

WORKING AGREEMENT AND MAINTENANCE PLAN
FOR
EAST MILL CREEK FLOOD CONTROL WATERSHED

Working agreement and maintenance plan between the Arbuckle Soil Conservation District, State of Oklahoma, and the East Mill Creek Flood Control Members namely: owners of the Daube Ranch, Lester Ranch, Colvert Ranch.

Purpose

The purposes of this agreement are to coordinate the activities and efficiently use the resources of the two parties in maintaining flood control measures in the interest of flood control, soil and water conservation, soil improvement and wise land use on lands of interest to the membership and which are within the boundaries of the District. This working agreement and maintenance plan does not alter or change the obligations set forth in the individual ranch owner easement for the construction of the detention reservoir on the above ranches, except for minor maintenance of the detention reservoirs as outlined and defined below.

A. Definition of minor and major repairs. In this instrument the following words of expressions shall be understood and is accepted by both parties, to have the meaning given below.

- a. Minor repairs will include the following when mutually agreed to be necessary. Repair and maintenance of fences for flood control structure protection, removing of debris from drawdown pipes, spot re-seeding or resodding of fill or dam and spillway after mutually agreed to be satisfactorily established, and the repair of dam washouts such as small rills and small gullies where ordinarily the required amount of work will not exceed two days of labor for two men and two teams. Other similar minor repair work will be performed as mutually agreed necessary with above man and team limitation in force for any kind of maintenance

work assumed by the individual ranch owners.

b. Major Repairs -

Major repairs shall include ordinarily such repairs as requires more than two days time with two teams and two men to repair, which shall include such work as fill or dam breaks, repair of drawdown pipes, seepage or other work which shall be done by the district.

C. Responsibility of East Mill Creek Watershed Members -

The above minor repair work will be assumed by the present individual ranch owners of the above ranches for detention reservoirs or other flood control measures as mutually agreed to construct.

It is understood and agreed that should the present owner or owners of the above ranches sell their interest in the ranch and they no longer wish to be responsible for maintenance of flood control measures on the ranch the individual will notify each member and the Chairman of the District Supervisors of the Arbuckle Soil Conservation District of their desire to withdraw from the membership of the so-designated East Mill Creek Flood Control Watershed. The individual membership shall terminate in thirty days after receipt of the notice by the Chairman of the District Supervisors. The individual members pledge full cooperation by assisting the new owner to understand the flood control program and encouraging the new owner or owners to assume full membership responsibility in the minor maintenance of the detention reservoir or reservoirs as originally agreed by the ranch ownership when the reservoir was constructed.

In case any owner fails to perform the minor maintenance the other members will perform the necessary maintenance work under direction of soil conservation district engineer.

D. It is Mutually Agreed that:

1. This working agreement and maintenance plan may be changed at any time by mutual consent of all parties. Such changes may be brought about to make the work current.
2. The individual members will make inspection of the flood control structures after each heavy water flow and make minor repairs as needed as soon as practical.
3. The District Technicians will make regular inspections and furnish a report of their findings to the District. The district will then furnish technical assistance or equipment as available. The District will assist members as needed by furnishing available technicians or equipment when requested.

The undersigned heartily endorses the flood control program and pledges full cooperation in such maintenance that is feasible to be given.

This agreement entered into this 7th day of September, 1948.

McLain

Board of Supervisors
Arbuckle Soil Conservation District

James L. ...

Leon ...

Paul F. Colbert

W. L. Colbert

East Mill Creek Flood Control
Membership

The measures covered by this plan are located within three miles of the town of Mill Creek, Oklahoma, on the Daube, Lester and Colvert ranches, all in Hehnston County, Oklahoma .

Such measures and locations are shown on the attached map.