

**State Water Commission Meeting**  
**#238 Lewis and Clark Room, Bank of North Dakota**  
**1200 Memorial Hwy., Bismarck, ND**  
**Thursday, October 10, 2024 – 1:00 p.m. CT**

Microsoft Teams meeting

**Join on your computer, mobile app or room device**

[Click here to join the meeting](#)

**Or call in (audio only)**

[+1 701-328-0950,452743275#](tel:+17013280950) United States, Fargo

Phone Conference ID: 452 743 275#

**AGENDA**

- 1:00 – 1:01     A. Roll Call/Pledge of Allegiance
- 1:01 – 1:02     B. **Consideration of Agenda**
- 1:02 – 1:04     C. Disclosure of Potential Conflicts of Interest (**Matt Sagsveen**)(**no attachment**)
- 1:04 – 1:07     D. Consideration of Minutes
  - 1. **Draft Minutes for the August 8, 2024, SWC Meeting**
  - 2. **Draft Minutes for the September 12, 2024, Pre-Commission Meeting**
- 1:07 – 1:10     E. SWC Secretary Update (**no attachment**)
- 1:10 – 1:15     F. Financials (**Chris Kadrmas**)
- 1:15 – 1:25     G. **Cost-Share Policy & WebGrants Certification** (**Pat Fridgen**)
- 1:25 – 1:35     H. **Four-Year Progress Reports** (**Abigail Franklund/Julie Prescott**)
- 1:35 – 2:15     I. Southwest Pipeline Project (SWPP) (**Justin Froseth**)
  - 1. SWPP Historical Cost and Capital Repayment Information
  - 2. **Feasibility Criteria-Capital Repayment Adjustment for Maximum Cost per Equivalent Service Unit Increase**
  - 3. **Feasibility Criteria-Exclusions**
  - 4. **West Zone Expansion-Bid Ready Documents Design Selection**
  - 5. **Amendment to Water Supply Agreement with Basin Electric Power Cooperative**
- 2:15 – 2:30     J. Northwest Area Water Supply (NAWS) (**Travis Johnson**)
  - 1. **Contract SA 98-Pressure Reducing Station & Isolation Vault Improvements**
  - 2. Contract SA 97-Pressurization of Main Transmission Line
  - 3. 2025 Water Rate

**CONSENT AGENDA**

A consent agenda can be approved with one motion, or an item or items can be removed for additional discussion and separate action. Director Travnicek recommends approval of the following items:

- 2:30 – 2:35     K. General Water (**Abigail Franklund**)
 

1. <b>Maple River WRD</b>	<b>Maple River Low Head Dam (Dam 227)</b>	<b>\$178,875</b>	<b>PC</b>
2. <b>Southeast Cass WRD</b>	<b>Wild Rice River Low Head Dam</b>	<b>\$209,625</b>	<b>PC</b>
3. <b>McLean County WRD</b>	<b>Katz Dam Improvement Construction</b>	<b>\$136,466</b>	<b>C</b>
- L. Water Supply (Municipal/Regional) (**Julie Prescott**)
 

1. <b>City of Jamestown</b>	<b>2025 Water Main Replacement</b>	<b>\$168,000</b>	<b>PC</b>
2. <b>City of Colfax</b>	<b>Supply Treated Water Transmission Line</b>	<b>\$368,813</b>	<b>1 C</b>

**AGENDA**

- 2:35 – 2:40 M. General Water (Abigail Franklund)  
1. **Ward County WRD** Ward County Low Head Dams Construction \$1,102,814 C
- 2:40 – 2:50 N. Water Supply (Municipal/Regional) (Julie Prescott)  
1. **City of Minot** University Avenue Water Main Replacement \$1,827,757 C  
2. **City of Minot** Westfield Water Main Replacement \$2,341,417 C
- 2:50 – 2:55 O. Water Supply (Rural) (Julie Prescott)  
1. **Southeast Water Users District** West WTP Improvements \$1,654,484 C
- 2:55 – 3:25 P. Project Updates (Presentations if time allows)  
(5 min each)  
1. Devils Lake (Yaping Chi)  
2. Mouse River (Laura Ackerman)  
3. Missouri River (Clay Carufel)  
4. NAWS (Travis Johnson)  
5. SWPP (Justin Froseth)  
6. Water Development Plan (Cory Drevecky)
- 3:25 – 3:30 Q. Legal Updates (Presentation if time allows) (Matt Sagsveen)
- 3:30 – 3:50 R. **SWPP – Intake, Contract 1-2A Summary** (Justin Froseth)
- 3:50 – 4:10 S. Executive Session—NDCC 44-04-19.1(9) for Attorney Consultation (Matt Sagsveen)  
1. **SWPP – Intake, Contract 1-2A**
- 4:10 – 4:30 T. Executive Session—NDCC 44-04-19.1(2) & 44-04-19.1(5) for Attorney Consultation  
1. **Cost-Share Program—Violations**
- U. Adjourn

**BOLD ITEMS REQUIRE SWC ACTION**

- PC Pre-Construction  
C Construction  
L Legislative  
CI Cost Increase  
O Other

## MINUTES

### North Dakota State Water Commission Bismarck, North Dakota August 8, 2024

The ND State Water Commission (Commission or SWC) held a meeting at the Bank of North Dakota, 1200 Memorial Highway, Bismarck, ND, and via phone conference on August 8, 2024. Lt. Governor Miller called the meeting to order at 1:00 PM. A quorum was present. The board opened the meeting by reciting the Pledge of Allegiance.

#### **State Water Commission Members Present:**

Lt. Governor Miller, Acting Chairman  
Doug Goehring, Commissioner, ND Agriculture Commissioner  
Michael Anderson, Lower Red River Basin  
Jeff Frith, Devils Lake Basin  
James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins  
Connie Ova, James River Basin  
Gene Veeder, Upper Missouri River Basin  
Jay Volk, Lower Missouri River Basin  
April Walker, Upper Red River Basin  
Jason Zimmerman, Mouse River Basin

#### **Others Present:**

Dr. Andrea Travnicek, Director, ND Dept. of Water Resources (DWR or Department) and Commission Secretary  
John Paczkowski, DWR State Engineer  
DWR Staff  
Matthew Sagsveen, General Counsel, Attorney General's Office  
Approximately 63 people present online and in person.

#### **Consideration of Agenda**

Commissioner Veeder moved to approve the August 8, 2024, meeting agenda as presented. The motion was seconded by Commissioner Volk and passed by unanimous vote.

#### **Consideration of Meeting Minutes**

Commissioner Goehring moved to approve the June 13, 2024, State Water Commission meeting minutes as written. The motion was seconded by Commissioner Frith and passed by unanimous vote.

Commissioner Zimmerman moved to approve the July 11, 2024, Pre-Commission meeting minutes as written. The motion was seconded by Commissioner Anderson and passed by unanimous vote.

#### **Disclosure of Potential Conflicts of Interest**

Commissioner Odermann disclosed a conflict of interest with the Southwest Pipeline Project.

### **Commission Secretary Update**

Andrea Travnicek, Ph.D., Secretary, thanked Commissioner Odermann for the opportunity to visit his place during the Southwest Pipeline tour. She also thanked all the commissioners for their great work in hosting the basin meetings. Travnicek reported the agency is currently working on the budget for the 2025-2027 biennium, that has a deadline of September 20. She added the Water Topics Overview Committee will be meeting September 11 – 12 in Fargo. The agenda is still being worked on.

### **Financial Report**

The Glossary of Terms, allocated program expenditures, and financial reports were presented by Chris Kadmas, DWR Administration Division Director (**APPENDIX A**).

The oil extraction tax deposits total \$256,279,494 estimated through July 2024 for the 2023-25 biennium, which is \$17,717,791 over the projected biennium revenue of \$238,561,703 through July 2024. Transfers in the amount of \$17,575,638 from the Resources Trust Fund to the Water Projects Stabilization Fund have occurred through July 2024.

The 68th Legislative Assembly estimates oil extraction tax deposits for the 2023-2025 biennium to total \$449,859,211 through June 2025. It also provided for the transfer of oil extraction tax deposits in excess of the legislative forecast for the 2023-2025 biennium to be transferred quarterly to the water projects stabilization fund.

### **2025 SWC Meeting Schedule**

Pat Fridgen, Division Director of Planning and Education, presented the proposed 2025 State Water Commission meeting schedule (**APPENDIX B**) including the Pre-Commission and regular Commission meetings. The Pre-Commission meetings have been moved back one week to allow team members additional time for the processing of application materials. The available time for Commission members to review the materials will remain the same as well as the timing of the regular Commission meetings within the designated months. There were no questions, and the following motion was made:

**Moved by Commissioner Anderson and seconded by Commissioner Walker the Commission approve the presented schedule for the 2025 State Water Commission meetings.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

### **FY2024 Federal Municipal, Rural, and Industrial (MR&I) Funding**

Julie Prescott, DWR Engineer Manager, discussed the FY2024 funding for the Federal MR&I program. The United States Bureau of Reclamation (USBOR) has confirmed the remaining Federal MR&I water supply program funding to reach the program ceiling is \$12,227,000. This amount is being provided through fiscal year (FY) 2024 funding. Project funds for North Dakota total \$10,700,000, with \$7,700,000 toward the Northwest Area Water Supply (NAWS) project and \$3,000,000 at 75 percent cost-share for

continuing design on the Eastern North Dakota Alternate Water Supply (ENDAWS) project. Remaining FY2024 funds have been designated by the USBOR for the North Dakota Natural Resources Trust in the amount of \$600,000 and for USBOR project administration in the amount of \$1,200,000. This request also includes allocation of \$169,722 of additional FY2023 funding for MR&I program administration.

Because the FY2024 funding meets the total program ceiling, no further funding will be available without additional federal appropriation through new legislation. North Dakota's Congressional delegation continues to work with the state and tribal nations to move new legislation forward. There were no questions, and the following motion was made:

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission approve the allocation of FY2024 federal MR&I funding of \$10,700,000, with \$7,700,000 toward the NAWS project and \$3,000,000 toward the ENDAWS project. The Commission also approves the allocation of FY2023 funding of \$169,722 toward MR&I program administration. This approval is contingent on available funding, that the projects follow Federal MR&I Program requirements, and delegates the Secretary the ability to move funds between project elements in order to facilitate efficient project completion.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

### **Southwest Pipeline Project (SWPP)**

#### **West Zone Expansion**

Justin Froseth, SWPP Project Manager, stated the west zone of the SWPP can be generally described as the area of the SWPP that is served by the main transmission line that leaves the Ray Christianson Pump Station in Dickinson and heads west to the City of Beach. As part of the 2023-2025 budget, the need to increase capacity in this transmission line was identified. DWR executed a Specific Authorization (SA) with SWPP's consulting engineer, BW/AECOM, for completing an engineering report for the West Zone Expansion in the Fall of 2023. DWR has been working with the City of Medora, Theodore Roosevelt Medora Foundation, and Billings County to discuss the needs they are projecting. Based on the needs identified, the West Zone allocation is estimated to increase approximately 43 percent. In addition to the identified needs, DWR staff was interested in the Commission's feedback on including additional capacity for potential development that is not known at this time into the preliminary design. After discussion, the following motion was made:

**Moved by Commission Goehring and seconded by Commissioner Veeder the Commission proceed with preliminary designs for the Southwest Pipeline Project West Zone Expansion for the identified needs, 25% additional capacity to the identified needs, and a design to include the next pipe size.**

**Commissioners Anderson, Frith, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye.**

**Commissioner Odermann abstained. There were no nay votes. The motion carried.**

**Northwest Area Water Supply (NAWS)**

**Contract for Pressurization of Main Transmission Line**

Sindhuja S.Pillai-Grinolds, Water Development Division Director, noted that in fall 2023 the NAWS main transmission line experienced leaks. This main transmission line was previously pressure tested, however since this line is expected to become operational when lake water becomes available in summer 2025, it was decided to complete the pressure test again. Bid submission information has been posted on the ND State Procurement Office website with bid opening previously scheduled for the day before SWC meeting in August. However, this pipeline is needed for transferring Sundre aquifer water to the Biota Water Treatment Plant which has been delayed. The bid opening for this contract is moved to August 21, 2024. A request to authorize the Secretary to award the contract to the lowest responsible bidder was presented. It was also noted that the funding request for this project will be presented at the October SWC meeting.

**Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission authorize the Secretary to award the contract to the lowest responsible bidder with the funding being requested at the October SWC meeting.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

**Consent Agenda**

The Consent Agenda included the following cost-share projects with requested funding amounts for approval:

**Flood Control**

Grand Forks County WRD	Drain 4 Reconstruction and Extension	\$270,000
------------------------	--------------------------------------	-----------

**General Water**

Barnes County WRD	Clausen Springs Dam Safety Evaluation	\$150,000
Walsh County WRD	Walsh County Dams Emergency Action Plans	\$182,800
Dept of Water Resources	USGS Collaboration FFA Task 2-4	\$650,000

**Water Supply (Municipal/Regional)**

City of Aneta	Water and Sewer Improvements 2023	\$289,004
City of Mandan	Water Treatment Plant Phase 3 Optimization	\$123,000
City of New Town	Improvements—Phase 1	\$492,330
GDCD	Red River Valley Water Supply Project 2023-25	\$0

**Water Supply (Rural)**

McLean Sheridan RWD	Water Treatment Plant Expansion Phase 3	\$831,554
Greater Ramsey Water Dist.	2024 User Expansion	\$375,750

There were no questions, and the following motion was made:

**Moved by Commissioner Veeder and seconded by Commissioner Zimmerman the Commission approve the Consent Agenda items as presented.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

### State Cost-Share Requests

#### **Flood Control**

Abigail Franklund, DWR Cost-Share Program Manager, presented the following request for flood control projects.

#### **City of Lisbon: Rose Street Property Acquisition \$104,376 (SWC Project No. 1991-05)**

The City of Lisbon requests cost-share associated with their Rose Street Property Acquisition project. The residential property at 305 Rose Street was on the sponsor's possible buy-out list in 2016, before the construction of Levee D, which is part of the city's Sheyenne River Permanent Flood Protection. However, at the time only properties within the levee footprint or within the 100-year Base Flood Elevation (BFE) were acquired. The subject property is not within the 100-year BFE but is in the three to four-foot freeboard area. Although construction for Levee D was completed in 2018, the subject property has now become available. The sponsor would like to purchase the property because it would allow for emergency levee construction if needed or the ability to permanently extend Levee D into the freeboard area.

This project meets requirements of the Water Commission's cost-share policy. There was no discussion, and the following motion was made:

**Moved by Commissioner Walker and seconded by Commissioner Goehring the Commission approve the request from the City of Lisbon for state cost-share participation in the Rose Street Property Acquisition project at 60 percent of eligible costs, not to exceed \$104,376. This approval is contingent on available funding.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

#### **Water Supply (Municipal/Regional)**

Prescott presented the following municipal/regional water supply projects.

#### **WAWSA: NWRWD Trenton Area Expansion \$747,000 (SWC Project No. 1973)**

The Western Area Water Supply Authority (WAWSA) is requesting preconstruction cost-share for the Northwest Rural Water District (NWRWD) Trenton area expansion project. The project is approximately 65 miles of new 12-inch transmission line along Highway

1804 to bring service to a proposed 50 home subdivision and 20-unit apartment building, the Marley Crossing industrial development area with two proposed bulk service connections, and the Missouri-Yellowstone Confluence recreation area.

This project meets requirements of the Water Commission's cost-share policy for municipal water supply projects. After discussion, the following motion was made:

**Moved by Commissioner Goehring and seconded by Commissioner Anderson the Commission approve the request from the Western Area Water Supply Authority for state cost-share participation in the NWRWD Trenton Area Expansion project at 75 percent of eligible costs, not to exceed \$747,000. This approval is contingent on available funding.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Zimmerman, Goehring, and Lt. Governor Miller voted aye. Commissioner Walker voted nay. The motion carried.**

**City of Mandan: Collins Reservoir Replacement \$1,926,688  
(SWC Project No. 2050MAN)**

The City of Mandan is requesting construction cost-share for their Collins Reservoir Replacement project. The project is replacement of Collins Reservoir, which has reached the end of its service life. The city's storage system consists of the Sunset (3,000,000 gallons), the South End (4,000,000 gallons), and the Collins Reservoir (2,000,000 gallons), for a total of 9,000,000 gallons. Peak daily demand is 7,900,000 gallons. With the South End and the Sunset Reservoirs storage providing a total of 7,000,000 gallons of storage, the remaining storage need is 900,000 gallons. By Commission policy, only that portion of storage needed to meet peak daily capacity (900,000/2,000,000 gallons or 45%) is considered eligible for cost-share. Commissioner Volk questioned if the cost-share policy should be revisited, stating the policy on peak user demand may not be the right process.

This project meets requirements of the Water Commission's cost-share policy for municipal water supply projects. There were no questions, and the following motion was made:

**Moved by Commissioner Volk and seconded by Commissioner Frith the Commission approve the request from the City of Mandan for state cost-share participation in the Collins Reservoir Replacement project in the amount of \$1,926,688, or 27 percent of eligible costs, with a total cost-share not to exceed \$2,020,108. This approval is contingent on available funding.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**



### Project Updates

DWR staff provided updates on the following projects:

- Devils Lake: Yaping Chi, Water Resources Engineer
- Mouse River: Alexis Faber, Investigations Section Manager
- Missouri River: Clay Carufel, Missouri River Engineer
- NAWS: Sindhuja S.Pillai-Grinolds, Water Development Division Director
- SWPP: Justin Froseth, SWPP Manager
- 2025 Water Development Plan: Cory Drevecky

### Legal Update

Matthew Sagsveen, General Counsel, Attorney General's Office, provided an update on current legal matters involving the SWC and DWR.

### SWPP Intake – Contract 1-2A Summary

Justin Froseth, SWPP Project Manager, provided a brief project history, summary of claim related expenses, projections through September 2024, and overall expenditures towards the SWPP Supplementary Intake project. Recommendation to approve an additional \$60,000 towards mediation expenses was also presented. There were no questions, and the following motion was made:

**Moved by Commissioner Zimmerman and seconded by Commissioner Veeder the Commission approve an additional \$60,000 for the total authorized to date amount to \$2.67 million towards claim related expenses for the SWPP Contract 1-2A.**

**Commissioners Anderson, Frith, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. Commissioner Odermann abstained. There were no nay votes. The motion carried.**

### Executive Session

**Under Authority of NDCC § 44-04-19.1(9) for Attorney Client Consultation regarding SWPP – Intake, Contract 1-2A**

It was the recommendation of Lt. Governor Miller that further discussion relating to the SWPP/Fowler Intake be held in Executive Session, under the provisions of NDCC § 44-04-19.1(9), for the purpose of attorney consultation. The Commission invited the following to participate in the Executive Session:

State Water Commission Members Present:

Lt. Governor Miller, Acting Chairman

Doug Goehring, Commissioner, ND Agriculture Commissioner

Michael Anderson, Lower Red River Basin

Jeff Frith, Devils Lake Basin

Connie Ova, James River Basin

James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins

Gene Veeder, Upper Missouri River Basin

Jay Volk, Lower Missouri River Basin

April Walker, Upper Red River Basin

Jason Zimmerman, Mouse River Basin

Others Present:

Dr. Andrea Travnicek, DWR Director and Commission Secretary  
John Paczkowski, DWR State Engineer  
Matthew Sagsveen, General Counsel, Attorney General's Office  
Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director  
Justin Froseth, Southwest Pipeline Project Manager  
Chris Kadrmaz, DWR Administrative Services Director  
Abby Ebach, DWR Director of Public Policy  
Shana Brost, Administrative Officer  
Ben Gehrig, DWR Data & Technology Services  
John Reiten, Policy Advisor, Governor's Office  
Mark Becker, Fabyanske, Westra, Hart & Thomson, P.A. (online)

**Moved by Commissioner Goehring and seconded by Commissioner Frith that under the provision of NDCC § 44-04-19.1(9), the Commission proceed into Executive Session on August 8, 2024, at 2:38 PM for the purpose of attorney consultation relating to the Southwest Pipeline Project/Fowler Intake—Contract 1-2A.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

Following attorney consultation regarding the Southwest Pipeline Project/Fowler Intake, Contract 1-2A, Lt. Governor Miller reconvened the open session of the Commission meeting at 3:32 PM.

#### **Executive Session**

#### **Under Authority of NDCC § 44-04-19.1(2,5) for Attorney Client Consultation regarding Cost-Share Program—Violations**

It was the recommendation of Lt. Governor Miller that further discussion relating to the Cost-Share Program—Violations be held in Executive Session, under the provisions of NDCC § 44-04-19.1(2,5), for the purpose of attorney consultation. The Commission invited the following to participate in the Executive Session:

State Water Commission Members Present:

Lt. Governor Miller, Acting Chairman  
Doug Goehring, Commissioner, ND Agriculture Commissioner  
Michael Anderson, Lower Red River Basin  
Jeff Frith, Devils Lake Basin  
Connie Ova, James River Basin  
James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins  
Gene Veeder, Upper Missouri River Basin  
Jay Volk, Lower Missouri River Basin  
April Walker, Upper Red River Basin  
Jason Zimmerman, Mouse River Basin

Others Present:

Dr. Andrea Travnicek, DWR Director and Commission Secretary  
John Paczkowski, DWR State Engineer  
Matthew Sagsveen, General Counsel, Attorney General's Office  
Pat Fridgen, DWR Planning & Education Division Director  
Duane Pool, Resource Economist  
Abigail Franklund, DWR Cost-Share Program Manager  
Chris Kadrmas, DWR Administrative Services Division Director  
Abby Ebach, DWR Director of Public Policy  
Shana Brost, Administrative Officer  
Ben Gehrig, DWR Data & Technology Services  
John Reiten, Policy Advisor, Governor's Office

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman that under the provision of NDCC § 44-04-19.1(2,5), the Commission proceed into Executive Session on August 8, 2024, at 3:39 PM for the purpose of attorney consultation relating to the Cost-Share Program—Violations.**

**Commissioners Anderson, Frith, Odermann, Ova, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. There were no nay votes. The motion carried.**

Following attorney consultation regarding the Cost-Share Program—Violations, Lt. Governor Miller reconvened the open session of the Commission meeting at 4:05 PM.

#### **Cost-Share Policy Discussion**

Travnicek stated the Cost-Share Policy will continue to be updated as potential issues arise. Fridgen discussed the following options with the Commission for further consideration:

- All cost-share applications must include a cover letter acknowledging the cost-share request and must be signed by a representative of the sponsoring entity. This could include mayors, board chairs, city administrators, district managers, executive directors, etc. Letters signed by representative consultants would not be accepted.
- The certification in WebGrants would include a reminder to those completing the application that it is an offense to intentionally falsify statements as part of the cost-share application process per NDCC 12.1-11-02.
- Sponsors, or their representative consultants, who have been determined by the SWC to have intentionally provided false statements or information to acquire cost-share funding will be disqualified from seeking funding through the Cost-Share Program for a minimum of 24-months.
- Sponsors who have already received Cost-Share Program funding and have been determined by the SWC to have intentionally provided false statements or information to acquire cost-share funding, or used the funding improperly will have remaining approved funding revoked and previous related payments reimbursed back to the state.
- DWR team members will evaluate reporting requirements to professional boards and notify those boards if required following future incidents.

Travnicek added the cost-share team will have drafted language to the Commission by the September pre-commission meeting looking for feedback, and a final draft available for the October SWC meeting.

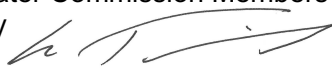
There being no further business to come before the Commission, Lt. Governor Miller adjourned the August 8, 2024, meeting at 4:12 PM. The next State Water Commission meeting will be held on October 10, 2024, at 1:00 PM CT in #238 Lewis and Clark Room, Bank of North Dakota, 1200 Memorial Highway, Bismarck, North Dakota.

---

Tammy Miller, Lieutenant Governor  
Acting Chairman, State Water Commission

---

Andrea Travnicek, Ph.D.  
Director, DWR, and Secretary to the State  
Water Commission

**TO:** Governor Doug Burgum & North Dakota Water Commission Members  
**FROM:** Andrea Travnicek Ph.D., Director-Secretary   
**SUBJECT:** Financial Updates  
**DATE:** August 8, 2024

### **Glossary**

The updated glossary of terms is attached on pages 2-3.

### **2023–2025 Resources Trust Fund**

Oil extraction tax deposits total \$256,279,494 estimated through July 2024 for the 2023-25 biennium. This is \$17,717,791 over the projected biennium revenue of \$238,561,703 through July 2024. Pages 4-5 of your packet have line charts showing the deposits into the Resources Trust Fund month by month and cumulative to date and how they track with the projection. Page 6 of your packet has a breakdown of our monthly deposits with the net revenue projection of \$449,859,211 for the biennium. The last column in blue shows the cumulative amount over projection that will be transferred to the Water Projects Stabilization Fund in accordance with Senate Bill 2020. Transfers from the Resources Trust Fund to the Water Projects Stabilization Fund total \$17,575,638 through July 2024.

Page 7 is a flowchart that shows 20.5% of the Oil Extraction Tax that goes into the Resources Trust.

### **2023-2025 Purpose Funding Summary**

Page 8 is the bucket report showing appropriations versus approvals for the purpose funding line. The navy blue shows the appropriation amounts and the light blue shows how much has been approved of that amount.

Page 9-12 has charts that shows the 2023-2025 purpose funding. It shows the funding available in comparison to the August 2024 requests identified on pages 13-14.

### **Project Summary Reports**

The July 2024 project summary report is attached on page 15. Page 15 shows carryover in yellow, new appropriations in blue, and the total appropriation in red. The unobligated appropriation is shown in pink for all funding sources.

Page 16 shows the 2023-2025 expenditures and unpaid approvals as of July 31, 2024. The blue shows the total approved which ties to the blue on page 15, the teal green shows the unpaid approvals, and the lime green shows the expenditures.

## Glossary of Terms

**Allocated-**To apportion for a specific purpose. To set apart or earmark.

**Anticipated Construction Request-**Potential construction requests for prior approved and current projects.

**Appropriation-**Specifies the amount of funds to be used for a particular purpose during a period of time, normally one biennium.

**Original-**Legislative authorization to expend.

**Current-**Requesting authorization to allocate funds.

**Unobligated-** Funding available to be obligated to a project.

**Appropriation Authority-**Legislative authority in an Appropriation Act for an agency to expend funds.

**Appropriation Bill-**A bill which appropriations are given legal effect.

**Approved-**Funds approved and allocated by the State Water Commission.

**Beginning Balance-**Resource Trust Fund cash balance that carries over from the previous biennium. This information is provided by Legislative Council and includes carryover and funds not approved or allocate by the State Water Commission.

**Carryover Funds-**Approved funds unpaid during the current biennium which are transferred to the appropriation for the following biennium.

**Carryover Projects-**Projects approved but not finished by the end of the current biennium. The time is limited to 2 years after the end of the current biennium, 6/30/21, unless approved by the State Water Commission to continue past that date.

**Cash-**Resource Trust Fund money received and not allocated to a specific appropriation purpose.

**Cost Increase-**Funding needed above original cost estimate.

**De-Obligation-**Funds released from project allocation made from the current biennium appropriation.

**Expenditure-**Payment or funds spent.

**Obligation**-Funds allocated from current biennium appropriation to pay based on a contract.

**Unexpended**-Not yet spent or paid.

**Turnback**-Carryover funds released from prior biennium from a project allocation.

**Unobligated Carryover**-Previous biennium funding, not associated with a project released to the Resource Trust Fund.

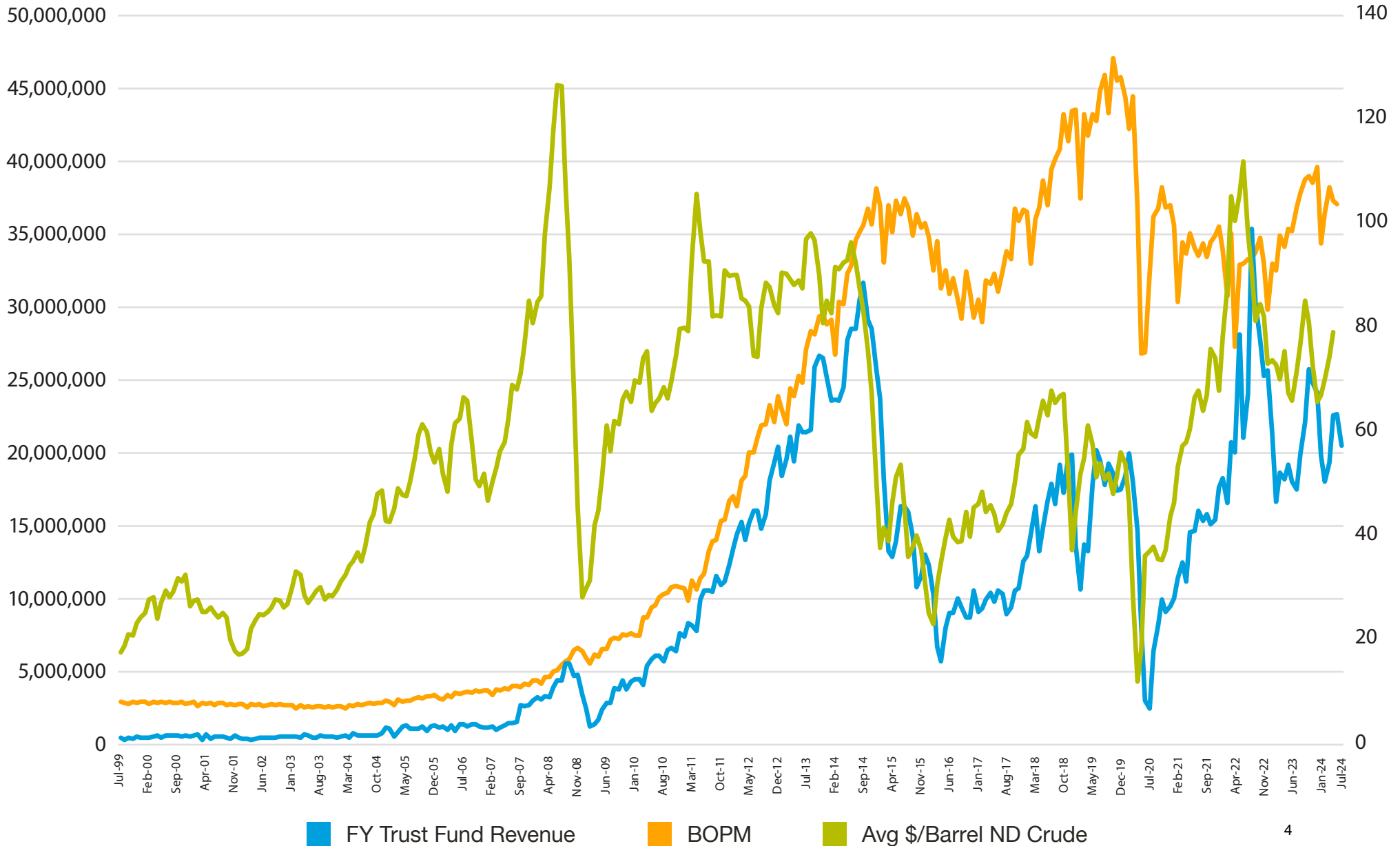
**Unpaid Approval**-A commitment to an expense at a future date.

**Water Infrastructure Revolving Loan Fund (WIRLF) Eligibility**-Approval by the State Water Commission of the eligibility of projects to apply for a Water Infrastructure Revolving Loan in compliance with cost share and statutory authority. Final loan approval is by the Bank of North Dakota.

# RESOURCES TRUST FUNDED REVENUE

JULY 2004-JULY 2024

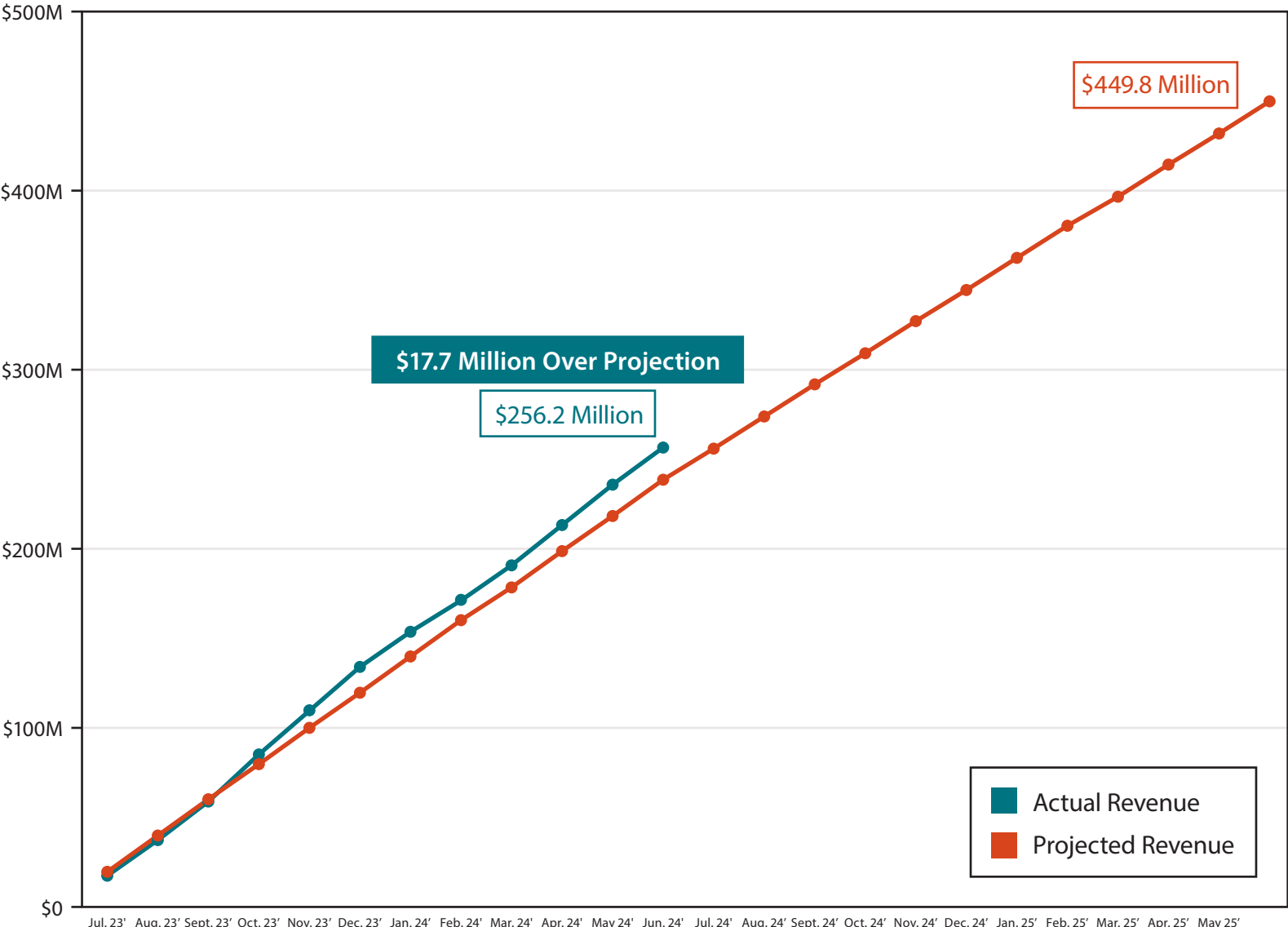
NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE





# RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | July 2024



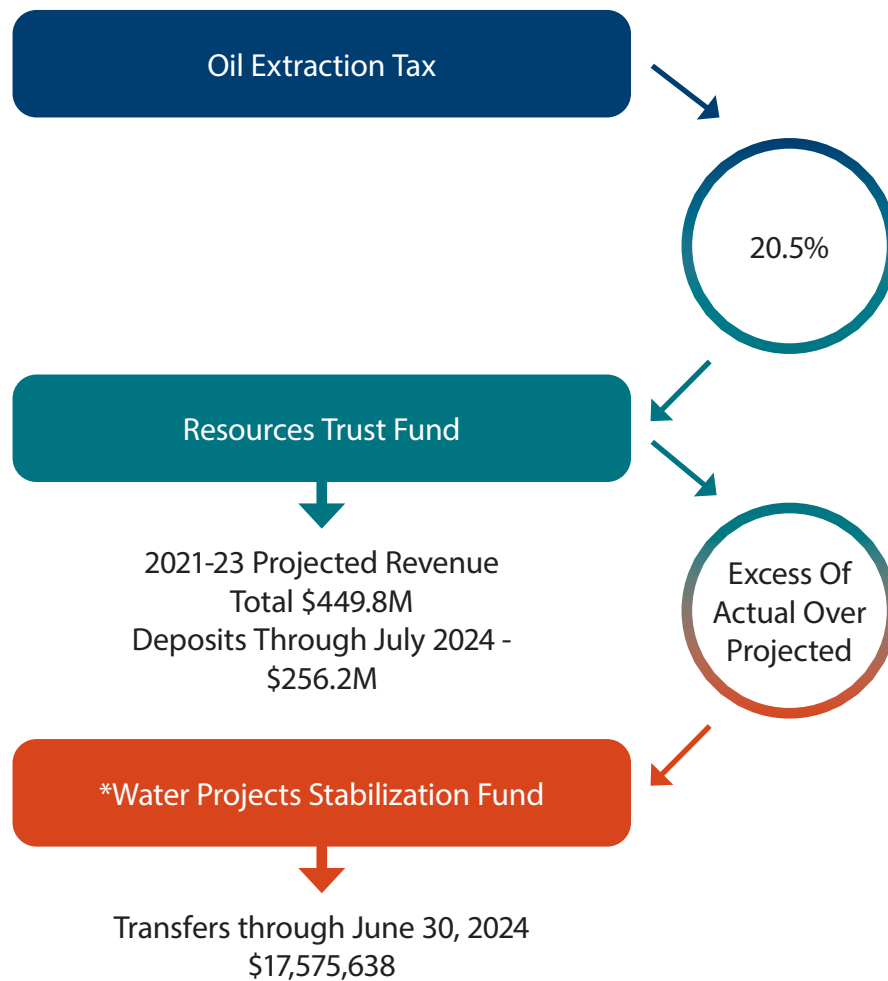
OIL EXTRACTION REVENUE  
FOR THE 2023 - 2025 BIENNIUM

MONTH / YEAR	PROJECTED				ACTUAL				
	REVENUE	ENERGY CONS. <sup>1</sup> ALLOCATION	RENEWABLE <sup>1</sup> ALLOCATION	RESOURCES TRUST FUND ALLOCATION	REVENUE	TRANSFERS TO <sup>1</sup> ENERGY CONS.	TRANSFERS TO <sup>1</sup> RENEWABLE	RESOURCES TRUST FUND NET DEPOSIT	TRANSFERS TO <sup>2</sup> WATER PROJECTS STABILIZATION FUND
AUGUST, 2023	\$19,607,811	\$98,039	\$588,234	\$18,921,538	\$17,438,367	\$87,192	\$523,151	\$16,828,025	\$0
SEPTEMBER, 2023	20,261,405	101,307	607,842	19,552,256	19,897,352	99,487	596,921	19,200,945	0
OCTOBER, 2023	20,261,405	101,307	607,842	19,552,256	22,030,025	110,150	660,901	21,258,974	0
NOVEMBER, 2023	19,607,811	98,039	588,234	18,921,538	25,681,608	128,408	770,448	24,782,752	5,308,920
DECEMBER, 2023	20,261,405	101,307	607,842	19,552,256	24,757,068	123,785	448,579	24,184,704	4,495,663
JANUARY, 2024	19,607,811	98,039	6	19,509,766	24,074,426	120,372		23,954,054	4,466,615
FEBRUARY, 2024	20,261,405	101,307		20,160,098	19,707,741	98,539		19,609,202	(553,664)
MARCH, 2024	20,261,405	101,307		20,160,098	17,937,246	89,686		17,847,560	(2,324,159)
APRIL, 2024	18,300,624	91,503		18,209,121	19,221,776	96,109		19,125,667	921,152
MAY, 2024	20,261,405	101,307		20,160,098	22,520,865	112,604		22,408,260	2,259,460
JUNE, 2024	19,607,811	98,039		19,509,772	22,609,462	113,047		22,496,414	3,001,651
JULY, 2024	20,261,405	101,307		20,160,098	20,403,558	20,620		20,382,938	142,153
AUGUST, 2024	17,366,918	7,192		17,359,726					
SEPTEMBER, 2024	17,945,816			17,945,816					
OCTOBER, 2024	17,945,816			17,945,816					
NOVEMBER, 2024	17,366,918			17,366,918					
DECEMBER, 2024	17,945,816			17,945,816					
JANUARY, 2025	17,366,918			17,366,918					
FEBRUARY, 2025	17,945,816			17,945,816					
MARCH, 2025	17,945,816			17,945,816					
APRIL, 2025	16,209,124			16,209,124					
MAY, 2025	17,945,816			17,945,816					
JUNE, 2025	17,366,918			17,366,918					
JULY 2025-JUNE REVENUE	17,945,816			17,945,816					
<b>TOTALS</b>	<b>\$449,859,211</b>	<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$445,659,211</b>	<b>\$256,279,494</b>	<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$252,079,494</b>	<b>\$17,717,791</b>

<sup>1</sup> Transfers to the renewable energy development fund and the energy conservation grant fund are established in North Dakota Century Code Section 57-51.1-07.

<sup>2</sup> Transfers to the water project stabilization fund are calculated after transfers to the renewable energy development fund and energy conservation grant fund occur

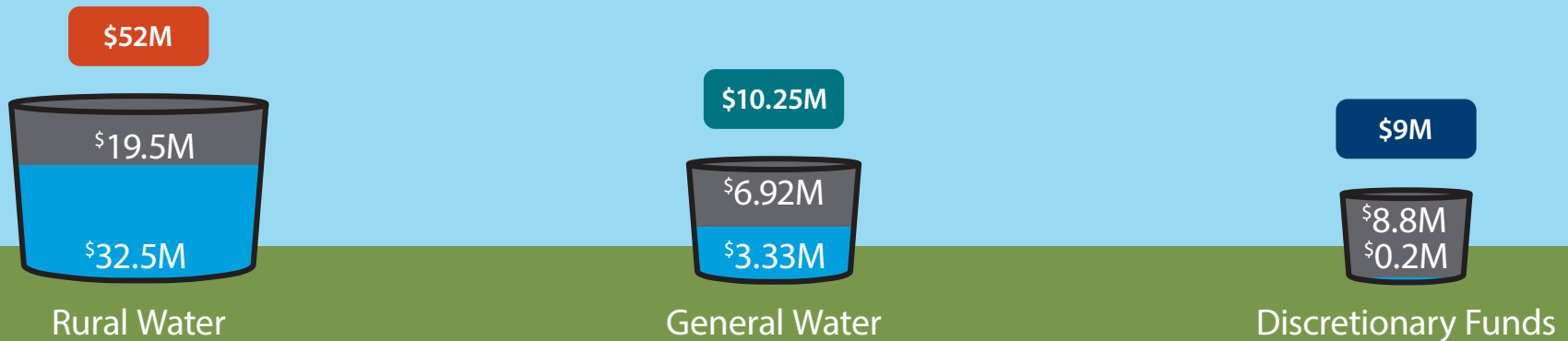
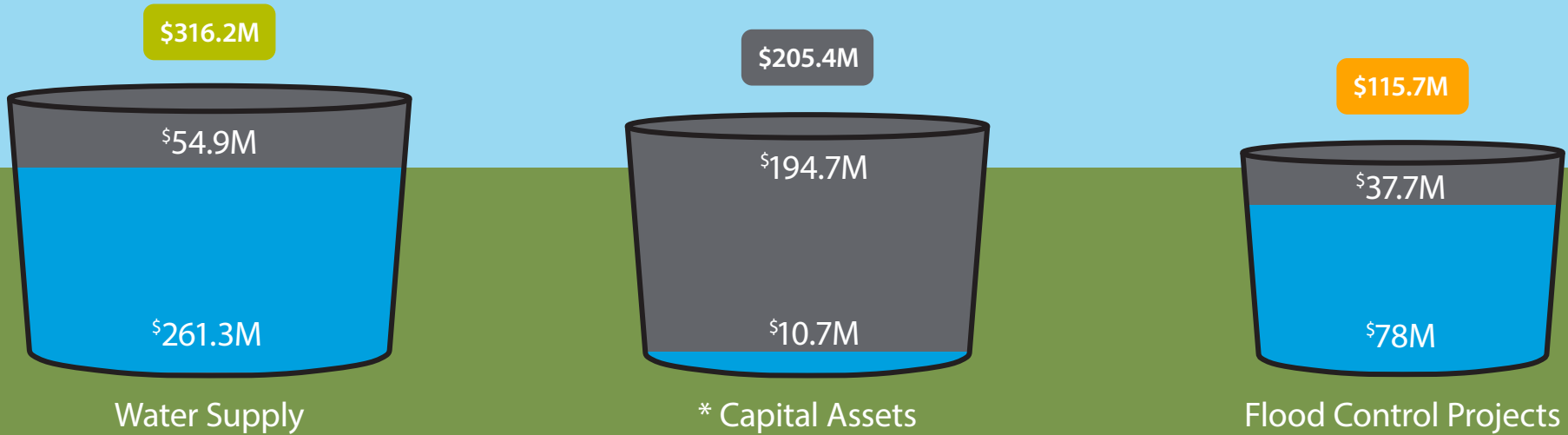
# RESOURCES TRUST FUND REVENUE



\*Authorized in Sections 5-7 of Senate Bill 2020 during the November special session.

# 2023-25 PURPOSE FUNDING

JULY 2023-JULY 2024



APPROVED

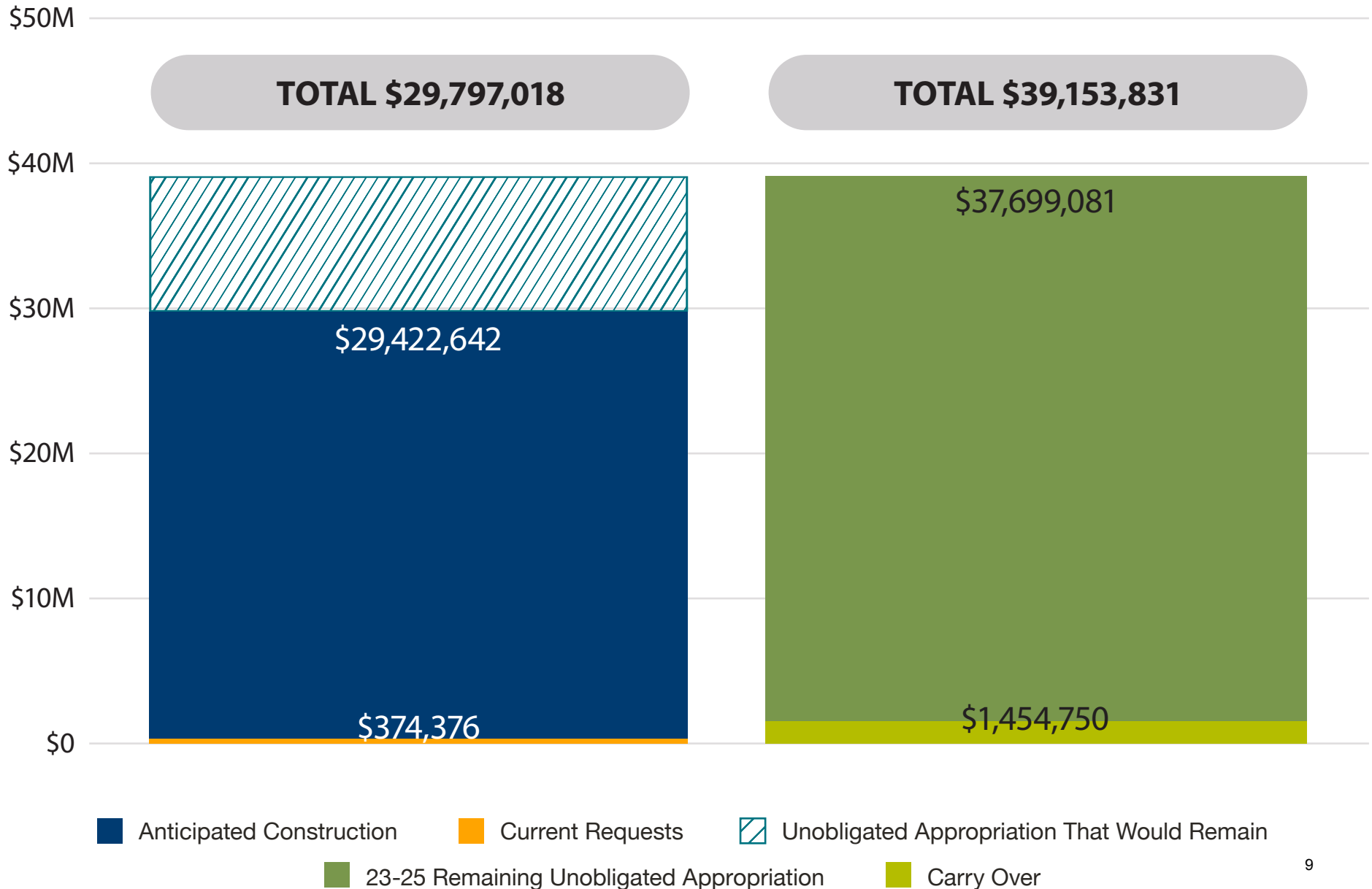
UNOBLIGATED

\*Capital Assets bucket includes \$100M line of credit.

