

WATERSHED WORK PLAN AGREEMENT

Between the

Dalworth Soil Conservation District

(Hereinafter referred to as the District)

Tarrant 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 Bear Creek (Big and Little Bear), and Mountain Creek 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 Tarrant County through the reduction of damage 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 Tarrant 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 and District will jointly determine when the SCD has exhausted every reasonable possibility of securing easements.

If local people wish to start construction in a hydrolic or construction unit before all required easements or rights-of-way have been secured, this can be done if the District and the County will give the State Conservationist of the Soil Conservation Service written assurance, acceptable to him, that at the end of a 2 year period from date of the "assurance" all required easements or rights-of way will be secured.

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 Plan.
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 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 Dalworth S.C.D., adopted at a meeting held on Aug 13, 1959.

H. D. [Signature]
(Secretary)
By C. H. [Signature]
Date 8-18-59

The signing of this agreement was authorized by a resolution of the governing body of the Tarrant County Commissioners Court, adopted at a meeting held on Aug. 17, 1959

Melvin "Mel" Faulk
(Clerk of Tarrant County Court)
By [Signature]
Date Aug. 17, 1959

DALWORTH SOIL CONSERVATION DISTRICT

By [Signature]
Title [Signature]
Date Aug 18, 1959

Tarrant County Commissioners Court

By [Signature]
Title County Judge
Date August 17, 1959

United States Department of Agriculture
Soil Conservation Service

By [Signature]
State Conservationist
Date 9-10-59