

Prepared by David L. Dorff, Ass't Att'y Gen., Iowa Dep't of Justice, State Capitol Complex, Des Moines, Iowa
50319, 515-281-5351; Return to: **FAYETTE SWCD.**

**IOWA FINANCIAL INCENTIVE PROGRAM FOR SOIL EROSION CONTROL
MAINTENANCE/PERFORMANCE AGREEMENT**

Form IP-4(Rev 10/06)

Iowa Department of Agriculture & Land Stewardship
Division of Soil Conservation

FARMS Agreement No #35617

FAYETTE SWCD County Soil and Water Conservation District

This AGREEMENT is made and entered into this 15th day of December, 2014 by and between the
FAYETTE SWCD County Soil and Water Conservation District, herein called DISTRICT, and DONALD LOU
BUXTON FAMILY TRUST, herein called RECIPIENT.

WITNESSETH:

DISTRICT and RECIPIENT hereby agree that this covenant is executed to satisfy the requirements of Iowa Code
Section 161A.7(16) and should be interpreted in a manner that promotes the policies of Chapter 161A of the Iowa
Code. Section 161A.7(16) requires this covenant as a condition for receiving DISTRICT financial incentive
assistance and provides that the owner, present or future, of the property herein described is personally liable
through this AGREEMENT if the soil and water conservation practice herein named is not maintained or is
removed, altered or modified while this AGREEMENT is effective.

The RECIPIENT hereby acknowledges the receipt of FARMS Agreement No. #35617 in connection with an
application for partially or completely financing the herein named soil and water conservation practice on Qtr.
NE1/4 Sec. 15 Township JEFFERSON Tier T91N Range R09W County Fayette, in the State of Iowa.

RECIPIENT hereby agrees that no action shall be taken by the RECIPIENT or his/her agents or successors to
remove, alter or modify any soil and water conservation practice herein named for 20 years from the date of the
AGREEMENT unless prior written authorization is obtained from the District and incorporated into this
AGREEMENT.

RECIPIENT hereby agrees that if any unauthorized removal, alteration or modification of the soil and water
conservation practices herein named occurs during the term of this AGREEMENT, RECIPIENT will repair or
reconstruct the practices to their original as-built design specifications at RECIPIENT'S own expense. In lieu of
repairing or reconstructing the practices, DISTRICT, at the sole discretion, may allow RECIPIENT or
RECIPIENT'S successors to refund to the Iowa Division of Soil Conservation the entire amount of the financial
incentive payment received by RECIPIENT.

DISTRICT and RECIPIENT hereby agree that if RECIPIENT makes a refund of all money received under this
AGREEMENT to the DIVISION that the AGREEMENT is cancelled and that no costs of cancellation shall be
charged to either party.

RECIPIENT hereby agrees to notify any prospective purchaser of the property herein described of the
landowner's obligations created by this AGREEMENT and Section 161A.7(16) of the Iowa Code and Section 27-
10.31 of the Iowa Administrative Code before legal or equitable title to any portion of this property is
transferred.

COVERAGE OF THIS AGREEMENT:

DISTRICT and RECIPIENT agree that the soil and water conservation practice(s) detailed in the following
description and on the attached sketch (hereby made part of this AGREEMENT) were partially or completely
installed with DISTRICT funds and is covered by this AGREEMENT.

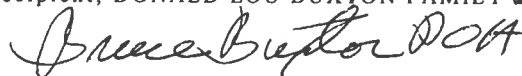
RECIPIENT hereby agrees the maintenance agreement will begin upon certification of the practice by the
certifying technician. The certification date is available at the local Soil and Water Conservation District office.