# 2023-25 PURPOSE FUNDING

JULY 2023-JULY 2024

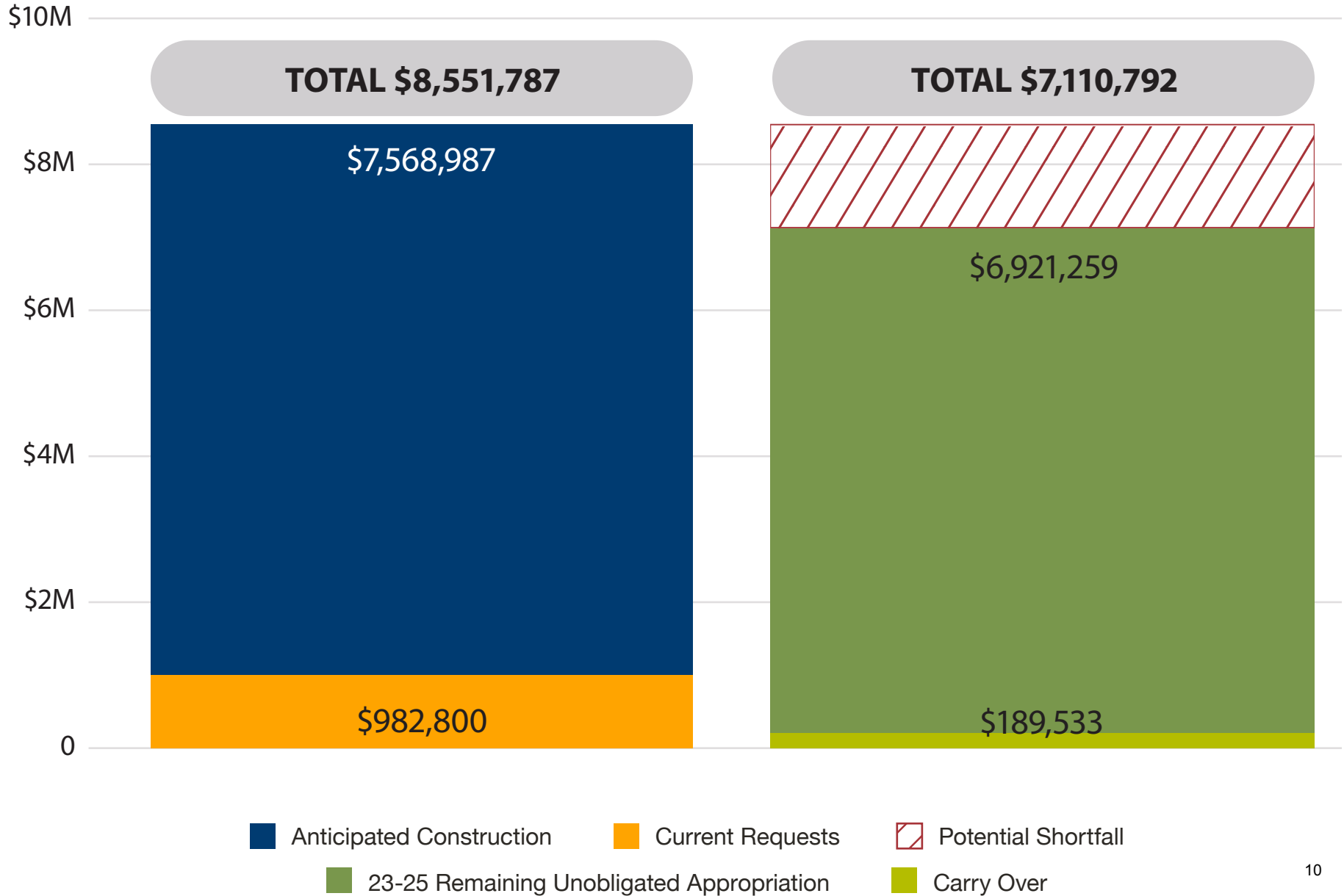
## FLOOD CONTROL



# 2023-25 PURPOSE FUNDING

JULY 2023-JULY 2024

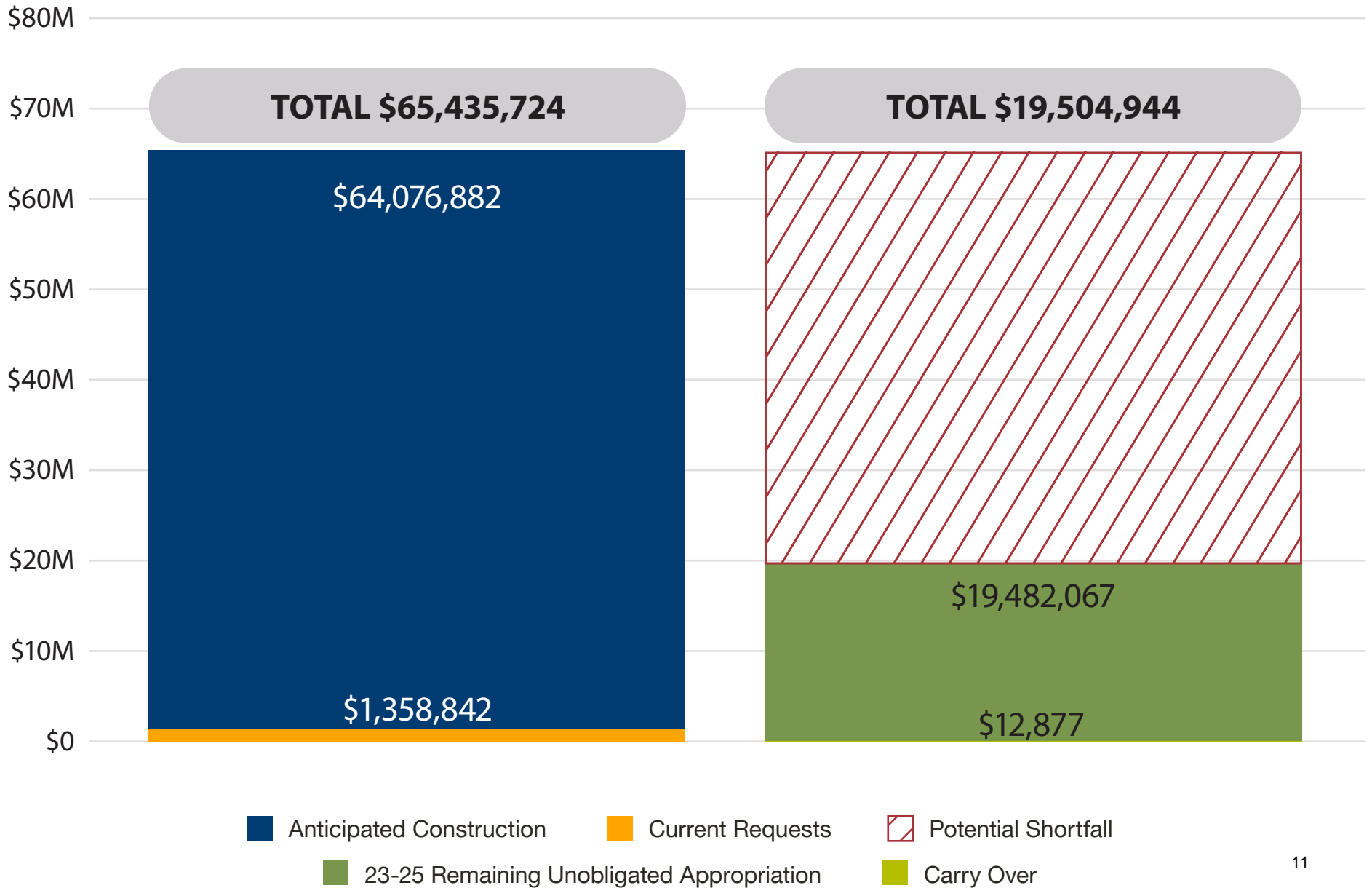
## GENERAL WATER



# 2023-25 PURPOSE FUNDING

JULY 2023-JULY 2024

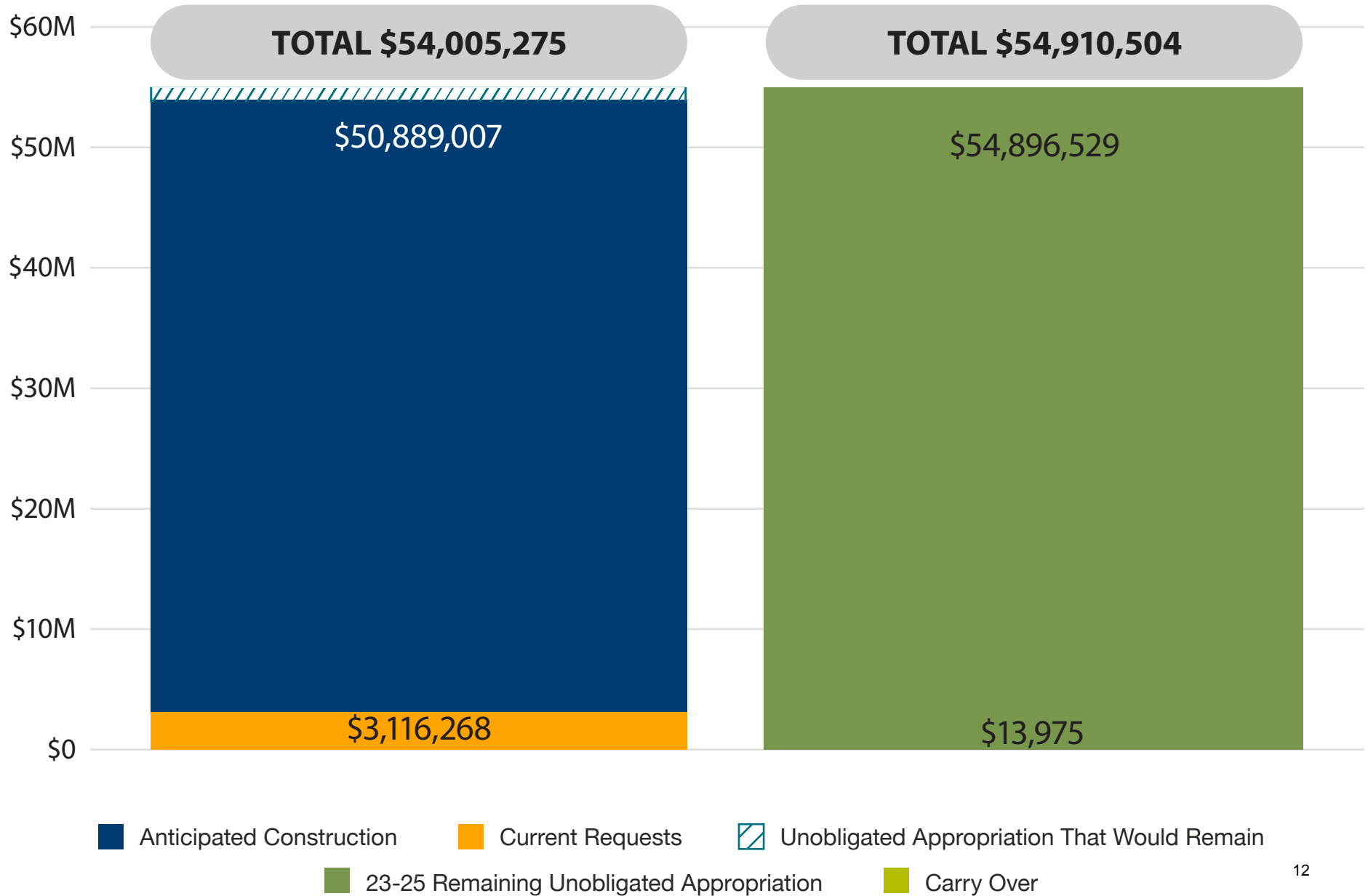
## RURAL WATER



# 2023-25 PURPOSE FUNDING

JULY 2023-JULY 2024

## WATER SUPPLY





**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for August 8, 2024**

<b>2023-2025 Unobligated Appropriation 07-31-24</b>	<b>Carryover Turnback 06-30-23</b>
---	--

		Unobligated Appropriation	\$ 37,699,081	\$ 1,454,750
		<b>Cost-Share</b>		
Pre/Construction	1	Grand Forks County WRD: Drain 4 Reconstruction & Expansion	\$	270,000
Construction	2	City of Lisbon: Rose Street Property Acquisition	\$	104,376
		<b>Current Requests</b>	\$ -	\$ 374,376
		Estimated Unobligated Appropriation =	\$ 37,699,081	\$ 1,080,374

		Unobligated Appropriation	\$ 6,921,259	\$ 189,533
		<b>Cost-Share</b>		
Pre/Construction	1	Barnes County WRD: Clausen Springs Dam Safety Evaluation	\$	150,000
Pre/Construction	2	Walsh County WRD: Walsh Co Dam Safety Evaluation		\$ 182,800
Cost Increase	3	DWR: USGS Collaboration FFA Tasks 2-4	\$	650,000
		<b>Current Requests</b>	\$ 800,000	\$ 182,800
		Estimated Unobligated Appropriation =	\$ 6,121,259	\$ 6,733

		Unobligated Appropriation	\$ 54,896,529	\$ 13,975
		<b>Cost-Share</b>		
Cost Increase	1	City of Aneta: Water and Sewer Improvements 2023	\$	289,004
Cost Increase	2	City of Mandan: Water Treatment Plant Phase 3 Optimization	\$	123,000
Cost Increase	3	City of New Town: Improvements - Phase 1	\$	492,330
Other	4	GDCD: Red River Valley Water Supply Project 23-25	\$	-
Pre/Construction	5	WAWSA: NWRWD Trenton Area Expansion	\$	747,000
Construction	6	City of Mandan: Collins Reservoir Replacement	\$	1,464,934
		<b>Current Requests</b>	\$ 3,116,268	\$ -
		Estimated Unobligated Appropriation =	\$ 51,780,261	\$ 13,975

		Unobligated Appropriation	\$ 19,492,067	\$ 12,877
		<b>Cost-Share</b>		
Construction	1	McLean Sheridan RWD: Water Treatment Plant Expansion Phase 3	\$	983,092
Cost Increase	2	Greater Ramsey WD: 2024 User Expansion	\$	375,750
		<b>Current Requests</b>	\$ 1,358,842	\$ -
		Estimated Unobligated Appropriation =	\$ 18,133,225	\$ 12,877

		Unobligated Appropriation	\$ 8,768,861	\$ 3,506,441
		<b>Cost-Share</b>		
	1			
		<b>Current Requests</b>	\$ -	\$ -
		Estimated Unobligated Appropriation =	\$ 8,768,861	\$ 3,506,441

**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for August 8, 2024**

<b>2023-2025 Unobligated Appropriation 07-31-24</b>	<b>Carryover Turnback 06-30-23</b>
---	--

<b>Capital Assets</b>		Unobligated Appropriation	\$ 260,700,000	\$ 4,171,797
<b>SWPP</b>		<b>Cost-Share</b>		
1				
2				
		<b>Current Requests</b>	\$ -	
<b>NAWS</b>				
1				
2				
		<b>Current Requests</b>	\$ -	
		<b>Capital Assets Current Requests</b>	\$ -	
		Less line of credit	\$ 100,000,000	
		Anticipated Unobligated Appropriation Capital Assets =	\$ 160,700,000	

2023-2025 Unobligated Appropriation for Purpose and Capital Assets	\$ 388,477,797	\$ 9,349,374
<b>Current Requests</b>	\$ 5,275,110	\$ 557,176
2023-2025 Anticipated Unobligated Appropriation =	\$ 383,202,687	

**DEPARTMENT OF WATER RESOURCES  
PROJECT SUMMARY  
2023-2025 BIENNIUM**

July 22, 2024

	2021-2023 CARRYOVER	2023-2025 APPROPRIATION	TOTAL	SWC/Secretary APPROVED	UNOBLIGATED APPROPRIATION
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>					
MUNICIPAL WATER SUPPLY	53,007,838	73,486,766	126,494,604	126,494,604	0
RED RIVER VALLEY	38,269,022	180,000,000	218,269,022	218,269,022	0
OTHER REGIONAL WATER SUPPLY	27,300,734	7,816,705	35,117,439	35,117,439	0
UNOBLIGATED MUNICIPAL/REG WATER SUPPLY	13,975	54,896,529	54,910,504		54,910,504
Total	118,591,570	316,200,000	434,791,570	379,881,065	54,910,504
% OBLIGATED		83%			
<b>RURAL WATER SUPPLY:</b>					
RURAL WATER SUPPLY	55,311,784	32,507,933	87,819,717	87,819,717	0
UNOBLIGATED RURAL WATER SUPPLY	12,877	19,492,067	19,504,944		19,504,944
Total	55,324,661	52,000,000	107,324,661	87,819,717	19,504,944
% OBLIGATED		1			
<b>FLOOD CONTROL:</b>					
FARGO	0	0	0	0	0
MOUSE RIVER	9,425,991	66,350,000	75,775,991	75,775,991	0
MOUSE RIVER HB1431 BOND PROCEEDS	64,354,625	0	64,354,625	64,354,625	0
VALLEY CITY	10,072,490	0	10,072,490	10,072,490	0
LISBON	62,489	0	62,489	62,489	0
OTHER FLOOD CONTROL	8,696,481	1,577,022	10,273,503	10,273,503	0
PROPERTY ACQUISITIONS	57,573	9,750,000	9,807,573	9,807,573	0
WATER CONVEYANCE	9,697,257	323,897	10,021,154	10,021,154	0
UNOBLIGATED FLOOD CONTROL	1,454,750	37,699,081	39,153,831		39,153,831
Total	103,821,656	115,700,000	219,521,656	180,367,825	39,153,831
% OBLIGATED		2			
<b>GENERAL WATER:</b>					
GENERAL WATER	11,441,312	3,328,741	14,770,053	14,770,053	0
UNOBLIGATED GENERAL WATER	189,533	6,921,259	7,110,792		7,110,792
Total	11,630,845	10,250,000	21,880,845	14,770,053	7,110,792
% OBLIGATED		0			
<b>SUBTOTAL</b>	<b>289,368,732</b>	<b>494,150,000</b>	<b>783,518,732</b>	<b>662,838,660</b>	<b>120,680,071</b>
<b>CAPITAL ASSETS:</b>					
SWPP CAPITAL ASSETS	19,928,592	0	19,928,592	19,928,592	0
NAWS CAPITAL ASSETS	36,181,771	10,700,000	46,881,771	46,881,771	0
UNOBLIGATED CAPITAL ASSETS	4,171,797	260,700,000	264,871,797		264,871,797
Total	60,282,160	271,400,000	331,682,160	66,810,363	264,871,797
% OBLIGATED		4%			
<b>DISCRETIONARY FUNDING:</b>					
DISCRETIONARY FUNDING PROJECTS	2,096,564	231,139	2,327,703	2,327,703	0
UNOBLIGATED DISCRETIONARY FUNDS	3,506,441	8,768,861	12,275,302		12,275,302
Total	5,603,005	9,000,000	14,603,005	2,327,703	12,275,302
% OBLIGATED		3%			
<b>BASINWIDE PLAN IMPLEMENTATION:</b>					
BASINWIDE PLAN IMPLEMENTATION	773,787	0	773,787	773,787	0
UNOBLIGATED BASINWIDE PLAN IMPLEMENTATION FUNDS	0	0	0		0
Total	773,787	0	773,787	773,787	0
% OBLIGATED		0%			
<b>STATE FISCAL RECOVERY FUND:</b>					
STATE FISCAL RECOVERY FUNDS - SB 2345	10,972,317	0	10,972,317	10,972,317	0
UNOBLIGATED STATE FISCAL RECOVERY FUNDS	0	0	0.00		0
Total	10,972,317	0	10,972,317	10,972,317	0
% OBLIGATED		0%			
<b>TOTAL</b>	<b>367,000,000</b>	<b>774,550,000</b>	<b>1,141,550,001</b>	<b>743,722,830</b>	<b>397,827,170</b>

**DEPARTMENT OF WATER RESOURCES  
PROJECT SUMMARY  
2023-2025 BIENNIUM**

*Jul-24*

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>			
MUNICIPAL WATER SUPPLY	126,494,604	30,125,711	96,368,893
RED RIVER VALLEY	218,269,022	37,427,386	180,841,636
OTHER REGIONAL WATER SUPPLY	35,117,439	10,685,294	24,432,145
<b>TOTAL</b>	<b>379,881,065</b>	<b>78,238,391</b>	<b>301,642,674</b>
<b>RURAL WATER SUPPLY:</b>			
RURAL WATER SUPPLY	87,819,717	30,153,143	57,666,574
<b>FLOOD CONTROL:</b>			
FARGO	0	0	0
MOUSE RIVER	75,775,991	2,701,763	73,074,229
MOUSE RIVER HB1431	64,354,625	23,533,731	40,820,894
VALLEY CITY	10,072,490	132,461	9,940,029
LISBON	62,489	4,500	57,989
OTHER FLOOD CONTROL	10,273,503	1,871,300	8,402,202
PROPERTY ACQUISITIONS	9,807,573	57,573	9,750,000
WATER CONVEYANCE	10,021,154	3,879,417	6,141,737
<b>TOTAL</b>	<b>180,367,825</b>	<b>32,180,745</b>	<b>148,187,080</b>
<b>GENERAL WATER:</b>			
GENERAL WATER	14,770,053	2,882,961	11,887,092
<b>SUBTOTAL</b>	<b>662,838,660</b>	<b>143,455,240</b>	<b>519,383,421</b>
<b>CAPITAL ASSETS:</b>			
SWPP CAPITAL ASSETS	19,928,592	5,476,635	14,451,957
NAWS CAPITAL ASSETS	46,881,771	8,450,673	38,431,098
<b>TOTAL</b>	<b>66,810,363</b>	<b>13,927,308</b>	<b>52,883,055</b>
<b>DISCRETIONARY FUNDING:</b>			
DISCRETIONARY FUNDING PROJECTS	2,327,703	34,300	2,293,403
<b>BASINWIDE PLAN IMPLEMENTATION:</b>			
BASINWIDE PLAN IMPLEMENTATION	773,787	199,383	574,404
<b>STATE FISCAL RECOVERY FUNDS SB2345</b>			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	5,843,901	5,128,416
<b>TOTALS</b>	<b>743,722,830</b>	<b>163,460,132</b>	<b>580,262,698</b>

## 2025 Commission and Pre-Commission Meeting Dates with Deadlines

### Thursday, February 13, Commission Meeting - 1:00 pm - BND, #238 Lewis and Clark Room

Monday, December 30:	Projects due to DWR staff for February Commission meeting
Tuesday, January 14:	Material due by noon to Shana for Pre-Commission meeting
Friday, January 17:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, January 23:	Pre-Commission meeting, via phone/BND #238 Lewis and Clark Room, 1:00-5:00 p
Thursday, January 30:	Final memos/material to Andrea for review and approval
Thursday, February 6:	Send final agenda and Commission meeting material to Commissioners

### Thursday, April 10, Commission Meeting - 1:00 pm - BND, #238 Lewis and Clark Room

Monday, February 24:	Projects due to DWR staff for April Commission meeting
Wednesday, March 12:	Material due by noon to Shana for Pre-Commission meeting
Monday, March 17:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, March 20:	Pre-Commission meeting, via phone/#238 Lewis and Clark Room, 1:00-5:00 p.m.
Thursday, March 27:	Final memos/material to Andrea for review and approval
Thursday, April 3:	Send final agenda and Commission meeting material to Commissioners

### Thursday, June 12, Commission Meeting - 1:00 pm - BND, #238 Lewis and Clark Room

Monday, April 28:	Projects due to DWR staff for June Commission meeting
Wednesday, May 14:	Material due by noon to Shana for Pre-Commission meeting
Monday, May 19:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, May 22:	Pre-Commission meeting, via phone/#238 Lewis and Clark Room, 1:00-5:00 p.m.
Thursday, May 29:	Final memos/material to Andrea for review and approval
Thursday, June 5:	Send final agenda and Commission meeting material to Commissioners

### Thursday, August 14, Commission Meeting - 1:00 pm - BND, #238 Lewis and Clark Room

Monday, June 30:	Projects due to DWR staff for August Commission meeting
Wednesday, July 16:	Material due by noon to Shana for Pre-Commission meeting
Monday, July 21:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, July 24:	Pre-Commission meeting, via phone/#238 Lewis and Clark Room, 1:00-5:00 p.m.
Thursday, July 31:	Final memos/material to Andrea for review and approval
Thursday, August 7:	Send final agenda and Commission meeting material to Commissioners

### Thursday, October 9, Commission Meeting - 1:00 pm - BND, #238 Lewis and Clark Room

Monday, August 25:	Projects due to DWR staff for October Commission meeting
Wednesday, September 10:	Material due by noon to Shana for Pre-Commission meeting
Monday, September 15:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, September 18:	Pre-Commission meetings, via phone/#238 Lewis and Clark Room, 1:00-5:00 p.m.
Thursday, September 25:	Final memos/material to Andrea for review and approval
Thursday, October 2:	Send final agenda and Commission meeting material to Commissioners

### Friday, December 12, Commission Meeting - BND, #238 Lewis and Clark Room

Tuesday, October 28:	Projects due to DWR staff for December Commission meeting
Wednesday, November 12:	Material due by noon to Shana for Pre-Commission meeting
Monday, November 17:	Send Pre-Commission material to Commissioners for review prior to meeting
Thursday, November 20:	Pre-Commission meeting, via phone/#238 Lewis and Clark Room, 1:00-5:00 p.m.
Tuesday, November 25:	Final memos/material to Andrea for review and approval
Friday, December 5:	Send final agenda and Commission meeting material to Commissioners

**MINUTES****North Dakota State Water Commission  
Pre-Commission Meeting  
September 12, 2024**

The North Dakota State Water Commission (Commission or SWC) held a Pre-Commission meeting via Teams and in-person on September 12, 2024. The meeting was called to order at 1:00 PM and the Pledge of Allegiance was recited.

**COMMITTEE MEMBERS PRESENT:**

Michael Anderson, Lower Red River Basin (online)  
 Jeff Frith, Devils Lake Basin (online)  
 James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins (online)  
 Connie Ova, James River Basin (online)  
 Jay Volk, Lower Missouri River Basin (online)  
 April Walker, Upper Red River Basin (online)

**COMMITTEE MEMBERS ABSENT:**

Gene Veeder, Upper Missouri River Basin  
 Jason Zimmerman, Mouse River Basin

**OTHERS PRESENT:**

Dr. Andrea Travnicek, Ph.D., Director ND Department of Water Resources (DWR) (online)  
 John Paczkowski, DWR State Engineer, Acting Commission Secretary  
 Pat Fridgen, DWR Planning and Education Division Director  
 DWR staff  
 Approximately 46 members of the public present online.

**Commission Secretary Update**

Dr. Andrea Travnicek, DWR Director, stated she and several other DWR staff were attending the interim Water Topics Overview Committee meeting in Fargo. This will be the final meeting before the next legislative session starts. Travnicek stated the agency is wrapping up the budget proposal for the Governor that is due next week. She added the agency is busy on all fronts and they have been attending a lot of meetings in the field and having more discussions on economic development projects.

**Southwest Pipeline Project (SWPP)****Historical Cost and Capital Repayment Information**

Director Travnicek and Justin Froseth, SWPP Project Manager, went over the overview memo that lays out the history of the SWPP noting SWPP remains a critical regional water supply project to the southwest region of the state. As the project reaches substantial completion, consideration should be given to identifying appropriate Capital Repayment for SWPP, defining “perpetuity”, identifying if a cost share is appropriate, determining appropriate cost per equivalent service unit (ESU) with rationale for changes, and if the change in project’s ownership is appropriate. Travnicek suggested a working group that consists of various stakeholders may need to be set up in the near future to identify recommendations for the different aspects of the project.

**Feasibility Criteria – Capital Repayment Adjustment for Maximum Cost per ESU Increase**

Director Travnicek discussed the feasibility criteria and the capital repayment adjustment for maximum cost per ESU increase. Travnicek stated as they are looking to move forward with different parts of the project, they are trying to figure out what the capital repayment is and if

there should be any adjustments to the ESU. Froseth added the feasibility criteria for SWPP includes two parameters: sign up percentage and the maximum cost per ESU. Because construction inflation has been significantly outpacing general inflation, the existing feasibility criteria's maximum cost per ESU, calculated using December 2023 CPI, at \$54,240 would provide for installation of less than one-fourth (1/4) of a mile of service line. Historically, the maximum cost per ESU has allowed extension of rural service at one (1) to two (2) miles per ESU. The Southwest Authority (SWA) Board made several motions at their last meeting to include an increase in maximum cost per ESU and assess the capital repayment to all rural customers. A recommendation will be brought forward to the October SWC meeting.

The SWPP's feasibility criteria has a guideline that states that "transmission and storage facilities will not be included in the determination of cost for a single ESU." Transmission facilities need a definition at this time as questions have arisen, such as if the exclusion includes pipeline that serves a town or pipelines of upstream reservoirs. Froseth asked for the Commission's feedback on the definition of pipelines in the transmission facilities to be included in the guidance for the SWPP's feasibility criteria.

### **Intake Additional Allocation from Basin Electric Power Cooperative (BEPC)**

Director Travnicek stated the existing intake for the SWPP is a shared intake with BEPC. A 1986 water supply agreement between the State of North Dakota and BEPC provides 10,600 gallon per minute (gpm) capacity from BEPC's intake to the SWPP. DWR and BEPC have a verbal agreement on the commercial terms for BEPC to provide an additional 3,000 gpm capacity to SWPP by upgrading the existing 100 HP pump inside the BEPC intake building with a 200 HP pump and upgrading the existing 300 HP pump inside the SWPP's intake building with a 600 HP pump. An amendment to the 1986 water supply agreement is under development and is expected to be brought forward for commission approval at the October SWC meeting.

### **West Zone Preliminary Design Update**

Froseth updated the commission on the West Zone preliminary design. He stated at the August SWC meeting they were tasked with bringing forward three (3) preliminary designs: the base design, the base plus 25-percent, and a design including the next pipe size to increase flow. He stated the engineers have started looking at numbers and costs associated with the preliminary designs, and the second and third preliminary designs do look like they will add significant costs. Froseth stated there will be more to update at the October SWC meeting.

### **Cost-Share Policy and WebGrants Certification**

Pat Fridgen, Division Director of Planning and Education, discussed the options related to expectations and consequences concerning potential violations related to the cost-share program and options for the WebGrants certifications. Staff came up with language related to the WebGrants certification to include it is an offense to intentionally falsify statements as part of the cost-share program process per N.D.C.C. 12.1-11-02. Potential policy modifications would include adding a new section in section one (1) for violations that states if applicants or their representatives intentionally provide false statements or information, they would be disqualified from seeking funding through the cost-share program for 24 months, and those that have already received cost-share funding would have their remaining funding revoked and must pay back the state the previous payments. Fridgen questioned if the consequence should be specific to the consultant or the consultant's firm. Other potential policy modifications were to include a cover letter acknowledging the cost-share request for both preconstruction and construction applications must be signed by a representative of the sponsoring entity, and the addition of a standard operating procedure related to professional ethics violation. Staff and commission

members will evaluate reporting requirements to professional boards and notify those boards if required.

### **Northwest Area Water Supply (NAWS)**

Travis Johnson, NAWS Project Manager, gave a quick update on the contract for Pressurization of the Main Transmission Line. Johnson stated one (1) bid was submitted for the August 21<sup>st</sup> bid letting, and it came in 385-percent over the engineer's estimate. The bid has been rejected due to excessive costs and lack of competitive bids. They are now looking into a more simplified scope.

Johnson also updated the commission on the contract for Pressure Reducing Station and Isolation Vault Improvements. This project consists of the construction of new electrical duct bank and equipment pads, construction of new instrumentation, control, and electrical work at the pressure reducing station and three (3) isolation valve vaults, including valve actuators, unit heaters, dehumidifiers, sump pumps, and other miscellaneous and incidental items. Johnson stated the bid opening is September 19<sup>th</sup> and a recommendation to award will be brought to the October SWC meeting.

NAWS 2025 water rates are still under review. From 2023 to 2024 the rates increased 15-percent for the supply and treatment and 18-percent overall. Houston Engineering is currently reviewing the REM rates, and the City of Minot sees the rates trending much higher for 2025 than the revenues being generated.

### **Four-Year Progress Reports—Requests for Project Extension**

Abigail Franklund, DWR Cost-Share Program Manager, and Julie Prescott, DWR Engineer Manager, discussed the Four-Year Progress updates to be submitted to the SWC as required by the North Dakota Century Code (NDCC). The following have opted to give progress reports and request extensions:

- **Bottineau County Water Resource District: McHenry Laterals A and B**  
Total Cost-Share \$362,492                      Unused Balance \$125,347.75
- **Red River Joint Water Resource District: Lower Red River Basin Regional Detention Study**  
Total Cost-Share \$77,905                      Unused Balance \$31,327.44
- **Sargent County Water Resource District: Shortfoot Creek Watershed Planning Program**  
Total Cost-Share \$154,000                      Unused Balance \$6,209.06
- **City of Killdeer: Killdeer HWBL Water Expansion**  
Total Cost-Share \$75,000                      Unused Balance \$58,800

### **General Water Projects**

Franklund presented the following general water projects that will be presented at the October Commission meeting:

- **Maple River Water Resource District: Maple River Low Head Dam - \$178,875**  
The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. There were no questions.
- **Southeast Cass Water Resource District: Wild Rice River Low Head Dam - \$209,625**



The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. There were no questions.

- **McLean County Water Resource District: Katz Dam Improvement Project - \$136,466**

The project sponsor requested a cost-share at 75 percent reimbursement for construction costs. There were no questions.

- **Ward County Water Resource District: Ward County Low Head Dams Construction - \$1,102,814**

The project sponsor requested a cost-share at 75 percent reimbursement for construction costs. There were no questions.

### **Water Supply**

Prescott presented the following municipal, regional, and rural water supply projects that will be presented at the October Commission meeting. Several projects are to let construction bids before the October meeting and the cost-share amounts may need adjustments.

- **City of Jamestown: 2025 Water Main Replacement - \$168,000**

The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. There were no questions.

- **City of Mandan: 2025 Street Rehabilitation - \$216,974**

The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. There were no questions.

- **City of Colfax: Supply Treated Water Transmission Line - \$368,813**

The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. There were no questions.

- **City of Minot: University Avenue Water Main Replacement - \$1,827,757**

The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. There were no questions.

- **City of Minot: Westfield Water Main Replacement - \$2,341,417**

The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. There were no questions.

- **Southeast Water Users District: West WTP Improvements - \$1,654,484**

The project sponsor requested a cost-share at 75 percent reimbursement for construction costs. There were no questions.

There being no further items of discussion, the meeting adjourned at 2:14 PM.

Respectfully submitted,

---

Shana L. Brost, Executive Assistant

**TO:** Governor Doug Burgum & North Dakota Water Commission Members  
**FROM:** Andrea Travnicek Ph.D., Director-Secretary  
**SUBJECT:** Financial Updates  
**DATE:** October 10, 2024



**Glossary**

The updated glossary of terms is attached on pages 2-3.

**2023–2025 Resources Trust Fund**

Oil extraction tax deposits total \$296,209,129 estimated through September 2024 for the 2023-25 biennium. This is \$22,334,692 over the projected biennium revenue of \$273,874,437 through September 2024. Pages 4-5 of your packet have line charts showing the deposits into the Resources Trust Fund month by month and cumulative to date and how they track with the projection. Page 6 of your packet has a breakdown of our monthly deposits with the net revenue projection of \$449,859,211 for the biennium. The last column in blue shows the cumulative amount over projection that will be transferred to the Water Projects Stabilization Fund in accordance with Senate Bill 2020. Transfers from the Resources Trust Fund to the Water Projects Stabilization Fund total \$22,334,692 through September 2024.

Page 7 is a flowchart that shows 20.5% of the Oil Extraction Tax that goes into the Resources Trust.

**2023-2025 Purpose Funding Summary**

Page 8 is the bucket report showing appropriations versus approvals for the purpose funding line. The navy blue shows the appropriation amounts and the light blue shows how much has been approved of that amount.

Page 9-11 has charts that shows the 2023-2025 purpose funding. It shows the funding available in comparison to the August 2024 requests identified on pages 12-13.

**Project Summary Reports**

The September 2024 project summary report is attached on page 14. Page 14 shows carryover in yellow, new appropriations in blue, and the total appropriation in red. The unobligated appropriation is shown in pink for all funding sources.

Page 15 shows the 2023-2025 expenditures and unpaid approvals as of September 18, 2024. The blue shows the total approved which ties to the blue on page 14, the teal green shows the unpaid approvals, and the lime green shows the expenditures.

## Glossary of Terms

**Allocated-**To apportion for a specific purpose. To set apart or earmark.

**Anticipated Construction Request-**Potential construction requests for prior approved and current projects.

**Appropriation-**Specifies the amount of funds to be used for a particular purpose during a period of time, normally one biennium.

**Original-**Legislative authorization to expend.

**Current-**Requesting authorization to allocate funds.

**Unobligated-** Funding available to be obligated to a project.

**Appropriation Authority-**Legislative authority in an Appropriation Act for an agency to expend funds.

**Appropriation Bill-**A bill which appropriations are given legal effect.

**Approved-**Funds approved and allocated by the State Water Commission.

**Beginning Balance-**Resource Trust Fund cash balance that carries over from the previous biennium. This information is provided by Legislative Council and includes carryover and funds not approved or allocate by the State Water Commission.

**Carryover Funds-**Approved funds unpaid during the current biennium which are transferred to the appropriation for the following biennium.

**Carryover Projects-**Projects approved but not finished by the end of the current biennium. The time is limited to 2 years after the end of the current biennium, 6/30/21, unless approved by the State Water Commission to continue past that date.

**Cash-**Resource Trust Fund money received and not allocated to a specific appropriation purpose.

**Cost Increase-**Funding needed above original cost estimate.

**De-Obligation-**Funds released from project allocation made from the current biennium appropriation.

**Expenditure-**Payment or funds spent.

**Obligation**-Funds allocated from current biennium appropriation to pay based on a contract.

**Unexpended**-Not yet spent or paid.

**Turnback**-Carryover funds released from prior biennium from a project allocation.

**Unobligated Carryover**-Previous biennium funding, not associated with a project released to the Resource Trust Fund.

**Unpaid Approval**-A commitment to an expense at a future date.

**Water Infrastructure Revolving Loan Fund (WIRLF) Eligibility**-Approval by the State Water Commission of the eligibility of projects to apply for a Water Infrastructure Revolving Loan in compliance with cost share and statutory authority. Final loan approval is by the Bank of North Dakota.

OIL EXTRACTION REVENUE  
FOR THE 2023 - 2025 BIENNIUM

MONTH / YEAR	PROJECTED				ACTUAL					
	REVENUE	ENERGY CONS. <sup>1</sup> ALLOCATION	RENEWABLE <sup>1</sup> ALLOCATION	RESOURCES TRUST FUND ALLOCATION	REVENUE	CUMULATIVE	TRANSFERS TO <sup>1</sup> ENERGY CONS.	TRANSFERS TO <sup>1</sup> RENEWABLE	RESOURCES TRUST FUND NET DEPOSIT	TRANSFERS TO <sup>2</sup> WATER PROJECTS STABILIZATION FUND
AUGUST, 2023	\$19,607,811	\$98,039	\$588,234	\$18,921,538	\$17,438,367	17,438,367	\$87,192	\$523,151	\$16,828,025	\$0
SEPTEMBER, 2023	20,261,405	101,307	607,842	19,552,256	19,897,352	37,335,720	99,487	596,921	19,200,945	0
OCTOBER, 2023	20,261,405	101,307	607,842	19,552,256	22,030,025	59,365,744	110,150	660,901	21,258,974	0
NOVEMBER, 2023	19,607,811	98,039	588,234	18,921,538	25,681,608	85,047,352	128,408	770,448	24,782,752	5,308,920
DECEMBER, 2023	20,261,405	101,307	607,842	19,552,256	24,757,068	109,804,421	123,785	448,579	24,184,704	4,495,663
JANUARY, 2024	19,607,811	98,039	6	19,509,766	24,074,426	133,878,847	120,372		23,954,054	4,466,615
FEBRUARY, 2024	20,261,405	101,307		20,160,098	19,707,741	153,586,588	98,539		19,609,202	(553,664)
MARCH, 2024	20,261,405	101,307		20,160,098	17,937,246	17,937,246	89,686		17,847,560	(2,324,159)
APRIL, 2024	18,300,624	91,503		18,209,121	19,221,776	19,221,776	96,109		19,125,667	921,152
MAY, 2024	20,261,405	101,307		20,160,098	22,520,865	22,520,865	112,604		22,408,260	2,259,460
JUNE, 2024	19,607,811	98,039		19,509,772	22,609,462	22,609,462	113,047		22,496,414	3,001,651
JULY, 2024	20,261,405	101,307		20,160,098	20,403,558	20,403,558	20,620		20,382,938	142,153
AUGUST, 2024	17,366,918	7,192		17,359,726	19,772,137	19,772,137			19,772,137	2,405,219
SEPTEMBER, 2024	17,945,816			17,945,816	20,157,498	20,157,498			20,157,498	2,211,682
OCTOBER, 2024	17,945,816			17,945,816						
NOVEMBER, 2024	17,366,918			17,366,918						
DECEMBER, 2024	17,945,816			17,945,816						
JANUARY, 2025	17,366,918			17,366,918						
FEBRUARY, 2025	17,945,816			17,945,816						
MARCH, 2025	17,945,816			17,945,816						
APRIL, 2025	16,209,124			16,209,124						
MAY, 2025	17,945,816			17,945,816						
JUNE, 2025	17,366,918			17,366,918						
JULY 2025-JUNE REVENUE	17,945,816			17,945,816						
<b>TOTALS</b>	<b>\$449,859,211</b>	<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$445,659,211</b>	<b>\$296,209,129</b>		<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$292,009,129</b>	<b>\$22,334,692</b>

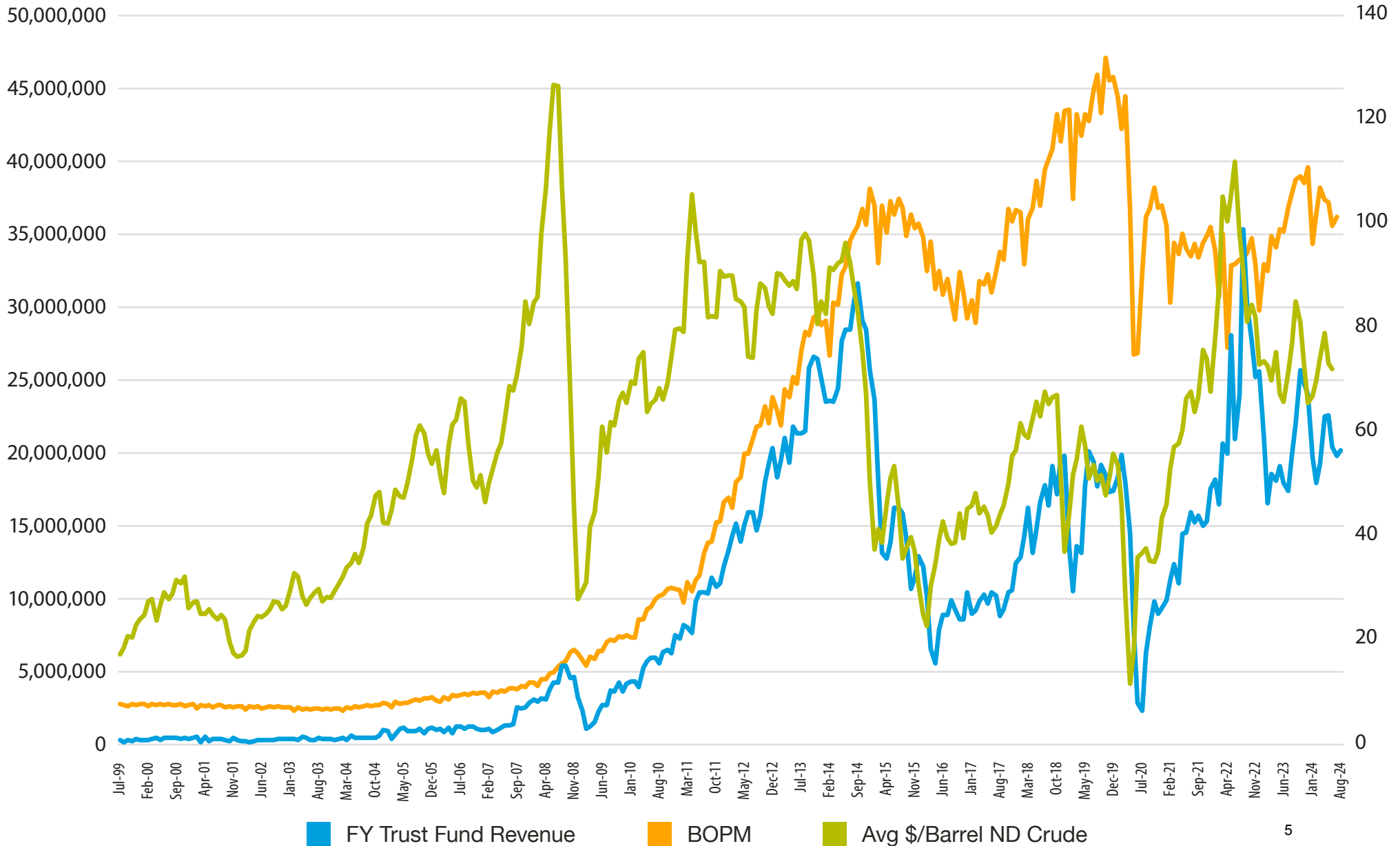
<sup>1</sup> Transfers to the renewable energy development fund and the energy conservation grant fund are established in North Dakota Century Code Section 57-51.1-07.

