

AGREEMENT

The Mountain View Soil and Water Conservation District in consideration of the provisions as hereinafter stated does agree to the development of Floodwater Retarding Structure, Site number 5, Oak Creek Watershed, as a public fish and wildlife recreational area by the United States Department of Agriculture, Soil Conservation Service and the Oklahoma Wildlife Conservation Commission.

1. The Oklahoma Wildlife Conservation Commission will assume the full responsibility of clearing all rights-of-way, easements, or acquiring of land by purchase in the Mountain View Soil and Water Conservation District that will be needed for constructing Site #5, Oak Creek Watershed. The Oklahoma Wildlife Conservation Commission will proceed with such clearance until all needed easements, rights-of-way and land purchases are complete.
2. In consideration of the promise and of the several promises to be faithfully performed by the parties hereto, the Sponsoring Local Organization (Mountain View Soil and Water Conservation District) and the State do hereby mutually agree, relating to the operation and maintenance of the dam and appurtenances of Site 5 as follows:
 1. The State and Sponsoring Local Organization will:
 - a. Take necessary steps to insure the structure is permitted to function in a manner for which it was designed.
 - b. Provide free access of government representatives to inspect facilities at any time.
 - c. Make certain the water use is in accordance with State laws.
 2. The parties hereto agree as follows to the MAINTENANCE of the above described works of improvement.
 - a. Participate in maintenance at the same ratio as participation in the construction cost of the dam and appurtenances for recreation and flood control storage, which is expected to be about 80% local and 20% State.
 - b. Furnish technical assistance and counseling where such is needed for planning maintenance activities and major repair jobs.
 3. The Sponsoring Local Organization will:
 - a. Maintain fencing of the dam during the life of the structure.
 - b. Maintain good grass cover on the dam and in the emergency spillway.
 - c. Keep debris from clogging the drawdown pipe and portholes (if any).
 - d. Inspect structure annually. Inspection to include.
 1. Fence and gates around dam and spillway.
 2. Drawdown pipe and portholes, keep them free of trash or obstructions.
 3. Slopes of the dam and emergency spillway to see that there are no gullies forming and that there is a vigorous, growing, adequate cover.

- e. Maintain maintenance records of operation and maintenance inspections performed, and have it available at all times for inspection by the State.
 - f. Provide equipment, labor, and materials necessary to keep the structure in first class condition. The District will supply equipment for maintenance work, State sharing its pro rata cost of maintenance.
 - g. Furnish materials such as seed, fertilizer, bermudagrass roots, fence post, wire, and other materials as needed with the State sharing its pro rata share.
3. The annual maintenance cost of this structure is estimated to be \$400.00
 4. It is mutually agreed that for the purpose of making partial payments as work progresses the State will share its pro rata share.
 5. The State agrees to make partial payment for work performed by the Sponsoring Local Organization upon securing partial pay estimate as work progresses or on a yearly basis whichever would be most practicable.
 6. Each party hereto reserves the right to inspect and recommend maintenance practices at any time. However, all recommended practices or operation procedures by either party is to be presented to the other party for approval before execution except those maintenance practices which are considered to come under the acceptable plan of maintenance activities to be agreed upon each year.
 7. Any major damage to these improvements will be reported by either party to the other immediately.
 8. It is expressly understood by both parties hereto that this agreement covers only maintenance for the dam and appurtenances for Site #5 as listed in the work plan of the Oak Creek watershed, a tributary of the Washita River.

Mountain View S & W C District
Name of Sponsoring Local Organization
 By: J. K. Haley
 Title: Chairman
 Date: _____

This action authorized at an official meeting of Board of Supervisors, Mt. View SWCD, on 20th day of July, 1964 at Mountain View State of: Oklahoma
 Attest: Ray G. Johnson
 Title: Secretary

Oklahoma Wildlife Conservation Commission
 By: Harold S. Coakley
 Title: Chairman
 Date: Sept. 9, 1964

This action authorized at an official meeting of wildlife Conservation Commission on 9th day of September at Oklahoma City State of Oklahoma

UNITED STATES DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE
 By: C. A. Johnson
 Title: State Conservationist
 Date: July 3, 1963