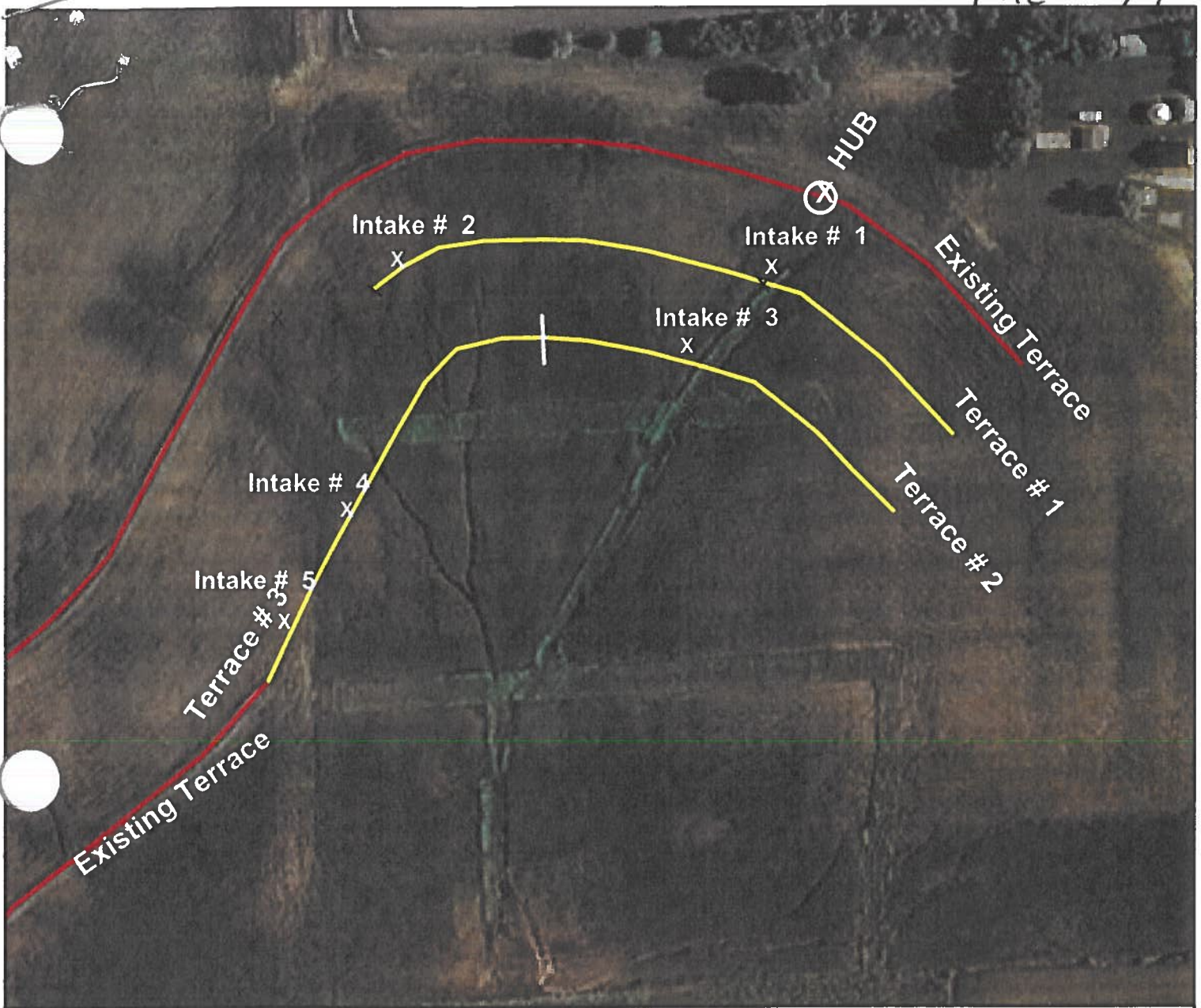
Practice Terraces

Amount Installed 2,050 Feet


Signature of SWCD Chairperson

X 
Signature of Recipient, DONALD LOU BUXTON FAMILY TRUST


Bruce Buxton DOA



660 0 660 Feet



I have reviewed and agree with the content of the attached plan prepared by the NRCS.

Landowner: _____ Date: _____

I certify that this practice has been constructed in accordance with the plans and specifications.

Contractor: _____ Date: _____

Technician: _____ Date: _____

CONTRACTOR IS RESPONSIBLE FOR CALLING IOWA ONE CALL 1-800-292-8989

If a cultural resource is identified during construction, stop immediately and notify the Natural Resources Conservation Service Archeologist at (515) 284-4370.