<sup>2</sup> Transfers to the water project stabilization fund are calculated after transfers to the renewable energy development fund and energy conservation grant fund occur

# RESOURCES TRUST FUND REVENUE

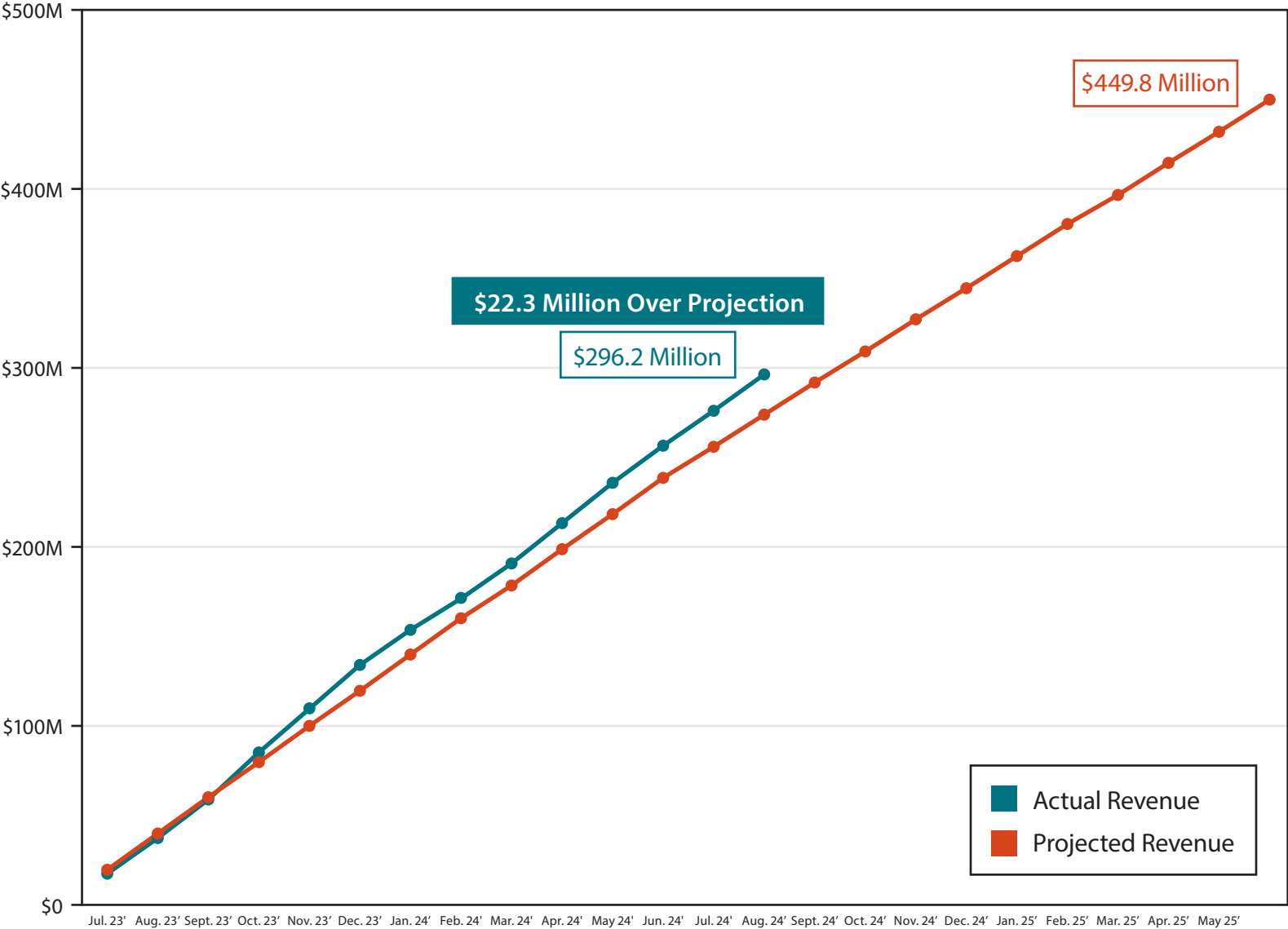
## JULY 2004-AUGUST 2024

NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE

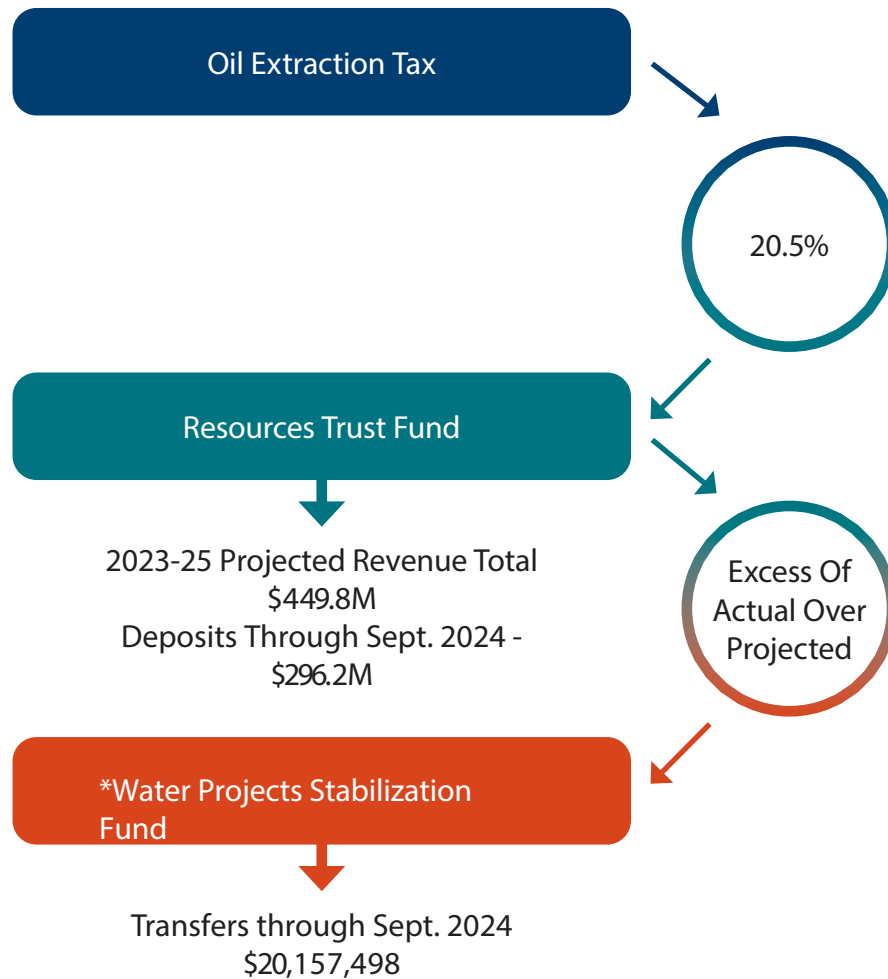


# RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | September 2024



# RESOURCES TRUST FUND REVENUE

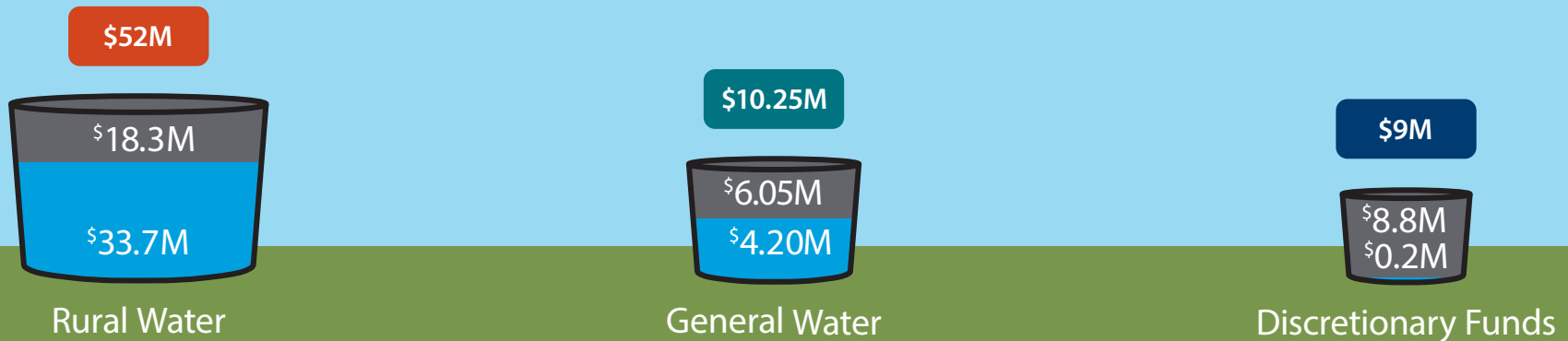
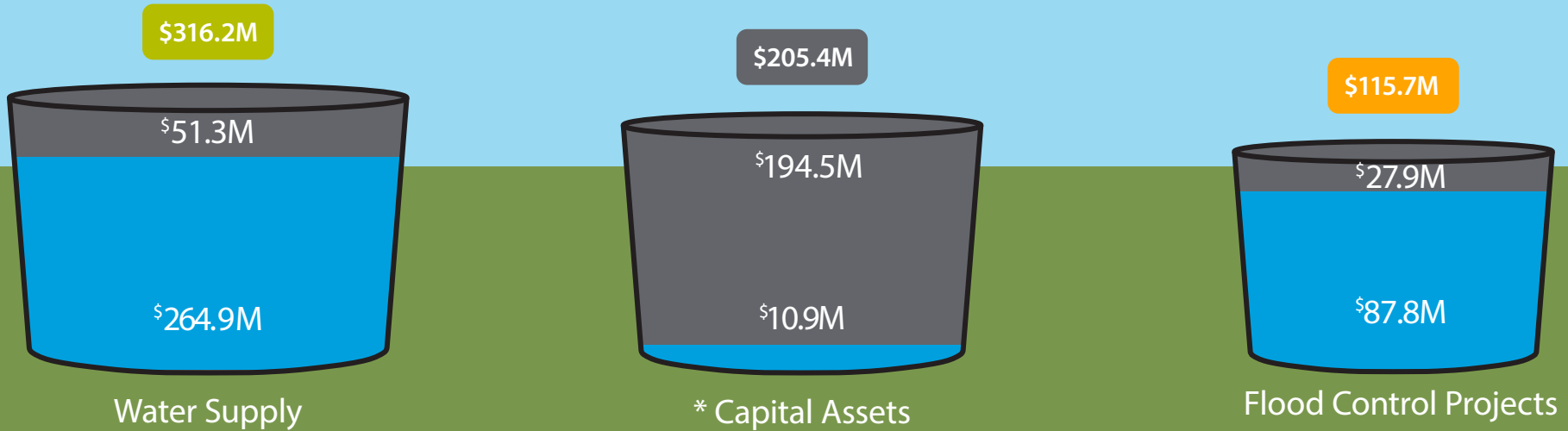


\*Authorized in Sections 5-7 of Senate Bill 2020 during the November special session.



# 2023-25 PURPOSE FUNDING

JULY 2023-SEPTEMBER 2024



APPROVED

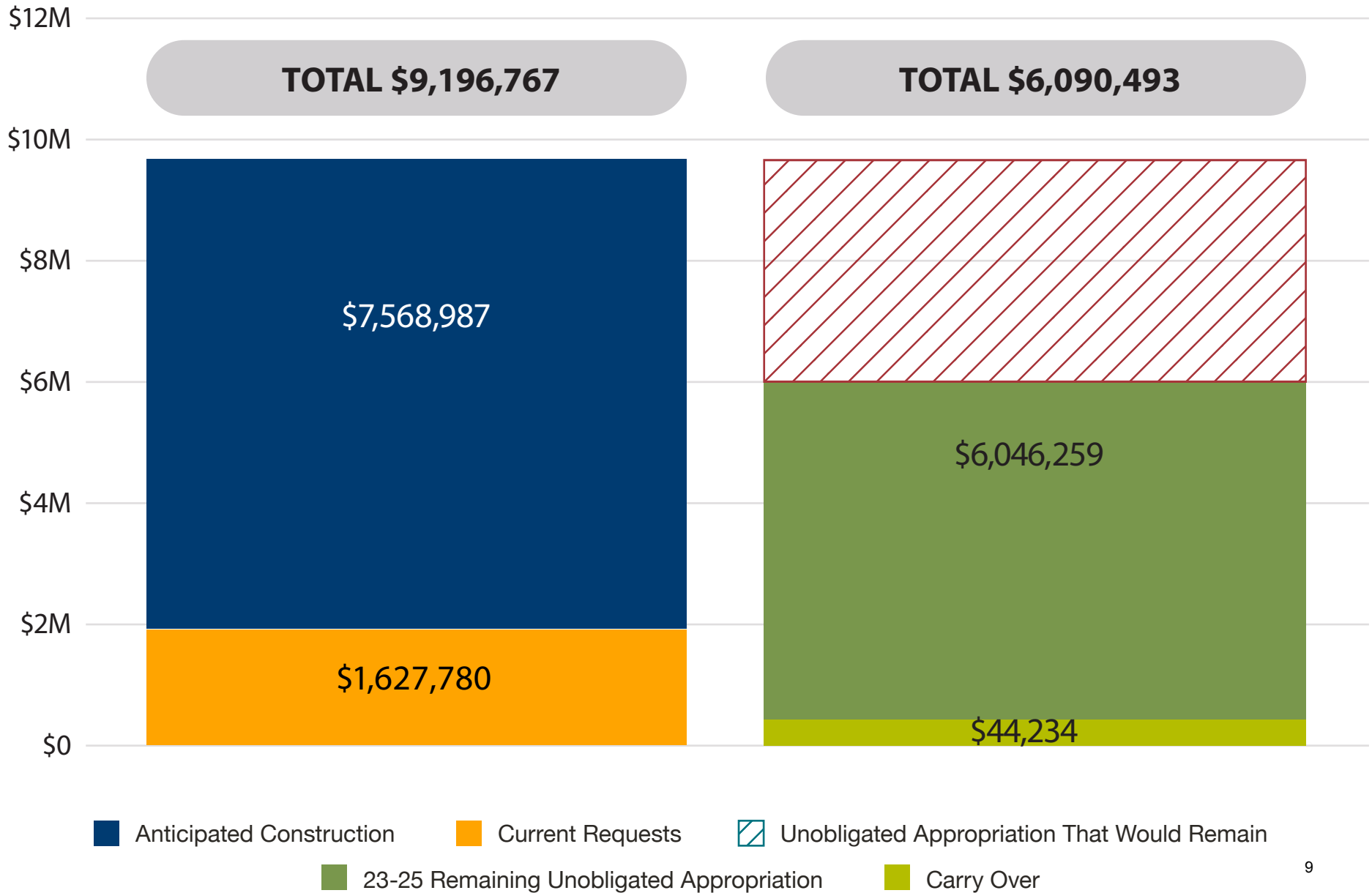
UNOBLIGATED

\*Capital Assets bucket includes \$100M line of credit.

# 2023-25 PURPOSE FUNDING

## JULY 2023-SEPTEMBER 2024

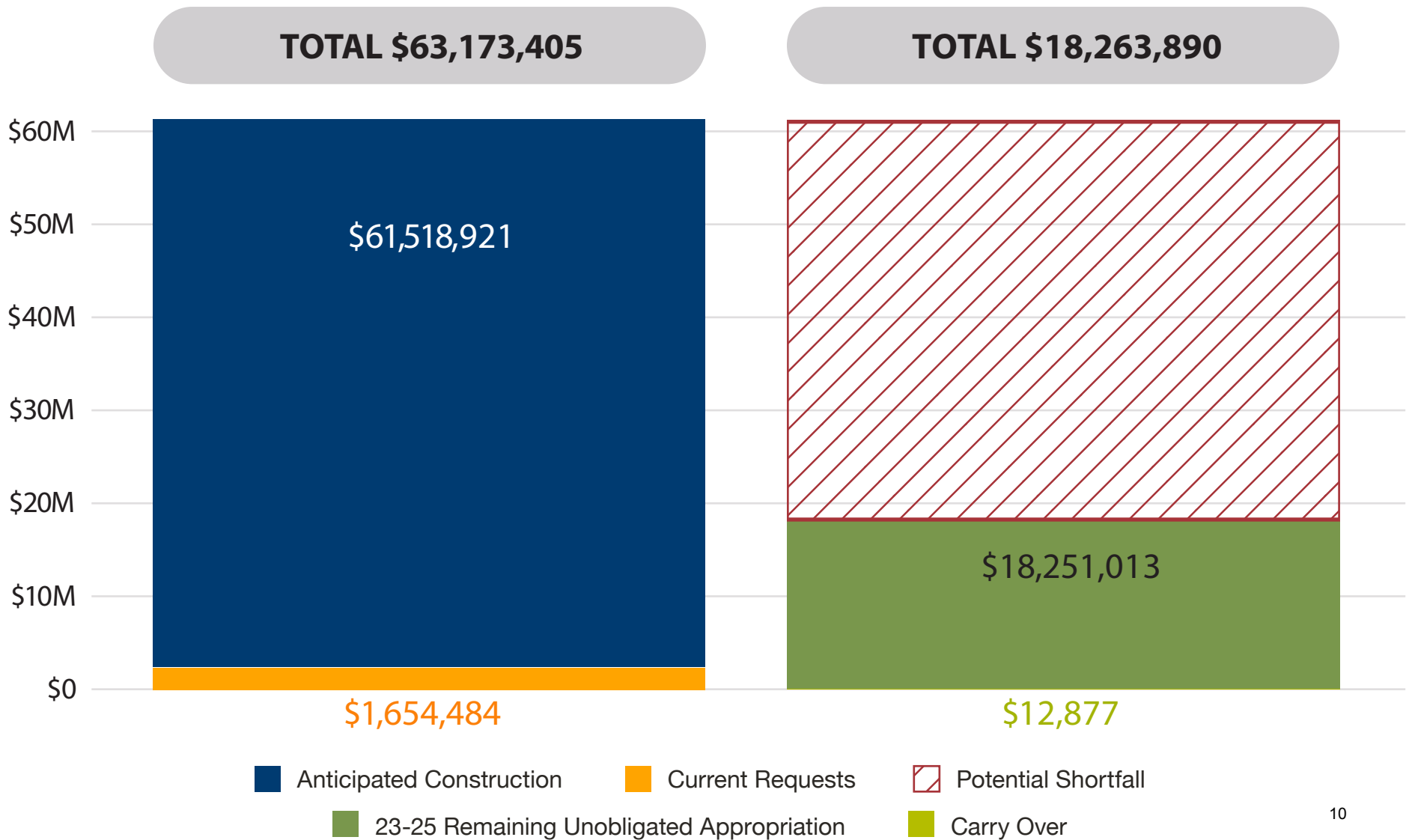
GENERAL WATER



# 2023-25 PURPOSE FUNDING

## JULY 2023-SEPTEMBER 2024

RURAL WATER



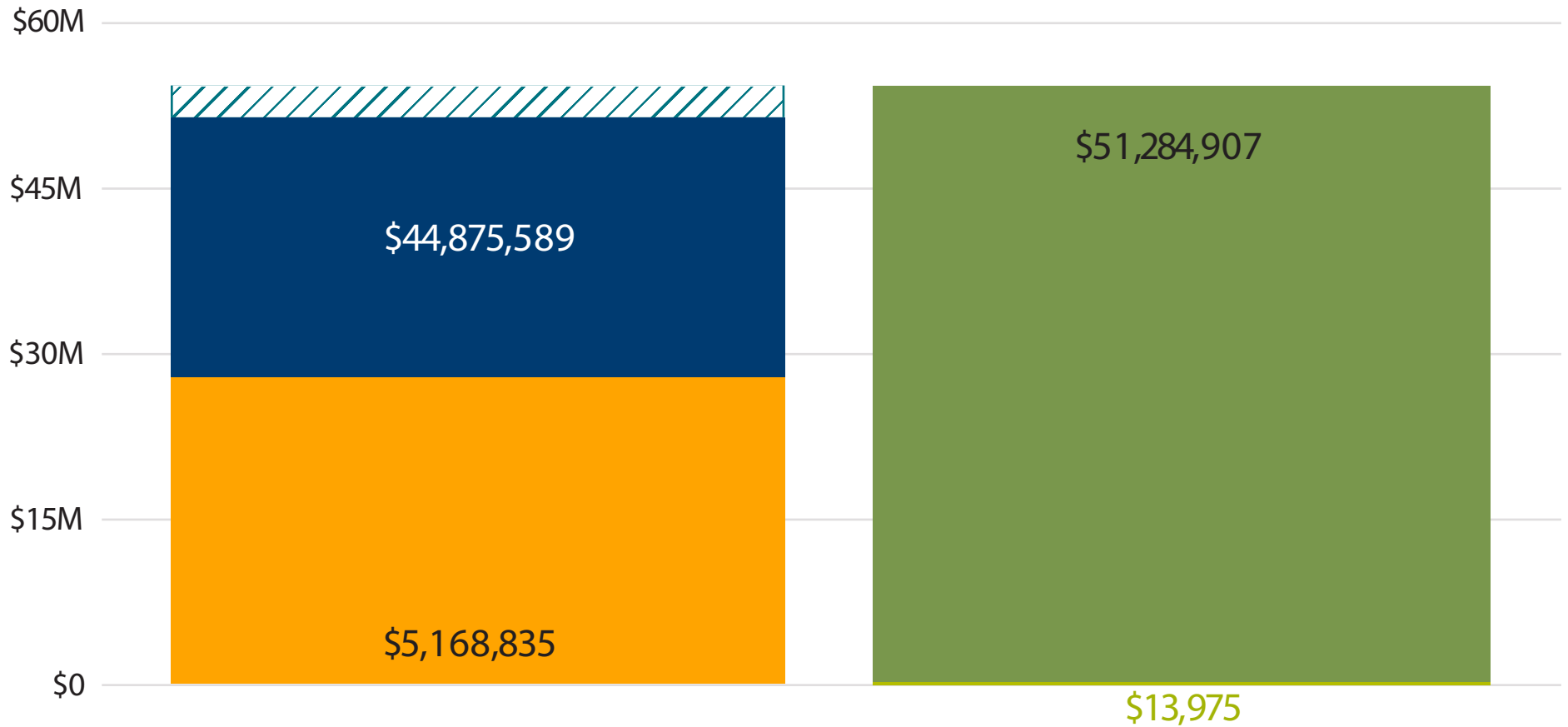
# 2023-25 PURPOSE FUNDING

## JULY 2023-SEPTEMBER 2024

### WATER SUPPLY

**TOTAL \$50,044,424**

**TOTAL \$51,298,882**



- Anticipated Construction
- Current Requests
- Unobligated Appropriation That Would Remain
- 23-25 Remaining Unobligated Appropriation
- Carry Over

**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for October 10, 2024**

<b>2023-2025 Unobligated Appropriation 09-30-24</b>	<b>Carryover Turnback 06-30-23</b>
---	--

<b>Flood Control</b>		Unobligated Appropriation	\$ 27,949,081	\$ 1,727,345
		<b>Cost-Share</b>		
1				
		<b>Current Requests</b>	\$ -	\$ -
		Estimated Unobligated Appropriation =	\$ 27,949,081	\$ 1,727,345

<b>General Water</b>		Unobligated Appropriation	\$ 6,046,259	\$ 44,234
		<b>Cost-Share</b>		
Pre/Construction	1	Maple River WRD: Maple River Low Head Dam (Dam 227)	\$ 178,875	
Pre/Construction	2	Southeast Cass WRD: Wild Rice River Low Head Dam	\$ 209,625	
Construction	3	McLean County WRD: Katz Dam Improvement Construction	\$ 136,466	
Construction	4	Ward County WRD: Ward County Low Head Dams Construction	\$ 1,102,814	
		<b>Current Requests</b>	\$ 1,627,780	\$ -
		Estimated Unobligated Appropriation =	\$ 4,418,479	\$ 44,234

<b>Water Supply</b>		Unobligated Appropriation	\$ 51,284,907	\$ 13,975
		<b>Cost-Share</b>		
Pre/Construction	1	City of Jamestown: 2025 Water Main Replacement	\$ 168,000	
Pre/Construction	2	City of Mandan: 2025 Street Rehabilitation	\$ 216,974	
Construction	3	City of Colfax: Supply Treated Water Transmission Line	\$ 614,687	
Construction	4	City of Minot: University Avenue Water Main Replacement	\$ 1,827,757	
Construction	5	City of Minot: Westfield Water Main Replacement	\$ 2,341,417	
		<b>Current Requests</b>	\$ 5,168,835	\$ -
		Estimated Unobligated Appropriation =	\$ 46,116,072	\$ 13,975

<b>Rural Water</b>		Unobligated Appropriation	\$ 18,251,013	\$ 12,877
		<b>Cost-Share</b>		
Construction	1	Southeast Water Users District: West WTP Improvements	\$ 1,654,484	
		<b>Current Requests</b>	\$ 1,654,484	\$ -
		Estimated Unobligated Appropriation =	\$ 16,596,529	\$ 12,877

<b>Discretionary</b>		Unobligated Appropriation	\$ 8,768,861	\$ 3,506,441
		<b>Cost-Share</b>		
1				
		<b>Current Requests</b>	\$ -	\$ -
		Estimated Unobligated Appropriation =	\$ 8,768,861	\$ 3,506,441

**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for October 10, 2024**

<b>2023-2025 Unobligated Appropriation 09-30-24</b>	<b>Carryover Turnback 06-30-23</b>
---	--

<b>Capital Assets</b>		Unobligated Appropriation	\$ 260,200,000	\$ 4,171,797
<b>SWPP</b>		<b>Cost-Share</b>		
1				
2				
		<b>Current Requests</b>	\$ -	
<b>NAWS</b>				
1				
2				
		<b>Current Requests</b>	\$ -	
		<b>Capital Assets Current Requests</b>	\$ -	
		Less line of credit	\$ 100,000,000	
		Anticipated Unobligated Appropriation Capital Assets =	\$ 160,200,000	

2023-2025 Unobligated Appropriation for Purpose and Capital Assets	\$ 372,500,121	\$ 9,476,670
<b>Current Requests</b>	\$ 8,451,099	\$ -
2023-2025 Anticipated Unobligated Appropriation =	\$ 364,049,022	

**DEPARTMENT OF WATER RESOURCES  
PROJECT SUMMARY  
2023-2025 BIENNIUM**

*September 23, 2024*

	2021-2023 CARRYOVER	2023-2025 APPROPRIATION	TOTAL	SWC/Secretary APPROVED	UNOBLIGATED APPROPRIATION
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>					
MUNICIPAL WATER SUPPLY	53,007,838	76,351,388	129,359,226	129,359,226	0
RED RIVER VALLEY	38,269,022	180,000,000	218,269,022	218,269,022	0
OTHER REGIONAL WATER SUPPLY	27,300,734	8,563,705	35,864,439	35,864,439	0
UNOBLIGATED MUNICIPAL/REG WATER SUPPLY	13,975	51,284,907	51,298,882		51,298,882
Total	118,591,570	316,200,000	434,791,570	383,492,687	51,298,882
% OBLIGATED		84%			
<b>RURAL WATER SUPPLY:</b>					
RURAL WATER SUPPLY	55,311,784	33,748,987	89,060,771	89,060,771	0
UNOBLIGATED RURAL WATER SUPPLY	12,877	18,251,013	18,263,890		18,263,890
Total	55,324,661	52,000,000	107,324,661	89,060,771	18,263,890
% OBLIGATED		1			
<b>FLOOD CONTROL:</b>					
FARGO	0	0	0	0	0
MOUSE RIVER	9,425,991	76,100,000	85,525,991	85,525,991	0
MOUSE RIVER HB1431 BOND PROCEEDS	64,354,625	0	64,354,625	64,354,625	0
VALLEY CITY	10,072,490	0	10,072,490	10,072,490	0
LISBON	259,160	0	259,160	259,160	0
OTHER FLOOD CONTROL	8,851,041	1,577,022	10,428,063	10,428,063	0
PROPERTY ACQUISITIONS	57,573	9,750,000	9,807,573	9,807,573	0
WATER CONVEYANCE	9,073,430	323,897	9,397,327	9,397,327	0
UNOBLIGATED FLOOD CONTROL	1,727,345	27,949,081	29,676,426		29,676,426
Total	103,821,656	115,700,000	219,521,656	189,845,230	29,676,426
% OBLIGATED		3			
<b>GENERAL WATER:</b>					
GENERAL WATER	11,586,611	4,203,741	15,790,352	15,790,352	0
UNOBLIGATED GENERAL WATER	44,234	6,046,259	6,090,493		6,090,493
Total	11,630,845	10,250,000	21,880,845	15,790,352	6,090,493
% OBLIGATED		0			
<b>SUBTOTAL</b>	<b>289,368,732</b>	<b>494,150,000</b>	<b>783,518,732</b>	<b>678,189,040</b>	<b>105,329,692</b>
<b>CAPITAL ASSETS:</b>					
SWPP CAPITAL ASSETS	19,928,592	0	19,928,592	19,928,592	0
NAWS CAPITAL ASSETS	36,181,771	10,700,000	46,881,771	46,881,771	0
DEVILS LAKE OUTLET		200,000	200,000	200,000	0
UNOBLIGATED CAPITAL ASSETS	4,171,797	260,200,000	264,371,797		264,371,797
Total	60,282,160	271,100,000	331,382,160	67,010,363	264,371,797
% OBLIGATED		4%			
<b>DISCRETIONARY FUNDING:</b>					
DISCRETIONARY FUNDING PROJECTS	2,096,564	231,139	2,327,703	2,327,703	0
UNOBLIGATED DISCRETIONARY FUNDS	3,506,441	8,768,861	12,275,302		12,275,302
Total	5,603,005	9,000,000	14,603,005	2,327,703	12,275,302
% OBLIGATED		3%			
<b>BASINWIDE PLAN IMPLEMENTATION:</b>					
BASINWIDE PLAN IMPLEMENTATION	773,787	0	773,787	773,787	0
UNOBLIGATED BASINWIDE PLAN IMPLEMENTATION FUNDS	0	0	0		0
Total	773,787	0	773,787	773,787	0
% OBLIGATED		0%			
<b>STATE FISCAL RECOVERY FUND:</b>					
STATE FISCAL RECOVERY FUNDS - SB 2345	10,972,317	0	10,972,317	10,972,317	0
UNOBLIGATED STATE FISCAL RECOVERY FUNDS	0	0	0.00		0
Total	10,972,317	0	10,972,317	10,972,317	0
% OBLIGATED		0%			
<b>TOTAL</b>	<b>367,000,000</b>	<b>774,250,000</b>	<b>1,141,250,001</b>	<b>759,273,210</b>	<b>381,976,790</b>


**DEPARTMENT OF WATER RESOURCES  
PROJECT SUMMARY  
2023-2025 BIENNIUM**

**Sep-24**

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>			
MUNICIPAL WATER SUPPLY	129,359,226	35,874,143	93,485,083
RED RIVER VALLEY	218,269,022	42,237,133	176,031,889
OTHER REGIONAL WATER SUPPLY	35,864,439	12,853,419	23,011,020
<b>TOTAL</b>	<b>383,492,687</b>	<b>90,964,694</b>	<b>292,527,993</b>
<b>RURAL WATER SUPPLY:</b>			
RURAL WATER SUPPLY	89,060,771	38,557,561	50,503,210
<b>FLOOD CONTROL:</b>			
FARGO	0	0	0
MOUSE RIVER	85,525,991	3,059,145	82,466,846
MOUSE RIVER HB1431	64,354,625	27,357,662	36,996,964
VALLEY CITY	10,072,490	157,005	9,915,485
LISBON	259,160	4,500	254,660
OTHER FLOOD CONTROL	10,428,063	2,124,948	8,303,115
PROPERTY ACQUISITIONS	9,807,573	57,573	9,750,000
WATER CONVEYANCE	9,397,327	4,287,866	5,109,461
<b>TOTAL</b>	<b>189,845,230</b>	<b>37,048,699</b>	<b>152,796,531</b>
<b>GENERAL WATER:</b>			
GENERAL WATER	15,790,352	3,627,871	12,162,481
<b>SUBTOTAL</b>	<b>678,189,040</b>	<b>170,198,826</b>	<b>507,990,214</b>
<b>CAPITAL ASSETS:</b>			
SWPP CAPITAL ASSETS	19,928,592	5,487,367	14,441,224
NAWS CAPITAL ASSETS	46,881,771	10,124,034	36,757,738
DEVILS LAKE OUTLET	200,000	27,963	172,037
<b>TOTAL</b>	<b>67,010,363</b>	<b>15,639,364</b>	<b>51,370,999</b>
<b>DISCRETIONARY FUNDING:</b>			
DISCRETIONARY FUNDING PROJECTS	2,327,703	55,300	2,272,403
<b>BASINWIDE PLAN IMPLEMENTATION:</b>			
BASINWIDE PLAN IMPLEMENTATION	773,787	223,710	550,077
<b>STATE FISCAL RECOVERY FUNDS SB2345</b>			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	7,049,196	3,923,121
<b>TOTALS</b>	<b>759,273,210</b>	<b>193,166,396</b>	<b>566,106,814</b>



**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** WebGrants Certifications & Cost-Share Program Policy Modifications  
**DATE:** September 26, 2024

**Background**

The current State Water Commission Cost-Share Program policy does not address consequences or procedures for actions considered to be violations of either policy or law. An incident in recent months that could be considered a violation brought this policy and Standard Operating Procedure (SOP) shortcoming to light, and as a result, State Water Commission members asked Department of Water Resources (DWR) team members to draft Cost-Share Program protocol to address these types of situations in the future.

As requested, DWR Cost-Share Program team members presented options at the September 12, 2024, Pre-Commission meeting. Options included modifications to WebGrants Certifications, and updates within the Commission's Cost-Share Policy, Procedure, and General Requirements – including new SOPs. Proposed program modifications and language are outlined below and are also attached.

**WebGrants Certification Language**

New WebGrants certification language is proposed with reference to NDCC 12.1-11-02 (Attached), which outlines criteria for what can be considered false statements, and related legal consequences.

It is an offense to intentionally falsify statements as part of the cost-share application process per NDCC 12.1-11-02. Therefore, I certify that, to the best of my knowledge, the provided information is true and accurate, and in execution of this project, the sponsor will follow all applicable laws and permitting requirements.

I further certify assurance of sustainable operation, maintenance, and replacement of the assets for which we are requesting cost-share.

**Cost-Share Policy, Procedure, and General Requirements Language**

Within the Commission's Cost-Share Policy, Procedure, and General Requirements, a new "Violations" section is proposed, as well as pre-construction and construction application requirements that include a signed letter from the sponsoring entity acknowledging the cost-share request. In comments received following the September 12, 2024, Pre-Commission meeting, it was suggested to also require a copy of the meeting minutes of the sponsoring entity verifying the sponsor's intention to apply.

SOP language is also proposed for DWR team members and Water Commission members who have professional certifications and ethics violation reporting requirements. In addition, an SOP is proposed to allow for referrals to the State's Attorney when perceived violations warrant such action.

*Section 1.2.1 Violations*

Applicants, or their representative consultant(s) who have been determined by the Commission to have intentionally provided false statements or information to acquire cost-share funding as part of application or reimbursement processes, will result in the applicant, or their representative consultant(s), being disqualified from participating in the Commission's Cost-Share Program for a minimum of 24 months.

Applicants that have already received Cost-Share Program funding and have been determined by the Commission to have intentionally provided false statements or information to acquire cost-share funding, or used the funding improperly, will have remaining approved funding revoked and previous related payments reimbursed back to the state.

*Section 3.4.1 (g) Tier I Pre-Construction Applications*

Cover letter acknowledging the cost-share request that is signed by a representative of the sponsoring entity (mayor, board chair, city administrator, district manager, executive director, etc.); and

*Section 3.4.2 (i) Tier II Construction Applications*

Cover letter acknowledging the cost-share request that is signed by a representative of the sponsoring entity (mayor, board chair, city administrator, district manager, executive director, etc.); and

*Standard Operating Procedures (SOP) Program Violations*

1. Project sponsors or their representative consultants have engaged in a perceived professional ethics violation,

SOP

- Department staff and Commission members will evaluate reporting requirements to professional boards for which they are responsible, and then notify those boards if required following incidents.

2. Project sponsors or their representative consultants have engaged in a perceived criminal act.

SOP

- In consultation with legal counsel, the Commission will determine if the facts of the incident should be referred to the State's Attorney for review, and if necessary, file a criminal complaint.

**I recommend approval of the proposed WebGrants Certification language; Cost-Share Policy, Procedure, and General Requirements language; and the Standard Operating Procedures as provided in this memorandum.**

## DRAFT WebGrants Certification Language

It is an offense to intentionally falsify statements as part of the cost-share application process per NDCC 12.1-11-02. Therefore, I certify that, to the best of my knowledge, the provided information is true and accurate, and in execution of this project, the sponsor will follow all applicable laws and permitting requirements.

I further certify assurance of sustainable operation, maintenance, and replacement of the assets for which we are requesting cost-share.

## 1 POLICY STATEMENT

The State Water Commission (Commission) has adopted this policy to support local sponsors in the development of sustainable water related projects in North Dakota. This policy reflects the Commission's cost-share priorities and provides basic requirements for all projects considered for prioritization during the Department of Water Resources' (Department) budgeting process. Projects and studies that receive funding from the Department's appropriated funds are consistent with the public interest. The Commission values and relies on local sponsors and their participation to assure on-the-ground support for projects and prudent expenditure of funding for project or program development.

It is the policy of the Commission that only the items described in this document will be eligible for cost-share or loans upon approval by the Commission, unless specifically authorized by Commission action.

### 1.1 POLICY AUTHORITY

This policy garners authority from North Dakota Century Code (N.D.C.C.) Chapter 61-02 and North Dakota Administrative Code (N.D.A.C.) Title 89. No funds will be used in violation of Article X, § 18 of the North Dakota Constitution (Anti-Gift Clause).

### 1.2 ACCEPTANCE OR ENFORCEMENT

The Commission reserves the right to change this policy as necessary to ensure the Commission fulfills its statutory duties.

The Commission reserves the right to return any application submitted under this policy to the applicant for correction if the application is not in compliance with the policy's intent or is insufficient for the Commission to make an informed decision.

#### 1.2.1 VIOLATIONS

Applicants, or their representative consultant(s) who have been determined by the Commission to have intentionally provided false statements or information to acquire cost-share funding as part of application or reimbursement processes, will result in the applicant, or their representative consultant(s), being disqualified from participating in the Commission's Cost-Share Program for a minimum of 24 months.

Applicants that have already received Cost-Share Program funding and have been determined by the Commission to have intentionally provided false statements or information to acquire cost-share funding, or used the funding improperly, will have remaining approved funding revoked and previous related payments reimbursed back to the state.

### 1.3 APPEALS

Decisions may be appealed at the discretion of the Commission.

application for cost-share can be submitted. (The estimated cost-share funding may be reduced subject to application of all other policy eligibility criteria at the time the project is presented to the Commission and during review for reimbursement.)

### 3.4 APPLICATION REQUIREMENTS AND MATERIALS

Applications for cost-share are accepted at any time. Incomplete applications or applications received less than 45 days before a Commission meeting will not be considered at that meeting and will be held for consideration at a future meeting. Meeting dates are available on the Department homepage.

The Commission will consider cost-share requests submitted by sponsors and will issue agreements under a two-tier process for applicable projects. Cost-share for pre-construction-related (Tier I) expenses will be considered first; followed by construction-related (Tier II) expenses after completion of pre-construction activities, including plans and specifications for bidding project construction.

In order for an application to be considered complete for Commission consideration, it must include the following supplemental materials:

#### 3.4.1 TIER I (PRE-CONSTRUCTION) APPLICATIONS

- a. Category of cost-share activity;
- b. Location of the proposed project or study area shown on a map;
- c. Description, purpose, goal, objective, and narrative of the proposed activities;
- d. Delineation of Costs (SFN 61801), with contingencies of no more than 10 percent of the total project construction costs;
- e. Anticipated timeline of project from preliminary study through final closeout;
- f. Potential federal, other state, or other North Dakota state entity participation;
- g. Cover letter acknowledging the cost-share request that is signed by a representative of the sponsoring entity (mayor, board chair, city administrator, district manager, executive director, etc.); and
- h. Completed life cycle cost analysis worksheet for water supply projects. The completed worksheet must include a no action alternative and up to three additional plausible alternatives—including repair, replacement, and regionalization options. If repair, replacement, and regionalization alternatives are excluded from the

life cycle cost analysis, justification must be provided by the project sponsor.

Under the two-tier process, approval of Tier I pre-construction cost-share does not guarantee future cost-share for construction activities.

### 3.4.2 TIER II (CONSTRUCTION) APPLICATIONS

- a. Updated Tier I pre-construction application materials (see above);
- b. Engineering plans and specifications for purposes of bidding the project;
- c. Status of required permitting, including submission of approved drain, sovereign land, or construction permits if required by state statute;
- d. Status and type of local funding sources;
- e. When applicable for flood control projects, a Conditional Letter of Map Revision (CLOMR) from the United States Federal Emergency Management Agency (FEMA);
- f. Potential territorial service area conflicts or service area agreements, if applicable;
- g. A completed Capital Improvement Plan (CIP) for water supply projects as outlined in the Commission's CIP Guidance. A completed CIP should include demonstration of a sustainable Capital Improvement Fund (CIF), that at a minimum sets aside a percentage of the cost of the asset(s) for which the Commission is cost-sharing over the expected life of the asset(s), (required at the time applications include a request for construction cost-share);
- h. Completed economic analysis worksheet for water conveyance and flood-related projects expected to cost two hundred thousand dollars or more;
- i. Results of a positive assessment vote (rural flood control projects only);
- j. A completed sediment analysis (drain reconstructions only);
- k. A property acquisition plan (flood property acquisition program only);
- l. Cover letter acknowledging the cost-share request that is signed by a representative of the sponsoring entity (mayor, board chair, city administrator, district manager, executive director, etc.); and

**SOP**

- These projects will be deferred for the first six months of the biennium for Commission consideration. (Exceptions are those projects considered to be an emergency—directly impacting human health and safety.)

**CENTURY CODE OR ADMINISTRATIVE CODE REFERENCE UPDATES****SOP**

- Century Code or Administrative Code reference updates in this policy may be made at the Secretary's discretion, with notification to Commission members.

**PROGRAM VIOLATIONS**

1. Project sponsors or their representative consultants have engaged in a perceived professional ethics violation.

**SOP**

- Department staff and Commission members will evaluate reporting requirements to professional boards for which they are responsible, and then notify those boards if required following incidents.
2. Project sponsors or their representative consultants have engaged in a perceived criminal act.

**SOP**

- In consultation with legal counsel, the Commission will determine if the facts of the incident should be referred to the State's Attorney for review, and if necessary, file a criminal complaint.

**CHAPTER 12.1-11**  
**PERJURY - FALSIFICATION - BREACH OF DUTY**

**12.1-11-01. Perjury.**

1. A person is guilty of perjury, a class C felony, if, in an official proceeding, the person makes a false statement under oath or equivalent affirmation, or swears or affirms the truth of a false statement previously made, when the statement is material and the person does not believe the statement to be true.
2. Commission of perjury need not be proved by any particular number of witnesses or by documentary or other types of evidence.
3. If in the course of one or more official proceedings, the defendant made a statement under oath or equivalent affirmation inconsistent with another statement made by the defendant under oath or equivalent affirmation to the degree that one of them is necessarily false, both having been made within the period of the statute of limitations, the prosecution may set forth the statements in a single count alleging in the alternative that one or the other was false and not believed by the defendant to be true. Proof that the defendant made such statements constitutes a prima facie case that one or the other of the statements was false, but in the absence of sufficient proof of which statement was false, the defendant may be convicted under this section only if each of such statements was material to the official proceeding in which it was made.
4. For purposes of this section, "false statement under oath or equivalent affirmation" includes a writing made in accordance with chapters 31-14 and 31-15.

**12.1-11-02. False statements.**

1. A person is guilty of a class A misdemeanor if, in an official proceeding, he makes a false statement, whether or not material, under oath or equivalent affirmation, or swears or affirms the truth of such a statement previously made, if he does not believe the statement to be true.
2. A person is guilty of a class A misdemeanor if, in a governmental matter, he:
  - a. Makes a false written statement, when the statement is material and he does not believe it to be true;
  - b. Intentionally creates a false impression in a written application for a pecuniary or other benefit, by omitting information necessary to prevent a material statement therein from being misleading;
  - c. Submits or invites reliance on any material writing which he knows to be forged, altered, or otherwise lacking in authenticity;
  - d. Submits or invites reliance on any sample, specimen, map, boundarymark, or other object which he knows to be false in a material respect; or
  - e. Uses a trick, scheme, or device which he knows to be misleading in a material respect.
3. This section does not apply to information given during the course of an investigation into possible commission of an offense unless the information is given in an official proceeding or the declarant is otherwise under a legal duty to give the information. Inapplicability under this subsection is a defense.
4. A matter is a "governmental matter" if it is within the jurisdiction of a government office or agency, or of an office, agency, or other establishment in the legislative or the judicial branch of government.


**12.1-11-03. False information or report to law enforcement officers or security officials.**

A person is guilty of a class A misdemeanor if that person:

1. Gives false information or a false report to a law enforcement officer which that person knows to be false, and the information or report may interfere with an investigation or may materially mislead a law enforcement officer; or



**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** Cost-Share Four-Year Progress Reports  
**DATE:** September 24, 2024

Under North Dakota Century Code (N.D.C.C.) § 61-02-14.3, “an agreement for funding which is approved by the commission to fund a water project under this chapter must require a progress report to the commission at least every four years if the term of the project exceeds four years.”

Therefore, sponsors with projects nearing the end of a four-year term, or nearing an extension deadline, were contacted and provided one of the following three options:

1. Deobligate cost-share project funding.
2. Submit final project expenses for reimbursement and close out project.
3. Provide a progress report to the Commission and request a cost-share agreement extension.

Attached for the Commission’s review is a summary of the sponsors requesting an agreement extension and associated progress reports.

**McHenry Laterals A and B (Bottineau County Water Resource District)**

This project is for engineering and construction costs to construct Lateral Drains A and B off the existing McHenry Lateral Drain. Laterals A and B are each approximately 0.5 miles long. Most of the construction is complete. Items that remain are small amounts of channel slope grading, roadway repair, and seeding.

Cost-share for the project was approved October 8, 2020, in the amount of \$362,492. The remaining cost-share balance is \$125,347.75. The Water Resource District (WRD) expects to complete the final construction tasks this fall, therefore they request an extension of their cost-share agreement and retention of the balance through the end of the year.

**Lower Red Basin Regional Detention Study (Red River Joint Water Resource District)**

This project is a cooperative study between the Red River Joint WRD and the Red River Watershed Management Board of MN to analyze the benefit of having water storage sites located in the basin during 100-year, 200-year, and 500-year flood events, to reduce the peak flow on tributaries and the Red River mainstem by 20 percent. The USACE has been contracted to do the hydrologic modeling and has completed a portion of the modeling.

Cost-share for the project was approved on July 13, 2015, in the amount of \$45,000. On November 3, 2020, additional cost-share was granted in the amount of \$32,905, for a sum of \$77,905. The remaining cost-share balance is \$31,327.44. The WRD requests a two-year extension of their cost-share agreement and retention of the balance to provide additional time to complete the modeling and finalize the study.

September 17, 2024

**Shortfoot Creek Watershed Planning Program (Sargent County Water Resource District)**

This project is for the development of a watershed plan in conjunction with the NRCS to find solutions to the watershed's flooding problems. The project includes identifying the problems, providing solution alternatives, and developing a benefit-to-cost analysis for each alternative, which will be presented to the WRD and local stakeholders. The project has been delayed due to navigating federal requirements and the request to add environmental enhancements.

