Landowners with Watershed Dams on Their Land

Oklahoma has 2,107 Watershed Dams Constructed in 61 Counties

Local watershed project sponsors have worked with the Oklahoma Conservation Commission and the USDA Natural Resources Conservation Service (NRCS) in constructing 2,107 watershed dams in Oklahoma. Watershed project sponsors are local units of government such as conservation districts, watershed conservancy districts or municipalities.

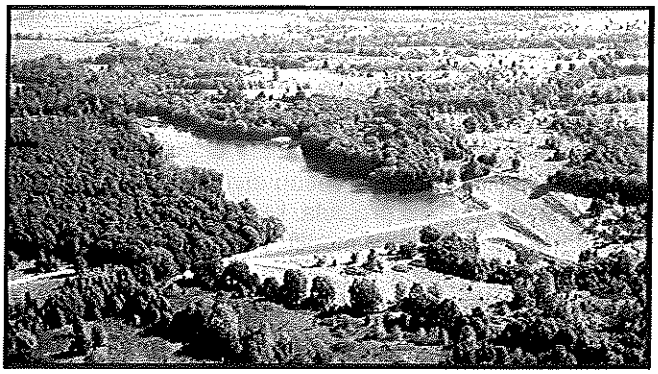
Most of these dams were built primarily for flood control, but they provide other benefits such as fish and wildlife habitat, livestock and irrigation water and water quality improvement. Some of the lakes are used for municipal water supplies and public recreational areas.

The majority of the dams have been constructed on private lands. Easements were obtained from landowners before the dams were constructed. These easements allow for construction of the dams, for the reservoir and flood pool area and for access to the dam area by sponsors for inspections and operation and maintenance of the dams. Most of the easements are perpetual and are held by the watershed project sponsor.

While the project sponsors are responsible for the operation and maintenance of the dams, landowners are asked to assist with management of the structure by properly grazing the vegetation on the dam and surrounding area, and by alerting the sponsor about any potential problems they observe.

Individuals who have purchased land with one of these watershed dams are encouraged to visit with the local conservation district to learn how these dams function and how the project sponsor operates and maintains them. They may want to view a copy of the easement.

Some commonly asked questions and answers landowners might have are listed on the back page of this fact sheet.



How Watershed Dams Help Control Flooding

Several watershed dams are usually constructed on small tributaries in a watershed that drains to a large stream or river. These dams are designed to trap water from high rain fall events and slowly release it through a pipe in the dam over a period of several days or weeks. The dams not only reduce flooding immediately downstream from the dam, but also flooding from the stream or river where the water eventually flows.

The dams are designed with a permanent pool level and a flood pool level. During heavy rainfall events water may back up into the flood pool level. Landowners should be aware of the elevation of the flood pool area. Easements also include the flood pool area and may extend onto other landowner's property. Structures such as houses, barns, etc. should not be built in this area.

The concrete inlet in front of the dam is the principal spillway that controls the water level in the lake. When there is too much water for the principal spillway to handle, water will flow around the end of the dam through the earthen auxiliary spillway.

Keeping the concrete inlet free of debris and good vegetative cover on the earthen spillway is essential to the structure functioning as designed and for maintaining the safety of the dam. Landowners should not attempt to unplug a clogged inlet since it can be very dangerous.

OKLAHOMA CONSERVATION COMMISSION

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USDA NRCS
United States Department of Agriculture
Natural Resources Conservation Service

Watershed Dams
Commonly Asked Questions and Answers

Q. Who is responsible for the upkeep and maintenance of the dam?
A. The local project sponsors of the upstream flood control project have operation and maintenance responsibilities. Conservation districts are sponsors of most watershed projects. Landowners should not attempt to make any modifications to the concrete inlet or the dam or earthen spillway without contacting the project sponsors.

The easement(s) signed by the landowner(s) prior to construction of the dam gives the sponsors the right to inspect the dam and carry out needed maintenance and repairs. This could include removing trees from the dam area, spraying, fertilizing vegetation, controlling erosion problems and other maintenance needs.

Q. Can the public picnic, camp, hike, fish, or hunt around the lake?
A. These watershed lakes are usually located on privately owned lands and Oklahoma law prohibits one from entering the private property of another without the landowner's permission.

29 O.S. § 5-202 of Oklahoma law provides that no person may hunt or fish upon the private land of another without the consent of the owner, lessee, or occupant of the land.

21 O.S. § 1835.1 in the Criminal Code states whoever willfully enters private land of another that is primarily devoted to farming, ranching, or forestry purposes without permission by the surface owner, surface lessee, hunting lessee, or lawful occupant shall be deemed guilty of trespass and, upon conviction, shall be fined.

Easements serve as the written permission given to Project Sponsors for entry to private lands for O& M on watershed dams.

Q. Can Landowners use the water in the lake?
A. Landowners can use and sell the water in the watershed lake as allowed by law. The Oklahoma Water Resources Board is the state agency responsible for granting and administering water rights. Landowners should contact this agency for more information and clarification on this issue.

Landowners are not guaranteed water in the watershed lake by the project sponsors and the project sponsors have the ultimate right to drain the water held by the dam at any time for operation, maintenance, and upkeep purposes.

Q. Can the Landowner build corrals, buildings or other structures in the dam area?
A. Generally no; constructing buildings, corrals, fences, or other structures on or near the dam or in the auxiliary spillway could seriously affect the operation of the structure, possibly causing the dam to fail.

Landowners should contact the watershed project sponsor before building any structures, including fences, upstream or downstream from the dam to ensure that they are out of the flood area and will not interfere with the operation and maintenance of the structure as well as other structures like docks and ramps.

This includes any structures being placed by any person or company, including but not limited to pipelines, utilities, wind energy, oil and gas, and land developers. If landowners are contacted by any of these companies or persons, they should tell them to contact the project sponsor about their proposed works of improvement to ensure that their proposed works of improvement will not interfere with the operation and maintenance of the watershed structure. Landowners are encouraged to also call if they know about a project proposed on or crossing the property where the watershed structure is located, including new developments.

Principle Spillway Tower Gate
Only project sponsors may open and close the gate to the principle spillway towers.

Safety
Landowners can use the dam and the lake so long as it does not interfere with the operation and maintenance of the dam and complies with other Oklahoma laws, but landowners should practice safe use. For example, landowners can swim in the principle pool but they should swim and play a safe distance from the principle spillway tower.

Landowner Assistance
Landowners are also asked to contact the project sponsors if water is flowing around the auxiliary spillway or if they see serious erosion occurring, or any other problems.

Some common causes of erosion are: lack of vegetation, livestock trails, ATV trails, placement of poles and feed bunks in auxiliary spillway and dam, beaver activity, farming practices over and across part of the dam, and excessive driving over the dam or earthen spillway.

Other questions should be directed to the watershed project sponsors.