Natural Resources Conservation Service
United States Department of Agriculture

Owner: Don Buxton

Location: Sec 15, T 91 N, R 9 W

Jefferson Township

Fayette County, Iowa

Designed	<u>RD</u>	Date	<u>4/14</u>	Eng. Job. Class	<u>I</u>
Drawn	<u>RD</u>	Date	<u>4/14</u>	Revision Date	<u>June 2009</u>
Checked	<u>Strecher</u>	Date	<u>9-2014</u>		
Approved	<u>Don Buxton</u>	Date	<u>4/27/14</u>		

Sheet 1 of 16

Prepared by David L. Dorff, Ass't Att'y Gen., Iowa Dep't of Justice, State Capitol Complex, Des Moines, Iowa 50319, 515-281-5351; Return to: FAYETTE SWCD.

**IOWA FINANCIAL INCENTIVE PROGRAM FOR SOIL EROSION CONTROL
MAINTENANCE/PERFORMANCE AGREEMENT**

Form IP-4 (Rev 10/06)

Iowa Department of Agriculture & Land Stewardship
Division of Soil Conservation

FARMS Agreement No #9393

FAYETTE SWCD County Soil and Water Conservation District

This AGREEMENT is made and entered into this 16th day of August, 2010 by and between the FAYETTE SWCD County Soil and Water Conservation District, herein called DISTRICT, and PATRICIA S BUXTON, herein called RECIPIENT.

WITNESSETH:

DISTRICT and RECIPIENT hereby agree that this covenant is executed to satisfy the requirements of Iowa Code Section 161A.7(16) and should be interpreted in a manner that promotes the policies of Chapter 161A of the Iowa Code. Section 161A.7(16) requires this covenant as a condition for receiving DISTRICT financial incentive assistance and provides that the owner, present or future, of the property herein described is personally liable through this AGREEMENT if the soil and water conservation practice herein named is not maintained or is removed, altered or modified while this AGREEMENT is effective.

The RECIPIENT hereby acknowledges the receipt of FARMS Agreement No. #9393 in the amount of \$2,011.00 as reimbursement for partially or completely financing the herein named soil and water conservation practice on Qtr. SW1/4 Sec. 15 Township JEFFERSON Tier T91N Range R09W County Fayette, in the State of Iowa.

RECIPIENT hereby agrees that no action shall be taken by the RECIPIENT or his/her agents or successors to remove, alter or modify any soil and water conservation practice herein named for 20 years from the date of the AGREEMENT unless prior written authorization is obtained from the District and incorporated into this AGREEMENT.

RECIPIENT hereby agrees that if any unauthorized removal, alteration or modification of the soil and water conservation practices herein named occurs during the term of this AGREEMENT, RECIPIENT will repair or reconstruct the practices to their original as-built design specifications at RECIPIENT'S own expense. In lieu of repairing or reconstructing the practices, DISTRICT, at the sole discretion, may allow RECIPIENT or RECIPIENT'S successors to refund to the Iowa Division of Soil Conservation the entire amount of the financial incentive payment received by RECIPIENT.

DISTRICT and RECIPIENT hereby agree that if RECIPIENT makes a refund of all money received under this AGREEMENT to the DIVISION that the AGREEMENT is cancelled and that no costs of cancellation shall be charged to either party.

RECIPIENT hereby agrees to notify any prospective purchaser of the property herein described of the landowner's obligations created by this AGREEMENT and Section 161A.7(16) of the Iowa Code and Section 27-10.31 of the Iowa Administrative Code before legal or equitable title to any portion of this property is transferred.

COVERAGE OF THIS AGREEMENT:

DISTRICT and RECIPIENT agree that the soil and water conservation practice(s) detailed in the following description and on the attached sketch (hereby made part of this AGREEMENT) were partially or completely installed with DISTRICT funds and is covered by this AGREEMENT.