Cost-share for the project was approved on July 7, 2016, in the amount of \$154,000. The project received its first extension approved by the Commission on February 11, 2021. The remaining cost-share balance is \$6,209.06. Because the existing agreement's four-year term will expire on February 11, 2025, the WRD requests a one-year extension of their cost-share agreement and retention of the balance to finalize the watershed plan and have it approved by NRCS.

**Killdeer HWBL Water Expansion (City of Killdeer)**

This project is for preconstruction costs associated with the design of 6,200-feet of 10-inch water main to meet the water needs of the HBWL industrial subdivision located south of the city and north of Highway 200. The subdivision is currently served through wells. Also, the new pipeline will provide a secondary water main for additional fire flow to a currently served area directly south of the subdivision.

Since February 2022, the project has been on hold for a few reasons. The City of Killdeer has debated whether to add more improvements to the project including a new concrete road, storm sewer, and sanitary sewer. In addition, the Killdeer City Commission has experienced turnover of four members since 2022. Lastly, the city has had many other improvement projects going on that have taken time and attention away from this project.

Cost-share for the project was approved on February 11, 2021, in the amount of \$75,000. The remaining cost-share balance is \$58,800. The City of Killdeer requests an extension of their cost-share agreement through the end of 2026, and retention of the balance to complete final design.

**I recommend extending cost-share agreements for the requested timeframes, based on the project sponsors making progress toward completion of their projects in 2024-2025.**

AT:af/1753

**Progress Report Summary  
October 10, 2024, Commission Meeting**

<b>Sponsor</b>	<b>Project</b>	<b>Cost-Share Approval Dates</b>	<b>Date of Last Extension Approved</b>	<b>Extension Period Approved</b>	<b>Approved Cost-Share</b>	<b>Remaining Balance</b>
Bottineau County WRD	McHenry Laterals A and B	10/8/2020	NA	NA	\$362,492	\$125,347.75
Red River Joint WRD	Lower Red Basin Regional Detention Study	7/13/2015 11/3/2020	NA	NA	\$77,905.00	\$31,327.44
Sargent County WRD	Shortfoot Creek Watershed Planning Program	7/7/2016	2/1/2021	4 years	\$154,000	\$6,209.06
City of Killdeer	Killdeer HWBL Water Expansion	2/11/2021	NA	NA	\$75,000	\$58,800

NA – Not Applicable

# BOTTINEAU COUNTY WATER RESOURCE DISTRICT

August 26, 2024

Cost Share Program Administrator  
ND Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND 58505

To whom it may concern:

Bottineau County Water Resource District requests an agreement extension to complete McHenry Laterals A and B to the Russell Drain, SWC Project 2156. The remaining items to complete are a small amount of channel slope grading due to erosion, roadway repair, and seeding. The Engineer met with the Contractor on June 17<sup>th</sup> on-site to discuss the remaining items. The Contractor was working that day but could not finish due to the wet conditions within the channel. There is a remaining balance of \$23,702.76, which includes seeding and retainage. We are expecting a change order for the roadway repair, which is estimated to bring the remaining balance to \$30,000. The Contractor is required to finish this Fall.

Please don't hesitate to contact Jennifer Malloy at 701-323-3950 or Clifford Issendorf at (701)228-4070 should you have any questions.



Clifford Issendorf  
BCWRD Chairman

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** John Paczkowski, P.E., Interim Chief Engineer/Secretary

**SUBJECT:** NDSWC Cost-Share Request – Bottineau County WRD  
McHenry Laterals A and B

**DATE:** July 27, 2020



The Bottineau County Water Resource District (District) is requesting cost-share for the McHenry Laterals A and B Project. The project is located south of Russell along the Bottineau and McHenry county lines in North Dakota.

The McHenry Lateral drain is 5.25 miles long and is designed to handle a watershed of 3,173 acres with a proposed assessment district of 3,204 acres. Lateral A is approximately 0.5 miles long and Lateral B is also approximately 0.5 miles long. The purpose of the project is to reduce overland flooding and reduce crop losses due to spring snow melt and large summer rains in an area that has an extremely flat gradient.

The project includes engineering and construction costs. Design and bidding are expected in fall 2020. The construction is expected to be complete in fall of 2021. Drain permit #5404 has been approved, and the Economic Analysis benefit-to-cost ratio is 1.06.

The District is requesting 45 percent cost-share as a rural flood control project. The total project cost is estimated at \$870,539, of which \$805,539 is eligible for cost-share. The recommendation is 45 percent of the eligible costs, or a cost-share of \$362,492.

**This project effort meets requirements of the Water Commission's cost-share policy for rural flood control projects. Therefore, I recommend approving this request by Bottineau County Water Resource District for \$362,492 at 45 percent of eligible costs. This approval is contingent on available funding.**

JP:bn/20

# Red River Joint Water Resource District

*Providing a coordinated and cooperative approach to planning and implementing  
a comprehensive water management program in the Red River Valley*

1201 Main Avenue West  
West Fargo, ND 58078-1301

Phone: 701-298-2381  
Fax: 701-298-2397  
wrd@casscountynod.gov  
[www.redriverjointwrd.org](http://www.redriverjointwrd.org)

SENT VIA EMAIL

August 14, 2024

Abigail Franklund  
Cost-Share Program Manager  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND 58504

Dear Ms. Franklund:

RE: Lower Red River Basin Regional Detention Study cost-share extension request  
SWC Project No. 1705

The Red River Joint WRD (RRJWRD) appreciates the previous cost-share approval for the Lower Red River Basin Regional Detention Study and is pleased to provide a status update on the project.

**The RRJWRD would like to request an extension of the *Agreement for Cost-Share Reimbursement* for the Lower Red River Basin Regional Detention Study.**

The Study is a cooperative effort between the RRJWRD of ND and the Red River Watershed Management Board (RRWMB) of MN. A Local Consulting Team (LCT) has been contracted by the RRJWRD and RRWMB to provide detailed hydrologic information for many proposed detention sites. The Red River Basin Commission has also contracted with the USACE, through the authority provided by Section 22 of the Water Resources Development Act, for them to develop hydraulic models of the lower end of each tributary and the Red River mainstem.

The comprehensive study within the Red River Basin will analyze the impact of potential distributed storage sites during 100-year, 200-year, and 500-year flood events. This will assist local watershed planning and implementation of flood mitigation projects.

## MEMBER WATER RESOURCE DISTRICTS

Ransom County  
Richland County  
Sargent County  
Pembina County

Walsh County  
Grand Forks County  
Traill County  
Barnes County

Maple River  
North Cass  
Southeast Cass

Rush River  
Nelson County  
Steele County

Abigail Franklund

Page 2

August 14, 2024

Currently, the USACE is using the HEC-HMS hydrologic models supplied by the LCT to update the Red River mainstem HEC-RAS hydraulic model within the HEC-WAT modeling framework. Progress on federal tasks has slowed, and tasks for the LCT firms are stalled until federal modeling results are completed.

The following tasks have currently been completed:

- Local Consulting Team (LCT)
  - Update HEC-HMS models from the Distributed Detention Studies for current conditions and expand input data to accommodate the 200-year and 500-year flood scenarios.
  - Develop the initial storage array within the HEC-HMS models.
  - Review and provide input to the USACE on 100-year hydrology.
  - Review and provide input to the USACE on HEC-RAS modeling updates.
  - Coordination with the USACE and the LCT through the Local Consultant Coordinator (HEI).
- Federal Tasks (USACE)
  - Updates to the Red River Mainstem HEC-RAS model based on previously provided recommendations from the LCT.
  - Develop 100-year flood scenario hydrology for the Red River mainstem.

Tasks currently underway by the USACE are to develop modeling scenarios for the 200-year and 500-year flood events using consistent methods as the 100-year scenario, and complete Red River mainstem modeling for the initial storage array. The USACE is also troubleshooting issues with the HEC-WAT framework and naming conventions from the HEC-HMS models.

Once the ongoing USACE tasks are completed, additional storage arrays will be developed through the LCT to determine the final storage array to meet the 20% flow reduction on the Red River mainstem.

There continues to be a delay in completing the remaining tasks due to continuing changes in USACE staff. These delays have affected each local consulting firm's ability to accomplish work on tasks/subtasks. It appears that the delays will extend the project completion to at least the end of 2025. We have requested the USACE to develop an updated schedule and budget.

We are frustrated with the delay but feel that the completed study will provide valuable information. We understand that the HEC-RAS model being developed by the USACE may also be beneficial for the Oslo area study that is being pursued by the North Dakota Department of Transportation.

Abigail Franklund  
Page 3  
August 14, 2024

We will have a representative available at the September 12 Pre-Commission meeting and October 10 State Water Commission meeting to request a time extension and to answer any questions.

Please contact us if you have any questions. Thank you.

Sincerely,

RED RIVER JOINT WATER RESOURCE DISTRICT

A handwritten signature in blue ink, appearing to read 'J. Ihry', with a stylized flourish extending to the right.

Josh Ihry  
Chair

cc: Randy Gjestvang, North Dakota Department of Water Resources



# interoffice MEMORANDUM

---

To: *TS* Todd Sando, P.E., State Engineer, Commission Chief Engineer - Secretary  
*MK* Michelle Klose, P.E., Assistant State Engineer  
John Paczkowski, P.E., CFM, Chief, Regulatory Section  
*PJ* Pam Jahner, Accountant, Administrative Services

From: *JH* Jared Huibregtse, CFM, Water Resource Program Administrator

Subject: NDSWC Cost-Share Request for Red River Joint Water Resource District's Lower Red Basin Regional Detention Study

Date: July 13, 2015

In their correspondence dated June 26, 2015, the Red River Joint Water Resource District (RRJWRD) requested state cost-share participation for their Lower Red Basin Regional Detention Study.

The proposed Study will expand the previously completed Halstad Upstream Retention Study, and will analyze the regional benefit provided to the Red River mainstem by distributed storage within the US portion of the Red River Basin. The proposed Study will determine the required tributary storage to attain the 20% peak flow reduction goal, as defined in the Red River Basin Commission's (RRBC) Long Term Flood Solutions (LTFS) report. Storage locations identified in the tributary Comprehensive Detention Studies will be prioritized to incorporate potential projects that alleviate local flooding concerns for RRJWRD member Districts. These prioritized storage locations will then be analyzed using the tributary HEC-HMS hydrologic models to determine tributary outflows. Tributary outflow information will then be routed through the HEC-RAS Red River mainstem model to determine benefits to the Red River mainstem. The following tasks are required to completed the proposed Study and are outlined in more detail in the enclosed Scope of Work:

- TASK 1: Update the Standardized Modeling Approach
- TASK 2: Expanded Standardized Melt Progression Event
- TASK 3: Tributary With-Storage Proposed Conditions HEC-HMS and ResSIM Modeling
- TASK 4: Red River Mainstem With-Storage Conditions HEC-RAS Modeling
- TASK 5: Summary Report

This project is proposed to be jointly completed with the Minnesota Red River Watershed Management Board (RRWMB), the US Army Corps of Engineers, and the RRJWRD. The US Army Corps of Engineers is financing their portion of the proposed Study through the on-going Red River Basinwide Feasibility Study. In order to ensure that storage locations that will be analyzed in the proposed Study are locally preferred, the RRJWRD and the RRWMB have agreed to fund TASK 3 items, and technical guidance throughout the project.

## INTEROFFICE MEMORANDUM

---

**TO:** John Paczkowski, P.E., Interim Chief Engineer-Secretary  
Sarah Felchle, Accountant, Administrative Services  
**FROM:** Patrick Fridgen, Director, Planning and Education  
**SUBJECT:** NDSWC Cost-Share Request — Red River Joint Water Resource District  
Lower Red River Regional Detention Study  
**DATE:** October 26, 2020

The Red River Joint Water Resource District (Sponsor) has requested additional cost-share for their Lower Red River Regional Detention Study.

The study will analyze the regional benefit provided to the Red River mainstem for distributed storage within the US portion of the Red River watershed. The goal of the study is to determine the extent of tributary storage necessary to attain a 20 percent reduction of peak flows on the Red River mainstem.

The original cost estimate was \$130,000. The Chief Engineer approved \$45,000 in cost-share at 35 percent of eligible costs on July 13, 2015. The updated cost estimate is now \$222,585. Additional costs are due in part to the added analyses of 200-year and 500-year events.

The total cost of the overrun is \$92,585. The Sponsor is requesting an additional cost-share of \$32,905 in state funds as a hydrologic study. The recommendation is a cost-share of \$32,905 at 35 percent of the eligible costs. The total cost-share approved would then be \$77,905.

**This project meets the requirements of the Water Commission's cost-share policy. Therefore, I recommend the Chief Engineer approve this cost overrun request for funding by Red River Joint Water Resource District for an additional \$32,905 at 35 percent of eligible costs which would be a total cost-share of \$77,905. The additional funding will come from carryover funds. This approval is subject to the availability of funds.**

Approval Signature and Date  11/03/2020

PF:JSP:BN/2055



# Sargent County Water Resource District

355 Main Street S, Suite 1  
Forman ND 58032  
Phone: (701) 724-6241 Ext 113  
FAX: (701) 724-6244

Lucas Siemieniewski, Geneseo  
Bruce Speich, Milnor  
Michael Wyum, Rutland  
Todd Stein, Cogswell  
Roger Zetocha, Stirum

August 23<sup>rd</sup>, 2024

Abigail Franklund  
Cost-Share Program Manager  
ND Department of Water Resources

Re: Shortfoot Creek Watershed Planning Program Status Update

Dear Abigail,

The Shortfoot Creek Watershed Planning Program has been progressing since the approval of cost-share in March of 2016 by the North Dakota State Water Commission (“Commission”). The project team has selected a final alternative to proceed to preliminary design. A draft of the watershed plan has been prepared and preliminary design has been completed. The project has taken longer than originally anticipated as we have had to work with the NRCS to navigate the federal requirements for the plan including adding requested environmental enhancements to the proposed project.

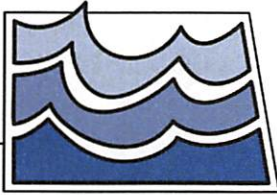
In the spring of this year an exemption request was submitted to the NRCS as part of the draft plan. The exemption request is required to ensure future NRCS funding if the project proceeds to final design and construction. The NRCS approved the exemption request on August 8<sup>th</sup>, 2024.

The planning effort will now move forward. The NRCS will place the project on their federal registry which includes a public comment period. Once that period is over the District will hold a final public hearing tentatively planned for December of 2024. Comments from landowners and agencies will then be incorporated into the watershed plan for final submittal. It is anticipated that the final plan will be submitted to the NRCS by spring of 2025. Once the final plan is approved by NRCS the project under the current cost share agreement with the Commission will be completed.

If the project proceeds to final design and construction the District may apply for additional cost share from the Commission in accordance with the Commission’s cost share policy. If you have any questions, please feel free to contact our project engineer Nathan Trosen, Moore Engineering, Inc., or myself.

Respectfully,

Wendy Willprecht  
Secretary, Sargent County Water Resource District



# North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850  
701-328-2750 • TTY 800-366-6888 • FAX 701-328-3696 • INTERNET: <http://swc.nd.gov>

## MEMORANDUM

*Agenda E12)*  
*March 9, 2016*  
*Approved AS*  
*Recommended*

**TO:** Governor Jack Dalrymple  
Members of the State Water Commission  
**FROM:** *TSD* Todd Sando, PE, Chief Engineer - Secretary  
**SUBJECT:** NDSWC Cost-Share Request – Sargent County Water Resource District  
Shortfoot Creek Watershed Planning Program  
**DATE:** March 9, 2016

In their correspondence dated February 4, 2016, the Sargent County Water Resource District requested state cost-share participation for their Shortfoot Creek Watershed Planning Program.

Rural areas along the Shortfoot Creek have experienced significant flooding damages, particularly as a result of spring snowmelt events. The project, located in Sargent County, will follow the Natural Resource Conservation Service (NRCS) small watershed planning process to find solutions to the flooding problems in this watershed. The proposed planning process will have 6 milestone reporting points with the NRCS. The approach will involve the creation of project development teams tasked with identifying the local problems facing the watershed and sorting through practical alternatives for addressing those problems. Multiple alternatives will be identified by the team and preliminary designs, geotechnical investigations and cost estimates will be completed for these multiple alternatives. Then a comprehensive Benefit-Cost analysis will be performed for these alternatives. The team's findings will be presented to the Sargent County Water Resource District and local stakeholders for consideration for further advancement of the project. NRCS will also approve the final watershed plan and Environmental Assessment (EA) as well as provide \$500,000 of the funding for the project.

The estimated total cost of the Shortfoot Creek Watershed Planning Program is \$940,000, of which \$440,000 is eligible for cost share assistance as a study project at 35 percent, for an amount not to exceed \$154,000 in state funds.

**I recommend that the State Water Commission approve this request by the Sargent County Water Resource District for state cost participation in the District's Shortfoot Creek Watershed Planning Program, at an amount not to exceed \$154,000. This approval is subject to the entire contents of the recommendation contained herein, obtaining all applicable permits and availability of funds.**

TS:bn/1303

August 23, 2024

Julie Prescott  
Cost-Share Program Manager  
ND Department of Water Resources  
900 East Boulevard Avenue  
Bismarck, ND 58505

RE: Killdeer HWBL Water Expansion – SWC Update Report

Ms. Prescott,

Please consider this a written report regarding the City of Killdeer’s intentions to utilize grant funds related to the Killdeer HWBL Water Expansion Project. The City of Killdeer hired AE2S to complete preliminary engineering of the HWBL project in March 2021, and it was completed in February 2022.

Since February of 2022, the project has been on hold for a few reasons. The City of Killdeer has debated whether to add more improvements to the project including a new concrete road, storm sewer, and sanitary sewer. In addition, the Killdeer City Commission has experienced a turnover of 4 new commissioners since 2022. Lastly, the city has had many other improvement projects going on in town that have taken time and attention away from this project. It is the City of Killdeer’s intention to continue to utilize grand funds related to the HWBL Water Expansion. The current project implementation schedule is shown in the table below.

Killdeer HWBL Project Implementation Schedule		
Task	Proposed Completion Date	SWC Grant
Preliminary Engineering	Mar 2021 - Feb 2022	\$30,000.00
Final Design	Aug 2024 - Fall 2025	\$60,000.00
Project Bidding/Award	Fall 2025 - Spring 2026	\$20,000.00
Construction/Construction Engineering	Spring 2026 - Fall 2027	<b>TBD</b>
		<b>\$110,000.00</b>

It is also the City of Killdeer’s intention to provide an update and request for additional funding for construction and construction engineering services once final design and bidding are complete.

With your continued support, the City of Killdeer looks forward to completing this important project throughout 2025-2026. Should you have any questions or require additional information, please do not hesitate to contact me at 701-764-5295 or Eric Lothspeich of AE2S at 701-221-0530.

Sincerely,

Matt Oase  
City Administrator  
City of Killdeer

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** John Paczkowski, P.E., Interim Chief Engineer-Secretary

**SUBJECT:** State Water Supply – Killdeer HWBL Water Expansion

**DATE:** January 27, 2021



The City of Killdeer (City) is requesting cost-share for the construction of 6,200-feet of 10-inch water main to meet the water needs of the HBWL industrial subdivision located south of the City and north of Highway 200. The subdivision is currently served through wells. Also, the new pipeline would provide a secondary watermain for additional fire flow to a currently served area directly south of the subdivision.

The life cycle cost analysis considered two alternatives: one is to extend an existing 10-inch pipeline to provide service to the area, and the second would be a no build alternative in which the area would continue using well service. The preferred alternative of extending the pipeline into the HBWL subdivision has a capital cost of \$1,228,000. This option also provides additional fire flows for the existing service area to the south.

With eight industrial users identified for this project, the present value cost per user is \$163,500. If the project is funded with a loan, at 2 percent over 20 years, the current user payment increase would be \$776.53 per month and \$310.61 per month with 60 percent cost-share. The current municipal user rate for 5,000 gallons is \$40, with a base monthly water rate of \$7.06, and \$6.56 per 1,000 gallons used. For municipalities included in the 2019 Water Development Plan with a population up to 10,000, the average rate is \$50 for 5,000 gallons. Killdeer serves 1,147 people (569 users) and had an annual population growth rate of 6.6 percent since 2010.


The project is to be designed in 2021, bid in spring 2022, begin construction in summer 2022, and be completed in fall 2022. The estimated total project cost is \$1,228,000, with ineligible administrative and legal costs of \$44,000, leaving an eligible cost of \$1,184,000, and 60 percent cost-share of \$710,000. The local share would be from the City's cash reserves. Pre-construction costs are estimated at \$124,900, with 60 percent cost-share at \$75,000. The project is not due to be bid for construction until spring 2022. Therefore, only a recommendation for pre-construction costs is currently being put forward.

**The project is in the 2019 Water Development Plan, is a moderate priority, and meets requirements of the Water Commission's cost-share policy for municipal water supply projects. Therefore, I recommend approval of this request from the City of Killdeer for state cost-share participation at 60 percent of eligible pre-construction costs, not to exceed \$75,000. This approval is contingent on available funding for the 2019-2021 biennium.**

JP:JM:ln/2050KIL

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP Historical Cost and Capital Repayment Information

**DATE:** September 26, 2024

Following the February 2024 discussion about the rural expansion projects on the Southwest Pipeline Project (SWPP/Project), in particular the Burt-Hebron project that is active in preliminary design, this memo is provided to review and evaluate the history of project costs as it relates to Capital Repayments made. Unique and specific to the SWPP, the state receives capital costs from the users, collected by the Southwest Water Authority (SWA). Century Code section § 61-24.3-11, in part states:

*"The commission shall establish the payments for water service to be paid by water user entities for purchase of water from the southwest pipeline project. The payments for water service include each water user entity's proportionate share of the operation, maintenance, and replacement costs, and also include a component for payment for capital costs."*

For the SWPP, the portion of the water rate that is intended for payment of capital costs is referred as Capital Repayment. The Capital Repayment when set by the SWC did not factor the cost of the project. Rather, it was set up based on users' ability to pay. The Capital Repayment was not created with any defined terms at the time but discussions over the years have noted that the payment would continue into perpetuity. "Into perpetuity" has not been defined and seems to have different interpretations and assumptions for the different stakeholders.

The term "perpetuity" is not mentioned in the original "AGREEMENT FOR THE TRANSFER OF MANAGEMENT, OPERATIONS AND MAINTENANCE RESPONSIBILITIES FOR THE SOUTHWEST PIPELINE PROJECT, NORTH DAKOTA, FROM THE NORTH DAKOTA STATE WATER COMMISSION TO THE SOUTHWEST WATER AUTHORITY", signed in 1996, or the three amendments that followed, but within the original agreement, there is some key verbiage such as in Section III.B.1, Mutual Consent Termination; *"This Agreement may be terminated by mutual written consent of both parties. The two parties shall agree upon the termination conditions including the effective date and, in the case of partial*

*terminations, the portion to be terminated."* and Section VI.I, Capital Payment to Resources Trust Fund; *"The Authority shall pay to the Commission a water rate for capital costs of the Project."* The agreement notes that the Capital Repayment will be adjusted each year by the Consumer Price Index, also detailed in the agreement under Section VI.I, unless and until mutual consent to terminate is agreed upon.

This memo is intended to provide background information on the SWPP's history, funding and Capital Repayment to date and projections. Specifically, this memo further provides various assumptions to illustrate Capital Repayment timeframes which could lead to assisting with defining "into perpetuity".

### **History of SWPP:**

The 1981 Legislature authorized the preliminary design of the SWPP. The plan for the SWPP was selected by the 1983 Legislature, and construction was authorized by the 1985 Legislature. Construction on the SWPP began in 1985 and continues today. The SWC owns the Project and the Department of Water Resources manages construction contracts.

The original Project was intended to be a wholesale water supply system to serve entities under contracts. Later it was realized that the service to rural water systems would be more efficient if their configuration was considered in the overall Project design. The 1989 Legislative Assembly gave the SWC the authority to study the idea of integrating rural water distribution systems into the Project and implement when beneficial. In 1991, the SWC considered the proposal and took final action to integrate rural water distribution systems into the Project.

The SWA was created as a political subdivision by the 1991 Legislative Assembly as tasks of collecting and coordinating rural sign ups, rural easements, providing customer service for rural water customers and collecting user fees grew more burdensome. The SWA was given specific authority to operate and maintain the SWPP as an agent of the SWC. In January of 1996, all operation and maintenance functions of the Project were transferred to SWA through an agreement (Transfer Agreement) with the SWC.

### **Funding for SWPP:**

Through December of 2023, a total of \$437.63 Million has been spent on the Project including \$291.37 Million of State grants, \$121.90 Million of Federal grants, and \$24.36



Million in bonds and loans. The breakdown of the funding spent on the project is shown below in Table 1. The costs for the Project started to incur in 1976. The total spending on the Project averages approximately \$11 Million per year.

**Table 1: SWPP Funding**

*\$\$s in Millions*

<b>State Funding</b>	
Resources Trust Fund (RTF)	\$ 282.82
Water Development Trust Fund (WDTF)	\$ 8.55
Subtotal	\$ 291.37
<b>Federal Grants</b>	
GDCD MR&I Fund	\$ 105.63
USDA RUS	\$ 15.34
NRCS PL566	\$ 0.93
Subtotal	\$ 121.90
<b>State Bonds</b>	
Public Revenue Bonds	\$ 7.05
USDA RD Bonds	\$ 15.81
ND Drinking Water Revolving Loan Fund	\$ 1.50
Subtotal	\$ 24.36
<b>Project Total</b>	<b>\$ 437.63</b>

### Capital Repayment:

There are two main categories of SWPP customers. Those are 1) Contract Customers and 2) Rural Customers. Contract customers enter into a water service agreement with SWA and SWC. The water service agreements specify the maximum flow rate to be provided by SWPP and the customers responsibility for minimum annual water purchase. The contract customers payment responsibility is based on their water usage. The Capital Repayment for contract customers is included in their water usage rate. Typical Contract Customers on the SWPP include cities, other rural water systems, and businesses like Red Trail Energy, Baker Boy, and other high volume water usage customers.

The Rural Customers are individual services directly served by the SWPP and managed by the SWA. In the case of Rural Customers, the pipeline network is built out to their location. Rural Customer's payment for water includes a monthly minimum base rate and a water rate based on their water usage. Unlike the Contract Customers, the Capital Repayment

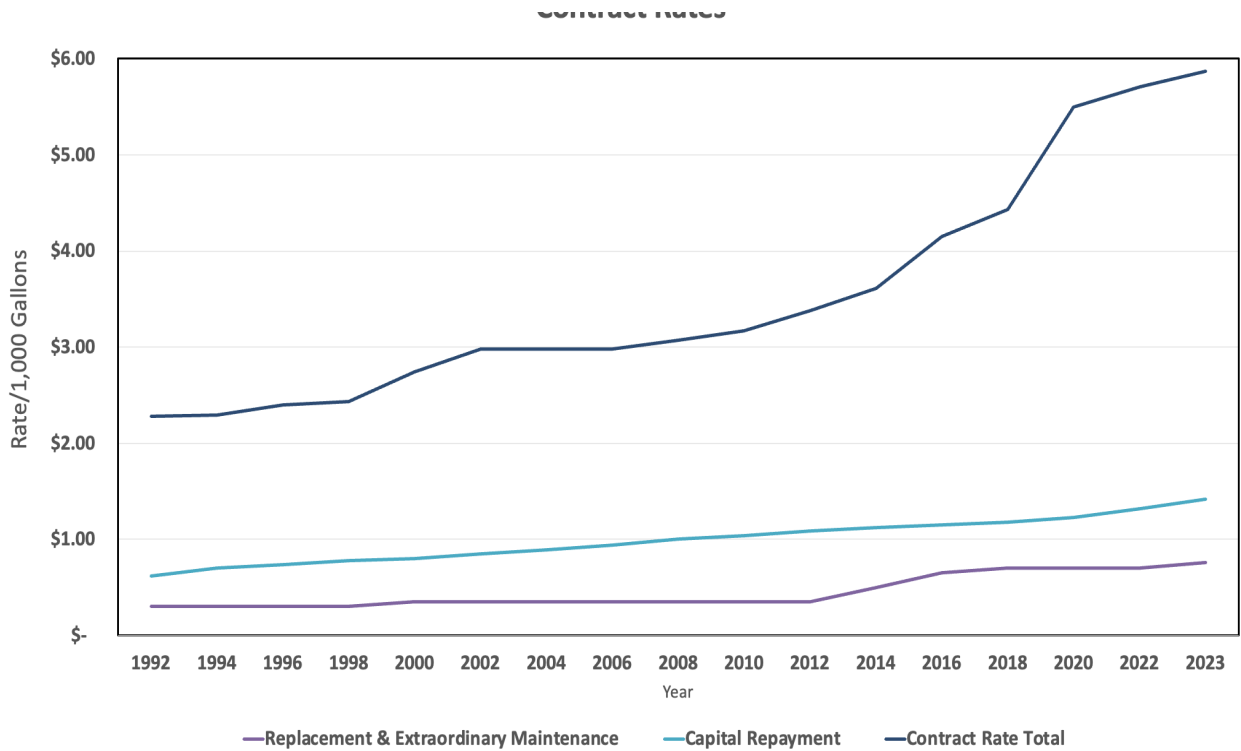
rate is a fixed amount, and is included in the monthly minimum base rate fee.

The Capital Repayment rate for Contract Customers was initially established based on a financial report completed by Chiles, Heider & Co. in 1982. The repayment rate was based on ability to pay and not on a termed repayment schedule. The report determined weighted average Capital Repayment for North Dakota systems as \$0.59/1000 gallons which is 0.23 percent of per capita income for the state. The \$0.59/1000 gallons was noted as 0.25 percent of per capita income within the Project area. However, the report recommended the Capital Repayment portion be reduced to \$0.44 for the SWPP because of the higher expected operation and maintenance cost. The \$0.44 would have been approximately 0.19 percent of the per capital income. The higher-than-expected operation and maintenance costs were the result of the large geographic area with relatively few users encompassed by the Project. It was also recommended that an adjustment to the Capital Repayment rate be made annually based on the Consumer Price Index (CPI). In 1996, when the operation and maintenance of the SWPP was assigned to the SWA, the Capital Repayment rate was \$0.72/1000 gallons. Since 1996, the average CPI increase is 2.5 percent per year which has resulted in a 2024 Capital Repayment rate of \$1.48/1000 gallons.

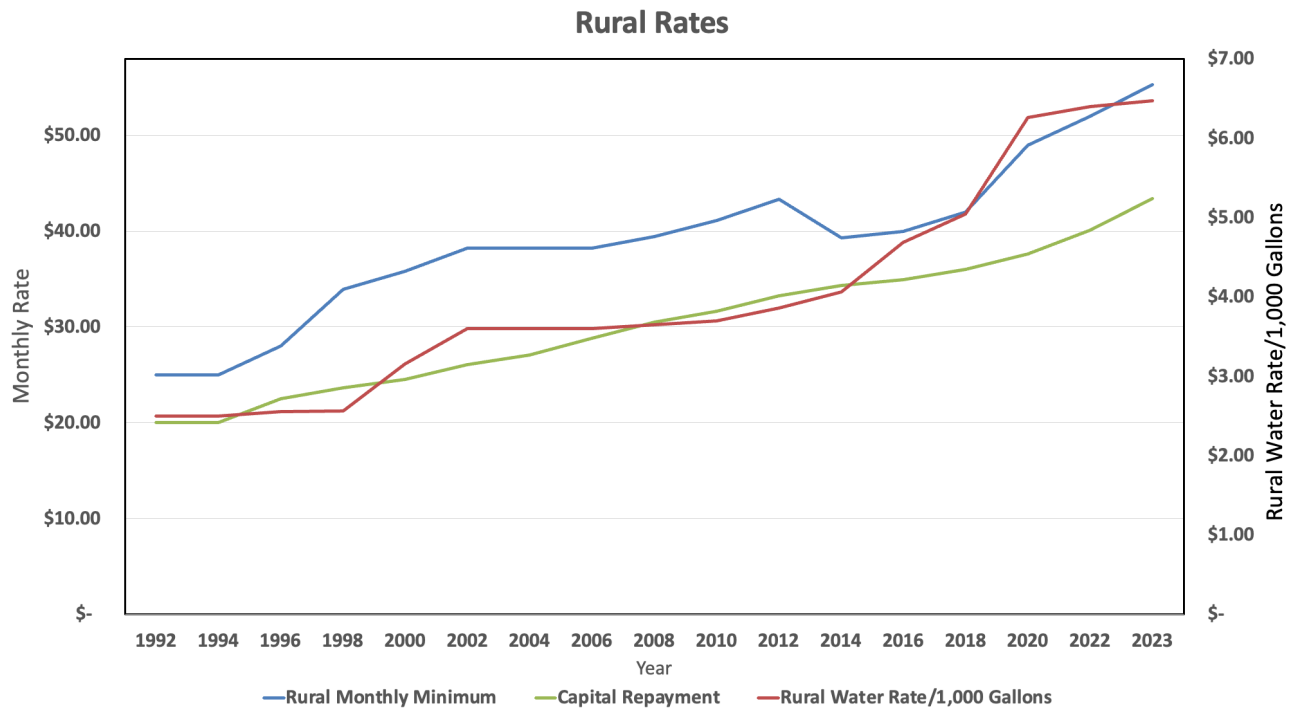
For rural SWPP customers, the SWC set the Capital Repayment rate for a standard rural customer at \$20 per month in 1991. Clear justification for setting the Capital Repayment rate for rural customers at \$20 per month does not exist like it does for the Capital Repayment rate for Contract Customers in the Chiles, Heider & Co. study. It is gleaned through conversation from former staff that the origin of the \$20 per month for the rural customers was based on review of water rates for other North Dakota rural water systems at that time. The rural Capital Repayment rate is also adjusted annually based on the CPI. The 2024 rural Capital Repayment rate for a standard customer is \$45.02 per month. For SWPP users in Morton County receiving water through Missouri West Water System, the SWC set the Capital Repayment rate at \$22 per month in 2005. The 2024 Capital Repayment rate for Morton county SWPP users is \$35.66 per month. SWPP users in the Morton county are served by purchased water from the Missouri West Water System (MWWS). The Capital Repayment rate for SWPP Rural Customers in Morton county is lower than other SWPP Rural Customers to account for the cost for water from the MWWS. Figures 1 and 2 are included below to show the history of SWPP water rates for contract customers and rural customers respectively.

As a comparison to other rural water systems, Table 2 below shows the monthly rates for the different rural water systems in North Dakota for April of 2024.

**Figure 1: History of SWPP Contract Rates**



**Figure 2: History of SWPP Rural Rates**



**Table 2: ND Rural Water Rates Comparison**

**ND Rural Water System Monthly Rates as of April of 2024 Sorted by cost per 6,000 gallons of use**

<b>SYSTEM</b>	<b># of Users</b>	<b>Minimum Cost</b>	<b>\$/1000 Gal.</b>	<b>\$/6000 Gal.</b>	<b>Miles of Pipe</b>
Belcourt Public Utilities	3,500	\$20.50	\$5.75	\$55.00	245
Fort Berthold Rural Water	2,500	\$25.00	\$5.00	\$55.00	650
Cass Rural Water District	8,592	\$27.00	\$5.40	\$59.40	2,450
Southeast Water Users District East	1,812	\$31.00	\$4.75	\$59.50	1,372
Greater Ramsey Water District	1,059	\$35.00	\$5.50	\$68.00	
Central Plains Water District (Old)	790	\$30.00	\$6.50	\$69.00	
Cass Rural Water District - Leonard Project	140	\$40.00	\$5.40	\$72.40	50
Southeast Water Users District West	594	\$50.00	\$3.75	\$72.50	743
Greater Ramsey Water District	1,151	\$40.00	\$5.50	\$73.00	
Stutsman Rural Water District	1,215	\$43.00	\$5.35	\$75.10	1,100
South Central Regional Water District	1,780	\$40.00	\$6.00	\$76.00	1,900
South Central Regional Water District (Includes 500 gals)	6,260	\$34.00	\$7.90	\$77.45	2,700
Southeast Water Users District West-New	140	\$55.00	\$3.75	\$77.50	166
Greater Ramsey Water District	391	\$45.00	\$5.50	\$78.00	1,650
State Line Water Cooperative (includes 1000 gals)	452	\$40.00	\$8.00	\$80.00	200
Stutsman Rural Water District Expansion Project	1,378	\$48.00	\$5.35	\$80.10	1,090
Missouri West Water System	2,005	\$40.00	\$6.69	\$80.14	650
Agassiz Water Users District	1,400	\$28.50	\$9.00	\$82.50	425
Bames Rural Water District #1	1,411	\$50.00	\$5.50	\$83.00	
Southeast Water Users District East-New	277	\$55.00	\$4.75	\$83.50	201
Walsh Rural Water District R1	1,085	\$36.00	\$8.00	\$84.00	
All Seasons Water Users District System 1-4	908	\$40.00	\$7.50	\$85.00	
Southeast Water Users District Central	602	\$50.00	\$6.00	\$86.00	547
East Central Regional Water District	2,305	\$42.00	\$7.70	\$88.20	
Bames Rural Water District #3	346	\$56.00	\$5.50	\$89.00	
McKenzie County Water Resource District	1,260	\$45.90	\$7.19	\$89.04	1,066
Southeast Water Users District Central-New	176	\$55.00	\$6.00	\$91.00	147
Dakota Rural Water District Expansion	1,090	\$53.00	\$6.50	\$92.00	1,200
All Seasons Water Users District System 4 Phase 1&2	124	\$48.00	\$7.50	\$93.00	
All Seasons Water Users District System 5	538	\$48.00	\$7.50	\$93.00	1,700
<b>Southwest Water Authority</b>	<b>7,575</b>	<b>\$55.32</b>	<b>\$6.47</b>	<b>\$94.14</b>	<b>5,260</b>
Northeast Regional Water District/North Valley Branch	1,373	\$50.00	\$7.50	\$95.00	2,512
Walsh Rural Water District R3	140	\$48.00	\$8.00	\$96.00	
Bames Rural Water District #2	267	\$60.00	\$6.00	\$96.00	
Northwest Rural Water District	2,728	\$45.00	\$8.80	\$97.80	1,231
Central Plains Water District (New)	340	\$56.00	\$7.25	\$99.50	1,275
Upper Souris Water District	650	\$35.00	\$11.00	\$101.00	600
Tri-County Water District	1,200	\$54.00	\$8.00	\$102.00	1,200
Bames Rural Water District #4 VC	9	\$60.00	\$7.00	\$102.00	
R&T Water District	870	\$55.00	\$8.00	\$103.00	653
Walsh Rural Water District R4	159	\$55.00	\$8.00	\$103.00	730
McLean-Sheridan Rural Water District #2	174	\$65.00	\$6.54	\$104.24	
Northeast Regional Water District/Langdon Branch	1,311	\$63.00	\$7.50	\$108.00	
East Central Regional Water District	1,335	\$63.00	\$7.70	\$109.20	2,500
Garrison Rural Water District	878	\$62.00	\$8.00	\$110.00	162
McLean-Sheridan Rural Water District #1	696	\$65.00	\$7.60	\$110.60	
North Prairie Regional Water District (Existing)		\$54.00	\$10.06	\$114.36	
Bames Rural Water District #5 VC	8	\$75.00	\$7.00	\$117.00	1,200
McLean-Sheridan Rural Water District #3	162	\$76.00	\$7.80	\$122.80	700
North Prairie Regional Water District (New)	4,835	\$65.00	\$10.06	\$125.36	2,500

Capital Repayment, repayment for the state's investment, has been collected since 1991 when the City of Dickinson, SWPP's first customer, received water. The annual Capital Repayment collected in 1991 was \$11,000. The Capital Repayment collected from the SWPP users annually has been increasing every year as the customer base grows and with adjustments based on the CPI rate which has been generally increasing annually. In 2024, the annual Capital Repayment collection is projected at \$6 million.

The Capital Repayment collected from the SWPP users were originally used for bond payments and the excess returned to the Resources Trust Fund (RTF). The Capital Repayment deposited in the RTF is included in the SWC's budget for funding other water resource projects. In 2014, the outstanding bond debts for SWPP, which were around \$18.3 Million, were paid off by the SWC, so currently all Capital Repayment is deposited in the RTF. Since 2015, the average annual Capital Repayment deposited in the RTF is \$5.3 Million. Through 2023, the total Capital Repayment collected is \$96.13 Million with \$76.88 Million deposited in RTF. The \$96.13 Million in Capital Repayment received equates to approximately 22 percent of the total amount spent on the Project. It also equates to about 33 percent of the state funds. Notably, other systems that receive cost share are expected to provide a defined percentage of total project costs as local cost share, not a percentage of state funds.

Figure 3, shows the annual Capital Repayment received in comparison with the annual total spending on the Project. The amounts through 2023 are based on actual expenditures. The annual spending on the Project from 2024 to 2036 is projected based on estimated expenditures on current ongoing projects and planned projects through June 2025 as well as the budget amount submitted by the SWA for consideration in the Department of Water Resources Water Development Plan. The average annual spending on the Project from 2024 to 2036 is estimated to be approximately \$32 million per year in present value with a 3% factor applied annually to correct for inflation. The future Project components still needed include major upgrades to the raw water transmission line, replacement of the 12 Million Gallons per day water treatment plant in Dickinson, completion of the supplementary raw water intake, and distribution capacity upgrades needed to address the growth in the Project area. The year 2036 was chosen because the most recent budget request submitted by SWA includes projects through the 2033-2035 biennium and the expectation is that project costs from requests in that biennium would extend into 2036. Project completion is not assumed at 2036, but rather this analysis used the most current funding expenditure projection available at the time of this memo. The Capital Repayment received from 2024 and beyond is projected conservatively using the average CPI increase of 2 percent every year and assuming water sales remain the same as 2023. The total expenditures on the SWPP are estimated to be approximately \$930 Million when summing the actual expenses through 2023 with the projected expenses

through 2036.

Figure 4 shows the cumulative spending (actual and projected) on SWPP and the cumulative Capital Repayment received (actual and projected). Under the current model of applying a CPI adjustment to Capital Repayment every year, 100 percent of the anticipated total spent on the SWPP through 2036 would be repaid by the year 2088. Table 2 shows how Capital Repayment meets other payback scenarios. For the scenario that includes a surcharge, the surcharge is set at a one-time increase of 10% to be applied in 2025 on Capital Repayment collected from both Contract and Rural customers. The 10% surcharge was arbitrarily chosen to estimate the effect of surcharge on the repayment analysis. Each year after, the Capital Repayment is subject to an assumed 2% annual CPI adjustment, but with no other adjustment.

Most of the rural water systems in North Dakota have received 60 to 75 percent cost share assistance from the SWC with the remaining 40 to 25 percent considered the local share. Also of note, the cost share for the NAWS regional system has been 35 percent local and 65 percent non-local since its inception. Since the SWPP's Capital Repayment is the local share of the Project, the 25, 35, and 40 percent of the total project spending through 2036 is estimated to be recovered by Capital Repayment as shown by Table 3 below. Table 3 reflects anticipated total project costs.

To understand the repayment time frames for project expenditures without federal grants Table 4 has been provided as well. Though repayment scenarios without federal grants are noted in Table 4 below, water supply projects typically use Bureau of Reclamation's Municipal, Rural, and Industrial (MR&I) funding and the projects receiving MR&I funding don't receive any additional cost share from the state, therefore the non-federal share is provided by the local cost share responsibility. If that arrangement is applied to the SWPP's funding model, the Capital Repayment should cover the portions of the federal grants as well.

In the fall of 2023, in response to request from SWA to increase the established maximum cost per Equivalent Service Unit (ESU) for SWPP Customers, DWR staff noted that the requested increase in maximum cost per ESU would be accepted with an adjustment to Capital Repayment rate and suggested that the adjustment to the Capital Repayment rate could be calculated based on a loan repayment calculation on 25% of the amount of the maximum cost per ESU increase from the established maximum cost per ESU.

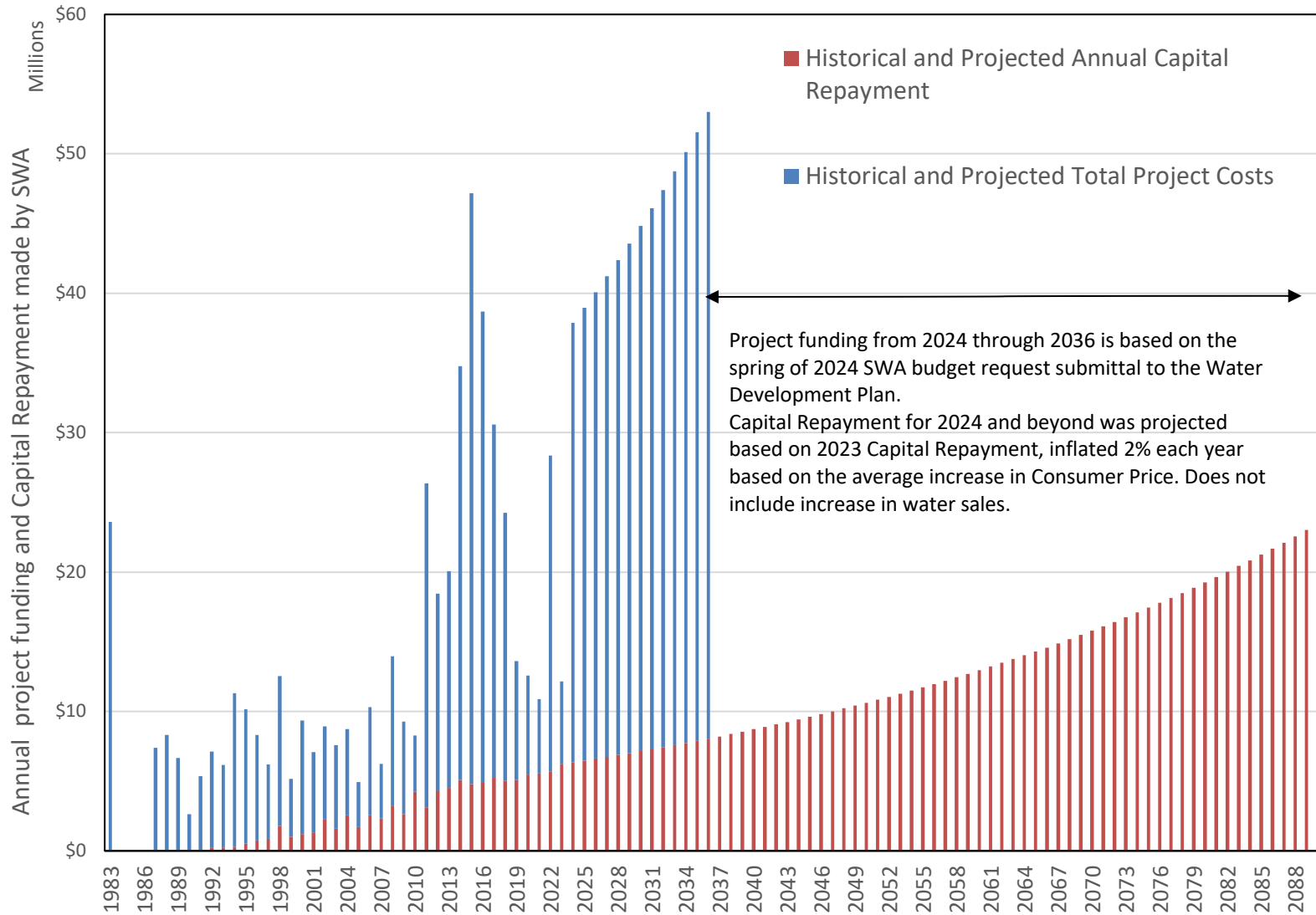
SWA then requested that the entire rural Capital Repayment amount be viewed as the 25% cost share for the entire maximum cost per ESU amount. DWR staff has disagreed with that logic since it ignores rural users cost share responsibilities for the transmission

components of the SWPP. Components such as the intake, the main transmission lines, and the treatment plant are not included in the maximum cost per ESU calculation for SWPP, while other rural water systems are responsible for the local share responsibility estimated based on the entire project costs.

