WATERSHED WORK PLAN AGREEMENT

between the

Ellis Prairie Soil Conservation District
Dalworth Soil Conservation District
Navarro-Hill Soil Conservation District

(Hereinafter referred to as the District)

Ellis County Commissioners Court

(Hereinafter referred to as the County)

In the State of Texas

and the

United States Department of Agriculture
Soil Conservation Service
(Hereinafter referred to as the Service)

Whereas, the District has heretofore entered into a Flood Control Supplemental Memorandum of Understanding with the Soil Conservation Service for assistance in constructing Works of Improvement for the prevention of floods in the Upper Trinity River Watershed, State of Texas, under the authority of the Flood Control Act of 1944 (58 Stat. 887).

Whereas, the responsibility for carrying out all or a portion of the work of the Department on the Watershed has been assigned by the Secretary of Agriculture to the Service; and

Whereas, there has been developed through the cooperative efforts of the District and the Service mutually satisfactory plans for Works of Improvement for the Village and Walker Creeks, Richland Creek, Mountain Creek, Chambers Creek, Red Oak Creek, Grays Creek, Ten Mile Creek Sub-Watersheds, State of Texas, hereinafter referred to as the Watershed Work Plans:

Whereas, the County will benefit from the carrying out of the plans for Works of Improvement in Ellis County through the reduction of damages to property, including County roads and bridges in the County that are located within the flood plain of the watershed;

It is mutually agreed that in installing and operating and maintaining the Works of Improvement in Ellis County described in the Watershed Work Plans:

1. The District and/or the County will acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with the Works of Improvement. The County will not participate in the acquisition of land, easements or rights-of-way until the District has exhausted every reasonable possibility of such acquisition.

2. The District will acquire or provide assurance that landowners or water users have acquired such water rights pursuant to State law as may be needed in the installation and operation of the Works of Improvement.

3. The Service will provide all construction costs and installation services applicable to Works of Improvement for flood prevention.

4. The District will obtain agreements from owners of not less than 50 percent of the land above each floodwater retarding structure that they will carry out conservation farm or ranch plans on their land.

5. The District will provide assistance to landowners and operators to assure the installation of the land treatment measures shown in the Watershed Work Plans.

6. The District will encourage landowners and operators to operate and maintain the land treatment measures for the protection and improvement of the watershed.

7. The District and the County will be responsible for the operation and maintenance of the structural Works of Improvement by actually performing the work or arranging for such work in accordance with an Operation and Maintenance Agreement which is to be entered into.

8. The Watershed Work Plans may be amended or revised and this agreement may be modified or terminated, only by mutual agreement of the parties hereto.

9. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

The signing of this agreement was authorized by a resolution of the governing body of the ~~Ellis Land~~ Ellis-Prairie S.C.D., adopted at a meeting held on 9-16-1958

Marvin Bordeau
(Secretary)

Date: 9-16-1958

Ellis Prairie Soil Conservation District

By: [illegible]

Title: Chrm

Date: 9-16-1958

The signing of this agreement was authorized by a resolution of the governing body of the ~~Dalworth~~ SCD, adopted at a meeting held on 10-7-58

H.P. Grimes
(Secretary)

Date: 10-7-58

Dalworth Soil Conservation District

By: [illegible]

Title: Chairman

Date: 10-7-58

The signing of this agreement was authorized by a resolution of the governing body of the ~~Navarro~~ Hill Soil Con. Dist., adopted at a meeting held on 9/19/58

B.O. McReynolds
(Secretary)

Date: Sept 19-1958

Navarro-Hill Soil Conservation District

By: H.R. Linsley
Chairman

Title: 9/19/59

Date:

The signing of this agreement was authorized by a resolution of the governing body of the Ellis County Commissioners Court adopted at a meeting held on September 5, 1958

(Secretary)

Date: September 5, 1958

CHAS. W. SKIPP
Clerk County Court Ellis Co., Texas
Waxahachie, Texas

Ellis County Commissioners Court

By: [illegible]

Title: County Judge

Date: September 5, 1958

United States Department of Agriculture
Soil Conservation Service

By: H. R. Smith
State Conservationist

Date: 10-20-1958