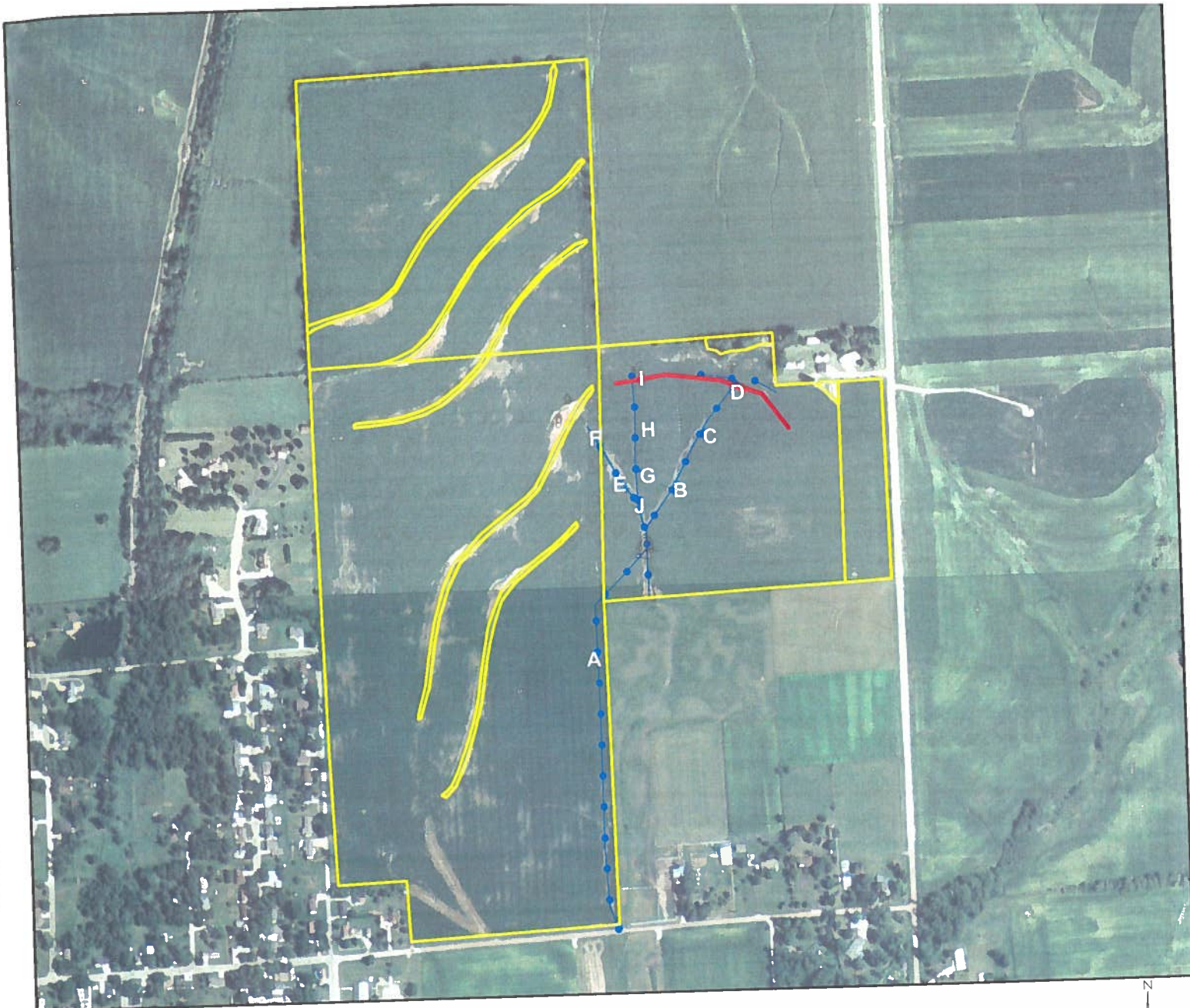
RECIPIENT hereby agrees the maintenance agreement will begin on August 16, 2010.

Practice Terraces

Amount Installed 970 Feet

William S. Dorff
Signature of SWCD Chairperson

Patricia S. Buxton by Bruce Buxton POA
Signature of Owner, PATRICIA S BUXTON



I have reviewed and agree with the content of the attached plan prepared by the NRCS.

Landowner: _____ Date: _____

I certify that this practice has been constructed in accordance with the plans and specifications.

Contractor: _____ Date: _____

Technician: _____ Date: _____

CONTRACTOR IS RESPONSIBLE
FOR CALLING IOWA ONE CALL
1-800-292-8989

If a cultural resource is
identified during construction,
stop immediately and notify the
Natural Resources Conservation
Service Archeologist at
(515) 284-4370.