In regard to considering the 25% amount as the local share responsibility for the SWPP, it should be noted that while other rural systems are currently eligible for 75% cost share with 25% being local responsibility, this has not always been the cost share amount for rural systems. Prior to 2011, the local cost share for rural systems was 65% state and 35% local match. Much of SWPP system was built prior to 2011 when other rural systems were responsible for 35% local share. Additionally, the other state-owned regional system, NAWS, remains at 65%-35% cost share. A notable difference between NAWS and SWPP is that NAWS is strictly a wholesale supplier while SWPP is both a wholesale supplier and a fully integrated system with service directly to rural customers.

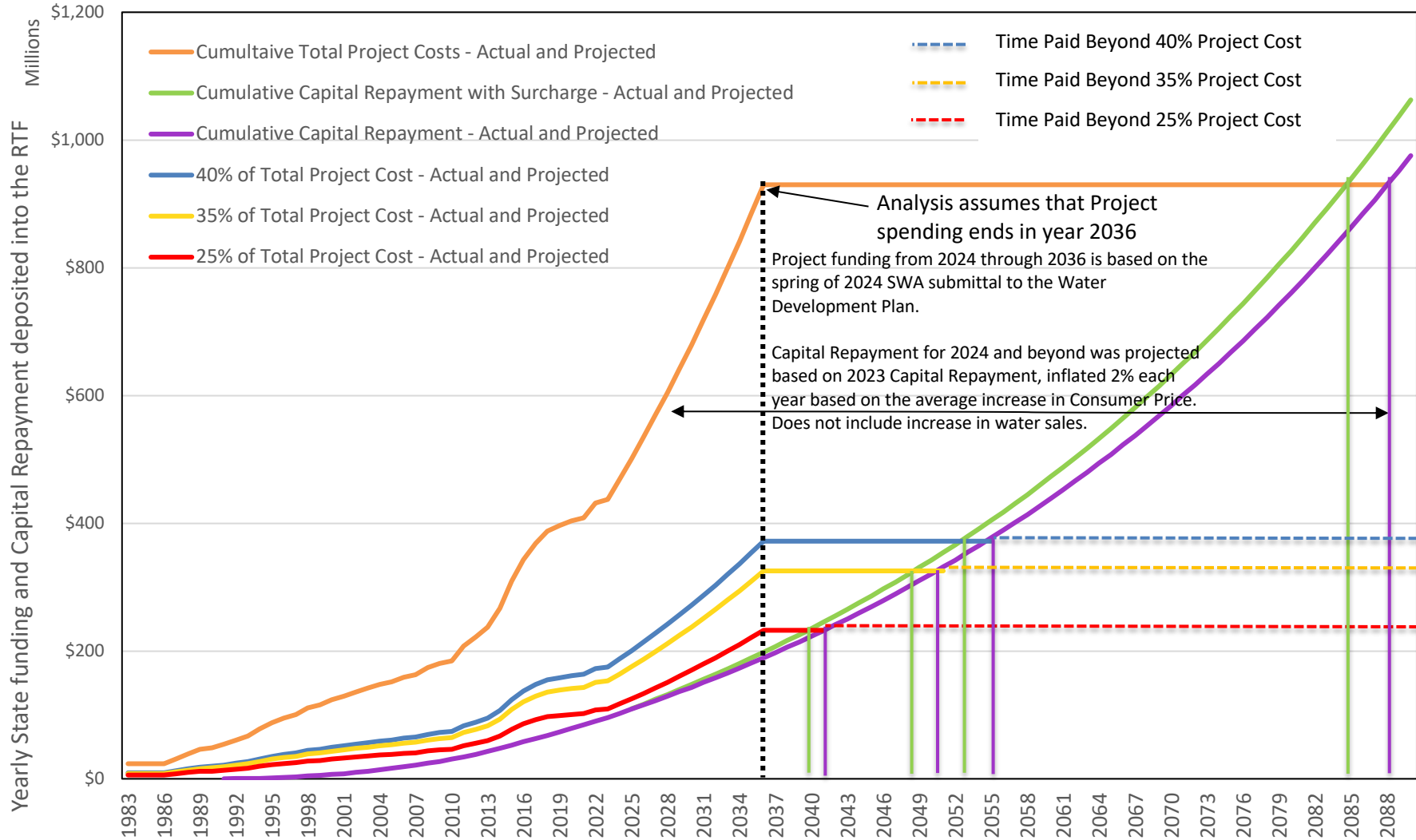
In addition, the Strategic Governance and Finance Study, completed by AE2S for the State Water Commission in 2021, discussed options for migrating from the Capital Repayment model for the SWPP. It also recommended continuing large regional projects at a 65/35 cost share, and transitioning SWPP from state-owned to a local ownership.

**Figure 3: Project Funding Vs. Capital Repayment**





**Figure 4: Cumulative Total Project Spending on SWPP Vs. Cumulative Capital Repayment**



**Table 3: Payback Scenarios Break Even Years for Total Project Funding**

Payback Scenario	Total amount to pay back (In Millions)	Break Even Year	Annual Cap Rep at Break Even Year (In Millions)
25% of Total Project Costs	\$ 232	2041	\$ 8.9
35% of Total Project Costs	\$ 325	2051	\$ 10.8
40% of Total Project Costs	\$ 372	2055	\$ 11.7
Total Project Costs	\$ 930	2088	\$ 22.6
25% of Total Project Costs w/ Surcharge	\$ 232	2040	\$ 9.6
35% of Total Project Costs w/ Surcharge	\$ 325	2049	\$ 11.5
40% of Total Project Costs w/ Surcharge	\$ 372	2053	\$ 12.4
Total Project Costs w/ Surcharge	\$ 930	2085	\$ 23.4

## Table 3 Notes:

- 1) All dollars displayed in the table are in the millions of dollars.
- 2) All scenarios assume that CPI adjustments to Capital Repayment are 2% annually in the future and does not include additional users.
- 3) The projected costs come from the amounts unspent in the current biennium as well as the budget requests that SWA will submit to the Water Development Plan.
- 4) Projected costs are divided evenly between 2024 through 2036 for simplicity in representation. Precise timeline of spending is unknown.
- 5) Projected costs include 3% annual inflation.
- 6) For scenarios with a surcharge, a one-time 10% surcharge is to be applied in 2025, then cap repayment is increased by CPI per agreement.

**Table 4: Payback Scenarios Break Even Years for State Portion of Project Funding**

Payback Scenario	Total amount to pay back (In Millions)	Break Even Year	Annual Cap Rep at Break Even Year (In Millions)
25% of Total Project Costs	\$ 202	2038	\$8.4
35% of Total Project Costs	\$ 282	2047	\$10.0
40% of Total Project Costs	\$ 323	2051	\$10.8
Total Project Costs	\$ 807	2083	\$20.4

Table 4 Notes:

- 1) All dollars displayed in the table are in the millions of dollars.
- 2) All scenarios assume that CPI adjustments to Capital Repayment are 2% annually in the future and does not include additional users.
- 3) The projected costs come from the amounts unspent in the current biennium as well as the budget requests that SWA will submit to the Water Development Plan.
- 4) Projected costs are divided evenly between 2024 through 2036 for simplicity in representation. Precise timeline of spending is unknown.
- 5) Projected costs include 3% annual inflation.

**Comparison of Capital Repayment of SWPP with Loan Repayment:**

Projections can be made to compare the funds received back to the State through Capital Repayments with the payment that would have been received, had the local share been funded with a conventional loan.

**Loan vs. Capital Repayment Assessment:**

With the assumption that project spending ends in 2036 as noted before and if the local share, at 35 percent of the total project expenditures, were loaned to the SWA, at the end of a 40-year loan term, with a 2.0 percent interest rate on the loan, loan repayment would be \$476 Million, while the Capital Repayments made would be \$668 Million, and Capital Repayment continues after the 40-year term. Figure 5 shows the comparison of cumulative loan repayment versus cumulative Capital Repayment.

Even if a lower 25 percent of the total project expenditures were considered as a loan to the SWA, with a higher 3.0 percent interest rate, at the end of 40-year loan term, the cumulative loan repayment would be \$402 million, while the cumulative Capital Repayment would be \$668 Million.

## **Summary:**

This memo provides the relationship between the SWPP project expenditures and the Capital Repayment based on different assumptions. The assumptions include, project spending ending in 2036, Capital Repayment increasing annually at the rate of 2 percent, and there is no increase in water usage. Based on these assumptions, the analysis indicates that 100% of the project expenditures will be repaid by Capital Repayment in the year 2088, 40% of the project expenditures will be repaid in the year 2055, 35% of the project expenditures will be repaid in the year 2051, and 25% of the project expenditures will be repaid in 2041. If federal grants were not included in the payback amount, and assuming all future funding is from state funds; 100% of the project expenditures will be repaid by Capital Repayment in the year 2083, 40% of the project expenditures will be repaid in the year 2051, 35% of the project expenditures will be repaid in the year 2047 and 25% of the project expenditures will be repaid in the year 2038. While we have provided calculations to show when Capital Repayment would pay back project expenditures without federal grants under different scenarios, it is important to note that all other systems are expected to provide for their prescribed cost share for their projects irrespective of state or federal grants.

The analysis also indicated that a 10% one-time surcharge did not result in a significant difference in repayment timeframe for the SWPP.

The relationship between the SWPP expenditures and the Capital Repayment are currently being revisited due to the SWA's request to increase the maximum cost per ESU criteria and this memo captures historical information and assumptions on project repayment. The SWA's request to increase the maximum cost per ESU was approved at the February 2024 SWC meeting, with a note indicating that the Capital Repayment adjustment will be brought forward later. DWR staff, SWA staff, and SWA Board members have discussed the justified Capital Repayment adjustment needed for increasing the maximum cost/ESU extensively and it will be addressed in a separate memo.

The 1996 Transfer Agreement states, "The Commission shall have the authority to adjust the base water rate for capital costs annually for each category of user in accordance with the increase or the decrease in the CPI". If the Commission desires to change the Capital Repayment for SWPP, it is possible with an amendment to the Transfer Agreement. Both the

SWA and the SWC would need to approve any amendment. And if there was a significant adjustment to policy or management of the SWPP, the legislature may need to be included.

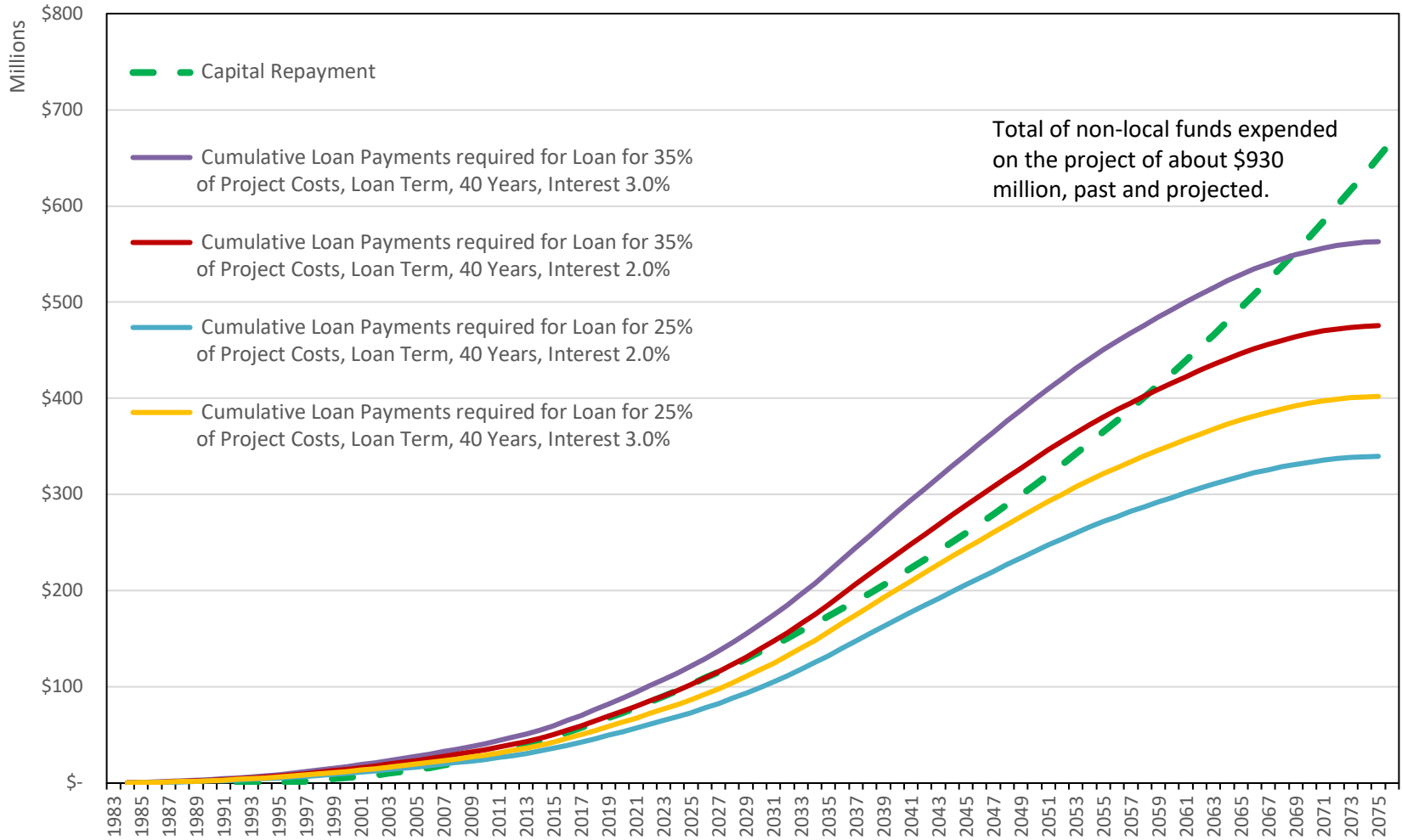
If it is desired to move SWPP more towards a structure similar to other regional water supply projects, the various assumptions in this memo can be further reviewed to determine a specific cost share for the Project and when the Capital Repayment could potentially end. If Capital Repayments were to end after a specific timeframe, the SWPP could request cost share similar to other systems and the Project could be transferred to local ownership.

The funding model for SWPP is unique. Through this analysis, based on the certain assumptions included, the project's repayment is estimated at various timeframes. The Project's repayment analysis will be different if assumptions are changed or if "perpetuity" is defined. This memo does not provide any recommendations at this time but gives areas for further discussion as the SWPP moves closer to the assumption of substantial project completion in 2036.

The SWPP remains a critical regional water supply project to the southwest region of the state. As the project reaches substantial completion, consideration should be given to identifying appropriate Capital Repayment for SWPP, defining "perpetuity", identifying if a cost share is appropriate, determining appropriate maximum cost per ESU with rationale for changes, and if the change in project's ownership is appropriate.

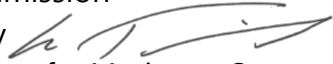
A working group that consists of various stakeholders may need to be set up in the near future to identify recommendations for the different aspects of the project discussed above.

**Figure 5: Loan Repayment Scenarios Vs. Capital Repayment**



MEMORANDUM

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP – Capital Repayment Adjustment for Maximum Cost per Equivalent Service Unit increase

**DATE:** September 26, 2024

Feasibility Criteria exists within the Southwest Pipeline Project (SWPP) because of the SWPP's unique nature within our state. The SWPP is one of the two regional water systems owned by the state. Northwest Area Water Supply (NAWS) is the other state-owned project. SWPP is different than NAWS in that it includes retail rural customers served by the system and has an operating entity, Southwest Water Authority (SWA), to manage the operations of the system, with expansion interests. The feasibility criteria are in place to make sure that the expansion is reasonable. Since the SWPP's funding structure includes Capital Repayment from users that are set to escalate annually with the Consumer Price Index (CPI) instead of termed loan repayments, its funding approach is distinctly different from other rural systems throughout the state. Because of this different funding approach, limits on construction costs for expansion were set to responsibly use state funding.

The Feasibility Criteria for SWPP includes two parameters: Sign up percentage and the maximum cost per Equivalent Service Unit (ESU). Discussion has been ongoing about an adjustment to the maximum cost/ESU since the fall of 2022, when the preliminary rural distribution design for the Burt-Hebron Service Area was completed. Upon completion of the preliminary design, it was apparent that the existing maximum cost/ESU would not allow for a project that would extend the rural distribution in a consequential way. Because construction inflation has been significantly outpacing general inflation, the existing Feasibility Criteria's maximum cost/ESU, calculated using December 2023 CPI, at \$54,270 would provide for installation of less than 4/10<sup>th</sup> of a mile of service line. Historically, the maximum cost/ESU has allowed extension of rural service at 1-2 miles/ESU. More than 2 miles/ESU was even constructable during early construction of the rural distribution projects.

At the February 2024, State Water Commission (SWC) meeting, the Commission approved increasing the maximum cost/ESU to \$75,980 based on SWA's request calculated using

the December 2023 CPI. At the Commission meeting it was noted that the DWR staff would determine the appropriate Capital Repayment adjustment for the increase in maximum cost/ESU. There have been many meetings between Department of Water Resources (DWR) staff, SWA staff, SWA's Feasibility Criteria Subcommittee, and the full SWA board regarding the justified increase in Capital Repayment for the increase in maximum cost/ESU requested by SWA. The proposal offered by DWR staff is as follows:

- 1) Increase the maximum cost/ESU from \$55,640 (using July of 2024 CPI) to \$61,742 without any adjustment to the Capital Repayment rate. The new maximum cost/ESU was determined by allocating the 2024 Capital Repayment amount of \$45.02/month towards 35% of the maximum cost/ESU with 0% interest and 40 years repayment. ( $\$45.02/\text{month} \times 12 \text{ months} \times 40 \text{ years} / 35\% = \$61,742$ )

DWR staff proposed using 35% in the calculation as prior to 2011, the local cost share for rural systems was 65% state and 35% local match. Much of SWPP system was built prior to 2011 when other rural systems were responsible for 35% local share. Additionally, the other state-owned regional system, NAWS, remains at 65%-35% cost share. A notable difference between NAWS and SWPP is that NAWS is strictly a wholesale supplier while SWPP is both a wholesale supplier and a fully integrated system with service directly to rural customers.

- 2) Allow SWA to increase the maximum cost/ESU to an amount that they think is best to reasonably expand into the Burt-Hebron new service area in exchange for a Capital Repayment rate increase calculated using the formula noted in #1. The Capital Repayment increase would be \$7.29 for every \$10,000 of maximum cost/ESU increase. ( $\$10,000 \times 35\% / 40 \text{ years} / 12 \text{ months} = \$7.29/\text{month}/\text{ESU}$ ).
- 3) Allow SWA to determine how they distribute the increase in Capital Repayment among the SWPP'S rural customers. Two common ways could be to distribute among the new Burt-Hebron rural customers or allow them to distribute widely among SWPP's customer base. If among new customers, the amount in #2 would be charged to each new customer. If distributed widely among their customer base, the amount would be much less to each customer.

Following multiple discussions, at the September 3, 2024, SWA Board meeting the following motions were made:

1. Adopt an increase to the SWPP Feasibility Criteria maximum cost/ESU to \$61,742



based on the 2024 Capital Repayment rate. Motion carried unanimously by roll call vote.

2. Approve \$75,980 as the maximum cost/ESU for the Burt-Hebron Rural Service Area, including Lake Tschida, and the policy change for Capital Repayment adjustment. Motion carried by roll call vote.
3. Assess the Capital Repayment adjustment to all rural customers determined annually in the budget process for the budget year following the substantial completion date. Motion carried unanimously by roll call vote.


DWR staff have discussed the motions approved by the SWA Board and recommend approval of them.

**I recommend:**

- 1. Increasing the maximum cost/ESU to \$61,742 based on the 2024 Capital Repayment rate and the maximum cost/ESU in the future will be calculated by allocating the Capital Repayment rate towards 35% of the maximum cost/ESU with 0% interest and 40 years repayment.**
- 2. Approving \$75,980 as the maximum cost/ESU for the Burt-Hebron Rural Service Area, including Lake Tschida, with the Capital Repayment adjustment. The Capital Repayment adjustment needed for increasing from \$61,742 to \$75,980 is \$10.38/ESU/Month.**
- 3. Approving spreading the Capital Repayment adjustment needed for the increase in maximum cost/ESU among all SWPP rural customers and allow for the adjustment to be determined annually in the budget process for the budget year following the Substantial Completion date of the rural distribution contract.**

MEMORANDUM

**TO:** Governor Doug Burgum  
 Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP – Feasibility Criteria - Exclusions

**DATE:** September 26, 2024

The SWPP’s Feasibility Criteria has a guideline that states that “Transmission and storage facilities will not be included in the determination of cost for a single ESU”. The components noted within this guideline are most commonly referred to as “Exclusions”. In addition to the exclusions noted in the Feasibility Criteria guideline, booster pump stations have been excluded in the determination of maximum cost/ESU through SWC action. Storage facilities and booster pump stations do not need a definition, while Transmission Facilities do require a definition. Traditionally, facilities built to serve towns were considered transmission facilities. Furthermore, based on the specific reference to storage facilities and booster pump stations in the guideline, the storage and booster pump stations located within rural distribution have been considered exclusions as well and have not been included in the maximum cost/ESU calculation.

“Transmission Facilities” need a definition at this time, as questions about whether the 8” – 10” pipeline that is needed to serve signups around Lake Tschida could be considered an exclusion have arose. On the SWPP, the flow rate design for pipelines to a reservoir is called transmission flow which is generally calculated using the formula:

$Q = 0.5xN + C$ , where N is the number of ESUs, C is the contract flow amounts

The pipeline downstream of the reservoir is designed for distribution flow, which is calculated using the formulas:

$Q = 9xN^{0.5} + C$  For  $15 \geq N$ , where N is the number of ESUs, C is the contract flow amounts

$Q = 0.9xN + 13.6 + C$  For  $15 < N$ , where N is the number of ESUs, C is the contract flow amounts

Because of the difference in the calculation for transmission flow and distribution flow,

DWR staff feels defining transmission facilities as facilities upstream of a reservoir, or to a town is appropriate. The Burt-Hebron project has identified a need to better define exclusions that seemingly were not contemplated when the Feasibility Criteria was originally adopted.

As Capital Repayment and maximum cost/ESU criteria are unique to the SWPP, so are the exclusions. Other rural water systems across the state that receive cost share from the SWC, are responsible for the local share on the total cost to build those systems which includes transmission components, treatment facilities, intake facilities, and distribution facilities. Since other rural systems pay a defined share for all their components, the rural water system's governing body decides the extent of expansion affordable to the system and the SWC has no policy in place to restrict the system's plans to expand based on cost to serve a rural user. However, the SWPP has the maximum cost/ESU as it was needed for the SWC as the owner of the project to determine the responsible use of state funding to serve a single user based on the SWPP's unique funding model. The guidance which includes the exclusions was created for the implementation of the SWPP's Feasibility Criteria.

It should be noted that the maximum cost/ESU discussed for the SWPP is different than the Present Value Cost/user included in the Life Cycle Analysis of rural and municipal water system's cost share application for SWC funding because of the following reasons:

1. The exclusions included in the maximum cost/ESU calculation
2. The Present Value Cost/User includes, operation and maintenance, replacement, and salvage costs while the maximum cost/ESU is just the capital and engineering costs for construction.

DWR sought Commission's feedback on the definition of pipelines in the Transmission facilities to be included in the guideline for the SWPP's feasibility criteria at the September Pre-commission meeting.

The options presented at the September Precommission were:

1. Define pipelines included within the "Transmission facilities" exclusions as only pipelines that serve a town.
2. Define pipelines included within the "Transmission facilities" exclusions as pipelines upstream of a reservoir.

SWPP – Feasibility Criteria - Exclusions

September 26, 2024


Page 3 of 3

DWR staff recommends defining pipelines upstream of a reservoir as a Transmission facility because of the difference in design criteria used for pipelines upstream of a reservoir.

**I recommend defining pipelines that are upstream of a reservoir as a Transmission facility and consider them as an exclusion to the maximum cost/Equivalent service unit determination.**

AT:JF/1736-99

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP West Zone Expansion – Bid Ready Documents Design Selection

**DATE:** September 30, 2024

The West Zone of the Southwest Pipeline Project (SWPP) can generally be described as the area of the SWPP that is served by the main transmission line that leaves the Ray Christianson Pump Station (RCPS) and heads west, generally along the Old Highway 10 corridor, to city of Beach. Along the way, a series of distribution lines branch out from this transmission line both north and south.

As part of the 2023-2025 budget, approved in 2023, the need to increase capacity in this transmission line was identified. The conceptual level budgetary estimate of \$17.6 million was included and approved. Following the budget approval, Department of Water Resources (DWR) executed a Specific Authorization (SA) with SWPP's consulting engineer, BW/AECOM for completing an engineering report for the West Zone expansion in Fall, 2023.

The DWR Development Division has been working closely with BW/AECOM, as well as the Southwest Water Authority (SWA), to complete the Engineering Report for the West Zone Improvements project. A focus of this effort was on the future demand analysis. The future demand analysis had included conversations with the communities and contract customers in the West Zone.

At the August State Water Commission (SWC) meeting, staff brought forward the results of the capacity analysis completed for the identified needs. The identified need account for growth projections that can be reasonably expected. The identified needs also incorporated the information from the different stakeholders in the West Zone.

Aside from the identified needs, the potential for further development beyond what can reasonably be foreseen at this time was discussed extensively at the August SWC meeting. At the August meeting, DWR staff recommended a preliminary design for the identified needs (Design 1) and also a preliminary design for the identified needs plus 25% capacity (Design 2), commonly referred to as "blue sky" capacity. At the August SWC meeting, an additional preliminary design for the next nominal pipe size above the identified needs plus additional 25% capacity (Design 3) was also approved. In addition, DWR staff requested BW/AECOM to complete an estimate, and approximate additional capacity, that could be realized by installing 16" pipeline from the RCPS to City of Beach.

DWR staff received draft information from BW/AECOM on September 20, 2024, which is under review.

The summary of the capacities, infrastructure changes, and estimated project costs for the three designs are included as Table 1. In addition, the conceptual estimate for installing 16" pipeline from the RCPS to the City of Beach is also included in Table 1. The attached figures show the identified infrastructure changes needed for the different segments for the three preliminary designs completed.

The preliminary designs show estimates that are significantly higher than the conceptual estimate in the 2023-2025 budget. Per Table 1, the preliminary designs indicate a total project costs of \$25.6 million, \$29.1 million and \$40.4 million for Design 1, Design 2 and Design 3, respectively. Per Commission's direction at the August meeting, Design 3 started with the next pipe size above Design 2 but included additional design changes needed in order to be compatible with the additional flow provided by the increased pipe size. For example, in the segment between the RCPS and Belfield tank, an additional 6,800 feet pipe parallel piping is needed, along with the existing ductile iron pipe, in order to keep velocities under design maximums. This change is the largest single factor in the amount of cost increase between Design 2 and Design 3.

Based on the preliminary design information, DWR staff recommends completing Bid Ready documents for Design 3 because of the following reasons:

1. Staff acknowledges that the water needs projections in the West Zone are the best information based on what is currently known. Outcomes from the different economic development discussions are ongoing with quantities still unknown, but there is a general understanding that water needs continue to a major theme to business and industry decisions.
2. Typical to the SWPP, many miles of pipe installation are needed to accomplish a capacity upgrade. In particular, for this West Zone project, many of those miles include routing through US Forest Service government lands. Therefore, any upgrades that may be needed later will come at additional cost and time. Therefore, it would be beneficial to construct the larger capacity needed now.
3. Construction costs continue to see a significant rise and there is no sign of it slowing down. There may be significant cost savings to the state by completing a higher capacity project at this time to stay ahead of inflationary construction price increases.

**I recommend developing Bid Ready documents for the West Zone Expansion based on Design 3, the design with next nominal pipe size above identified needs with 25% additional capacity design.**

# Table 1

West Zone Preliminary Design Alternatives					
FACILITY	RCPS to Belfield Tanks	Fryburg Booster to Fryburg Tank	Fryburg Tank to Beach Booster	Beach Booster to City of Beach Connection	
Existing Design Flowrate (gpm)	1090	870	768**	370 (Observed) 445 (Pump Design)	
Current Allocated Capacity (gpm)	1196	979	768**	372	
Existing Infrastructure	6,400 12" DIP 85,000 ft 12" PVC 42,000 ft of 12" PVC Parallel	14,100 ft of 10" PVC 37,700 ft of 12" PVC	96,300 ft of 10" PVC 28,900 ft of 12" PVC	64,300 ft of 10" PVC 8,500 ft of 8" PVC	
Preliminary Design at Identified Needs					
FACILITY	RCPS to Belfield Tanks****	Fryburg Booster to Fryburg Tank	Fryburg Tank to Beach Booster	Beach Booster to City of Beach	Total
Design Flowrate (gpm)	1783	1330	Fryburg tank to Medora SA - 872*** Medora SA - 672	432***	
Pipeline Improvements	39,564 feet of 12" PVC Parallel	49,367 feet of 10" & 12" PVC Parallel	29,946 feet of 10" PVC Parallel	29,502 feet of 10" PVC Parallel	
Other Improvements	-RCPS West Zone Pump Improvements -Surge Control Devices	-Replace Fryburg Booster Station - Surge Control Devices	- Valve Modifications to PRV 18-1 - New Mainline Booster 50 HP - New VFD Booster 5 HP - New 300,000 Gal Ground Storage Tank	- New 175,000 Gal Ground Storage Tank	
Project Costs*	\$ 4,310,000.00	\$ 6,210,000.00	\$ 6,060,000.00	\$ 4,280,000.00	\$ 20,860,000.00
RCPS Upgrades (West Zone)****	\$ 4,752,000.00				\$ 25,612,000.00
Preliminary Design at Identified Needs plus 25% Blue Sky Capacity					
FACILITY	RCPS to Belfield Tanks****	Fryburg Booster to Fryburg Tank	Fryburg Tank to Beach Booster	Beach Booster to City of Beach	Total
Design Flowrate (gpm)	1921	1433	Fryburg tank to Medora SA - 924*** Medora SA - 724	466***	
Percent Increase In Flow Over Identified Needs	25%	25%	25%	25%	
Pipeline Improvements	39,564 feet of 14" PVC Parallel	52,303 feet of 12" PVC Parallel	37,065 feet of 10" PVC Parallel	33,895 feet of 10" PVC Parallel	
Other Improvements	- RCPS West Zone Pump Improvements - Surge Control Devices	- Replace Fryburg Booster Station - Surge Control Devices	- Valve Modifications to PRV 18-1 - New Mainline Booster 50 HP - New VFD Booster 5 HP - New 300,000 Gal Ground Storage Tank	- Beach Booster Station Upgrades - New 175,000 Gal Ground Storage Tank	
Project Costs*	\$ 6,160,000.00	\$ 6,840,000.00	\$ 6,510,000.00	\$ 4,850,000.00	\$ 24,360,000.00
RCPS Upgrades (West Zone)****	\$ 4,752,000.00				\$ 29,112,000.00
Preliminary Design with Identified Needs with greater than 25 % additional capacity					
FACILITY	RCPS to Belfield Tanks****	Fryburg Booster to Fryburg Tank	Fryburg Tank to Beach Booster	Beach Booster to City of Beach	Total
Design Flowrate (gpm)	2240	1712	Fryburg tank to Medora SA - 975*** Medora SA - 775	500***	
Percent Increase In Flow Over Identified Needs	83%	93%	50%	50%	
Pipeline Improvements	43,169 feet of 16" PVC Parallel 6,817 Feet of 12" Ductile Iron Parallel	52,303 feet of 14" PVC Parallel	37,065 feet of 12" PVC Parallel	33,895 feet of 12" PVC Parallel	
Other Improvements	-RCPS West Zone Pump Improvements - Surge Control Devices	- Replace Fryburg Booster Station - Surge Control Devices	- Valve Modifications to PRV 18-1 - New Mainline Booster 60 HP - New VFD Booster 5 HP - New 300,000 Gal Ground Storage Tank	- Beach Booster Station Upgrades - New 175,000 Gal Ground Storage Tank	
Project Costs *	\$ 14,103,000.00	\$ 9,170,000.00	\$ 7,120,000.00	\$ 5,300,000.00	\$ 35,693,000.00
RCPS Upgrades (West Zone)****	\$ 4,752,000.00				\$ 40,445,000.00
Conceptual Estimate of 16" PVC throughout entire West Zone					
FACILITY	RCPS to Belfield Tanks	Fryburg Booster to Fryburg Tank	Fryburg Tank to Beach Booster	Beach Booster to City of Beach	Total
Design Flowrate (gpm)	No Design Completed	No Design Completed	No Design Completed	No Design Completed	
Pipeline Improvements	85,000 feet of 16" PVC Parallel	51,800 feet of 16" PVC Parallel	125,200 feet of 16" PVC Parallel	64,300 feet of 16" PVC Parallel	
Project Costs	\$ 14,900,000.00	\$ 9,090,000.00	\$ 21,950,000.00	\$ 11,280,000.00	\$ 57,220,000.00

\* Project Costs assumed 10% Contingency for all improvements. Project costs also include Engineering, Easements, Crop Damages, SCADA, and Power .

\*\* Flow rate shown is current peak instantaneous flow. Flowrate based on current allocation in hydraulic model.

\*\*\* Flow rate assumes construction of a new service area with the implementation of a new tank. This lowers the transmission design flowrate to serve the existing users.

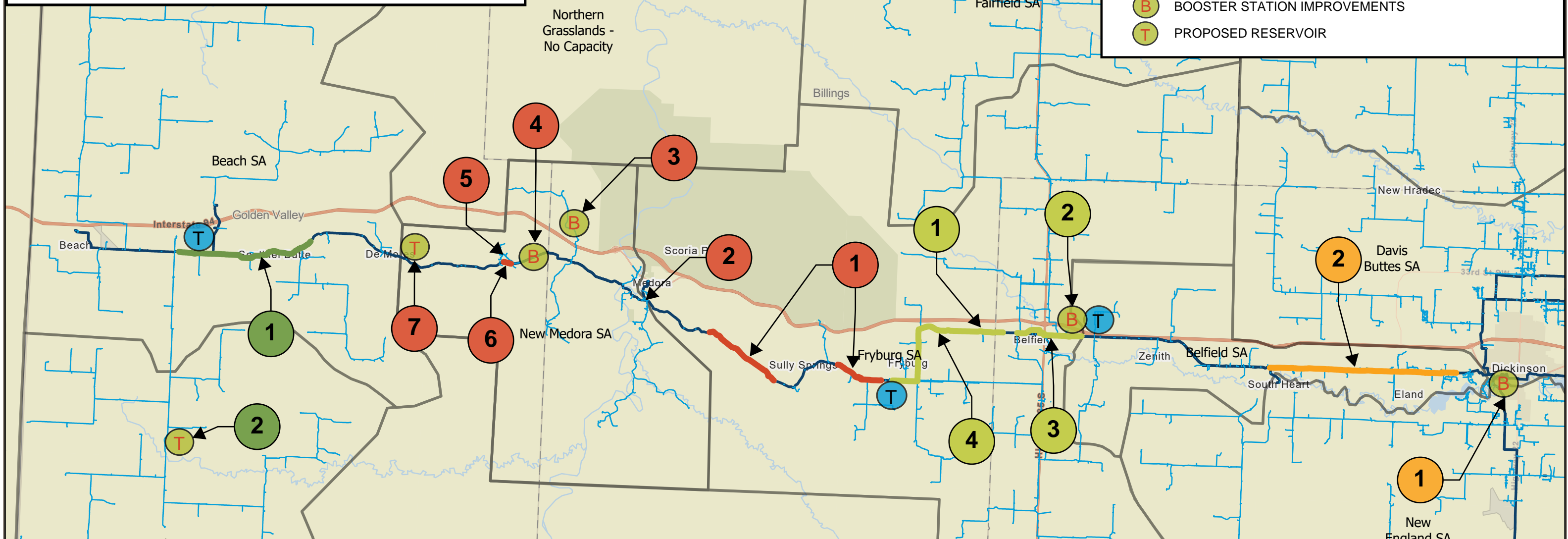
\*\*\*\*The estimate includes all improvements associated with the West Zone pump station. It is assumed upgrades to the building electrical system and HVAC system are necessary with the west zone improvements in RCPS.

# WEST ZONE MTL IMPROVEMENTS PRELIMINARY DESIGN - SEPTEMBER 2024 IDENTIFIED NEEDS

Design 1

**MAP LEGEND**

- EXISTING SWPP MAIN TRANSMISSION PIPELINE
- EXISTING SWPP DISTRIBUTION PIPELINE
- EXISTING RESERVOIR
- BOOSTER STATION IMPROVEMENTS
- PROPOSED RESERVOIR



**BEACH BOOSTER TO CITY OF BEACH CONNECTION**

- 29,500 FT OF 10" PARALLEL TO EXISTING 10" PVC.
- NEW 175,000 GALLON GROUND STORAGE TANK.

**FRYBURG TANK TO BEACH BOOSTER**

- 28,400 FT OF 10" PARALLEL TO EXISTING 10" PVC.
- VALVE MODIFICATIONS TO EXISTING TYPE 1 PRV.
- NEW VFD BOOSTER STATION 5 HP.
- NEW MAINLINE BOOSTER STATION 50 HP.
- NEW TYPE 2 PRV'S (2) ON EXISTING DISTRIBUTION PIPING.
- UPGRADE PIPE CLASS ON 1,600 FT OF EXISTING 10" PVC CLASS 160 TO 10" PVC CLASS 200
- NEW 300,00 GALLON GROUND STORAGE TANK.

**FRYBURG BOOSTER TO FRYBURG TANK**

- SURGE CONTROL DEVICES ASSUMED FOR DESIGN.
- REPLACE EXISTING FRYBURG BOOSTER STATION. PUMPS & VFD'S UPGRADED FROM 125 TO 200 HP.
- 15,000 FT OF 10" PARALLEL TO EXISTING 10" PVC.
- 34,500 FT OF 12" PARALLEL TO EXISTING 12" PVC.

**RCPS TO BELFIELD TANKS**

- SURGE CONTROL FACILITIES AT RCPS ASSUMED FOR DESIGN.
- EXISTING RCPS WEST ZONE PUMPS UPGRADED FROM 125 TO 200 HP.
- UPGRADE DISCHARGE MANIFOLD AT RCPS AND REPLACE 8" DIP WITH 14" DIP.
- RCPS WEST ZONE ELECTRICAL MOTOR CONTROL UPGRADES.
- RCPS WEST ZONE INSTRUMENTATION UPGRADES.
- RCPS BUILDING ELECTRICAL UPGRADES.
- RCPS BUILDING HVAC UPGRADES.
- 39,600 FT OF 12" PVC PARALLEL TO EXISTING 12" PVC.

Folder: F:\Proj\3000\3033\A34\ArcGIS\HRUM\



**SOUTHWEST PIPELINE PROJECT  
WEST ZONE MTL IMPROVEMENTS PRELIMINARY DESIGN  
SEPTEMBER 2024**



This program is a partnership of the Water Resources & Water Commission

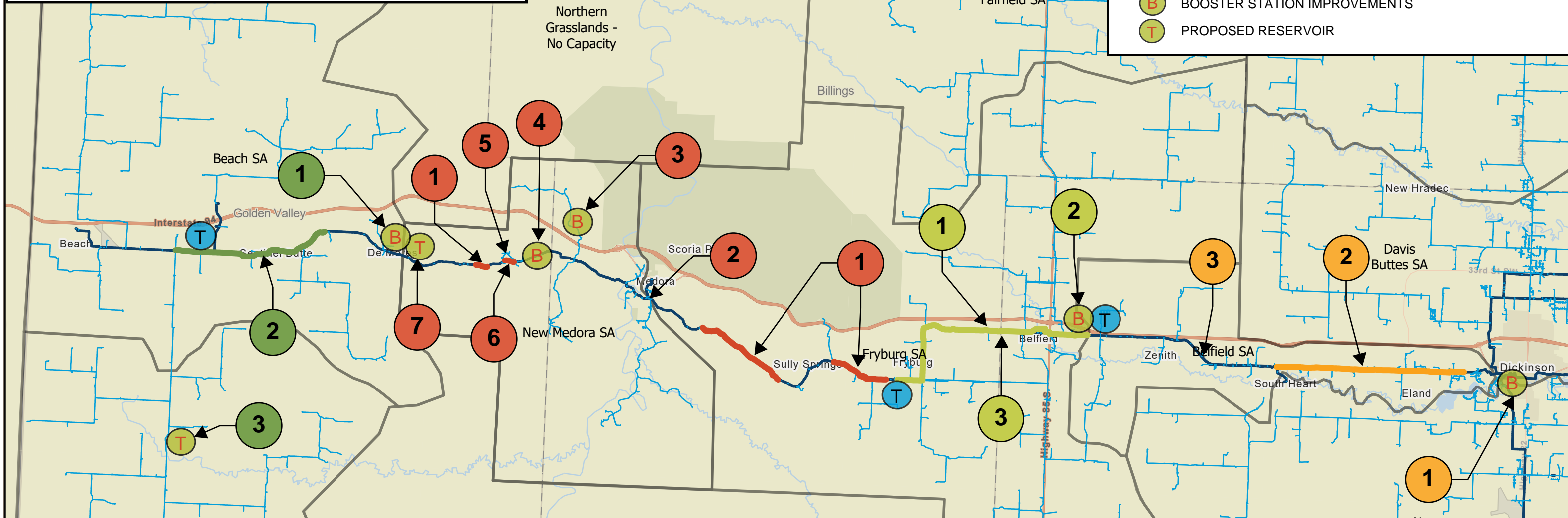


**WEST ZONE MTL IMPROVEMENTS  
PRELIMINARY DESIGN - SEPTEMBER 2024  
IDENTIFIED NEEDS +25% CAPACITY**

**Design 2**

**MAP LEGEND**

- EXISTING SWPP MAIN TRANSMISSION PIPELINE
- EXISTING SWPP DISTRIBUTION PIPELINE
- EXISTING RESERVOIR
- BOOSTER STATION IMPROVEMENTS
- PROPOSED RESERVOIR



**BEACH BOOSTER TO CITY OF BEACH CONNECTION**

1. EXISTING BEACH BOOSTER STATION PUMPS & VFD'S UPGRADED FROM 75 TO 100 HP.
2. 33,900 FT OF 10" PARALLEL TO EXISTING 10" PVC.
3. NEW 175,000 GALLON GROUND STORAGE TANK.

**FRYBURG TANK TO BEACH BOOSTER**

1. 35,300 FT OF 10" PARALLEL TO EXISTING 10" PVC.
2. VALVE MODIFICATIONS TO EXISTING TYPE 1 PRV.
3. NEW VFD BOOSTER STATION 5 HP.
4. NEW MAINLINE BOOSTER STATION 50 HP.
5. NEW TYPE 2 PRV'S (2) ON EXISTING DISTRIBUTION PIPING.
6. UPGRADE PIPE CLASS ON 1,900 FT OF EXISTING 10" PVC CLASS 160 TO 10" PVC CLASS 200
7. NEW 300,00 GALLON GROUND STORAGE TANK.

**FRYBURG BOOSTER TO FRYBURG TANK**

1. SURGE CONTROL DEVICES ASSUMED FOR DESIGN.
2. REPLACE EXISTING FRYBURG BOOSTER STATION. PUMPS & VFD'S UPGRADED FROM 125 TO 200 HP.
3. 53,300 FT OF 12" PARALLEL TO EXISTING 10" & 12" PVC

**RCPS TO BELFIELD TANKS**

1. SURGE CONTROL FACILITIES AT RCPS ASSUMED FOR DESIGN.
1. EXISTING RCPS WEST ZONE PUMPS UPGRADED FROM 125 TO 200 HP.
1. UPGRADE DISCHARGE MANIFOLD AT RCPS AND REPLACE 8" DIP WITH 14" DIP.
1. RCPS WEST ZONE ELECTRICAL MOTOR CONTROL UPGRADES.
1. RCPS WEST ZONE INSTRUMENTATION UPGRADES.
1. RCPS BUILDING ELECTRICAL UPGRADES.
1. RCPS BUILDING HVAC UPGRADES.
2. 39,600 FT OF 14" PVC PARALLEL TO EXISTING 12" PVC.
3. UPGRADE PIPE CLASS ON 1,000 FT OF EXISTING 12" PVC



**SOUTHWEST PIPELINE PROJECT  
WEST ZONE MTL IMPROVEMENTS PRELIMINARY DESIGN  
SEPTEMBER 2024**



This program is a partnership of the Water Resources & Water Commission

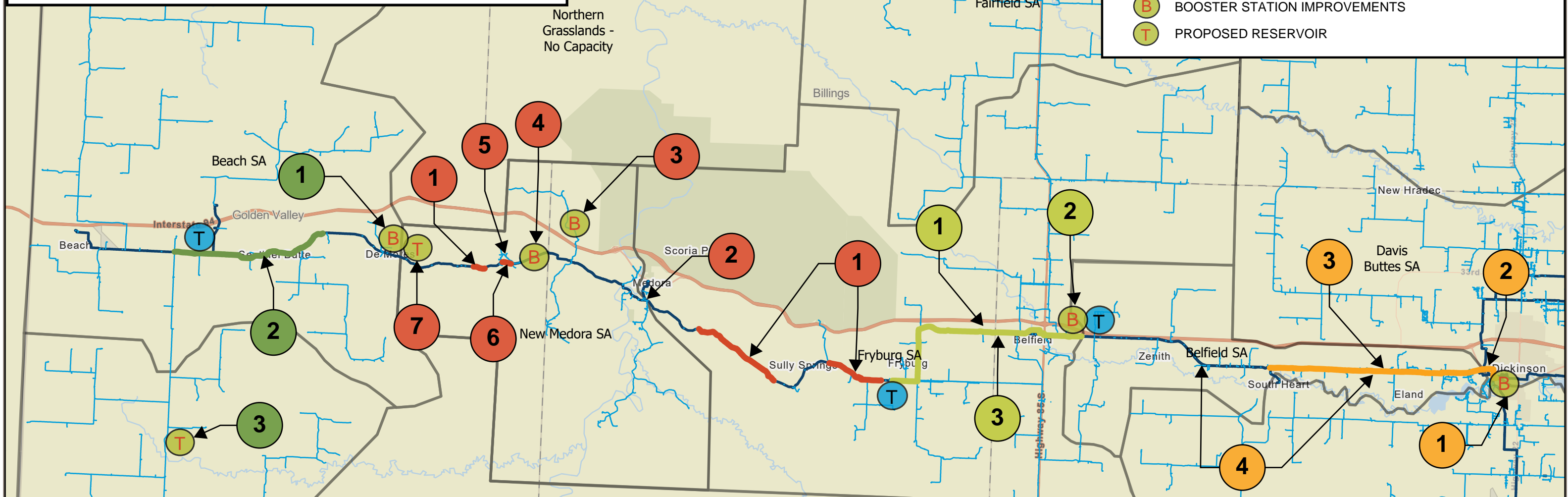
Folder: F:\Proj\3000\3033\A34\ArcGIS\HRUM

**WEST ZONE MTL IMPROVEMENTS  
PRELIMINARY DESIGN - SEPTEMBER 2024  
IDENTIFIED NEEDS WITH OVER 25% CAPACITY**

**Design 3**

**MAP LEGEND**

- EXISTING SWPP MAIN TRANSMISSION PIPELINE
- EXISTING SWPP DISTRIBUTION PIPELINE
- EXISTING RESERVOIR
- BOOSTER STATION IMPROVEMENTS
- PROPOSED RESERVOIR



**BEACH BOOSTER TO CITY OF BEACH CONNECTION**

- EXISTING BEACH BOOSTER STATION PUMPS & VFD'S UPGRADED FROM 75 TO 100 HP.
- 33,900 FT OF 12" PARALLEL TO EXISTING 10" PVC.
- NEW 175,000 GALLON GROUND STORAGE TANK.

