



Rules of
Department of Natural Resources
Division 70—Soil and Water Districts Commission
Chapter 3—Formation of Subdistrict

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES
Division 70—Soil and Water Districts
Commission
Chapter 3—Formation of Subdistrict**

**10 CSR 70-3.010 Formation of Soil and
Water Conservation Subdistricts**

PURPOSE: This rule sets forth the basic procedures for the organization of a subdistrict within a soil and water conservation district.

(1) Petition forms may be secured from the local soil and water conservation district board of supervisors or from the state commission office in Jefferson City, Missouri.

(2) The soil and water conservation district board should require certification by an elected county official that the signatures on the petition are those of landowners within the proposed subdistrict.

(3) The supervisors may divide a subdistrict into five (5) areas to nominate trustees.

(4) Landowners present at the hearing will nominate at least two (2) landowners from each of the five (5) designated areas, whose names will be placed on the ballot for election to serve as trustees of the subdistrict.

(5) Landowners present at the hearing will select the polling places and judges for the referendum.

(6) Any landowner may be represented by a notarized proxy not more than one (1) year old.

(7) The voting will be on the question of establishing the proposed area as a subdistrict.

(8) Notice of the referendum shall be made in the same manner as the notice of the hearing and a copy of the notice shall be filed with the Soil and Water Districts Commission in Jefferson City.

(9) The district board shall certify the formation of the subdistrict in the official minutes of a district board meeting and record authentic copies of the certification form provided by the Soil and Water Districts Commission by filing it with the recorder of deeds of each county in which any portion of the subdistrict lies. The certification form shall also be filed with the Soil and Water Districts Commission in Jefferson City.

(10) Five (5) landowners representing the five (5) designated areas within the proposed subdistrict shall be elected to serve as trustees of the subdistrict. Elections shall not fall upon the date of any regular political election held in the county and a simple majority vote is needed to elect a trustee.

(11) The board of supervisors of a subdistrict shall submit to the Soil and Water Districts Commission copies of any rules, forms, or other documents used in pursuance of board duties and other information concerning board activities as the commission may require.

(12) If the boundary of a subdistrict intersects a property, no less than a legally described one-quarter of a quarter section of land (40 acres) shall be considered for tax assessment purposes.

AUTHORITY: section 278.210, RSMo 2016.
Original rule filed Aug. 12, 1957, effective Aug. 22, 1957. Amended: Filed May 23, 2018, effective Jan. 30, 2019.*

**Original authority: 278.210, RSMo 1957, amended 1969.*

Op. Atty. Gen. No. 281, Buford, 7-3-69. Section 278.290, RSMo (1969) which requires a waiting period of more than five years for disestablishment of watershed protection and flood prevention subdistricts has no application to the disestablishment of soil and water conservation districts; disestablishment of such districts is governed solely by section 278.150, RSMo (1969) which permits disestablishment at any time.

Op. Atty. Gen. No. 465, Norbury, 12-29-66. The appointment of a member of the state Soil and Water Districts Commission, or a member of the board of supervisors of a soil and water conservation subdistrict or a member of the trustees to the governing body of a subdistrict as the contracting officer for a soil and water conservation subdistrict is against public policy and void.