Natural Resources Conservation Service
United States Department of Agriculture

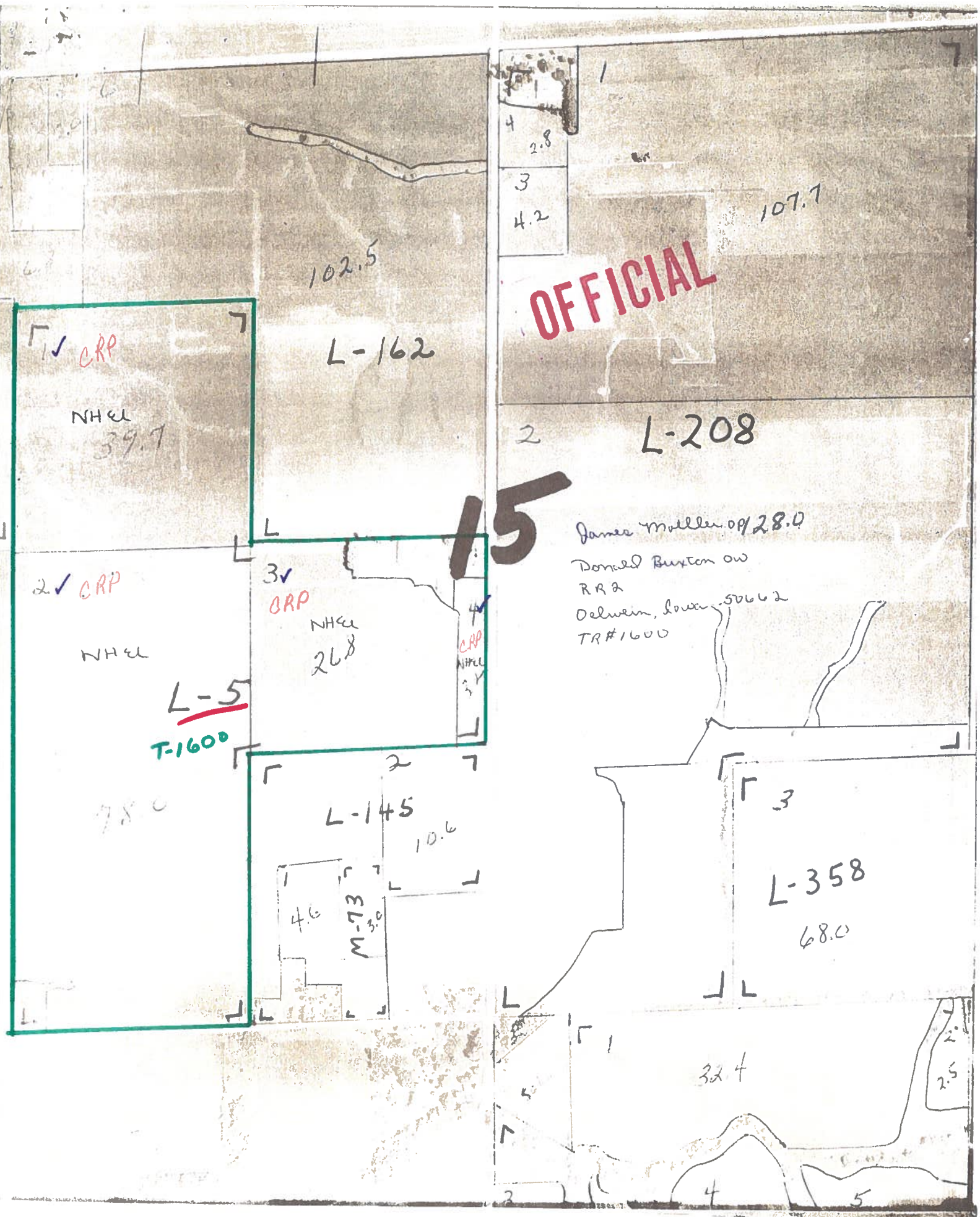
Owner: Patricia Buxton

Location: Sec 15, T 91 N, R 09 W

Jefferson Township

Fayette County, Iowa

Designed	LaVonne Koch	Date	5/21/10	Eng. Job Clas	I
Drawn	LaVonne Koch	Date	5/21/10	Drawing No	
Checked	Ray Davidson	Date	5/23/10		
Approved	LaVonne Koch	Date	5/21/10	Sheet	d



OFFICIAL

15

James Mullen 09/28.0
Donald Buxton ow
RR 2
Delwin, Iowa 50662
TR#1600

SCS-CPA-026
(1/87)1. NAME AND ADDRESS OF PRODUCER
Donald L. Buxton
RR 2
Delweth, Iowa 506622. DATE OF REQUEST
10-29-87