**FRYBURG TANK TO BEACH BOOSTER**

- 35,300 FT OF 12" PARALLEL TO EXISTING 10" PVC.
- VALVE MODIFICATIONS TO EXISTING TYPE 1 PRV.
- NEW VFD BOOSTER STATION 5 HP.
- NEW MAINLINE BOOSTER STATION 50 HP.
- NEW TYPE 2 PRV'S (2) ON EXISTING DISTRIBUTION PIPING.
- UPGRADE PIPE CLASS ON 1,900 FT OF EXISTING 10" PVC CLASS 160 TO 12" PVC CLASS 200
- NEW 300,00 GALLON GROUND STORAGE TANK.

**FRYBURG BOOSTER TO FRYBURG TANK**

- SURGE CONTROL DEVICES ASSUMED FOR DESIGN.
- REPLACE EXISTING FRYBURG BOOSTER STATION. PUMPS & VFD'S UPGRADED FROM 125 TO 200 HP.
- 53,000 FT OF 14" PARALLEL TO EXISTING 10" & 12" PVC

**RCPS TO BELFIELD TANKS**

- SURGE CONTROL FACILITIES AT RCPS ASSUMED FOR DESIGN.
- EXISTING RCPS WEST ZONE PUMPS UPGRADED FROM 125 TO 200 HP.
- UPGRADE DISCHARGE MANIFOLD AT RCPS AND REPLACE 8" DIP WITH 14" DIP.
- RCPS WEST ZONE ELECTRICAL MOTOR CONTROL UPGRADES.
- RCPS WEST ZONE INSTRUMENTATION UPGRADES.
- RCPS BUILDING ELECTRICAL UPGRADES.
- RCPS BUILDING HVAC UPGRADES.
- 6,800 FT OF 12" DIP PARALLEL TO EXISTING 12" DIP.
- 43,200 FT OF 16" PVC PARALLEL TO EXISTING 12" PVC.
- UPGRADE PIPE CLASS ON 9,700 FT OF EXISTING 12" PVC

Folder: F:\Proj\3000\3033\3033\_A34\ArcGIS\HRUM



**SOUTHWEST PIPELINE PROJECT  
WEST ZONE MTL IMPROVEMENTS PRELIMINARY DESIGN  
SEPTEMBER 2024**




This program is a partnership of the Water Resources & Water Commission

NORTH  
**Dakota** | Water Resources  
Be Legendary.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP - Amendment to Water Supply Agreement with Basin Electric Power Cooperative

**DATE:** September 26, 2024

The existing intake for the Southwest Pipeline Project is a shared intake with the Basin Electric Power Cooperative (BEPC). A 1986 water supply agreement between State of North Dakota and BEPC provides for 10,600 gallons per minute (gpm) capacity from the BEPC's intake to the SWPP.

The Department of Water Resources staff have been in communication with BEPC regarding allocation of additional capacity for the SWPP from the BEPC intake. Department of Water Resources staff and BEPC staff have reached an agreement on the commercial terms for BEPC to provide additional 3,000 gpm capacity to SWPP and is included in the attached amendment.

The conceptual plan for BEPC's intake to provide additional 3,000 gpm for the SWPP involves upgrading the existing 100 HP pump inside the BEPC intake building with a 200 HP pump and upgrading the existing 300 HP pump inside the SWPP's intake building with 600 HP pump.

This increased capacity from BEPC will allow SWPP to realize the additional capacity within 2-3 years while we continue to engage in the mediation process for the SWPP's Supplementary Raw Water intake construction failure.

After the amendment to the water supply agreement is fully executed, DWR staff will authorize Bartlett & West/AECOM to proceed with developing bid ready documents for construction.

**I recommend the State Water Commission authorize the Secretary to execute the amendment to the 1986 water supply agreement between the State Water Commission and the Basin Electric Power Cooperative and to proceed with developing bid ready documents for construction.**

AT:JF/1736-99

## **FIRST AMENDMENT TO WATER SUPPLY AGREEMENT**

This First Amendment to Water Supply Agreement is entered into by and between Basin Electric Power Cooperative (Basin Electric) and the State of North Dakota (State) acting through its State Water Commission.

Whereas, Basin Electric and the State are parties to a Water Supply Agreement (Agreement) dated March 1, 1986;

Whereas, the State desires Basin Electric to divert and deliver additional water to the State; and

Whereas, Basin Electric and the State wish to amend the Agreement.

Now, therefore, in consideration of the foregoing and of the mutual covenants contained herein, Basin Electric and the State hereby agree as follows:

### **1. Representations and Warranties.**

- a. Basin Electric hereby represents and warrants that it currently has no contractual relationship with the Rural Utilities Service, formerly known as the Rural Electrification Administration, and therefore, no consent from the Rural Utilities Service is required as noted in the Agreement.
- b. Dakota Gasification Company (DGC) hereby represents and warrants that ANG Coal Gasification Company was dissolved effective June 24, 1996, and all corporate obligations of ANG Coal Gasification Company were assumed as part of that dissolution by DGC. DGC consents to this Amendment.

### **2. Amended Provisions.**

- a. Section 3.1 of the Agreement is amended by replacing "10,600" with "13,600."
- b. Subsection 4.2(b) of the Agreement is amended by replacing all references of "seven thousand five hundred dollars (\$7,500.00)" with "nine thousand six hundred dollars (\$9,600.00)."
- c. Section 5.7 of the Agreement is amended by deleting that section in its entirety and inserting the following:

"This Agreement may not be modified or amended except by written agreement of the parties."

### **3. New Provisions.**

- a. A new subsection 4.2(c) to the Agreement is created as follows:

"If Basin Electric determines it is necessary to take measures to control Aquatic Nuisance Species (ANS) that can interfere with the intake use (such as zebra mussels), it will consult with the State regarding the installation and ongoing operation of these control measures and a mutually agreed control measure will be selected. The State agrees to pay 50% of the installation and operation costs associated with

the mutually agreed ANS control measures. If the State requires additional steps or more costly measures to control ANS than would otherwise be necessary due to the State's use of the water for drinking water purposes, the State agrees to pay 100% of these additional costs. Any ANS control measures associated with the Water Intake Structure must be approved by Basin Electric. The State shall pay any ANS control costs due under this subsection 4.2(c) to Basin Electric within 45 days of receiving the invoice from Basin Electric. The ANS costs are independent of the fee owed under subsection 4.2(b)."

- b. A new subsection 4.2(d) to the Agreement is created as follows:

"If Basin Electric determines modifications are required to the Water Intake Structure due to the State's request to increase its allocation from 10,600 to 13,600 gallons per minute, the State agrees to replace the necessary intake blank side screens with side screens that are comparable to others used on the Water Intake Structure. The timeline for replacement will be mutually agreed upon by Basin Electric and the State."

- c. A new subsection 4.2(e) to the Agreement is created as follows:

"The State shall notify Basin Electric before making any changes to the State's equipment beyond normal maintenance and like-kind replacement of equipment so that Basin Electric can complete a permitting and compliance review of the proposed changes. Basin Electric will notify the State of any identified impacts to permitting. State agrees to pay for mutually agreed upon costs to complete any revisions to the Basin Electric's permit. The State shall pay for all costs associated with those activities prior to beginning work. Under no circumstances will the State begin work until Basin Electric confirms any necessary permitting or other compliances measures are complete."

4. **Effective Date.** This Amendment will take effect on December 1, 2024.
5. **Agreement Continuance.** Except as provided in this Amendment, the Agreement shall continue in full force and effect in accordance with its terms. If there is a conflict between this Amendment and the Agreement, the terms of this Amendment shall prevail.

In witness whereof, Basin Electric and the State have caused this Amendment to be duly executed on their behalf by their respective authorized representatives.

**STATE OF NORTH DAKOTA**

**BASIN ELECTRIC POWER COOPERATIVE**

By: \_\_\_\_\_

By: *Troy Tweeten*

Name: \_\_\_\_\_

Name: Troy Tweeten

Title: \_\_\_\_\_

Title: Sr. VP of Generation

Date: \_\_\_\_\_

Date: September 12, 2024

**APPROVED BY: DAKOTA GASIFICATION COMPANY**

By: *Dale A. Johnson*

Name: Dale A. Johnson

Title: Sr. VP & Plant Manager

Date: September 12, 2024









# 20240912 - LEG - FIRST AMENDMENT TO WATER SUPPLY AGREEMENT

Final Audit Report

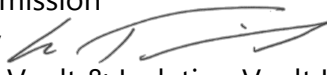
2024-09-12

Created:	2024-09-12
By:	Lisa Carney (lcarney@becp.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAyaqZiDglz2-B4tbLPUznwamWtKM3d4aX

## "20240912 - LEG - FIRST AMENDMENT TO WATER SUPPLY AGREEMENT" History

-  Document created by Lisa Carney (lcarney@becp.com)  
2024-09-12 - 2:28:17 PM GMT- IP address: 216.235.161.1
-  Document emailed to Troy Tweeten (ttweeten@becp.com) for signature  
2024-09-12 - 2:28:55 PM GMT
-  Email viewed by Troy Tweeten (ttweeten@becp.com)  
2024-09-12 - 2:50:24 PM GMT- IP address: 216.235.161.1
-  Document e-signed by Troy Tweeten (ttweeten@becp.com)  
Signature Date: 2024-09-12 - 2:50:48 PM GMT - Time Source: server- IP address: 216.235.161.1
-  Document emailed to Dale Johnson (dalej@becp.com) for signature  
2024-09-12 - 2:50:49 PM GMT
-  Email viewed by Dale Johnson (dalej@becp.com)  
2024-09-12 - 3:02:05 PM GMT- IP address: 209.62.238.3
-  Document e-signed by Dale Johnson (dalej@becp.com)  
Signature Date: 2024-09-12 - 3:07:02 PM GMT - Time Source: server- IP address: 209.62.238.3
-  Agreement completed.  
2024-09-12 - 3:07:02 PM GMT

N O R T H  
**Dakota** | Water Resources  
Be Legendary.

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** NAWS – SA 98 Pressure Reducing Vault & Isolation Vault Improvements  
**DATE:** September 25, 2024

The SA 98 Pressure Reducing Vault & Isolation Vault Improvements project consists of of new electrical ductbank and equipment pads, construction of new instrumentation, control, and electrical work at the Pressure Reducing Station and 3 (three) Isolation Valve Vaults, including valve actuators, unit heaters, dehumidifiers, sump pumps, and other miscellaneous and incidental items.

Pre-Bid conference was held at 2:00 PM on September 10th, 2024. During the bid period, three addenda were issued for clarifications and to address minor planholder questions. Schedule for Substantial Completion is August 15, 2025 with Final Completion September 15, 2025.

Contract was advertised with a bid opening on September 19th, 2024. Two bids were received for the work and those bids were opened and publicly read aloud. The two bids were from Main Electric Inc., and Burlington Electric. The apparent low bid was for \$555,990 which was 12% below the Engineer's estimate and the subsequent bid review and tabulation confirmed that there were no errors or omissions on the bids received.

Houston Engineering Inc., reviewed the bids for responseiveness and performed the bid tabulation. Based on their evaluation of the bids received, Houston Engineering provided the attached written recommendation on September 20<sup>th</sup>, 2024 to award the project to Burlington Electric, Inc. who was the low bidder for the project.

Funding for the state share of this contract will be from the 2023 – 2025 Capital Assets allocation for the NAWS project. The estimated funding needs for the state share of this project is \$380,000 which is 65% of the total bid cost for the contract with 5% contingency.

**I recommend the State Water Commission award the NAWS SA 98 Pressure Reducing Vault & Isolation Vault Improvements project to Burlington Electric pending legal review of the bid documents. I also recommend the State Water Commission allocate \$380,000 in Capital Assets funding for this project for the 2023-2025 allocation to the NAWS project.**

AT:TGJ/237-4  
Attachment



# Memorandum

---

**To:** Travis Johnson, PE  
NAWS Project Manager

**From:** Kevin E. Martin, PE  
Houston Engineering, Inc.

**Subject:** NAWS PRS and ISO Vault Improvements

**Date:** September 20, 2024

**Project:** NDSWC Project 237-4, Contract No. SA 98 | HEI Project 3553-0098

## INTRODUCTION

The NAWS PRS (Pressure Reducing Station) and ISO (Isolation) Vault Improvements Contract No. SA 98 (SA 98) was developed to provide the electrical service, equipment, instrumentation, and controls to the PRS and ISO Vaults 1 through 3 on the NAWS raw water transmission pipeline that were delayed due to uncertainty with the project legal challenges between 2004 and 2018. In essence, installing equipment with a significantly shorter useful life than the rest of the raw water supply system infrastructure was deemed nonessential and wasteful.

As the anticipated startup and use of Lake Sakakawea water approaches, the decision was made to proceed with installing PRS instrumentation (monitoring sensors for valve position, pressure, intrusion alarm, temperature, and other station information) and to incorporate this information into the NAWS Supervisory Control and Data Acquisition (SCADA) system. The ISO vault work includes bringing electrical power to each vault site, installing shutoff valve actuators, sump pumps, dehumidifiers, unit heaters, air exchange blowers, lighting, and instrumentation equipment required for integration with the NAWS SCADA system.

The project was advertised for bid on August 29, 2024 in the Minot Daily News and on QuestCDN with a bid opening date of September 19, 2024 at 9:30 AM. A virtual pre-bid meeting via Microsoft Teams was held on September 10, 2024 at 2:00 PM, with three (3) addenda issued from September 13<sup>th</sup>, 2024 to September 17, 2024 to revise the bid documents and provide clarifications to potential bidders.

## BID REVIEW

Bids were publicly opened on September 19, 2024 at 9:30 AM at the North Dakota Department of Water Resources (NDDWR), with public access via Microsoft Teams. Two bids were received for the project, from Burlington Electric of Burlington, ND and Main Electric of Minot ND. Upon review, both bids were acceptable to be opened and read.

### Burlington Electric

- Bidder acknowledged Addenda 1-3;
- No mathematical errors were found in the bidder's bid form after the bid was tabulated;

- Bidder has a current, valid Class A Contractor’s License and is in good standing with the Secretary of State.
- A valid bid bond for 5 percent of the bid amount was included;
- Bidder attached the completed List of Named Equipment/Material Suppliers, Manufacturers, and Subcontractors.

Main Electric

- Bidder acknowledged Addenda 1-3;
- No mathematical errors were found in the bidder’s bid form after the bid was tabulated;
- Bidder has a current, valid Class A Contractor’s License and is in good standing with the Secretary of State.
- A valid bid bond for 5 percent of the bid amount was included;
- Bidder attached the completed List of Named Equipment/Material Suppliers, Manufacturers, and Subcontractors.

The tabulation of bids for the project is summarized as follows, including the variance with the Engineer’s Opinion of Probable Construction Cost (OPCC). A detailed version of the bid tabulation is attached.

<b>NAWS PRS and ISO Vault Improvements Contract SA No. 98</b>			
<b>Bid Results from September 19, 2024</b>			
Contractor	Main Electric	Burlington Electric	Engineer’s OPCC
Total Price	\$ 740,720	\$ 555,990	\$ 633,220
% of Engineer’s OPCC	+ 17 %	-12 %	

As shown in the table, total prices received for the work ranged significantly between the two contractors, from approximately 17 percent over to 12 percent below the Engineer’s OPCC.

## DISCUSSION

HEI contacted Joshua Boling from Burlington Electric to discuss his comfort level with the bid, he stated his only uncertainty was in regard to the valve actuators although Rotork is listed as an approved manufacturer-supplier and provided a quote. In reviewing Burlington’s very detailed list of equipment, manufacturers and subcontractors, it was obvious that a significant amount of effort was applied in preparing the bid. Considering all information required in the bidding documents was provided and the bid received on time, the bid from Burlington Electric is certainly responsive.

Burlington Electric was the electrical contractor for the NAWS Lansford Reservoir/Booster Pump Station project. Conversations with the HEI project manager and RPR indicated that while Burlington may not have been as experienced as some other contractors for projects of that scope, their performance and timeliness were certainly acceptable. Further, considering that the scope of work contained in the SA 98 contract is significantly less complicated than the Lansford project, any concerns with Burlington Electric’s ability to complete the work seem baseless. Based on past performance for contracts on NAWS projects and other projects that HEI has designed, Burlington Electric may be considered a responsible bidder for the SA 98 contract.

## RECOMMENDATIONS

HEI recommends that the bid for SA 98 be awarded to Burlington Electric, Inc. for the bid price of \$ 555,990 based on the bid review and Article 19 of the Instructions for Bidders. After the approval to award the contract is received, HEI will prepare and deliver the Notice of Award for the Commission's execution. Please feel free to contact me if you have any questions or require additional information.

In service,

A handwritten signature in black ink that reads 'Kevin E. Martin, PE'.

Kevin E. Martin, PE, Houston Engineering, Inc.

Cc: David Schwengler

Attachment (1)

**BID TABULATION**


NAWS PRS and ISO Vault Improvements Contract No. SA 98  
 SWC Project No. 237-4 HEI #3553-0098

**ENGINEER:** Houston Engineering, Inc.  
 3712 Lockport St. Ste A  
 Bismarck, ND 58503

**BID DATE:** September 19, 2024  
 9:30 AM

BID SCHEDULE CONTRACT NO. SA 98				Engineer's Estimate		Burlington Electric		Main Electric	
Bid Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
A.	Mobilization, Demobilization, Bonds, Insurance	LS	1	N/A	\$ 45,000.00	N/A	\$ 15,000.00	N/A	\$ 29,875.00
B.	Pressure Reducing Station								
1.	Electrical, Equipment, Instrumentation, and Control	LS	1	N/A	\$ 116,470.00	N/A	\$ 94,350.00	N/A	\$ 109,375.00
C.	Isolation Vault No. 1								
1.	Site Electrical	LS	1	N/A	\$ 13,250.00	N/A	\$ 16,250.00	N/A	\$ 45,735.00
2.	Electrical, Equipment, Instrumentation, and Control	LS	1	N/A	\$ 144,000.00	N/A	\$ 132,630.00	N/A	\$ 149,420.00
D.	Isolation Vault No. 2								
1.	Site Electrical	LS	1	N/A	\$ 13,250.00	N/A	\$ 16,250.00	N/A	\$ 56,430.00
2.	Electrical, Equipment, Instrumentation, and Control	LS	1	N/A	\$ 144,000.00	N/A	\$ 132,630.00	N/A	\$ 148,630.00
E.	Isolation Vault No. 3								
1.	Site Electrical	LS	1	N/A	\$ 13,250.00	N/A	\$ 16,250.00	N/A	\$ 54,245.00
2.	Electrical, Equipment, Instrumentation, and Control	LS	1	N/A	\$ 144,000.00	N/A	\$ 132,630.00	N/A	\$ 147,010.00
<b>Total Contract Price</b>					<b>\$ 633,220.00</b>		<b>\$555,990.00</b>		<b>\$740,720.00</b>

Bid Form Price: \$ 555,990.00 \$740,720.00

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** NAWS – SA97 Contract for Pressurization of Main Transmission Line  
**DATE:** September 27, 2024

The scope of work for this contract involved completing the pressure testing of the NAWS Main Transmission Line from the lake to the pressure reducing station south of Minot. The invitation for Bid was issued on July 17, 2024 with a bid response deadline of August 7, 2024. An addendum was issued on July 29, 2024 which included clarifications, more detailed bid form, and pushed back the response deadline to August 21, 2024.


On August 21, 2024, the bid opening was conducted, and only one bid was received for the work. That bid was exceptionally high with the bid on the order of 385% above engineer's estimate. Other contractors who had previously expressed interest in the work were contacted to inquire as to why they did not bid. One indicated that their existing workload had them already committed, another had the bid opening date wrong and missed the deadline, and a third was uncertain about the scope of work.

Upon review of the bid received, Houston Engineering Inc., recommended the bid for SA97 be rejected due to excessive cost and lack of competitive bids. The DWR concurred with that recommendation. Consideration was given to re-bidding the work, but a re-bid does not appear to be of much benefit due to the bidding environment.

DWR staff discussed a simplified scope of pressure testing with the NAWS 2-1E Discharge Pipeline contractor to conduct additional pressure testing in conjunction with the pressure testing they are required to perform on the pipeline segment they are constructing utilizing the same testing protocols. Due to the unknowns associated with the potential for leak detection and repair if any leaks occur, the work would be conducted on a time and materials basis. The Contractor has provided a rate sheet for equipment and labor, and an approximate estimate for the cost to conduct the pressure testing work. That estimated cost is still significantly higher than anticipated, so pressure testing of the main transmission line will not be pursued this fall. A close-interval survey of cathodic protection system of the main transmission pipeline is planned this fall. With the potential to identify areas of concern on the main transmission line using the close interval survey, DWR staff anticipates refining the scope of pressure testing needed on the main transmission line and rebidding the project this winter/spring.

AT:TGJ/237-4

NORTH  
**Dakota** | Water Resources  
Be Legendary.

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** NAWS Water Rate 2025  
**DATE:** September 25, 2024

The NAWS water service agreements require an annual review and adjustment of water rates which will go into effect January 1 of the following year.

The NAWS Interim Water Rate is calculated based on projected water use and estimated expenses. Water use is projected based on historical use adjusted for recognizable trends or changes in population or operations. Projections for new connections are based on historical water use provided by the customer. We are facing new challenges as the project grows and nears completion. New customers are being added, which introduces uncertainty as their water use is less of a known quantity. New facilities becoming operational introduce a similar challenge.

It should be noted that the NAWS system has two different water rates, one for City of Minot and the other for NAWS contract customers. NAWS has two connections to the City of Minot's distribution system, one connection at the Minot Air Force Base, and ten connections to North Prairie Regional Water, which are all included in Minot's contract. NAWS has nine contract customers which include the cities of Berthold, Kenmare, Burlington, Mohall, Sherwood, Westhope, Bottineau, and the rural water systems of Upper Souris Water District and All Seasons Water Users District.

#### **Components of NAWS Water Rate:**

The NAWS water rates comprised of capital costs, supply and treatment (S&T) costs, operation and maintenance (O&M) costs, and reserve for replacements and extraordinary maintenance (REM). The water rate for City of Minot is comprised of an O&M rate and the REM rate. The water rate for the NAWS contract customers includes: O&M rate, REM rate, and S&T rate.

The City of Minot has been providing the raw water S&T for the NAWS project based on the Interim Water Service Agreement. With the water supply from Lake Sakakwea anticipated to be available in summer 2025, the Lake supply rate must be determined. With the 2025 NAWS water rate determination, the supply portion of the water rate will be differentiated into Minot well supply rate which will be determined by City of Minot and Lake supply rate which will be determined by Department of Water Resources.

**NAWS Water Rate Analysis:**

The S&T rate from City of Minot and the NAWS O&M rate took a significant jump from 2023 to 2024. The recent actual costs are not reflecting the historical trends and that requires detailed research into projected expenses.

To determine the projected electrical expenses for the project, we have contacted various electric companies to know their projected rate increases for 2025. While none of those contacted have released their updated 2025 rates, they did state that estimated rate increases for next year could vary anywhere from 5% to 10%. Additionally, we are in the process of negotiating power service to the intake facility and the electrical service cost is not yet known. Due to the high power demands and connected load at this facility, knowing the projected costs for this facility is significant for determining the NAWS Lake supply rate.

Treatment chemical costs have also shown dramatic increases in the last couple years and that will be reflected in the City of Minot's S&T rate. The City of Minot has been working on their S&T rate, and we have authorized Houston Engineering Inc., to review the REM rate for NAWS. Preliminary information received from the City of Minot on September 11, 2024 indicates that the City of Minot's S&T cost for 2025 could be over 50% higher than the 2024 S&T rate increasing from \$2.20/1,000 gallons to \$3.66/1,000 gallons. City of Minot is still reviewing the preliminary information and final City of Minot's S&T rate is expected to be approved by the City Council soon.


The analysis needed for determining the 2025 NAWS rate is expected to be completed in the next couple of months and the recommendation for approval will be presented at the December State Water Commission meeting.

AT:TGJ/237-4

N O R T H  
**Dakota** | Water Resources  
 Be Legendary.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** NDSWC Cost-Share Request – Maple River Water Resource District (WRD)  
 Maple River Low Head Dam

**DATE:** September 24, 2024

***Background & Description***

The Maple River WRD (Sponsor) requests preconstruction cost-share for their Maple River Low Head Dam (Project). The purpose of the project is to eliminate the hydraulic roller effect on the downstream side of a Maple River dam identified as ND No Name Dam 227. The dam will be replaced with a rock riffle structure that will maintain both upstream and downstream water elevations. The preconstruction Project includes geotechnical investigation, hydraulic analysis, final design, and permitting. The Project is located approximately 3 miles northwest of Fargo in Cass County, North Dakota.

***Supplemental Information***

Water Development Plan	No
Benefit-Cost Ratio	NR

(NR) Not Required

***Schedule***

Task	Dates
Study	December 2024
Design	August 2025
Bid	February 2026
Construction	June 2026
Completion	March 2027

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$35,000	-	-		
Eligible Cost	\$238,500	-	-		
Total	\$258,500	\$1,856,500	\$2,130,000		
Cost-Share 75% (Requested)	<b>\$178,875</b>				<b>\$178,875</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the Maple River Water Resource District for state cost participation in the Maple River Low Head Dam project at 75 percent of eligible costs, not to exceed \$178,875. This approval is contingent on available funding.**

AT:bn/af/2228



# 1083884 - Maple River Low Head Dam

## Application Details

<b>Funding Opportunity:</b>	1083251-State Fiscal Year 2024-2025 Infrastructure Request	<b>Initial Submit Date:</b>	Aug 26, 2024 3:23 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Melissa Hinkemeyer
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Sep 3, 2024 11:25 AM
<b>Status:</b>	Under Review	<b>Last Submitted By:</b>	Josh Wayt
<b>Stage:</b>	Final Application		

## Contact Information

### Primary Contact Information

<b>Active User*:</b>	Yes
<b>Type:</b>	External User
<b>Name:</b>	Salutation Josh Middle Name First Name
Wayt Last Name	
<b>Title:</b>	Funding Specialist
<b>Email*:</b>	josh.wayt@mooreengineeringinc.com
<b>Address*:</b>	925 10th Ave E  Suite 1  West Fargo North Dakota City State/Province
58078 Postal Code/Zip	
<b>Phone*:</b>	(701) 200-5455 Ext. Phone ###-###-####
<b>Fax:</b>	###-###-####

### Organization Information

<b>Status*:</b>	Approved
<b>Name*:</b>	Maple River Water Resource District
<b>Organization Type*:</b>	Political Subdivision
<b>Tax Id:</b>	45-0357490
<b>Organization Website:</b>	
<b>Address*:</b>	1201 Main Avenue W  West Fargo North Dakota City State/Province
58078-_____ Postal Code/Zip	
<b>Phone*:</b>	(701) 298-2381 Ext. ###-###-####
<b>Fax:</b>	###-###-####
<b>Vendor ID:</b>	

Comments:

PeopleSoft

Supplier ID:

Comments:

Location Code:

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Maple River Low Head Dam

**Sponsor(s)\*:** Maple River Water Resource District

**County\*:** Cass

**City\*:** West Fargo

**Description of Request\*:** New

**If Study, What Type:** Other

**If Project/Program, What Type:** DAM Safety/EAP

#### **Jurisdictions/Stakeholders**

**Involved\*:**

Maple River Water Resource District

#### **Describe the Problem\*:**

The structure is a low head dam which can create a hazardous hydraulic roller effect on the downstream side of the dam. Anyone in the vicinity of the dam when a hydraulic roller is present is at increased risk of drowning. Low head dams are also known to block fish passage and inhibit biodiversity of the river.

#### **Provide Project Details, Objectives and Solutions to Address Problem\*:**

The project will replace the low head dam with a rock riffle structure that holds both upstream and downstream water elevations. The purpose of the project is to eliminate the safety hazard of the hydraulic roller effect that can occur on the downstream side of the low head dam. While improved fish passage will likely be an additional result of the project, the design will not include a separate fish passage structure.

For this project,

**Choose City, County, Water District or Other\*:** Water District

**What is the Current Estimated Population?\*** 50000

For this project,

**What is the Benefited Population?\*** 50000

**Have Assessment Districts Been Formed?\*** No

**Have Land or Easements Been Acquired?\*** No

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\***: No

**Are There Any Road Improvements Included as Part of the Project?\***: No

**Have You Applied For Any Federal Permits?\***: N/A

**Have You Applied for any State Permits?\***: No

**Have You Applied for any Local Permits?\***: No

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No

(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 12/31/2024

**Design Completion\***: 8/1/2025

**Bid\***: 2/1/2026

**Construction Start\***: 6/1/2026

**Construction Completion\***: 3/1/2027

### Explain Additional Timeline

#### Issues\*

We would like to provide the contractor with a large enough construction window to work in a lower flow period. Depending on precipitation, the construction timeframe may vary.

**Consulting Engineer\***: Alexa Ducioame

**Engineer Telephone Number\***: 701-551-1020

**Engineer Email\***: alexa.ducioame@mooreengineeringinc.com

### ***Certification (Must Be Completed by Project Sponsor)***

**Submitted by\***: Melissa Hinkemeyer 08/26/2024  
First Name Last Name Date

**Address\*:** 1201 Main Avenue W  
Address Line 1  
Address Line 2  
West Fargo North Dakota 58078-1301  
City State Zip Code

**Telephone Number\*:** 701-298-2381

**Sponsor Email\*:** hinkemeyerm@casscountynd.gov

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:** Yes

**Authorized Individual\*:** Melissa Hinkemeyer 08/26/2024  
First Name Last Name Date

**Title/Position/Authority\*:** Secretary

## Documentation

---

### *Documentation*

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No

[CLICK HERE to see examples.](#)

**Project Specific Map** 24228\_ProjectLocation.pdf

Must Include Project Location in State  
Using an Inset Map and  
Distance/Direction to Nearest  
Community  
\*:

**Are You Seeking SRF or IRLF Funding?\*** No

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No




[CLICK HERE for SFN 61801 Delineation of Costs Instructions and Current Version.](#)

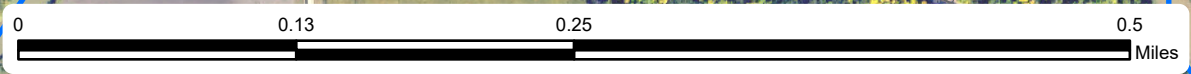
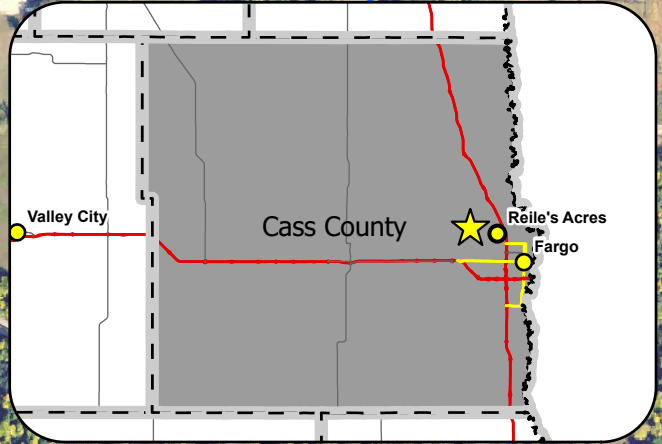
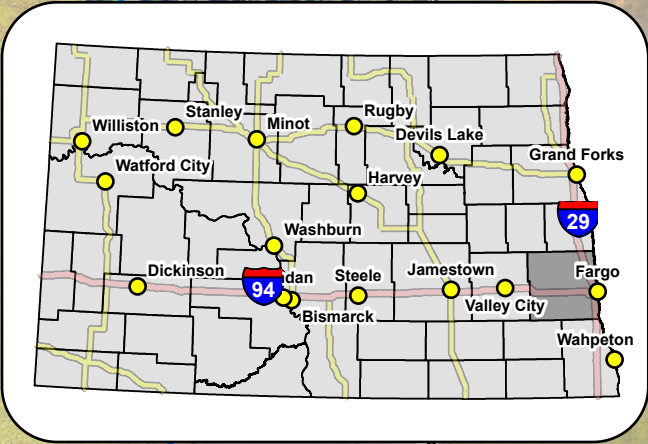
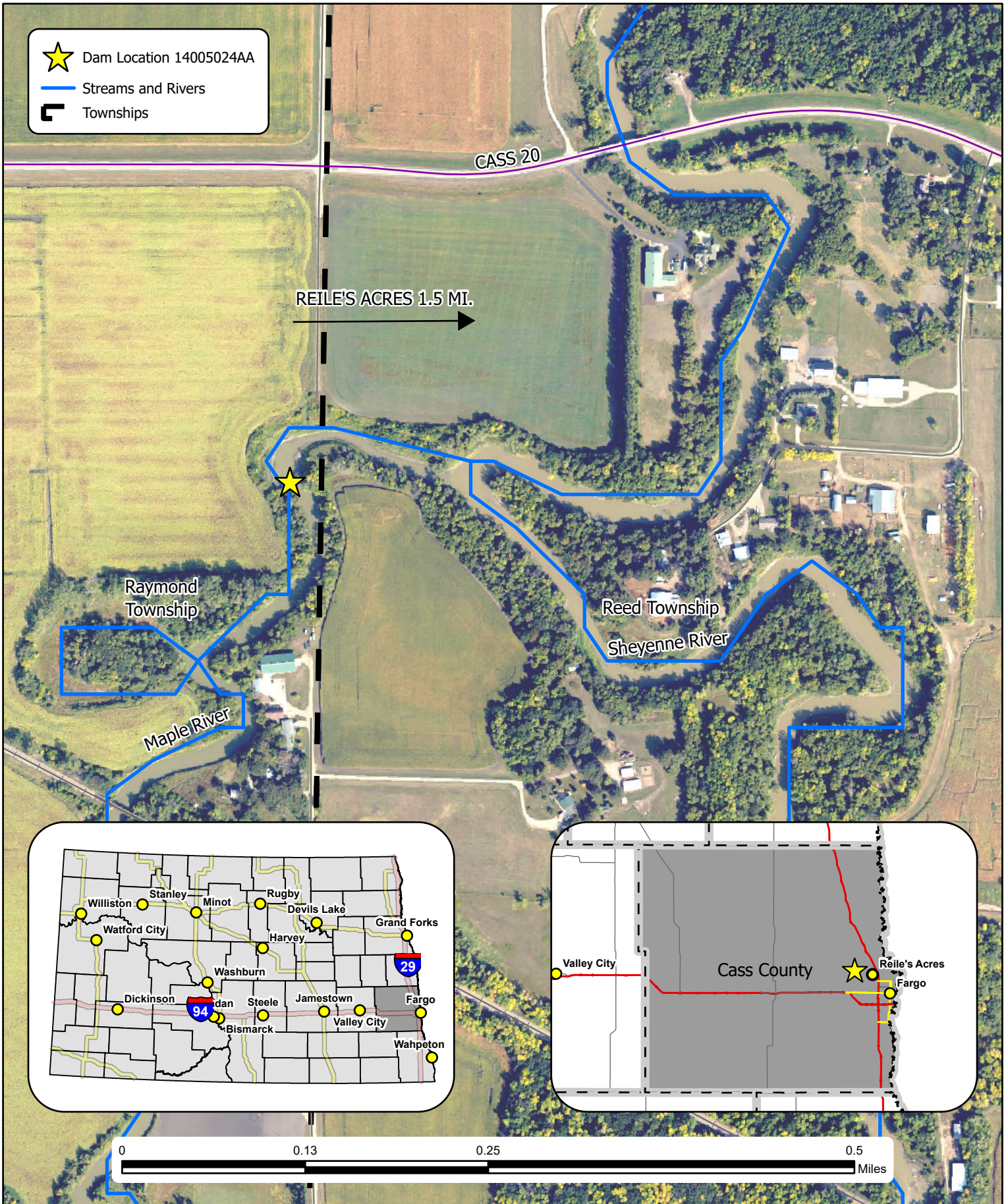
<b>Delineation of Costs SFN 61801:</b>	24228_sfn_61801_delineation_of_cost_20240903.xlsx
<b>Type of Request:</b>	Preconstruction
<b>Water Supply Projects?:</b>	No
<b>Rural Flood Control?:</b>	No
<b>Drain Reconstructions?:</b>	No
<b>Flood Recovery Property Acquisition?:</b>	No
<b>Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag &amp; Clear Project With Total Cost of \$200,000 or More?:</b>	No
<b>Sovereign Land Permit, if Required:</b>	
<b>DWR Construction Permit, if Required:</b>	
<b>Conditional Letter of Map Revision (CLOMR), if Required:</b>	
<b>Feasibility/Engineering Study for the Proposed Project:</b>	No
<b>Photos of Problem/Issue:</b>	
<b>Other Applicable Document(s):</b>	Yes
<b>Other Applicable Document:</b>	Maple Low Head Dam Letter.pdf
<b>Other Applicable Document:</b>	24228_Cost_Estimate.pdf
<b>Other Applicable Document:</b>	2024-08-26 - MRWRD - Low Head Dam Cost-Share Request Cover Letter.pdf

## Sources

### *Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)*

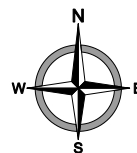
Source	If Other, Specify Funding Source	Source Status	State Fiscal			Total Cost	Type	Term	Interest Rate
			State Fiscal Year 1 July to June	Year 2 July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Pre-Construction		Current Request	\$178,875.00	\$0.00	\$0.00	\$178,875.00		0.00	0.00
Other	Local Funding		\$94,625.00	\$0.00	\$0.00	\$94,625.00		0.00	0.00
			<b>\$273,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$273,500.00</b>			

 Dam Location 14005024AA  
 Streams and Rivers  
 Townships



**24228 - MAPLE RIVER LOW HEAD DAM  
ND DWR COST SHARE REQUEST  
CASS COUNTY, NORTH DAKOTA**

Created By: ZAC Date Created: 08/19/2024 Date Saved: 08/21/24 Date Plotted: N/A Date Exported: 08/21/24  
 Plotted By: Parcel Date: XX/XX/20 Aerial Image: 2022 County NAIP SIDS Elevation Data: Lidar  
 Horizontal Datum: WGS 1984 Web Mercator Auxiliary Sphere Vertical Datum: NAVD1988  
 T:\Projects\24200\24228\24228\_MRWRD\_Dam.aprx



**moore**  
engineering, inc.



**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : September 03, 2024

<b>Project:</b>	Maple River Low Head Dam
<b>Sponsor:</b>	Maple River Water Resource District
<b>Contact:</b>	Melissa Hinkemeyer, Director, Secretary
<b>Phone:</b>	(701) 298-2384
<b>Engineer:</b>	Alexa Ducioame, Moore Engineering, Inc.
<b>Phone:</b>	(701) 282-4692

<b>Total Cost :</b>	\$ 273,500	<b>Date:</b>	September 3, 2024
<b>Ineligible Cost :</b>	\$ 35,000		
<b>Eligible Cost :</b>	\$ 238,500	<b>Cost-Share \$</b>	\$ 178,875
<b>Local Cost :</b>	\$ 94,625	<b>Preconstruction :</b>	\$ 178,875
		<b>Construction :</b>	\$ -

<b>Project Type:</b>	<b>Cost-share %</b>
Dam - Low Head Roller Effect	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	#DIV/0!	Mobilization	0		-	-	75%	\$ -
2	#DIV/0!	Bonding	0		-	-	75%	\$ -
3	#DIV/0!	Insurance	0		-	-	75%	\$ -
4	#DIV/0!		0		-	-	75%	\$ -
5	#DIV/0!		0		-	-	75%	\$ -
6	#DIV/0!		0		-	-	75%	\$ -
7	#DIV/0!		0		-	-	75%	\$ -
8	#DIV/0!		0		-	-	75%	\$ -
9	#DIV/0!		0		-	-	75%	\$ -
10	#DIV/0!		0		-	-	75%	\$ -
11	#DIV/0!		0		-	-	75%	\$ -
12	#DIV/0!		0		-	-	75%	\$ -
13	#DIV/0!		0		-	-	75%	\$ -
14	#DIV/0!		0		-	-	75%	\$ -
15	#DIV/0!		0		-	-	75%	\$ -
16	#DIV/0!		0		-	-	75%	\$ -
17	#DIV/0!		0		-	-	75%	\$ -
18	#DIV/0!		0		-	-	75%	\$ -
19	#DIV/0!		0		-	-	75%	\$ -
20	#DIV/0!		0		-	-	75%	\$ -
21	#DIV/0!		0		-	-	75%	\$ -
22	#DIV/0!		0		-	-	75%	\$ -
23	#DIV/0!		0		-	-	75%	\$ -
24	#DIV/0!		0		-	-	75%	\$ -
25	#DIV/0!		0		-	-	75%	\$ -
26	#DIV/0!		0		-	-	75%	\$ -
		<b>Construction Sub-Total</b>				\$ -	75%	\$ -
	0.0%	<b>Contingency</b>				\$ -	75%	\$ -
	0.0%	<b>Construction Total</b>				\$ -	75%	\$ -
<b>Preconstruction Costs</b>								
27	#DIV/0!	Final Design	1	LS	126,000.00	\$ 126,000	75%	\$ 94,500
28	#DIV/0!	Geotechnical Investigations	1	LS	45,000.00	\$ 45,000	75%	\$ 33,750
29	#DIV/0!	Other Precon Engineering (Permitting)	1	LS	35,000.00	\$ 35,000	75%	\$ 26,250
30	#DIV/0!	Survey and Monumenting (Pre-Construct	1	LS	20,000.00	\$ 20,000	75%	\$ 15,000
31	#DIV/0!		0		-	\$ -	75%	\$ -
	82.6%	<b>Preconstruction Total</b>				\$ 226,000	75%	\$ 169,500
<b>Construction Engineering Costs</b>								
32	#DIV/0!		0		-	\$ -	75%	\$ -
33	#DIV/0!		0		-	\$ -	75%	\$ -
34	#DIV/0!		0		-	\$ -	75%	\$ -
35	#DIV/0!		0		-	\$ -	75%	\$ -
36	#DIV/0!		0		-	\$ -	75%	\$ -
	0.0%	<b>Construction Engineering Total</b>				\$ -	75%	\$ -
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	75%	\$ -
38	2.7%	Legal Fees	1	LS	7,500.00	\$ 7,500	75%	\$ 5,625
39	1.8%	Utility Relocation	1	LS	5,000.00	\$ 5,000	75%	\$ 3,750
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	4.6%	<b>Other Eligible Total</b>				\$ 12,500	75%	\$ 9,375
<b>In-eligible Costs</b>								
42	5.5%	Administrative	1	LS	15,000.00	\$ 15,000	0%	\$ -
43	7.3%	ROW Acquisition	1	LS	20,000.00	\$ 20,000	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	12.8%	<b>Other Ineligible Total</b>				\$ 35,000	0%	\$ -
100.0%		<b>Total</b>				\$ 273,500		
		<b>Eligible Total</b>				\$ 238,500	75%	\$ 178,875
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 238,500	75%	\$ 178,875

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.



August 26, 2024

Maple River  
Water Resource  
District

Gerald Melvin  
Chairman  
Buffalo, North Dakota

Chad Miller  
Manager  
Buffalo, North Dakota

Vacant  
Manager

Attention: Beth Nangare  
Cost Share Program Administrator  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND 58505-0850

Dear Beth:

RE: 24228 Maple River Low Head Dam Funding Request

The Maple River Water Resource District (WRD) is initiating a project to modify the existing low head dam "ND No Name Dam 227" (the Dam), located in Cass County. This project will modify the Dam to reduce potential public safety risk due to the hydraulic roller effect which occurs under the right flow conditions.

The WRD has contracted with Moore Engineering Inc. (MEI) to design a rock riffle modification to the Dam and respectfully requests 75% cost share for the project design. MEI will develop the design based on geotechnical evaluations and hydraulic analysis of the structure.

Upon completion of the plans, the WRD will submit a construction funding request. We appreciate your willingness to support this project and help mitigate the public dangers associated with low head dams.

If you have any questions, please feel free to contact us or our project engineer, Alexa Ducioame, Moore Engineering, Inc., at 701-282-4692.

Melissa Hinkemeyer  
Director, Secretary

Leilei Bao  
Treasurer

1201 Main Avenue West  
West Fargo, ND 58078-  
1301

701-298-2381  
FAX 701-298-2397  
[wrd@casscountynd.gov](mailto:wrd@casscountynd.gov)  
[www.casscountynd.gov](http://www.casscountynd.gov)

Thank you.

Sincerely,

MAPLE RIVER WATER RESOURCE DISTRICT

*Melissa Hinkemeyer*


Melissa Hinkemeyer  
Director, Secretary





NORTH  
**Dakota** | Water Resources  
Be Legendary.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** NDSWC Cost-Share Request – Southeast Cass Water Resource District (WRD)  
Wild Rice River Low Head Dam  
**DATE:** September 24, 2024

***Background & Description***

The Southeast Cass WRD (Sponsor) requests preconstruction cost-share for their Wild Rice River Low Head Dam (Project). The purpose of the Project is to eliminate the hydraulic roller effect on the downstream side of the dam. The dam will be replaced with a rock riffle structure that will maintain both upstream and downstream water elevations. The preconstruction Project includes geotechnical investigation, hydraulic analysis, final design, and permitting. The Project is located approximately four miles east of Horace in Cass County, North Dakota.

***Supplemental Information***

Water Development Plan	No
Benefit-Cost Ratio	NR

(NR) Not Required

***Schedule***

<b>Task</b>	<b>Dates</b>
Study	December 2024
Design	August 2025
Bid	February 2026
Construction	June 2026
Completion	March 2027

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	<b>Recommend</b>
Noneligible Cost	\$35,000	-	-		
Eligible Cost	<b>\$279,500</b>	-	-		
Total	\$314,500	\$2,435,500	\$2,750,000		
Cost-Share 75% (Requested)	\$209,625				<b>\$209,625</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the Southeast Cass Water Resource District for state cost participation in the Wild Rice River Low Head Dam project at 75 percent of eligible costs, not to exceed \$209,625. This approval is contingent on available funding.**

AT:bn/af/2229

# 1083886 - Wild Rice River Low Head Dam

## Application Details

<b>Funding Opportunity:</b>	1083251-State Fiscal Year 2024-2025 Infrastructure Request	<b>Initial Submit Date:</b>	Aug 26, 2024 3:34 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Melissa Hinkemeyer
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Sep 3, 2024 11:21 AM
<b>Status:</b>	Under Review	<b>Last Submitted By:</b>	Josh Wayt
<b>Stage:</b>	Final Application		

## Contact Information

### Primary Contact Information

<b>Active User*:</b>	Yes
<b>Type:</b>	External User
<b>Name:</b>	Salutation Josh Middle Name First Name
Wayt Last Name	
<b>Title:</b>	Funding Specialist
<b>Email*:</b>	josh.wayt@mooreengineeringinc.com
<b>Address*:</b>	925 10th Ave E Suite 1 West Fargo North Dakota City State/Province
58078 Postal Code/Zip	
<b>Phone*:</b>	(701) 200-5455 Ext. Phone ###-###-####
<b>Fax:</b>	###-###-####

### Organization Information

<b>Status*:</b>	Approved
<b>Name*:</b>	Southeast Cass Water Resource District
<b>Organization Type*:</b>	Political Subdivision
<b>Tax Id:</b>	45-0356081
<b>Organization Website:</b>	
<b>Address*:</b>	1201 Main Avenue West West Fargo North Dakota City State/Province
58078-1301 Postal Code/Zip	
<b>Phone*:</b>	(701) 298-2381 Ext. ###-###-####
<b>Fax:</b>	###-###-####
<b>Vendor ID:</b>	

Comments:

PeopleSoft

Supplier ID:

Comments:

Location Code:

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Wild Rice River Low Head Dam

**Sponsor(s)\*:** Southeast Cass Water Resource District

**County\*:** Cass

**City\*:** Fargo

**Description of Request\*:** New

**If Study, What Type:** Other

**If Project/Program, What Type:** DAM Safety/EAP

#### **Jurisdictions/Stakeholders**

**Involved\*:**

Southeast Cass Water Resource District

#### **Describe the Problem\*:**

The structure is a low head dam which can create a hazardous hydraulic roller effect on the downstream side of the dam. Anyone in the vicinity of the dam when a hydraulic roller is present is at increased risk of drowning. Low head dams are also known to block fish passage and inhibit biodiversity of the river.

