the District in said transfer.

**WELLSVILLE-MENDON CONSERVATION DISTRICT
BY-LAWS
- ELECTIONS -**

**SECTION 1
BACKGROUND**

- A. Policy: This Policy shall be known as the Wellsville-Mendon Conservation District (the "District") Election Policy.
- B. Purpose: The Policy establishes guidelines for elections of the District.

**SECTION 2
COMPLIANCE WITH STATE LAW**

All elections shall be held in compliance with the laws of the State of Utah as the same may be amended from time to time, including, but not limited to Title 17A and 20A of the Utah Code. Any inconsistency or conflict between this Policy and applicable provisions of the laws of the State of Utah shall be governed by the requirements of the laws of the State of Utah, as the same may be amended from time to time.

**SECTION 3
ELIGIBLE VOTERS IN VOTING**

- A. Eligible Voters: An eligible voter is defined as an owner of land to which water controlled by the District is allocated. The landowner may designate by proxy an agent to vote on said landowner's behalf. The proxies shall be in such manner and form as shall be prescribed by the District.
- B. Voter May Vote for Any Candidate: Each voter may vote for any candidate running for office in the election.
- C. One Vote Per Acre-Foot: Each landowner is entitled to cast one vote for each acre-foot of water or fraction of an acre-foot allotted to the land owned by the landowner. Landowners with more than one vote may not allocate their votes to more than one candidate per office to be filled.

**SECTION 4
QUALIFIED CANDIDATES**

A. Declaration of Candidacy:

- (1) To become a candidate for a Board position, the prospective candidate shall file a Declaration of Candidacy in person with the Secretary of the District, during regular business hours and not later than 5 p.m. between July 15 and August 15 of any odd numbered year (election year). When August 15 is a Saturday or a Sunday, the filing time shall be extended until 5 p.m. on the following Monday.
- (2) Before the Secretary may accept any Declaration of Candidacy, the Secretary shall:
 - (a) Read to the prospective candidate the legal qualification requirements for the office that the candidate is seeking; and
 - (b) Require the candidate to state whether or not the candidate meets those requirements.
- (3) If the prospective candidate does not meet the qualification requirements for the office, the Secretary may not accept the Declaration of Candidacy.
- (4) If it appears that the prospective candidate meets the requirements of candidacy, the Secretary shall accept the Declaration of Candidacy. The Declaration of Candidacy shall be in the form prescribed by law.

B. Certification: The Secretary shall certify the candidates names to the Cache County Clerk no later than August 20th of the election year.

C. Write in Candidates: Each person wishing to become a valid write-in candidate for a Board position shall comply with the requirements of Utah Code Ann. 20A-9-601.

D. Notices:

- (1) On or before February 1st of each election year, the Board shall prepare and transmit to the Cache County Clerk a written notice that:
 - (a) Designates the offices to be filled at that year's general election; and
 - (b) Identifies the dates for filing a Declaration of Candidacy for those offices.

- (2) The Secretary of the District shall provide public notice of:
 - (a) Each elective position of the District to be filled at the next general election;
 - (b) The constitutional and statutory qualifications for each position; and
 - (c) The date and time for filing a declaration of candidacy.
 - (d) The notice required under this subsection shall be published in a newspaper of general circulation within the District at least three (3) but no more than ten (10) days before the first day for filing a declaration of candidacy.

SECTION 5 ELECTION AND RESULTS

- A. Date: Elections for members of the Board of Trustees shall be held in conjunction with the municipal general election.
- B. Location: The election shall be held at three (3) polling places designated by the Board, one polling place per division of the District. Each polling place designated by the board shall coincide with the polling place designated by the Cache County Clerk.
- C. Primary Elections: There shall be no primary election.
- D. Election Unnecessary:
 - (1) If only one candidate files a Declaration of Candidacy for a position on the Board, the Board need not hold an election for that position and may appoint that candidate to the Board.
 - (2) If at least one person does not file a Declaration of Candidacy as herein required, a person shall be appointed to fill that position by following the procedures and requirements for appointment in the event a vacancy is established by law.
- E. Election Precincts:
 - (1) Boundaries for Election Precincts or Districts shall be established by the Board of Trustees.
 - (2) Precincts may not be changed less than thirty (30) days prior to an election.