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

3. NAME OF USDA AGENCY OR PRODUCER REQUESTING DETERMINATION
USDA - ASCS4. FARM NO. AND TRACT NO. (S)
L-5 (1170)
TR-16005. COUNTY
Fayette

SECTION I - HIGHLY ERODIBLE LAND

	YES	NO	TRACT NO.	FIELD NO.(S)	TOTAL ACRES
6. Is a soil survey now available for making a highly erodible land determination?	X				
7. Are there highly erodible soil map units on this farm?	X				
8. a. List highly erodible tract and fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.			NA		
b. Is an approved conservation plan being actively applied on all of these fields? If "no," list the tract and fields (from the ASCS records) on which a plan is not being applied.			NA		
9. a. List highly erodible tract and fields that, according to ASCS records, have been or will be converted for the production of agricultural commodities, were not used for this purpose in any crop year during 1981-1985, and were not enrolled in a USDA set-aside or diversion program.			N/A		
b. Is an approved conservation system being used on these fields? If "no," list the tract and fields (from the ASCS records) on which a system is not being used.			N/A		
10. Are there other fields or unnumbered areas that (1) have highly erodible map units, (2) were not used to produce an agricultural commodity in any crop year after 1980, and (3) were not enrolled in a USDA set-aside or diversion program in any crop year during 1981-1985?		X			

11. CERTIFICATION: The _____ (no.) conservation plan(s) was (were) approved by the _____

Conservation District on _____

19. _____, and conform with technical requirements of the SCS field office technical guide. Conservation systems included in the conservation plan(s) applied _____ (no.).

SECTION II - WETLAND

	YES	NO	TRACT NO.	FIELD NO.(S)	TOTAL ACRES
12. Are hydric soils on this farm? If "yes," list tract and fields (from the ASCS records) or unnumbered areas (un) in which they occur.	X		TL600	1 2 3	
13. Do fields that were or will be used to produce an agricultural commodity contain wetland? If "yes," list tract and fields, outline the wetland areas within fields on the ASCS photographs(s), and mark with "w" for wetland, "aw" for artificial, and irrigation induced wetland, "mw" for wetland on which the conversion would result in minimal effect.					
14. Are there converted wetlands on this farm that have been converted since December 23, 1985? If "yes," list the tract and fields, outline converted wetlands on the ASCS photograph(s), and mark with "cw".					
15. The wetland determination was done in the office ☐ field ☐ .					
16. This determination was hand delivered ☐ mailed ☐ to the producer on _____ (DATE)					

Any producer who does not agree with this determination may request reconsideration from the person making this determination. This request is a prerequisite for any further appeal. The request must be in writing and must set forth reasons for the request. The request must be mailed or delivered within 15 days after written notice of the determination is mailed to or otherwise made available to the producer.

17. REMARKS

18. SIGNATURE OF SCS DISTRICT CONSERVATIONIST

DATE

Assistance and programs of the Soil Conservation Service are available without regard to race, religion, color, sex, age, handicap, or national origin.

Distribution: White--ASCS-FCIC Yellow--FmHA Pink--PRODUCER copy Goldenrod--SCS copy

IA-ENG-10
10/6/71
(NO File Code)

UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service
Route 1, Box 103
West Union, Iowa 52175
INSTALLATION REPORT &
LOCATION RECORD FOR DRAINS

County Fayette Date 12-4-84 19__

Farm Owner Don Buxton Tenant _____

1. Location of Farm (Legal Description): Jefferson Sec. 15, T 9N, R 9W

2. Outlet used for drain

a. Existing Tile Yes Size 5" Condition Good
Size 4" Condition Good

b. Open Ditch _____

New Metal Pipe Installed:

Size	Length	Discharge Height Above Normal Water Surface	Type of Rodent Control Gates

3. Drainage materials were manufactured by:

Manufacturer	Sizes	Type & Quality*
<u>Hicken Bottom, Fairfield, Ia</u>	<u>6"</u>	<u>Plastic Inlets + quality</u>
<u>Hancor, Oelwein, Ia</u>	<u>4"</u>	<u>Plastic Heavy Duty</u>

*Standard Quality, Extra Quality, Corrugated Plastic, etc.