#### **Provide Project Details, Objectives and Solutions to Address Problem\*:**

The project will replace the low head dam with a rock riffle structure that holds both upstream and downstream water elevations. The purpose of the project is to eliminate the safety hazard of the hydraulic roller effect that can occur on the downstream side of the low head dam. While improved fish passage will likely be an additional result of the project, the design will not include a separate fish passage structure.

**For this project,**

**Choose City, County, Water District or Other\*:** Water District

**What is the Current Estimated Population?\*** 50000

**For this project,**

**What is the Benefited Population?\*** 50000

**Have Assessment Districts Been Formed?\*** No

**Have Land or Easements Been Acquired?\*** No

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\***: No

**Are There Any Road Improvements Included as Part of the Project?\***: No

**Have You Applied For Any Federal Permits?\***: N/A

**Have You Applied for any State Permits?\***: No

**Have You Applied for any Local Permits?\***: No

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No

(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 12/31/2024

**Design Completion\***: 8/1/2025

**Bid\***: 2/1/2026

**Construction Start\***: 6/1/2026

**Construction Completion\***: 3/1/2027

### Explain Additional Timeline

#### Issues\*

We would like to provide the contractor with a large enough construction window to work in a lower flow period. Depending on precipitation, the construction timeframe may vary.

**Consulting Engineer\***: Alexa Ducioame

**Engineer Telephone Number\***: 701-551-1020

**Engineer Email\***: alexa.ducioame@mooreengineeringinc.com

### ***Certification (Must Be Completed by Project Sponsor)***

**Submitted by\***: Melissa Hinkemeyer 08/26/2024  
First Name Last Name Date

**Address\*:** 1201 Main Avenue W  
Address Line 1  
Address Line 2  
West Fargo North Dakota 58078-1301  
City State Zip Code

**Telephone Number\*:** 701-298-2381

**Sponsor Email\*:** hinkemeyerm@casscountynd.gov

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:** Yes

**Authorized Individual\*:** Melissa Hinkemeyer 08/26/2024  
First Name Last Name Date

**Title/Position/Authority\*:** Secretary

## Documentation

---

### ***Documentation***

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No

[CLICK HERE to see examples.](#)

**Project Specific Map** 24177\_ProjectLocation.pdf

Must Include Project Location in State  
Using an Inset Map and  
Distance/Direction to Nearest  
Community  
\*:

**Are You Seeking SRF or IRLF Funding?\*** No

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

[CLICK HERE for SFN 61801 Delineation of Costs Instructions and Current Version.](#)

Delineation of Costs SFN 61801: 24177\_sfn\_61801\_delineation\_of\_cost\_20240903.xlsx

Type of Request: Preconstruction

Water Supply Projects?: No

Rural Flood Control?: No

Drain Reconstructions?: No

Flood Recovery Property Acquisition?: No

Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: No

Photos of Problem/Issue:

Other Applicable Document(s): Yes

Other Applicable Document: SE Cass Low Head Dam Letter.pdf

Other Applicable Document: 24177\_Cost\_Estimate.pdf




Other Applicable Document:

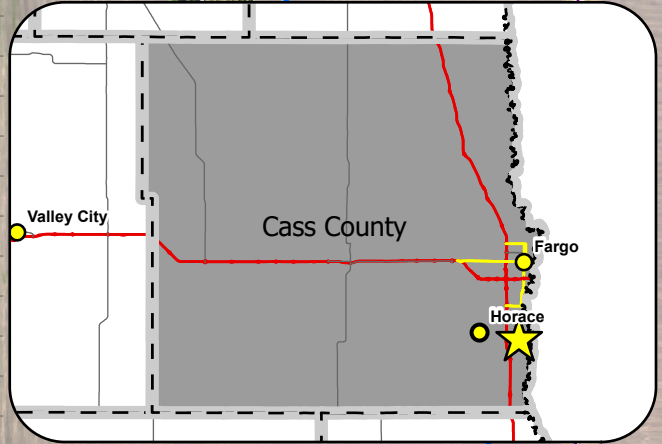
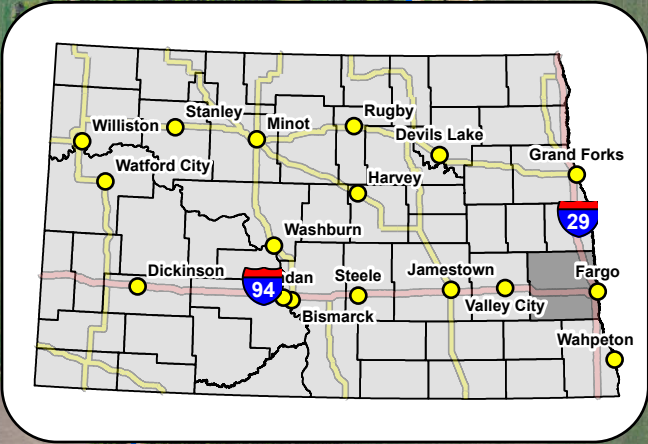
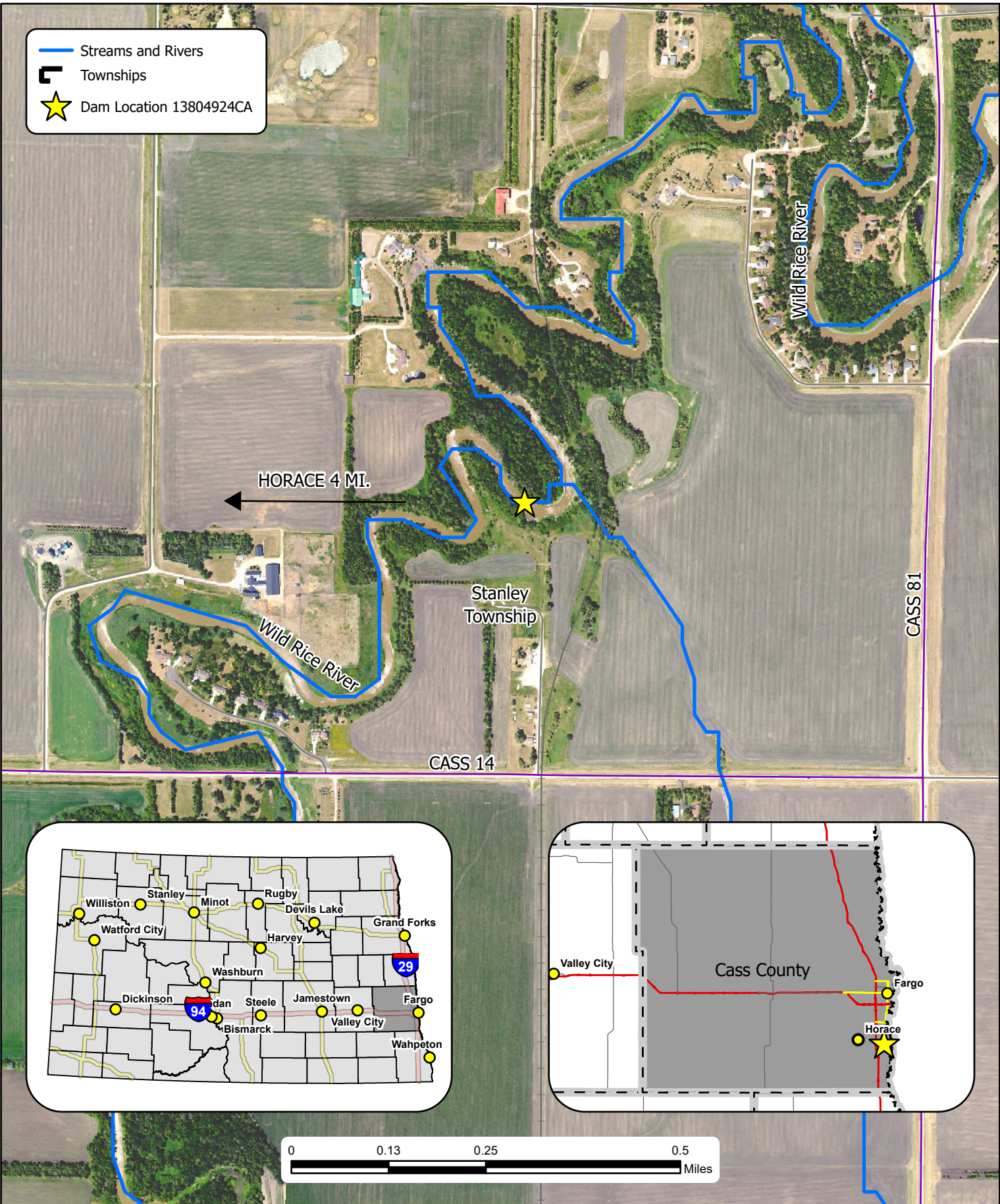
2024-08-26 - SECWRD Wild Rice Low Head Dam Cost-Share Request Cover Letter.pdf

## Sources

### **Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)**

Source	If Other, Specify Funding Source	Source Status	State Fiscal			Total Cost	Type	Term	Interest Rate
			State Fiscal Year 1 July to June	Year 2 July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Pre-Construction		Current Request	\$209,625.00	\$0.00	\$0.00	\$209,625.00	0.00	0.00	
Other	Local Funding		\$104,875.00	\$0.00	\$0.00	\$104,875.00	0.00	0.00	
			<b>\$314,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$314,500.00</b>			

-  Streams and Rivers
-  Townships
-  Dam Location 13804924CA



**24177 - WILD RICE RIVER LOW HEAD DAM  
ND DWR COST SHARE REQUEST  
CASS COUNTY, NORTH DAKOTA**

Created By: ZAC Date Created: 08/19/2024 Date Saved: 08/21/24 Date Plotted: N/A Date Exported: 08/21/24  
 Plotted By: Parcel Date: XXXX/20 Aerial Image: 2022 County NAIP SIDS Elevation Data: Lidar  
 Horizontal Datum: WGS 1984 Web Mercator Auxiliary Sphere Vertical Datum: NAVD1988  
 T:\Projects\24100\24177\24177\_SECWRD\_Dam.aprx







**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : September 03, 2024

<b>Project:</b>	Wild Rice River Low Head Dam
<b>Sponsor:</b>	Southeast Cass Water Resource District
<b>Contact:</b>	Melissa Hinkemeyer, Director, Secretary
<b>Phone:</b>	(701) 298-2384
<b>Engineer:</b>	Alexa Ducioame, Moore Engineering, Inc.
<b>Phone:</b>	(701) 282-4692

<b>Total Cost :</b>	\$ 314,500	<b>Date:</b>	September 3, 2024
<b>Ineligible Cost :</b>	\$ 35,000		
<b>Eligible Cost :</b>	\$ 279,500	<b>Cost-Share \$</b>	\$ 209,625
<b>Local Cost :</b>	\$ 104,875	<b>Preconstruction :</b>	\$ 209,625
		<b>Construction :</b>	\$ -

<b>Project Type:</b>	<b>Cost-share %</b>
Dam - Low Head Roller Effect	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	#DIV/0!	Mobilization	0		-	-	75%	\$ -
2	#DIV/0!	Bonding	0		-	-	75%	\$ -
3	#DIV/0!	Insurance	0		-	-	75%	\$ -
4	#DIV/0!		0		-	-	75%	\$ -
5	#DIV/0!		0		-	-	75%	\$ -
6	#DIV/0!		0		-	-	75%	\$ -
7	#DIV/0!		0		-	-	75%	\$ -
8	#DIV/0!		0		-	-	75%	\$ -
9	#DIV/0!		0		-	-	75%	\$ -
10	#DIV/0!		0		-	-	75%	\$ -
11	#DIV/0!		0		-	-	75%	\$ -
12	#DIV/0!		0		-	-	75%	\$ -
13	#DIV/0!		0		-	-	75%	\$ -
14	#DIV/0!		0		-	-	75%	\$ -
15	#DIV/0!		0		-	-	75%	\$ -
16	#DIV/0!		0		-	-	75%	\$ -
17	#DIV/0!		0		-	-	75%	\$ -
18	#DIV/0!		0		-	-	75%	\$ -
19	#DIV/0!		0		-	-	75%	\$ -
20	#DIV/0!		0		-	-	75%	\$ -
21	#DIV/0!		0		-	-	75%	\$ -
22	#DIV/0!		0		-	-	75%	\$ -
23	#DIV/0!		0		-	-	75%	\$ -
24	#DIV/0!		0		-	-	75%	\$ -
25	#DIV/0!		0		-	-	75%	\$ -
26	#DIV/0!		0		-	-	75%	\$ -
		<b>Construction Sub-Total</b>				\$ -	75%	\$ -
	0.0%	<b>Contingency</b>				\$ -	75%	\$ -
	0.0%	<b>Construction Total</b>				\$ -	75%	\$ -
<b>Preconstruction Costs</b>								
27	#DIV/0!	Final Design	1	LS	167,000.00	\$ 167,000	75%	\$ 125,250
28	#DIV/0!	Geotechnical Investigations	1	LS	45,000.00	\$ 45,000	75%	\$ 33,750
29	#DIV/0!	Other Precon Engineering (Permitting)	1	LS	35,000.00	\$ 35,000	75%	\$ 26,250
30	#DIV/0!	Survey and Monumenting (Pre-Construct	1	LS	20,000.00	\$ 20,000	75%	\$ 15,000
31	#DIV/0!		0		-	\$ -	75%	\$ -
	84.9%	<b>Preconstruction Total</b>				\$ 267,000	75%	\$ 200,250
<b>Construction Engineering Costs</b>								
32	#DIV/0!		0		-	\$ -	75%	\$ -
33	#DIV/0!		0		-	\$ -	75%	\$ -
34	#DIV/0!		0		-	\$ -	75%	\$ -
35	#DIV/0!		0		-	\$ -	75%	\$ -
36	#DIV/0!		0		-	\$ -	75%	\$ -
	0.0%	<b>Construction Engineering Total</b>				\$ -	75%	\$ -
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	75%	\$ -
38	2.4%	Legal Fees	1	LS	7,500.00	\$ 7,500	75%	\$ 5,625
39	1.6%	Utility Relocation	1	LS	5,000.00	\$ 5,000	75%	\$ 3,750
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	4.0%	<b>Other Eligible Total</b>				\$ 12,500	75%	\$ 9,375
<b>In-eligible Costs</b>								
42	4.8%	Administrative	1	LS	15,000.00	\$ 15,000	0%	\$ -
43	6.4%	ROW Acquisition	1	LS	20,000.00	\$ 20,000	0%	\$ -
44	0.0%					\$ -	0%	\$ -
45	0.0%					\$ -	0%	\$ -
	11.1%	<b>Other Ineligible Total</b>				\$ 35,000	0%	\$ -
100.0%		<b>Total</b>				\$ 314,500		
		<b>Eligible Total</b>				\$ 279,500	75%	\$ 209,625
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 279,500	75%	\$ 209,625

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.



August 26, 2024

**Southeast Cass  
Water Resource  
District**

Attention: Beth Nangare  
Cost Share Program Administrator  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND 58505-0850

Keith Weston  
Chairman  
Fargo, North Dakota

Dear Beth:

Dave Branson  
Manager  
Fargo, North Dakota

RE: 24177 Wild Rice River Low Head Dam Funding Request

Rick Steen  
Manager  
Fargo, North Dakota

The Southeast Cass Water Resource District (WRD) is initiating a project to modify the existing low head dam "Wild Rice Dam (Cass County)" (the Dam), located in Cass County. This project will modify the Dam to reduce potential public safety risk due to the hydraulic roller effect which occurs under the right flow conditions.

The WRD has contracted with Moore Engineering Inc. (MEI) to design a rock riffle modification to the Dam and respectfully requests 75% cost share for the pre-construction work. MEI will develop the design based on geotechnical evaluations and hydraulic analysis of the structure.

Upon completion of the plans, the WRD will submit a construction funding request. We appreciate your willingness to support this project and help mitigate the public dangers associated with low head dams.

If you have any questions, please feel free to contact us or our project engineer, Alexa Ducioame, Moore Engineering, Inc., at 701-282-4692.

Melissa Hinkemeyer  
Director, Secretary

Thank you.

Leilei Bao  
Treasurer

Sincerely,

1201 Main Avenue West  
West Fargo, ND 58078

SOUTHEAST CASS WATER RESOURCE DISTRICT

*Melissa Hinkemeyer*


701-298-2381  
FAX 701-298-2397  
[wrld@casscountynd.gov](mailto:wrld@casscountynd.gov)  
[www.casscountynd.gov](http://www.casscountynd.gov)

Melissa Hinkemeyer  
Director, Secretary



**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** NDSWC Cost-Share Request – McLean County Water Resource Board  
Katz Dam Improvement Project – Construction

**DATE:** September 24, 2024

***Background & Description***

McLean County Water Resource Board (Sponsor) requests construction cost-share for their Katz Dam Improvement Project (Project). Katz Dam is a low-head dam. The purpose of the Project is to mitigate the dangers associated with low-head dam roller effects. The Project will include placing riprap on the lower part of the spillway and partially filling the deep area of the stream immediately below the dam. Another separate project to construct a fish passage channel adjacent to the dam will occur concurrently with the dam improvements. The fish passage channel has received funding from the Outdoor Heritage Fund and is not part of this cost-share request. The Project is four miles southeast of Washburn, McLean County, North Dakota.

***Supplemental Information***

Water Development Plan	No
Benefit-Cost Ratio	NR
Construction Permit No.	2686
Water Permit No.	7301

(NR) Not Required

***Schedule***

Task	Dates
Study	February 2022
Design	March 2024
Bid	August 2024
Construction	October 2024
Completion	May 2025

***Cost-Share Funding Summary***

	Study	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0	\$0		
Eligible Cost	\$9,450	\$8,000	\$181,954	\$199,404		
Total	\$9,450	\$8,000	\$181,954	\$199,404		
Cost-Share 75% (Requested)	\$7,088	\$6,000	\$136,466	\$149,553	\$7,088 (8/26/2021) \$6,000 (3/17/2022)	<b>\$136,466</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the McLean County Water Resource Board for state cost participation in the Katz Dam Improvement Project at 75 percent of eligible costs not to exceed \$136,466. This approval is contingent on available funding.**

AT:af/0653

Water Development Plan: No

# 1083882 - Katz Dam Safety Improvement Project Construction

## Application Details

---

<b>Funding Opportunity:</b>	1083251-State Fiscal Year 2024-2025 Infrastructure Request	<b>Initial Submit Date:</b>	Aug 23, 2024 2:00 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Lynn Oberg
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	
<b>Status:</b>	Submitted	<b>Last Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Mr. Lynn  
Salutation First Name

A Oberg  
Middle Name Last Name

**Title:** Chairman

**Email\*:** loberg@westriv.com

**Address\*:** 1201 22S Ave. SW

### Organization Information

**Status\*:** Approved

**Name\*:** McLean County Water Resource Board

**Organization Type\*:** County Government

**Tax Id:**

**Organization Website:** <https://www.mcleancountynd.gov/>

**Address\*:** 712 5th Avenue

Washburn North Dakota  
 City State/Province

58577  
 Postal Code/Zip

**Phone\*:** 701-400-7793 Ext.  
 Phone  
 ###-###-####

**Fax:** ###-###-####

**Comments:**

Washburn North Dakota  
 City State/Province

58577  
 Postal Code/Zip

**Phone\*:** 701-462-8541 Ext.  
 ###-###-####

**Fax:** ###-###-####

**Vendor ID:**

**PeopleSoft  
 Supplier ID:**

**Comments:**

**Location  
 Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Katz Dam Safety Improvements Construction Phase

**Sponsor(s)\*:** McLean County Water Resource Board

**County\*:** McLean

**City\*:** Washburn

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:** DAM Safety/EAP

**Jurisdictions/Stakeholders Involved\*:**

McLean County is the jurisdiction and dam owner. There are two private landowners who own the

property the dam is located on. Easements to construct the project have been obtained from both landowners. McLean County previously received a cost share grant from the State Water Commission for the design of the safety improvements which will eliminate a hydraulic roller that exists on the downstream side of the dam.

**Describe the Problem\*:**

The Katz Dam on Painted Woods Creek, located approximately 150-ft upstream of 12th Street SW (Latitude 47.243036 degrees, longitude -100.950370), is a WPA dam built in the mid 1930s. It has a significant safety issue associated with the hydraulic roller created by its spillway. The spillway has a flip bucket shape that creates a hydraulic roller which is a drowning hazard to people. The dam regularly attracts sport fisherman and swimmers. Several people have drowned at the dam. It is a priority of McLean County to eliminate this public hazard. A second project, a fish passage channel, will be constructed in conjunction with the Safety Improvements. Katz Dam blocks the passage of sports fish to miles of stream above the dam that have spawning and rearing areas. The two projects are being built together to save money because many of the bid items such as mobilization and riprap are similar. The fish passage project is being supported by a grant from the Outdoor Heritage Fund.

**Provide Project Details, Objectives and Solutions to Address Problem\*:**

The McLean County Water Resource Board (WRB) will use riprap to cover the lower part of the spillway that creates the hydraulic roller and partially fill the deep area of the stream immediately below the dam. Riprap will be used to create a stable spillway with a longitudinal slope down the stream that eliminates the hydraulic roller. There is also miscellaneous work needed to provide stable streambanks on which the riprap will in part be placed and to remove concrete waste that blocks access to the safety improvements. A design report was submitted to the ND Department of Water Resources Dam Safety Section for review and approval. This grant request is to provide funding for construction of the improvements. A second project, a fish passage channel, will be constructed in conjunction with the Safety Improvements. Katz Dam blocks the passage of sports fish to miles of stream above the dam that have spawning and rearing areas. The two projects are being built together to save money.

For this project,

**Choose City, County, Water** County

**District or Other\*:**

**What is the Current** 9824

**Estimated Population\*:**

For this project,

**What is the Benefited** 10000

**Population\*:**

**Have Assessment Districts** N/A

**Been Formed\*:**

**Have Land or Easements  
Been Acquired?\***: Yes

**Are There Any Properties  
with Wells, Drain Fields, or  
Holding Tanks Within the  
Project Area That Will Benefit  
from the Project?\***: No

**Are There Any Road  
Improvements Included as  
Part of the Project?\***: No

**Have You Applied For Any  
Federal Permits?\***: Yes

**If Yes or Ongoing, Please  
Explain  
(include type/number):**

The McLean County Water Resource District has applied for and received 2 Section 404 permits from the US Army Corps of Engineers. One permit is the Nationwide Permit 03, Maintenance, and the second is Nationwide Permit 27, Aquatic Habitat Restoration, Enhancement and Establishment Activities. The Nationwide Permit 03 applies to the Katz Dam Safety Project.

**Have You Been approved for  
any Federal Permits?\***: Yes

**If Yes or Ongoing, Please  
Explain  
(include type/number):**

The McLean County Water Resource District has applied for and received 2 Section 404 permits from the US Army Corps of Engineers. One permit is the Nationwide Permit 03, Maintenance, and the second is Nationwide Permit 27, Aquatic Habitat Restoration, Enhancement and Establishment Activities. The Nationwide Permit 03 applies to the Katz Dam Safety Project.

**Have You Applied for any  
State Permits?\***: Yes

**If Yes or Ongoing, Please  
Explain  
(include type/number):**

The McLean County Water Resource District applied to the ND Department of Water Resources Dam Safety Section for a permit to Construct the proposed improvements.

**Have You Been Approved for  
any State Permits?\***: Yes



**If Yes or Ongoing, Please Explain (include type/number):**

On June 11, 2024 the WRD received a Construction Permit, number 2686, from the ND Department of Water Resources.

**Have You Applied for any Local Permits?\*** N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\*** No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No

(Example: Hazard Mitigation Grant Program)

\*:

### Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\*:** 02/2022  
**Design Completion\*:** 3/5/2024  
**Bid\*:** 08/16/24  
**Construction Start\*:** 10/11/24  
**Construction Completion\*:** 05/30/25

**Explain Additional Timeline Issues\*:**

It is anticipated that construction will take about 4 weeks. If weather prevents completion of the work in the fall of 2024 the work will be completed in the spring of 2025.

**Consulting Engineer\*:** Roger Clay, PE, Ulteig Engineers

**Engineer Telephone Number\*:** 701-491-0699

**Engineer Email\*:** roger.clay@ulteig.com

***Certification (Must Be Completed by Project Sponsor)***

**Submitted by\*:** Lynn Oberg 08/23/2024  
 First Name Last Name Date

**Address\*:** 1201 22S Ave. SW  
 Address Line 1  
 Address Line 2  
 Washburn North Dakota 58577-4420  
 City State Zip Code

**Telephone Number\*:** 701-400-7793

**Sponsor Email\*:** loberg@westriv.com

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:** Yes

**Authorized Individual\*:** Lynn Oberg 08/23/2024  
 First Name Last Name Date

**Title/Position/Authority\*:** McLean County Water Resource Board Chairman

## Documentation

---

### ***Documentation***

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No

CLICK HERE to see examples.

**Project Specific Map** Katz Dam project location.pdf

Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community

\*:

**Are You Seeking SRF or IRLF Funding?\*** No

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

**Attach Completed Comprehensive Plan:**

CLICK HERE for SFN 61801 Delineation of Costs Instructions and Current Version.

**Delineation of Costs SFN 61801:** sfn\_61801\_delineation\_of\_cost Katz Dam Safety Project.xlsx

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:**

Katz Dam Safety Improvements and Fish Passage Project Final S Combined Bid Package.pdf

**Water Supply Projects?:** No

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

**Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?:** No

**Sovereign Land Permit, if Required:**

**DWR Construction Permit, if Required:** CP\_2686\_Submittal\_Letter\_Final.pdf

**Conditional Letter of Map Revision (CLOMR), if Required:**

**Feasibility/Engineering Study for the Proposed Project:** Yes

**Feasibility/Engineering Study Material:** Katz Dam Engineering Report 022024.pdf

**Photos of Problem/Issue:** 20230511\_094940.jpg

**Other Applicable Document(s):**

**Other Applicable Document:**

**Other Applicable Document:**

**Other Applicable Document:**

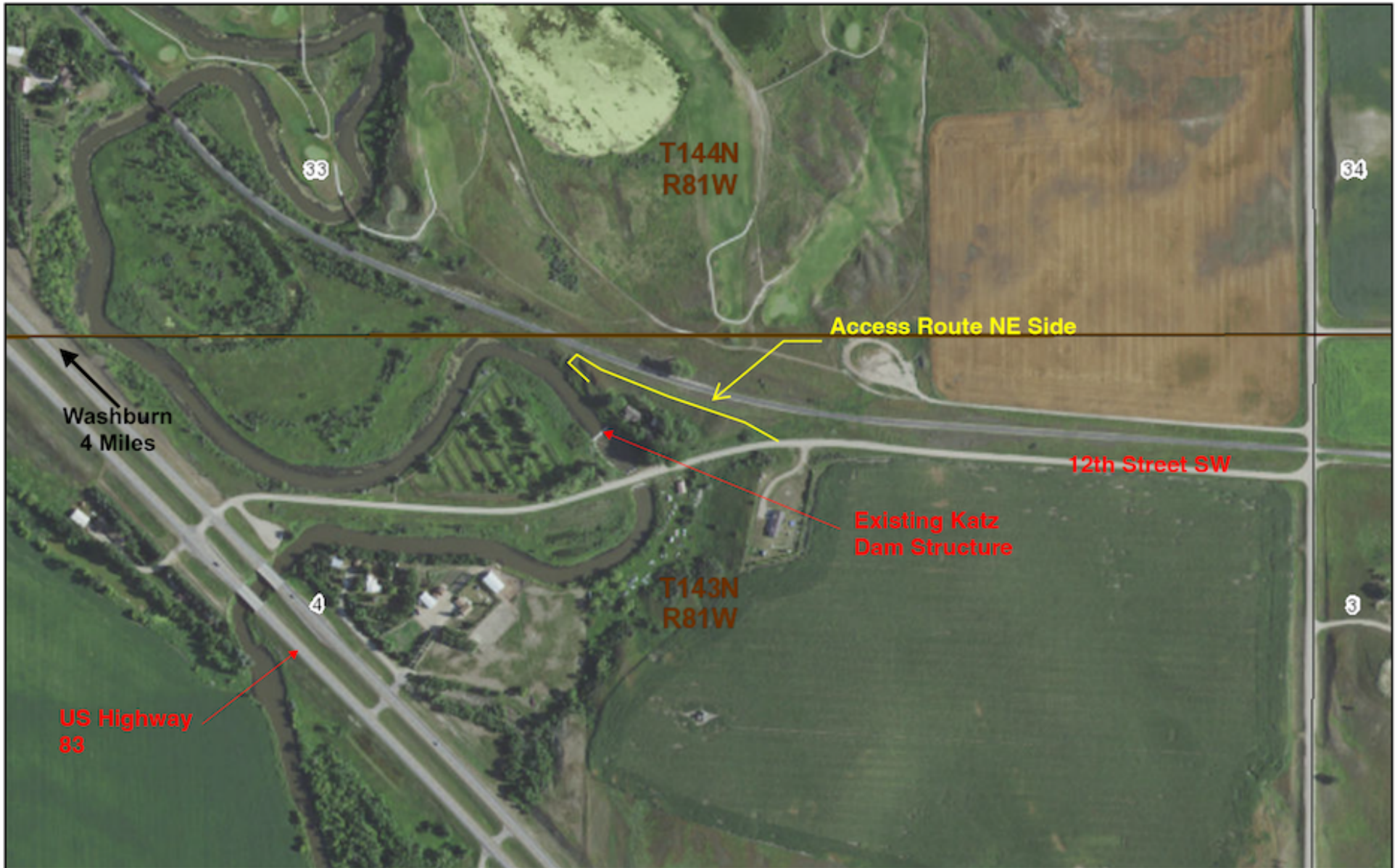
## Sources

***Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)***

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year			Total Cost	Type	Term	Interest Rate
			Year 1 July to June	Year 2 July to June	Beyond Current Biennium				
Department of		Current	<del>\$135,228.00</del> revised :\$136,466	\$0.00	\$0.00	<del>\$135,228.00</del>	Grant	0.00	0.00

Water Resources Cost Share Construction		Request							
Other	McLean County Water Resource Board	Already Approved	\$45,076.00	\$0.00	\$0.00	\$45,076.00	Grant	0.00	0.00
			<b>\$180,304.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$180,304.00</b>			

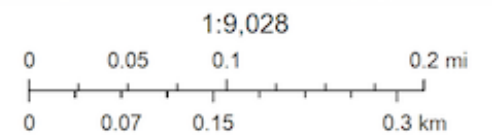
# ND GIS Hub Explorer



June 1, 2021

Image

- Red: Band\_1
- Green: Band\_2





**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : September 11, 2024

<b>Project:</b>	Katz Dam Safety Improvement Project
<b>Sponsor:</b>	McLean County Water Resource District
<b>Contact:</b>	Lynn Oberg
<b>Phone:</b>	701-400-7793
<b>Engineer:</b>	Ulteig
<b>Phone:</b>	651-415-6683

<b>Total Cost :</b>	\$ 181,954	<b>Date:</b>	August 23, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 181,954	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 45,488		\$ 136,466
		<b>Preconstruction :</b>	\$ -
		<b>Construction :</b>	\$ 136,466

<b>Project Type:</b>	<b>Cost-share %</b>
Dam - Low Head Roller Effect	75%

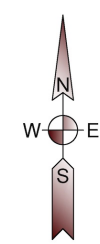
Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	2.5%	Mobilization	1	LS	3,900.00	\$ 3,900	75%	\$ 2,925
2	0.0%	Bonding	0		-	\$ -	75%	\$ -
3	0.0%	Insurance	0		-	\$ -	75%	\$ -
4	1.6%	Clearing and Grubbing	1	LS	2,500.00	\$ 2,500	75%	\$ 1,875
5	1.3%	Materials - Topsoil	20	CY	100.00	\$ 2,000	75%	\$ 1,500
6	0.7%	Topsoil Placement	20	CY	57.14	\$ 1,143	75%	\$ 857
7	0.9%	Remove & Salvage Topsoil	20	CY	71.43	\$ 1,429	75%	\$ 1,071
8	1.3%	Seeding	0.25	AC	8,000.00	\$ 2,000	75%	\$ 1,500
9	1.3%	Erosion Control Blanket Type 1	500	SY	4.00	\$ 2,000	75%	\$ 1,500
10	13.7%	Entrance Riprap (Grade III)	219	CY	98.59	\$ 21,591	75%	\$ 16,193
11	42.7%	Riprap Grade II	758	LF	88.81	\$ 67,318	75%	\$ 50,488
12	1.6%	Floatation Silt Curtain Type Moving Water	80	LF	31.25	\$ 2,500	75%	\$ 1,875
13	1.6%	Remove Floatation Silt Curtain	80	LF	31.25	\$ 2,500	75%	\$ 1,875
14	1.0%	Fiber Rolls 12-inch	100	LF	15.38	\$ 1,538	75%	\$ 1,154
15	19.0%	Aggregate Base Class 3	550	TON	54.37	\$ 29,904	75%	\$ 22,428
16	1.9%	Legally Dispose of Waste at Offsite Loca	1	LS	3,000.00	\$ 3,000	75%	\$ 2,250
17	0.0%		0		-	\$ -	75%	\$ -
18	0.0%		0		-	\$ -	75%	\$ -
19	0.0%		0		-	\$ -	75%	\$ -
20	0.0%		0		-	\$ -	75%	\$ -
21	0.0%		0		-	\$ -	75%	\$ -
22	0.0%		0		-	\$ -	75%	\$ -
23	0.0%		0		-	\$ -	75%	\$ -
24	0.0%		0		-	\$ -	75%	\$ -
25	0.0%		0		-	\$ -	75%	\$ -
26	0.0%		0		-	\$ -	75%	\$ -
		<b>Construction Sub-Total</b>				\$ 143,322	75%	\$ 107,492
	10.0%	<b>Contingency</b>				\$ 14,332	75%	\$ 10,749
	86.6%	<b>Construction Total</b>				\$ 157,654	75%	\$ 118,241
<b>Preconstruction Costs</b>								
27	0.0%		0		-	\$ -	75%	\$ -
28	0.0%		0		-	\$ -	75%	\$ -
29	0.0%		0		-	\$ -	75%	\$ -
30	0.0%		0		-	\$ -	75%	\$ -
31	0.0%		0		-	\$ -	75%	\$ -
	0.0%	<b>Preconstruction Total</b>				\$ -	75%	\$ -
<b>Construction Engineering Costs</b>								
32	13.8%	Construction Contract Management	1	EA	21,800.00	\$ 21,800	75%	\$ 16,350
33	1.6%	Materials Testing	1	EA	2,500.00	\$ 2,500	75%	\$ 1,875
34	0.0%		0		-	\$ -	75%	\$ -
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	13.4%	<b>Construction Engineering Total</b>				\$ 24,300	75%	\$ 18,225
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	75%	\$ -
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	75%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 181,954		
		<b>Eligible Total</b>				\$ 181,954	75%	\$ 136,466
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 181,954	75%	\$ 136,466

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

REVISION NO.	SECTION NO.	SHEET NO.
1		4 / 9
5.10.24		

**AS-BUILT RECORD**  
 I hereby certify that this plan, specification, or report was constructed as depicted on the as-built drawings.  
 Print Name: ROGER A. CLAY

Signed: \_\_\_\_\_  
 Date: \_\_\_\_\_ License Number: 4781

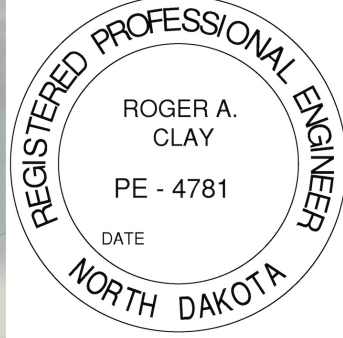


HORIZ: 0 15 30 60

NORTH DAKOTA STATE PLANE,  
 NORTH ZONE,  
 US FOOT, NAD83 (2011)

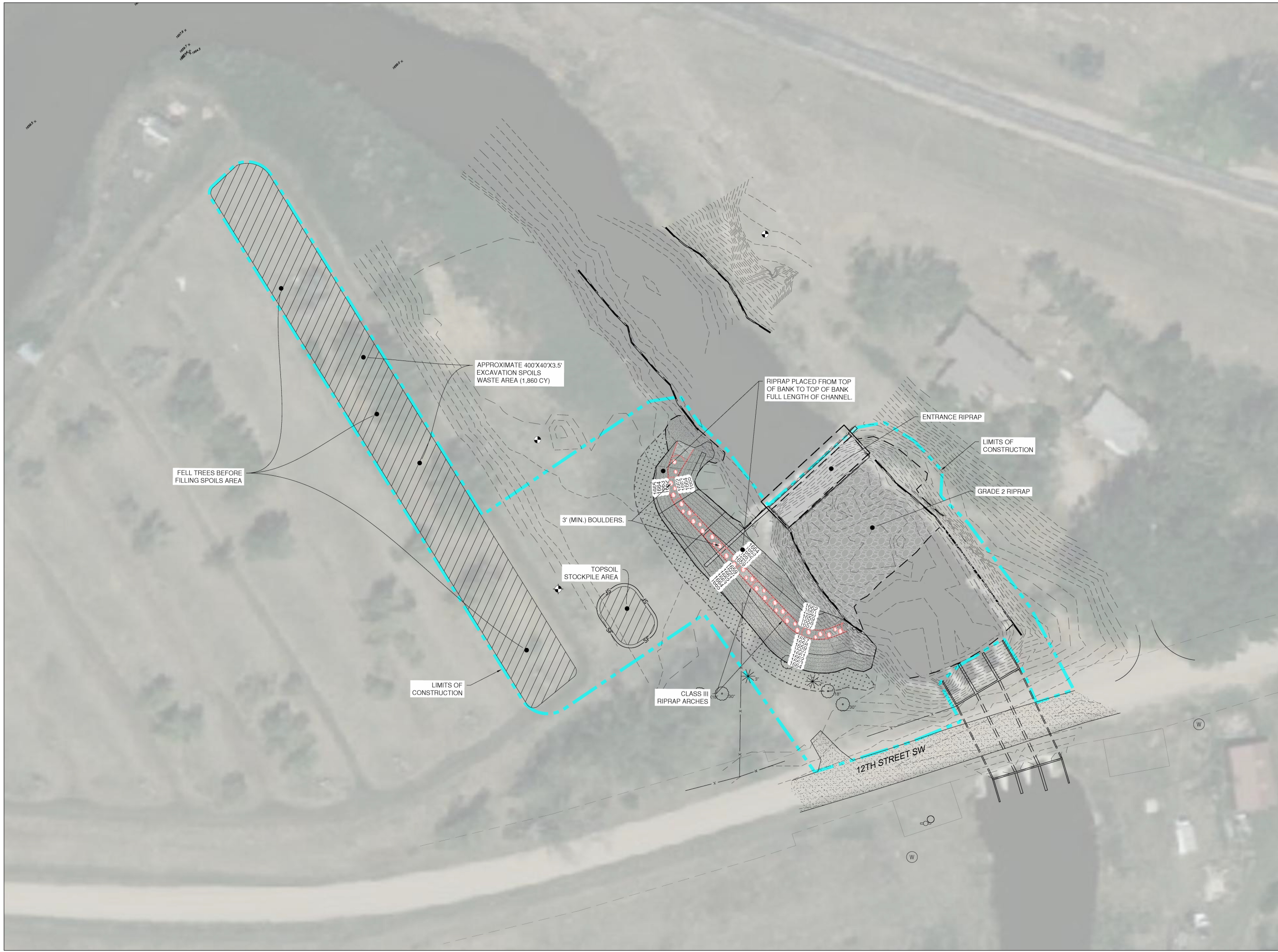
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of North Dakota.

Print Name: ROGER A. CLAY  
 Signed: \_\_\_\_\_  
 Date: \_\_\_\_\_ License Number: 4781



**Ulteig**  
 419 Riverwood Drive  
 Suite 201  
 Bismarck, North Dakota 58504  
 Phone: 701.258.6507  
 Fax: 701.224.1162  
 Web: www.ulteig.com

**OVERALL SITE GEOMETRICS PLAN**  
 MCLEAN COUNTY  
 KATZ DAM SAFETY IMPROVEMENT AND FISH PASSAGE PROJECT  
 WASHBURN, NORTH DAKOTA  
 DRAWN BY: M. JOOS  
 CHECKED BY: K. CARLSON  
 APPROVED BY: R. CLAY  
 DATE: JAN. 2024    UEI PROJ. NO: 23.24301








DWR Photo taken March 24, 2022.



DWR Photo taken March 24, 2022.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** State Water Supply – City of Jamestown  
 2025 Water Main Replacement  
**DATE:** September 24, 2024

***Background & Description***

The City of Jamestown is requesting preconstruction cost-share for their 2025 Water Main Replacement (Project). The Project will include replacement of 5,450 feet of aging cast iron water main along 4<sup>th</sup> Avenue SW, I-94 Business Loop West, and 1<sup>st</sup> Avenue S in the City of Jamestown. The Project is planned for construction in conjunction with I-94 West Business Loop improvements by the North Dakota Department of Transportation. The Project is located in Stutsman County.

***Supplemental Information***

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 5,000
Present Value Cost / User (Preferred Alternative)	\$987
Rate / 5,000-Gallons	\$36.00
Comparable Rate / 5,000-Gallons	\$38.00
Water Source – Jamestown Aquifer	

***Schedule***

Task	Dates
Study	Fall 2024
Design	Winter 2024
Bid	Spring 2025
Construction	Summer 2025
Completion	Fall 2025

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$0	\$0		
Eligible Costs	\$280,000	\$4,377,098	\$4,657,098		
Total	\$280,000	\$4,377,098	\$4,657,098		
Cost-Share 60% (Requested)	<b>\$168,000</b>	\$2,626,259	\$2,794,259		<b>\$168,000</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Jamestown for state cost-share participation in the 2025 Water Main Replacement project at 60 percent of eligible costs, not to exceed \$168,000. This approval is contingent on available funding.**

AT:jsp:ln:/2050JAM

# 1083864 - 2025 Water Main Replacement, City of Jamestown

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Submitted  
**Stage:** Final Application

**Initial Submit Date:** Aug 23, 2024 1:24 PM  
**Initially Submitted By:** Sarah Hellekson  
**Last Submit Date:**  
**Last Submitted By:**

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Salutation Jason Middle Name Bivens  
First Name Last Name  
**Title:**  
**Email\*:** [jason.bivens@interstateeng.com](mailto:jason.bivens@interstateeng.com)  
**Address\*:** 1903 12th Ave SW

Jamestown North Dakota 58401  
City State/Province Postal Code/Zip

**Phone\*:** 701-252-0234 Ext.  
Phone  
### ### ####  
**Fax:** ### ### ####  
**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** City of Jamestown, ND  
**Organization Type\*:** Municipal Government  
**Tax Id:** 456002099  
**Organization Website:** <https://jamestownnd.gov/>  
**Address\*:** 102 3rd Ave S.E.

Jamestown North Dakota 58401-4205  
City State/Province Postal Code/Zip

**Phone\*:** 701-252-5900 Ext.  
### ### #####

**Fax:** 701-252-5903  
### ### #####

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### **Infrastructure Funding Request**

**Project, Program, or Study Name\*:** Jamestown - 2025 Water Main Replacement

**Sponsor(s)\*:** City of Jamestown

**County\*:** Stutsman

**City\*:** Jamestown

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**

City of Jamestown, ND DEQ, ND DWR

**Describe the Problem\*:**

Existing cast iron water mains and associated infrastructure including valves and hydrants in the City have reached the end of their useful life and have experienced an increasing frequency of leaks and breaks.

The City's existing water distribution system contains over 4,700 users that may be affected by leaks or breaks to the system.

NDDOT is planning to complete major rehabilitation to the I94 west business loop in 2026 & beyond. The proposed project would replace water infrastructure prior to completion of the DOT portion to make the project more efficient.

**Provide Project Details, Objectives and**

**Solutions to Address Problem\*:**

The City has been completing ongoing water main replacement projects for selected portions within the system for several years. Preliminary design and site selection is still being finalized as of August 2024; however the project would be of a similar scope and size as the 2023 Water Main Replacement Project. The I94 West Business Loop in Jamestown is on NDDOT's schedule for 2026 improvements. The proposed Water Main project would be done in connection with the DOT as mentioned in the Problem's section.

Open cut, boring, and pipe bursting are all being considered as options to encourage as many contractors to bid the project and to obtain the most economically feasible option for the City in addition to cutting down on impacts to traffic along I94 West Business Loop.

For this project,

**Choose City, County, Water District or Other\*:** City

**What is the Current Estimated Population?\*** 15849

For this project,

**What is the Benefited Population?\*** 15849

**Have Assessment Districts Been Formed?\***: No

**Have Land or Easements Been Acquired?\***: N/A

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\***: No

**Are There Any Road Improvements Included as Part of the Project?\***: Yes

**If Yes, Describe the Condition and Last Improvements Made to Any Underground Infrastructure.:**

For the proposed project, roads will only be resurfaced where trenching, bore pits, etc. are dug. Underground water mains are originally installed cast iron pipe.

The forthcoming NDDOT project will complete final restoration for portions of the project that would directly affect the I94 West Business Loop.

**Have You Applied For Any Federal Permits?\***: N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Have You Applied for any State Permits?\***: N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Have You Applied for any Local Permits?\***: N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: Fall 2024

**Design Completion\***: Winter 2024 / 2025

**Bid\***: Spring 2025

**Construction Start\***: Summer 2025

**Construction Completion\***: Fall 2025

**Explain Additional Timeline Issues\***:

No issues expected for pre-construction / Environmental / Design.

For construction, contractor availability and cost continue to be an issue for these types of projects in Jamestown.

**Consulting Engineer\***: Interstate Engineering

**Engineer Telephone Number\***: 701-252-0234

**Engineer Email\***: [jason.bivens@interstateeng.com](mailto:jason.bivens@interstateeng.com)

## Certification (Must Be Completed by Project Sponsor)

**Submitted by\*:** Sarah Hellekson 08/23/2024  
First Name Last Name Date

**Address\*:** City Hall  
Address Line 1  
102 3rd Ave SE  
Address Line 2  
Jamestown North Dakota 58401-0000  
City State Zip Code

**Telephone Number\*:** 701-252-5900

**Sponsor Email\*:** [shellekson@jamestownnd.gov](mailto:shellekson@jamestownnd.gov)

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:** Yes

**Authorized Individual\*:** Sarah Hellekson 08/23/2024  
First Name Last Name Date

**Title/Position/Authority\*:** City Administrator / City Auditor

## Documentation

---

### Documentation

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No  
[CLICK HERE](#) to see examples.

