

17B-1-1402 Board of trustees of a basic local district.

- (1) As specified in a petition under Subsection 17B-1-203(1)(a) or (b) or a resolution under Subsection 17B-1-203(1)(d) or (e), and except as provided in Subsection (2), the members of a board of trustees of a basic local district may be:
 - (a)
 - (i) elected by registered voters; or
 - (ii) appointed by the responsible body, as defined in Section 17B-1-201; or
 - (b) if the area of the local district contains less than one residential dwelling unit per 50 acres of land at the time the resolution is adopted or the petition is filed, elected by the owners of real property within the local district based on:
 - (i) the amount of acreage owned by property owners;
 - (ii) the assessed value of property owned by property owners; or
 - (iii) water rights:
 - (A) relating to the real property within the local district;
 - (B) that the real property owner:
 - (I) owns; or
 - (II) has transferred to the local district.
- (2) As specified in a groundwater right owner petition under Subsection 17B-1-203(1)(c) or a resolution under Subsection 17B-1-203(1)(d) or (e), the members of a board of trustees of a basic local district created to manage groundwater rights the district acquires or assesses under Section 17B-1-202 shall be:
 - (a) subject to Section 17B-1-104.5, elected by the owners of groundwater rights that are diverted within the local district;
 - (b) appointed by the responsible body, as defined in Section 17B-1-201; or
 - (c) elected or appointed as provided in Subsection (3).
- (3) A petition under Subsection 17B-1-203(1)(a) or (b) and a resolution under Subsection 17B-1-203(1)(d) or (e) may provide for a transition from one or more methods of election or appointment under Subsection (1) or (2) to one or more other methods of election or appointment based upon milestones or events that the petition or resolution identifies.

Amended by Chapter 68, 2011 General Session