4. Connections:

Manufactured Hancor Plastic
Fitted & Cemented _____

5. I certify that I have installed the amounts of drains shown on the table and sketch on the reverse side of this sheet on this farm and to the best of my knowledge, they meet the requirements of the specifications set forth by REAP.

Contractor James L. Falck Date 12-6-84

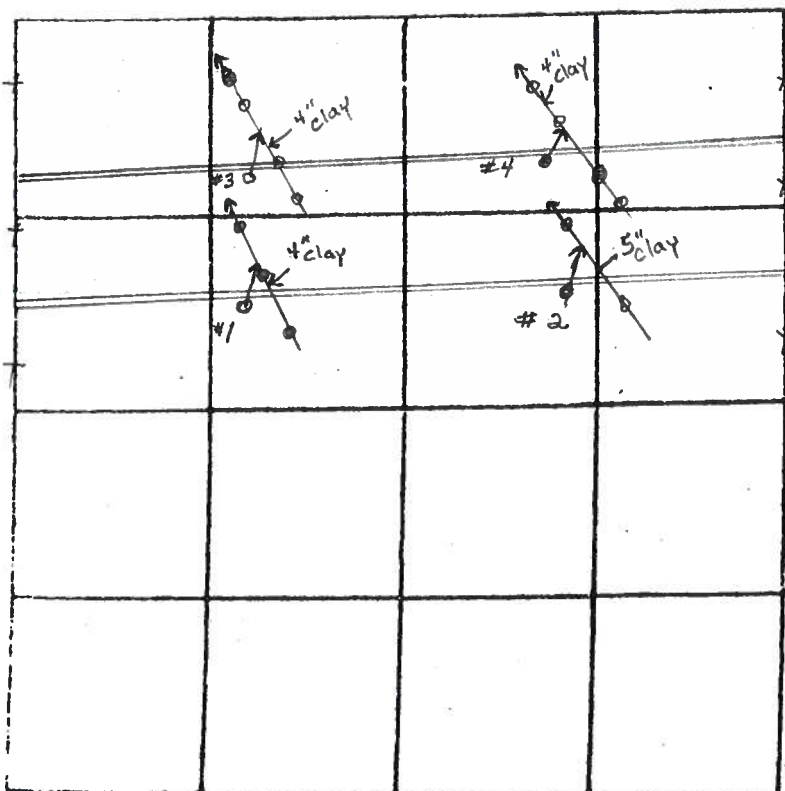
I certify that the amounts of drains have been installed on my farm.

Landowner _____ Date _____

6. Installation Information:

Line No.	1	2	3	4		
Size	4"	4"	4"	4"		
Length	38'	37'	36'	39'		
Acres Used for Design						
Drainage Coefficient						
Grade	.4 +	.4 +	.4 +	.4 +		
Max. Depth	4'	4'	4'	4'		
Min. Depth	3'	3'	3'	3'		
Trench Width	23"	23"	23"	23"		
Type of Bedding	Topsoil	Topsoil	Topsoil	Topsoil		

Location Sketch



North Remarks:

Show location, length, size, and spacing of laterals of the system installed.

Show center or corner of section.