- (3) For the purpose of elections, the Board of Trustees has divided the Wellsville-Mendon Conservation District into three (3) election districts or precincts as follows:
- (a) *Election District or Precinct Number 1:* All that portion of the District lands lying and located east of the east boundary line of Sections 3 and 10, Township 10 North, Range One West of the Salt Lake Meridian, from Hyrum Dam to 200 East Street in Wellsville.
 - (b) *Election District or Precinct Number 2:* All that portion of the District lands located in Sections 3, 4, 9, and 10, Township 10 North, Range One West, Salt Lake Meridian; and Sections 21, 22, 27, 28, 33, and 34 of Township 11 North, Range One West of the Salt Lake Meridian, from 200 East Street in Wellsville to 2900 South between Wellsville and Mendon.
 - (c) *Election District or Precinct Number 3:* All that portion of the District lands located north of the north boundary line of Sections 20 and 21, Township 11 North, Range One West of the Salt Lake Meridian, from 2900 South between Wellsville and Mendon to the end of the canal.

F. Election Results:

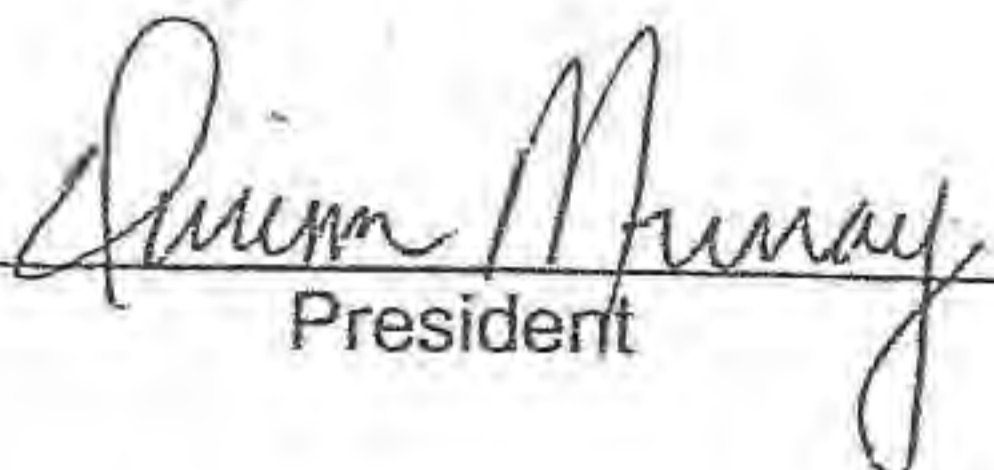
(1) The Board shall:

- (a) Meet on the first Monday succeeding the election and canvass the returns of the election;
- (b) Declare the person receiving the highest number of votes for the several offices to be duly elected to the office; and
- (c) File the returns with the County Clerk.


G. Vacancies: Pursuant to Utah Code Ann. §17A-1-302 and Utah Code Ann. §20A-1-512 whenever a vacancy occurs on the Board for any reason, a replacement to serve out the unexpired term shall be appointed as follows:

- (1) Public notice of the vacancy shall be given at least two (2) weeks before the Board meets to fill the vacancy.
- (2) The public notice shall identify:
 - (a) The date, time, and place of the meeting where the vacancy will be filled; and

- (b) The appropriate person to whom an individual interested in being appointed to fill the vacancy may submit his/her name for consideration.
 - (c) The deadline for submitting the name of a person interested in filling the vacancy.
- (3) If the Board fails to appoint a person to complete and elective Board Member's term within ninety (90) days, the Cache County Council shall fill the vacancy.


President


Board Member


Secretary


Board Member

14 Sept 05