Don L. Buxton

Oelwein, IA

November 12, 1984

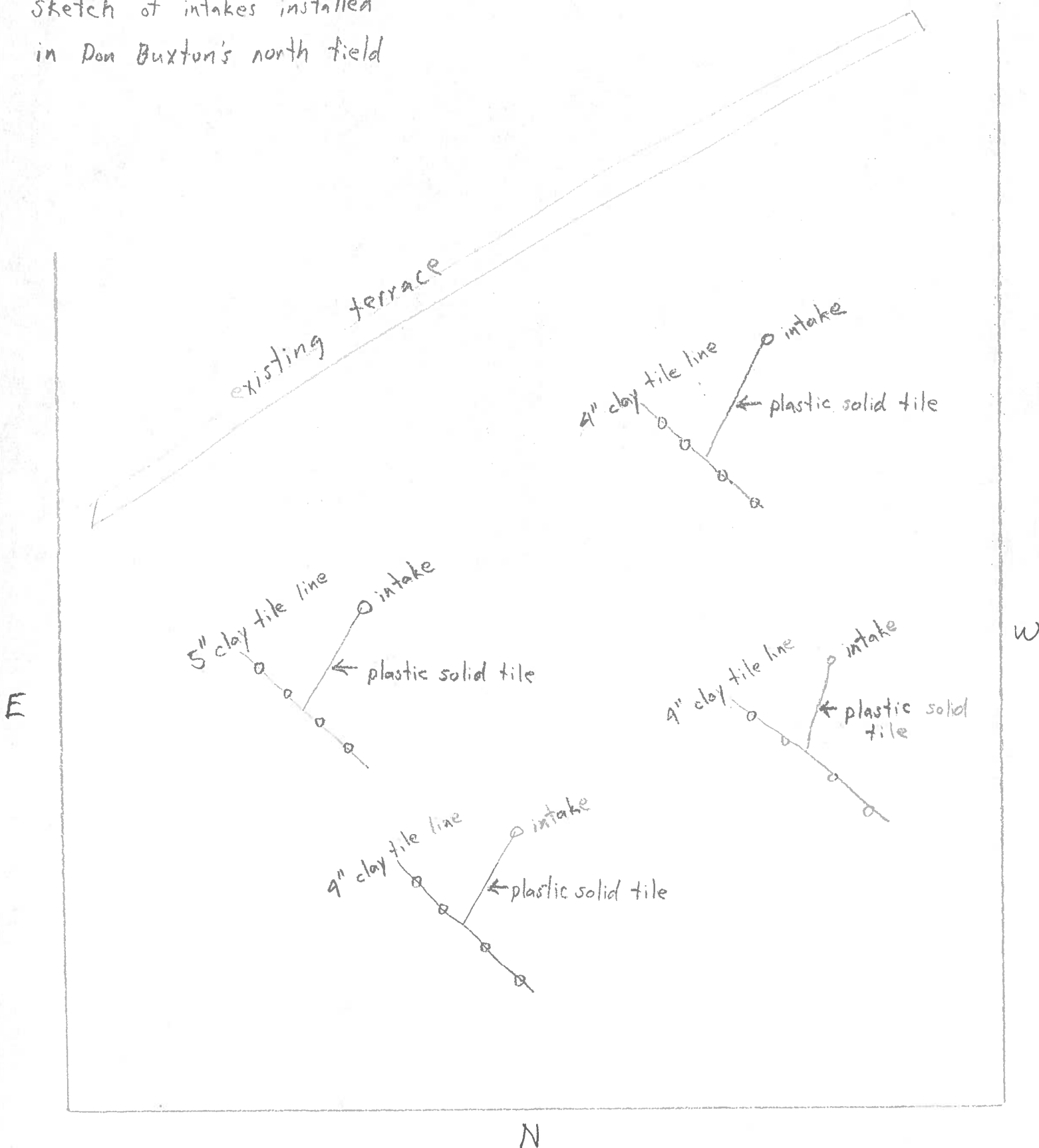
by

Larry Casey

1100 1st N.E.

Oelwein, Iowa 50662

sketch of intakes installed
in Don Buxton's north field



UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service

IA-ENG-10
10/6/71
(NO File Code)

INSTALLATION REPORT &
LOCATION RECORD FOR DRAINS

County Rayette Date May 25 19 84
Farm Owner Don L. Buxton Tenant Jim Moller

1. Location of Farm (Legal Description): _____ Sec. 15, T _____, R _____

2. Outlet used for drain

a. Existing Tile clay Size 4" Condition good
Size _____ Condition _____

b. Open Ditch _____

New Metal Pipe Installed:

Size	Length	Discharge Height Above Normal Water Surface	Type of Rodent Control Gates

3. Drainage materials were manufactured by:

Manufacturer	Sizes	Type & Quality*
<u>Hanco</u>		<u>corrugated</u>
		<u>plastic</u>

*Standard Quality, Extra Quality, Corrugated Plastic, etc.

4. Connections:

Manufactured ☒
Fitted & Cemented _____

5. I certify that I have installed the amounts of drains shown on the table and sketch on the reverse side of this sheet on this farm and to the best of my knowledge, they meet the requirements of the specifications set forth by REAP.

Contractor James L. Falck Date July 7, 1984

I certify that the amounts of drains have been installed on my farm.

Landowner Don L. Buxton Date July 7, 1984

2100' installed existing tile