**Project Specific Map** [Jmst\\_2025 WM Project\\_Preliminary.pdf](#)  
Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community  
\*:

**Are You Seeking SRF or IRLF Funding?\*** No

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

**Attach Completed Comprehensive Plan:**  
[CLICK HERE](#) for SFN 61801 Delineation of Costs Instructions and Current Version.

**Delineation of Costs SFN 61801:** [sfn\\_61801\\_delineation\\_of\\_cost\\_19\\_2024-8.xlsx](#)

**Type of Request:** Preconstruction

**Water Supply Projects?:** Yes  
[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

**Life Cycle Cost Analysis:** [life\\_cycle\\_cost\\_analysis\\_worksheet\\_15.xlsx](#)  
[CLICK HERE](#) for SFN 62417 Basic Asset Inventory Tool and Current Version.

**Asset Inventory Assessment:**

Rural Flood Control?: No

Drain Reconstructions?: No

Flood Recovery Property Acquisition?: No

Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: No

Photos of Problem/Issue:

Other Applicable Document(s): No

## Sources

*Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)*

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Pre-Construction	Cost Share	Current Request	\$168,000.00	\$0.00	\$0.00	\$168,000.00	Grant	0.00	0.00
Drinking Water	State Revolving Fund	Future Request	\$1,863,000.00	\$0.00	\$0.00	\$1,863,000.00	Loan	20.00	2.00
Department of Water Resources Construction	Cost Share	Future Request	\$2,626,000.00	\$0.00	\$0.00	\$2,626,000.00	Grant	0.00	0.00
			<b>\$4,657,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$4,657,000.00</b>			



**PRELIMINARY**  
 This document is preliminary and for informational purposes only.  
 This document is preliminary and for informational purposes only.  
 This document is preliminary and for informational purposes only.

Sheet Number  
**1**



Offices in North Dakota, Minnesota, Montana and South Dakota

Watermain Replacement Projects City of Jamestown		Project No: 24-03-071.04	
Scope of Work Map			
Drawn By: BA	Surveyed By:	Designed By:	Date: 08/20/2024
Checked By:			

Rev No	Date	By	Description





**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SPFN 61801 (7/2024)

DWR Date Received : August 26, 2024

<b>Project:</b>	Water Main Replacement Project - 2025
<b>Sponsor:</b>	City of Jamestown
<b>Contact:</b>	Sarah Hellekson, City Administrator / City Auditor
<b>Phone:</b>	701-252-5900
<b>Engineer:</b>	Travis Dillman, City Engineer
<b>Phone:</b>	701-252-0234

<b>Total Cost :</b>	\$ 4,657,098	<b>Date:</b>	August 1, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 4,657,098	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 1,862,839		\$ 2,794,259
		<b>Preconstruction :</b>	\$ 168,000
		<b>Construction :</b>	\$ 2,626,259

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	6.4%	Mobilization	1	LS	250,000.00	\$ 250,000	60%	\$ 150,000
2	0.8%	Bonding	1	LS	32,200.00	\$ 32,200	60%	\$ 19,320
3	0.8%	Insurance	1	LS	32,200.00	\$ 32,200	60%	\$ 19,320
4	0.1%	Water Main 4 in	20	LF	150.00	\$ 3,000	60%	\$ 1,800
5	7.5%	Water Main 6 in	1650	LF	178.00	\$ 293,700	60%	\$ 176,220
6	6.4%	Water Main 8 in	1210	LF	208.00	\$ 251,680	60%	\$ 151,008
7	19.3%	Water Main 10 in	2570	LF	295.00	\$ 758,150	60%	\$ 454,890
8	4.4%	Gate Valve	32	EA	5,400.00	\$ 172,800	60%	\$ 103,680
9	4.7%	Hydrant	15	EA	12,230.00	\$ 183,450	60%	\$ 110,070
10	3.7%	Fittings	5000	LBS	29.00	\$ 145,000	60%	\$ 87,000
11	2.7%	Water Service Line	600	LF	178.00	\$ 106,800	60%	\$ 64,080
12	1.3%	Connection to Existing Line	15	EA	3,360.00	\$ 50,400	60%	\$ 30,240
13	0.3%	Meter	1	EA	10,000.00	\$ 10,000	60%	\$ 6,000
14	0.4%	Pipeline Appurtenances	1	LS	15,000.00	\$ 15,000	60%	\$ 9,000
15	1.3%	Moving Underground Utilities	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
16	2.0%	Dewatering	1	LS	80,000.00	\$ 80,000	60%	\$ 48,000
17	1.0%	Curb and Gutter	1	LS	40,000.00	\$ 40,000	60%	\$ 24,000
18	0.4%	Curb Stop	5	EA	3,000.00	\$ 15,000	60%	\$ 9,000
19	9.7%	Paving	1	LS	380,000.00	\$ 380,000	60%	\$ 228,000
20	0.5%	Sideway - Remove and Replace	1	LS	20,000.00	\$ 20,000	60%	\$ 12,000
21	1.3%	Seeding	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
22	0.5%	Laboratory	1	LS	20,000.00	\$ 20,000	60%	\$ 12,000
23	2.5%	Temporary Water Service	1	LS	100,000.00	\$ 100,000	60%	\$ 60,000
24	3.1%	Boring - Non-Cased	300	LF	400.00	\$ 120,000	60%	\$ 72,000
25	2.5%	Traffic Control	1	LS	100,000.00	\$ 100,000	60%	\$ 60,000
26	7.5%	Reconnect Water Service Lines	56	EA	5,300.00	\$ 296,800	60%	\$ 178,080
		<b>Construction Sub-Total</b>				\$ 3,576,180	60%	\$ 2,145,708
	10.0%	<b>Contingency</b>				\$ 357,618	60%	\$ 214,571
	84.5%	<b>Construction Total</b>				\$ 3,933,798	60%	\$ 2,360,279
<b>Preconstruction Costs</b>								
27	0.3%	Preliminary Design	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
28	6.4%	Final Design	1	LS	250,000.00	\$ 250,000	60%	\$ 150,000
29	0.3%	Bidding / Negotiations	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
30	0.3%	Geotechnical Investigations	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
31	0.0%		0		-	\$ -	60%	\$ -
	6.0%	<b>Preconstruction Total</b>				\$ 280,000	60%	\$ 168,000
<b>Construction Engineering Costs</b>								
32	1.3%	Construction Contract Management	1	NA	50,000.00	\$ 50,000	60%	\$ 30,000
33	10.0%	Project Inspection	1	NA	393,300.00	\$ 393,300	60%	\$ 235,980
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	9.5%	<b>Construction Engineering Total</b>				\$ 443,300	60%	\$ 265,980
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 4,657,098		
		<b>Eligible Total</b>				\$ 4,657,098	60%	\$ 2,794,259
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 4,657,098	60%	\$ 2,794,259

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

## Life Cycle Cost Analysis Review

**Sponsor:** City of Jamestown  
**Project Title:** Water Main Replacement Project - 2025  
**Date:** September 3, 2024

**Explanation of Alternatives:**

Distribution Water Main Replacement (Preferred) - Approximately 12 city blocks (56 service connections) of originally installed cast iron water mains would be replaced with new PVC pipe along with associated appentences (valves, hydrants, service connections, etc.).

No Action - The existing water mains would remain in place. Leaks and breaks would continue to occur and likely increase in frequency causing operation and maintenance costs to increase annually.

**Inputs:**

New Connections Served	0	Current CIF Balance	
Future Connections Served	0	Annual CIF Contribution	
Current Connections Served	5000	Cash Funding Target (Percentage %) New Assets	
Net Connections (New + Current)	5000	Cash Funding Target (Percentage %) Existing Assets	
		Annual CIF Contribution suggested for the Project	

	Distribution Water Main Replacement (Preferred)	No Action		
Construction Cost	\$4,659,000	\$0		
Annual O & M	\$0	\$40,000		

**Details:**

They City has been completing ongoing replacement projects over the past several years due to the existing water lines nearing the end of their useful life. Open cut, boring, and pipe bursting are all being considered as options to encourage as many contractors as possible to bid the project and to obtain the most economically feasible option for the City.

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

	Distribution Water Main Replacement (Preferred)	No Action		
Present Value				
Capital Costs	\$4,659,000	\$0		
O&M	\$0	\$1,109,000		
Repair, Rehab, Replacement	\$340,000	\$0		
Salvage Value	\$63,000	\$0		
<b>Total PVC</b>	<b>\$4,936,000</b>	<b>\$1,109,000</b>		
<b>PV Cost Per User</b>	<b>\$987</b>	<b>\$222</b>		

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$36</b>		
<b>Comparable Water Rate</b>	<b>\$38</b>		
Net Connections (New + Current)	5,000	5,000	
Cost-Share Percent	60%	60%	
Local Share	\$1,863,600	\$0	
Other Funding	\$0	\$0	
Total Local	\$1,863,600	\$0	
<b>Payment Per User With Cost-Share</b>	<b>\$1.89</b>	<b>\$0.00</b>	
Local Share	\$4,659,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$4,659,000	\$0	
<b>Payment Per User Without Cost-Share</b>	<b>\$4.71</b>	<b>\$0.00</b>	

**Explanation of Results:**


The sponsor preferred project is the "Distribution Water Main Replacement" option. The present value cost of the preferred alternative is \$4,936,000 and the presented alternative for comparison is "No Action" at a present value cost of \$4,936,000. The present value cost per user for the preferred alternative is \$987. The monthly user cost of the local share with DWR 60% cost-share participation is \$1.89 per month and \$4.71 without DWR participation.

	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
ND Dept. of Commerce				
Population & Trends	15,775	15,750	0.0%	-3

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** State Water Supply – City of Colfax  
 Supply Treated Water Transmission Line

**DATE:** September 24, 2024

***Background & Description***

The City of Colfax is requesting construction cost-share for their Supply Treated Water Transmission Line (Project). The Project is installation of 3,450 feet of new water main along County Road 1 to loop the system from the City’s existing 35,000-gallon underground reservoir to Andy Avenue intersection. The Project is located in Richland County.

***Supplemental Information***

Water Development Plan / Priority	None
New / Future / Current Service Users	0 / 48 / 109
Present Value Cost / User (Preferred Alternative)	\$16,339
Rate / 5,000-Gallons	\$32.75
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Southeast Water Users District	

***Schedule***

Task	Dates
Study	Dec. 2023
Design	May 2024
Bid	Jul. 2024
Construction	Oct. 21, 2024
Completion	Dec. 2024

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$24,033	\$24,033		
Eligible Costs	\$51,200	\$614,687	\$665,887		
Total	\$51,200	\$638,720	\$689,920		
Cost-Share 60% (Requested)	\$0	<b>\$368,813</b>	\$368,813		<b>\$368,813</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Colfax for state cost-share participation in the Supply Treated Water Transmission Line project at 60 percent of eligible costs, not to exceed \$368,813. This approval is contingent on available funding.**

AT:jsp:ln:/2050COL

# 1083345 - Supply Treated Water Transmission Line (SRF)

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Under Review  
**Stage:** Final Application

**Initial Submit Date:** Jul 22, 2024 8:44 PM  
**Initially Submitted By:** Jennifer Skoog  
**Last Submit Date:** Jul 31, 2024 3:33 PM  
**Last Submitted By:** Jennifer Skoog

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Salutation Jennifer Middle Name Skoog  
First Name Last Name  
**Title:** Auditor  
**Email\*:** colfaxcity@mt.net  
**Address\*:** PO Box 51

Colfax North Dakota 58018  
City State/Province Postal Code/Zip

**Phone\*:** 701-367-4370 Ext.  
 Phone  
 ###-###-####  
**Fax:** ###-###-####

**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** City of Colfax  
**Organization Type\*:** Municipal Government  
**Tax Id:**  
**Organization Website:**  
**Address\*:** P.O. Box 51

Colfax North Dakota 58018-0051  
City State/Province Postal Code/Zip

**Phone\*:** 701-640-3535 Ext.  
### ###

**Fax:** ### ###

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Watermain Looping

**Sponsor(s)\*:** City of Colfax

**County\*:** Richland

**City\*:** Colfax

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**

City of Colfax

**Describe the Problem\*:**

The main supply line servicing town runs approximately 2,100 LF east from the reservoir to the intersection of Broadway St and 2nd Ave where it ties into the City's treated water system. The tie in location to the City's water system is in located in the southwest portion of the City's water system. Due to the influx of new services, the City has experienced low water pressures. In addition, the system currently has no redundancy, with only one supply line from the reservoir servicing the City.

**Provide Project Details, Objectives and Solutions to Address Problem\*:**

The proposed project would include the construction of a new 3,450 LF water main loop from the reservoir to the north side of Colfax along Richland County Road 1, where it would tie into the north part of the City's water system in the new residential subdivision. This would create redundancy in a system that currently has none, and increase water pressures throughout the north part of Colfax.

For this project,

**Choose City, County, Water District or Other\*:** City

**What is the Current Estimated Population?\*** 225

For this project,

**What is the Benefited Population?\*** 225

**Have Assessment Districts Been Formed?\*** No

**Have Land or Easements Been Acquired?\*** N/A

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\*** No

**Are There Any Road Improvements Included as Part of the Project?\***: No

**Have You Applied For Any Federal Permits?\***: N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Have You Applied for any State Permits?\***: N/A

**If Yes or Ongoing, Please Explain (include type/number):**

**Have You Applied for any Local Permits?\***: Yes

**If Yes or Ongoing, Please Explain (include type/number):**

Richland County Right of Way Permit, approved  
Red River Valley and Western Crossing Permit, ongoing

**Have You Been Approved For Any Local Permits?\***: Yes

**If Yes or Ongoing, Please Explain (include type/number):**

Richland County Right of Way Permit approved  
Red River Valley and Western Crossing Permit, ongoing

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
(Example: Hazard Mitigation Grant Program)  
\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 12/21/2023

**Design Completion\***: 5/31/2024

**Bid\***: 07/15/2024

**Construction Start\***: 10/21/2024

**Construction Completion\***: 12/15/2024

**Explain Additional Timeline Issues\***:

Funding approvals, material acquisition

**Consulting Engineer\***: Interstate Engineering

**Engineer Telephone Number\***: 701-642-5521

**Engineer Email\***: [zach.hatting@interstateeng.com](mailto:zach.hatting@interstateeng.com)

**Certification (Must Be Completed by Project Sponsor)**

**Submitted by\***: Jennifer Skoog 07/22/2024  
First Name Last Name Date

**Address\***: PO Box 51  
Address Line 1  
Address Line 2

Colfax North Dakota 58018-\_\_\_\_  
City State Zip Code

Telephone Number\*: 701-367-4370

Sponsor Email\*: colfaxcity@rt.net

I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:

Yes

Authorized Individual\*: Jennifer Skoog 07/18/2024  
First Name Last Name Date

Title/Position/Authority\*: City Auditor

## Documentation

---

### Documentation

Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*: No

[CLICK HERE](#) to see examples.

Project Specific Map [3 - Project Specific Map.pdf](#)

Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community

\*:

Are You Seeking SRF or IRLF Funding?\*: Yes

Engineer's Estimate of Probable Cost [Bid Tab 7-31-24.pdf](#)

Separate Project Components by Type (Storm Sewer, Sanitary Sewer and Associated Roads, Drinking Water and Associated Roads, and Roads)

:

Are You Seeking Department of Water Resources Cost-Share?\*: Yes

Are You Seeking Cost-Share for a Main Street Initiative Related Project?: No

Attach Completed Comprehensive Plan:  
[CLICK HERE](#) for SFN 61801 Delineation of Costs Instructions and Current Version.

Delineation of Costs SFN 61801: [sfn\\_61801\\_delineation\\_of\\_cost updated 7-31-24.xlsx](#)

Type of Request: Construction

Signed Plans and Specifications For Bidding: [ER2200144.01 Colfax\\_Water\\_FINAL PLANS.pdf](#)

Water Supply Projects?: Yes

[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

Life Cycle Cost Analysis: [life\\_cycle\\_cost\\_analysis\\_worksheet.xlsx](#)

[CLICK HERE](#) for SFN 62417 Basic Asset Inventory Tool and Current Version.

Asset Inventory Assessment: [sfn\\_62417\\_basic\\_asset\\_inventory\\_tool 1.xlsx](#)

Rural Flood Control?: No

Drain Reconstructions?: No

Flood Recovery Property Acquisition?: No

Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: Yes

Feasibility/Engineering Study Material: [SIGNED - Facility Plan Report 12-21-23.pdf](#)

Photos of Problem/Issue:

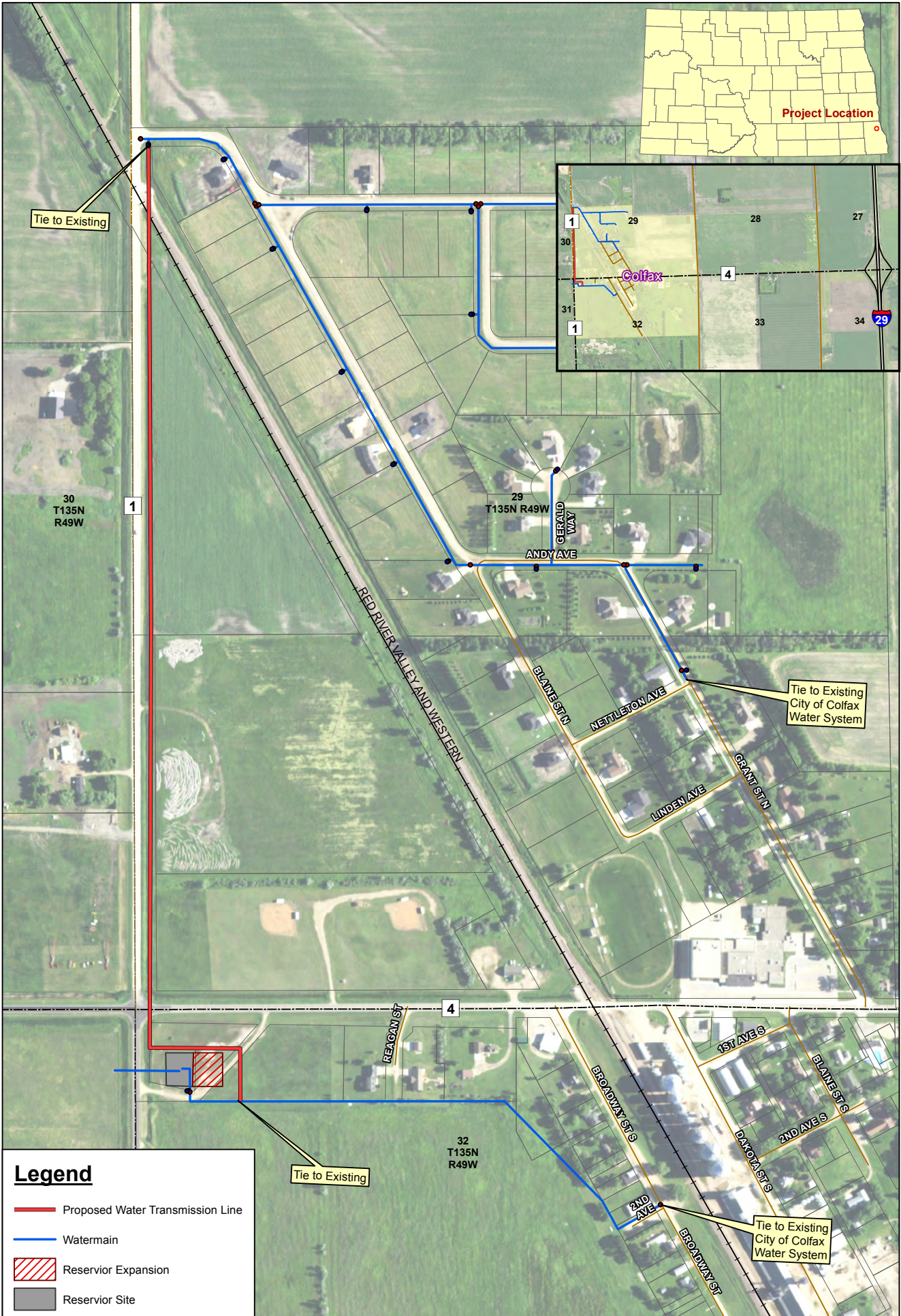
Other Applicable Document(s): No

## Sources

### Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Drinking Water State Revolving Fund		Current Request	\$244,840.81	\$0.00	\$0.00	\$244,840.81	Loan	30.00	2.00
Department of Water Resources Cost Share Construction		Current Request	\$372,802.00	\$0.00	\$0.00	\$372,802.00	Grant	0.00	0.00
Other	ARPA Funds	Already Approved	\$24,032.54	\$0.00	\$0.00	\$24,032.54		0.00	0.00
Other	Municipal Infrastructure Fund (Prairie Dog Fund)	Already Approved	\$48,244.65	\$0.00	\$0.00	\$48,244.65		0.00	0.00
			<b>\$689,920.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$689,920.00</b>			



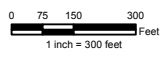


**Legend**

- Proposed Water Transmission Line
- Watermain
- Reservoir Expansion
- Reservoir Site

**Proposed Colfax Water Transmission Line  
Waterlooping Project  
Colfax, ND**

User Name: Tyler.Birchm Date Exported: 1/31/2022 1:58:31 PM Date Saved: 1/31/2022 1:54:14 PM  
Units: Foot Coordinate System: NAD 1983 2011 StatePlane North Dakota South FIPS 3502 Fti  
Document Path: Q:\2021\W213\W2100048\CADD\GIS\11x17\OverviewMap.mxd





**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (4/2024)

DWR Date Received : July 31, 2024

<b>Project:</b>	Watermain Looping
<b>Sponsor:</b>	City of Colfax
<b>Contact:</b>	Jen Skoog, City Auditor
<b>Phone:</b>	701-367-4370
<b>Engineer:</b>	Zach Hatting, Interstate Engineering
<b>Phone:</b>	701-642-5521

<b>Total Cost :</b>	\$ 689,920	<b>Date:</b>	July 17, 2024
<b>Ineligible Cost :</b>	\$ 24,033		
<b>Eligible Cost :</b>	\$ 665,888	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 290,387		\$ 399,533
		<b>Preconstruction :</b>	\$ 30,720
		<b>Construction :</b>	\$ 368,813

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

		Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	1.8%	Mobilization	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
2	0.0%	Bonding	0		-	\$ -	60%	\$ -
3	1.1%	Insurance	1	LS	6,000.00	\$ 6,000	60%	\$ 3,600
4	0.0%		0		-	\$ -	60%	\$ -
5	2.7%	Connection to Existing Line	3	EA	5,000.00	\$ 15,000	60%	\$ 9,000
6	23.1%	Boring - Cased	266	LF	475.00	\$ 126,350	60%	\$ 75,810
7	4.9%	Water Main 6 in	536	LF	50.00	\$ 26,800	60%	\$ 16,080
8	43.0%	Boring - Poly	3134	LF	75.00	\$ 235,050	60%	\$ 141,030
9	2.9%	Fittings	700	LBS	23.00	\$ 16,100	60%	\$ 9,660
10	9.2%	Gate Valve	12	EA	4,200.00	\$ 50,400	60%	\$ 30,240
11	0.0%		0	EA	-	\$ -	60%	\$ -
12	0.4%	Traffic Control	1	LS	2,000.00	\$ 2,000	60%	\$ 1,200
13	0.2%	Erosion Control	1	LS	1,260.00	\$ 1,260	60%	\$ 756
14	0.7%	Stripping Soil	50	EA	75.00	\$ 3,750	60%	\$ 2,250
15	0.7%	Seeding	0.33	AC	12,000.00	\$ 3,960	60%	\$ 2,376
16	0.0%		0		-	\$ -	60%	\$ -
17	0.0%		0		-	\$ -	60%	\$ -
18	0.0%		0		-	\$ -	60%	\$ -
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 496,670	60%	\$ 298,002
	10.0%	<b>Contingency</b>				\$ 49,667	60%	\$ 29,800
	79.2%	<b>Construction Total</b>				\$ 546,337	60%	\$ 327,802
<b>Preconstruction Costs</b>								
27	9.4%	Preliminary Design	1	LS	51,200.00	\$ 51,200	60%	\$ 30,720
28	0.0%		0		-	\$ -	60%	\$ -
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	7.4%	<b>Preconstruction Total</b>				\$ 51,200	60%	\$ 30,720
<b>Construction Engineering Costs</b>								
32	13.7%	Project Inspection	1	LS	75,000.00	\$ 75,000	60%	\$ 45,000
33	0.0%		0		-	\$ -	60%	\$ -
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	10.9%	<b>Construction Engineering Total</b>				\$ 75,000	60%	\$ 45,000
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	1.8%	Administrative	1	LS	12,416.75	\$ 12,417	0%	\$ -
43	0.7%	Legal Expenses	1	LS	4,966.70	\$ 4,967	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	2.5%	<b>Other Ineligible Total</b>				\$ 17,383	0%	\$ -
100.0%		<b>Total</b>				\$ 689,920		
		<b>Eligible Total</b>				\$ 672,537	60%	\$ 403,522
		<b>Federal ARPA Funds - Balance after applied to Ineligible Costs</b>				\$ 6,649		
		<b>Eligible Cost Total</b>				\$ 665,888	60%	\$ 399,533

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

## Life Cycle Cost Analysis Review

**Sponsor:** City of Colfax  
**Project Title:** Watermain Looping

**Date:** August 22, 2024

**Explanation of Alternatives:**

No Action – The system remains in place as it is currently. The system will not have redundancy in case of a watermain break.

Watermain Looping (Preferred) - Construct a watermain loop to increase water pressure and provide system redundancy in the event of a watermain break. The proposed watermain loop would connect to the existing system at the reservoir. It would run north in the Richland County Road 1 right-of-way and connect to the existing water system in the northwest corner of Colfax Meadows 3rd Addition.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$13,615
Future Connections Served	48	Annual CIF Contribution	\$500
Current Connections Served	109	Cash Funding Target (Percentage %) New Assets	10%
Net Connections (New + Current)	109	Cash Funding Target (Percentage %) Existing Assets	10%
		Annual CIF Contribution suggested for the Project	\$1,356

	Take No Action,	Watermain Looping	
Construction Cost	\$0	\$690,100	
Annual O & M	\$35,426	\$35,426	

**Details:**

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Take No Action,	Watermain Looping	
Capital Costs	\$0	\$690,000	
O&M	\$983,000	\$948,000	
Repair, Rehab, Replacement	\$0	\$153,000	
Salvage Value	\$0	\$10,000	
<b>Total PVC</b>	<b>\$983,000</b>	<b>\$1,781,000</b>	
<b>PV Cost Per User</b>	<b>\$9,018</b>	<b>\$16,339</b>	

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$33</b>	
<b>Comparable Water Rate</b>	<b>\$49</b>	
Net Connections (New + Current)	109	109
Cost-Share Percent	60%	60%
Local Share	\$0	\$276,000
Other Funding	\$0	\$0
Total Local	\$0	\$276,000
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>	<b>\$12.81</b>
Local Share	\$0	\$690,000
Other Funding	\$0	\$0
Total Local	\$0	\$690,000
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>	<b>\$32.02</b>

**Explanation of Results:**

The sponsor preferred project is the “Watermain Looping” option. The present value cost of the preferred alternative is \$1,781,000 and the presented alternative for comparison is “Take No Action” at a present value cost of \$983,000. The present value cost per user for the preferred alternative is \$9,018. The monthly user cost of the local share with DWR 60% cost-share participation is \$12.81 per month and \$32.02 without DWR participation.


	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
ND Dept. of Commerce				
Population & Trends	121	154	2.7%	3

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.

N O R T H  
**Dakota** | Water Resources  
 Be Legendary.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** NDSWC Cost-Share Request – Ward County Water Resource District (WRD)  
 Ward County Low Head Dams - Construction

**DATE:** September 24, 2024

***Background & Description***

Ward County WRD (Sponsor) requests construction cost-share for their Ward County Low Head Dams Construction (Project). The purpose of the Project is to mitigate the public dangers associated with low-head dam roller effects at Ward County Dam 1, and Eastside Estates Dams 1, 2, and 3. At each dam, construction will include modifying the existing sheet pile, placing riprap on the upstream and downstream portion of the structure, and pouring a concrete cap over the sloped riprap. All four dams are on the Mouse River and are listed on the Department of Water Resources’ Low-Head Dam Prioritization Inventory. The Project is one mile southeast of Minot, Ward County, North Dakota.

***Supplemental Information***

Water Development Plan	High Priority
Construction, Sovereign Land, and Water Permits	Status Pending
Benefit-Cost Ratio	NR

(NR) Not Required

***Schedule***

Task	Dates
Study	-
Design	Sept. 2024
Bid	Fall 2024
Construction	Fall/Winter 2024
Completion	Fall 2025

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	-	-	-		
Eligible Cost	\$588,750	\$1,470,419	\$2,059,169		
Total	\$588,750	\$1,470,419	\$2,059,169		
Cost-share 75% (requested)	\$588,750	<b>\$1,102,814</b>	\$1,691,564	\$588,750 (10/13/22)	<b>\$1,102,814</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the Ward County Water Resource District for state cost participation in the Ward County Low Head Dams - Construction project at 75 percent of eligible costs, not to exceed \$1,102,814. This approval is contingent on available funding.**

AT:bn/af/1313

# 1083878 - Ward County Low Head Dams Rehabilitation

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Submitted  
**Stage:** Final Application

**Initial Submit Date:** Aug 26, 2024 9:07 AM  
**Initially Submitted By:** Karli Frohling  
**Last Submit Date:** Aug 29, 2024 1:57 PM  
**Last Submitted By:** Karli Frohling

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Ms. Karli Rae Frohling  
Salutation First Name Middle Name Last Name  
**Title:** Water Resources Engineer  
**Email\*:** karli.frohling@hdrinc.com  
**Address\*:** 3231 Greensboro Drive, Suite 200

Bismarck North Dakota 58503  
City State/Province Postal Code/Zip  
**Phone\*:** 701-226-8500 Ext.  
Phone  
###-###-####  
**Fax:** ###-###-####

**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** Ward County WRD  
**Organization Type\*:** County Government  
**Tax Id:** 450279510  
**Organization Website:**  
**Address\*:** P.O. Box 5005

Minot North Dakota 58701-\_\_\_\_  
City State/Province Postal Code/Zip  
**Phone\*:** 701-240-5874 Ext.  
###-###-####  
**Fax:** ###-###-####

**Vendor ID:**  
**PeopleSoft Supplier ID:**  
**Comments:**  
**Location Code:**

## Infrastructure Funding Request

---

### ***Infrastructure Funding Request***

**Project, Program, or Study Name\*:** Ward County Low Head Dams Rehabilitation  
**Sponsor(s)\*:** Ward County Water Resource District  
**County\*:** Ward  
**City\*:** Minot  
**Description of Request\*:** New  
**If Study, What Type:**  
**If Project/Program, What Type:** Flood Control

#### **Jurisdictions/Stakeholders**

##### **Involved\*:**

Ward County Water Resource District

##### **Describe the Problem\*:**

Ward County Water Resource District (WRD) is working to rehabilitation four low head dams along the Mouse River, within Ward County. The dams are Ward County Dam 1, Eastside Estates Dam 1, Eastside Estates Dam 2 and Eastside Estates Dam 3. The low head dams present a safety risk due to the downstream hydraulic roller. The dam design will eliminate the downstream hydraulic roller for each of the four dams, significantly reducing the safety risk.

**Provide Project Details,  
Objectives and Solutions to  
Address Problem\*:**

Ward County Water Resource District is seeking 75% cost share from the NDSWC for the construction work for the project.

All four dams have the same proposed structure modifications. Excavation will occur around the existing sheet piles to prepare the surface for rock placement. A base course will be placed and compacted as required for the longevity of the finished dam and minimize settlement. Riprap will be placed against the upstream and downstream sides of the existing sheet piles. Riprap will be placed at a constant 3:1 (horizontal:vertical) on the upstream face. Riprap will be placed at a 4:1 slope on the downstream face, with a concave slope. The purpose of this curvature is to direct flow towards the center of the Mouse River channel, reducing potential bank erosion. The existing sheet pile will be trimmed as needed and a concrete cap will be formed and poured on the top of the sloped riprap. The dam elevation will remain unchanged from existing to proposed design.

**For this project,**

**Choose City, County, Water District or Other\*:** Water District

**What is the Current Estimated Population?\***: 69000

**For this project,**

**What is the Benefited Population?\***: 69000

**Have Assessment Districts Been Formed?\***: N/A

**Have Land or Easements Been Acquired?\***: Yes

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\***: No

**Are There Any Road Improvements Included as Part of the Project?\***: No

**Have You Applied For Any Federal Permits?\***: Yes

**If Yes or Ongoing, Please Explain (include type/number):**

Section 404 permit submitted for all four dams to the United States Army Corps of Engineers on behalf of the Ward County Water Resource District. This permit was required because the Mouse River is a Water of the United States and as such, requires a Section 404 permit under the Clean Water Act.

**Have You Been approved for any Federal Permits?:** Ongoing

**If Yes or Ongoing, Please**

**Explain**

**(include type/number):**

The permit has been submitted and is in the review stage.

**Have You Applied for any State Permits?\*** Yes

**If Yes or Ongoing, Please**

**Explain**

**(include type/number):**

The following permits were submitted to the North Dakota Department of Water Resources:

Sovereign Lands permit for all four dams due to work below the ordinary high-water mark on a navigable stream

Water Right Permits for all four dams due to the purpose of the dams being for flood control.

Construction Permit for Eastside Estates Dam 1 and Ward County Dam 1 due to the amount of water they store.

No-Rise Certification for all four dams due to work being within a FEMA-designated floodway.

**Have You Been Approved for any State Permits?\*** Ongoing

**If Yes or Ongoing, Please**

**Explain**

**(include type/number):**

The permits have been submitted and is in the review stage.

**Have You Applied for any Local Permits?\*** Yes

**If Yes or Ongoing, Please**

**Explain**

**(include type/number):**

City of Minot floodplain development permit for all four dams since the work is taking place within a floodplain and all four dams are located within the City's ETA.

**Have You Been Approved For Any Local Permits?\*** Ongoing

**If Yes or Ongoing, Please**

**Explain**

**(include type/number):**

The permits have been submitted and is in the review stage.

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\*** No

.\*:

**Have You Received, or Do You Anticipate Receiving Federal Funding?\*** No

(Example: Hazard Mitigation Grant Program)

.\*:



## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\*:** September 2024

**Design Completion\*:** September 2024

**Bid\*:** Fall 2024

**Construction Start\*:** Fall/Winter 2024

**Construction Completion\*:** Fall 2025

### Explain Additional Timeline

#### Issues\*:

This project lends itself well to construction activities during winter months.

**Consulting Engineer\*:** HDR Engineering (Karli Frohling)

**Engineer Telephone Number\*:** 701-557-9725

**Engineer Email\*:** karli.frohling@hdrinc.com

### ***Certification (Must Be Completed by Project Sponsor)***

**Submitted by\*:** Sarah Walker 08/23/2024  
First Name Last Name Date

**Address\*:** 200 72nd St SE  
Address Line 1  
P.O. Box 5005  
Address Line 2  
Minot North Dakota 58702-5005  
City State Zip Code

**Telephone Number\*:** 701-839-6840

**Sponsor Email\*:** sawalker@wardnd.gov

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:** Yes

**Authorized Individual\*:** Sarah Walker 08/29/2024  
First Name Last Name Date

**Title/Position/Authority\*:** Secretary/Treasurer, Ward County Water Resource District

# Documentation

---

## ***Documentation***

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** Yes

[CLICK HERE to see examples.](#)

**Project Specific Map** WardCountyDamsFigure.pdf

Must Include Project Location in State  
Using an Inset Map and  
Distance/Direction to Nearest  
Community  
\*:

**Are You Seeking SRF or IRLF Funding?\*** No

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

[CLICK HERE for SFN 61801 Delineation of Costs Instructions and Current Version.](#)

**Delineation of Costs SFN 61801:** WardLowHeadDams\_sfn\_61801\_delineation\_of\_cost\_Aug\_2024.xlsx

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** August 2024 Ward County Dams 90 Drawings and Specs.pdf

**Water Supply Projects?:** No

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

**Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?:** No

**Sovereign Land Permit, if Required:** Ward County Dams - Sovereign Lands Permit Applications.pdf

**DWR Construction Permit, if Required:** Ward County Dams - Construction Permit Applications.pdf

**Conditional Letter of Map  
Revision (CLOMR), if Required:**

**Feasibility/Engineering Study  
for the Proposed Project:** No

**Photos of Problem/Issue:**

**Other Applicable Document(s):** Yes

**Other Applicable Document:** ConstructionCostShareRequest\_CoverLetter\_082224.pdf

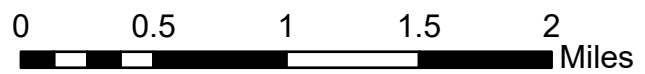
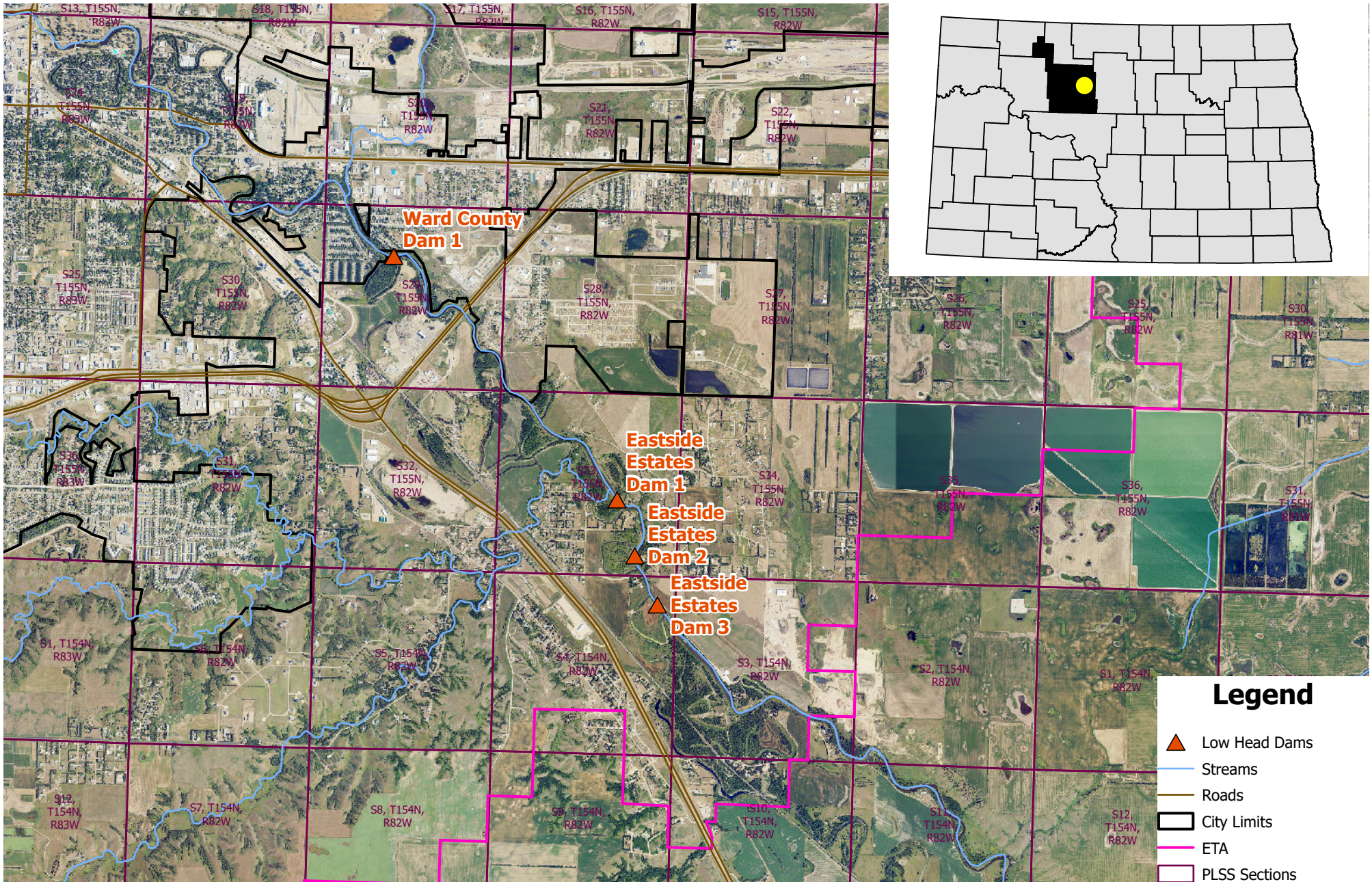
**Other Applicable Document:**

**Other Applicable Document:**

## Sources

***Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)***

Source	If Other, Specify Funding Source	Source Status	State Fiscal			Total Cost	Type	Term	Interest Rate
			Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$1,102,814.00	\$0.00	\$1,102,814.00	Grant	0.00	0.00
Other	Ward County Water Resource District	Already Approved	\$0.00	\$367,605.00	\$0.00	\$367,605.00		0.00	0.00
			<b>\$0.00</b>	<b>\$1,470,419.00</b>	<b>\$0.00</b>	<b>\$1,470,419.00</b>			



**WARD COUNTY WATER RESOURCE DISTRICT  
LOW HEAD DAM REHABILITATION PROJECT**



**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : August 26, 2024

<b>Project:</b>	Ward County Low Head Dams
<b>Sponsor:</b>	Ward County Water Resource District
<b>Contact:</b>	Tom Klein, Chairman
<b>Phone:</b>	701-720-8508
<b>Engineer:</b>	Karli Frohling, HDR Engineering
<b>Phone:</b>	701-557-9725

<b>Total Cost :</b>	\$ 1,470,419	<b>Date:</b>	August 26, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 1,470,419	<b>Cost-Share \$</b>	\$ 1,102,814
<b>Local Cost :</b>	\$ 367,605	<b>Preconstruction :</b>	\$ -
		<b>Construction :</b>	\$ 1,102,814

<b>Project Type:</b>	<b>Cost-share %</b>
Dam - Low Head Roller Effect	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	5.1%	Mobilization	1	LS	70,000.00	\$ 70,000	75%	\$ 52,500
2	0.7%	Bonding	1		9,000.00	\$ 9,000	75%	\$ 6,750
3	0.7%	Insurance	1		9,000.00	\$ 9,000	75%	\$ 6,750
4	0.0%		0		-	\$ -	75%	\$ -
5	5.5%	Contractor QC & Construction Staking	1	LS	75,000.00	\$ 75,000	75%	\$ 56,250
6	0.0%	Demolition - Existing Fence	400	LF	1.00	\$ 400	75%	\$ 300
7	4.4%	Demolition - Tree Removal	1	LS	60,000.00	\$ 60,000	75%	\$ 45,000
8	4.0%	Earthwork	2210	CY	25.00	\$ 55,250	75%	\$ 41,438
9	5.5%	Excavation Haul	3160	CY	24.00	\$ 75,840	75%	\$ 56,880
10	0.5%	Silt Fence Supported	2095	LF	3.50	\$ 7,333	75%	\$ 5,499
11	1.1%	Rolled Erosion Control Blanket Over Bar	3485	SY	4.50	\$ 15,683	75%	\$ 11,762
12	0.8%	Rolled Separation Fabric Under Backfill	3180	SY	3.50	\$ 11,130	75%	\$ 8,348
13	5.8%	Water Management - Cofferdam	8	EA	10,000.00	\$ 80,000	75%	\$ 60,000
14	10.9%	Water Management - Dewatering	1	LS	150,000.00	\$ 150,000	75%	\$ 112,500
15	7.3%	Site Grading - special site finish	1	LS	100,000.00	\$ 100,000	75%	\$ 75,000
16	0.3%	Replace fence	400	LF	10.00	\$ 4,000	75%	\$ 3,000
17	1.2%	Seeding	8	AC	2,000.00	\$ 16,000	75%	\$ 12,000
18	0.9%	Silt Curtain	600	LF	20.00	\$ 12,000	75%	\$ 9,000
19	9.0%	Concrete - class general	30	CY	4,100.00	\$ 123,000	75%	\$ 92,250
20	22.5%	Riprap - NDDOT Grade II	1760	CY	175.00	\$ 308,000	75%	\$ 231,000
21	4.7%	3" Minus Backing - coarse filter aggregat	1070	CY	60.00	\$ 64,200	75%	\$ 48,150
22	0.0%		0		-	\$ -	75%	\$ -
23	0.0%		0		-	\$ -	75%	\$ -
24	0.0%		0		-	\$ -	75%	\$ -
25	0.0%		0		-	\$ -	75%	\$ -
26	0.0%		0		-	\$ -	75%	\$ -
		<b>Construction Sub-Total</b>				\$ 1,245,835	75%	\$ 934,376
	10.0%	<b>Contingency</b>				\$ 124,584	75%	\$ 93,438
	93.2%	<b>Construction Total</b>				\$ 1,370,419	75%	\$ 1,027,814
<b>Preconstruction Costs</b>								
27	0.0%		0		-	\$ -	75%	\$ -
28	0.0%		0		-	\$ -	75%	\$ -
29	0.0%		0		-	\$ -	75%	\$ -
30	0.0%		0		-	\$ -	75%	\$ -
31	0.0%		0		-	\$ -	75%	\$ -
	0.0%	<b>Preconstruction Total</b>				\$ -	75%	\$ -
<b>Construction Engineering Costs</b>								
32	7.3%	Construction Contract Management	1	LS	100,000.00	\$ 100,000	75%	\$ 75,000
33	0.0%		0		-	\$ -	75%	\$ -
34	0.0%		0		-	\$ -	75%	\$ -
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	6.8%	<b>Construction Engineering Total</b>				\$ 100,000	75%	\$ 75,000
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	75%	\$ -
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	75%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 1,470,419		
		<b>Eligible Total</b>				\$ 1,470,419	75%	\$ 1,102,814
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 1,470,419	75%	\$ 1,102,814

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.



## Ward County Water Resource

P.O. Box 5005 • Minot, ND 58702-5005 • 200 72nd St. SE • (701) 839-6840  
Fax (701) 838-3801 • E-mail: water.resources@wardnd.com

August 23, 2024

Ms. Andrea Travnicek, Ph.D., Director  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck ND 58504-5262

RE: Ward County Low Head Dam Safety Modifications– Construction

Dear Ms. Travnicek:

The North Dakota State Water Commission (NDSWC) approved cost-share for the pre-construction activities for the design phase of dam safety modifications to 5 low head dams on the Mouse River near Minot, North Dakota at the October 13, 2022, meeting in the amount of \$588,750.00. Design at one of the dams (Burlington Dam 3) has been delayed due to operational, historical, and archaeological issues, but the remaining four dams are at a 90 percent design level and all regulatory permits (Water Rights, Construction, Sovereign Lands, Floodplain Development, Section 404, and No-Rise Certification) are submitted for approval. Construction easements have been secured at all four of the dam sites. Bidding documents will be ready in early fall, 2024 and it is anticipated work can progress with certain aspects of the project during the upcoming winter months to facilitate a final completion of the project in 2025.

The opinion of construction cost for the four dams is included as part of this submittal and the cost-share request is defined within it.

We appreciate the consideration of this request, and the past, present, and future partnership provided by the NDSWC and North Dakota Department of Water Resource staff. If you have any questions, please do not hesitate to contact me at 701-720-8508 or our project engineer Karli Frohling at 701-557-9725.

Sincerely,

Tom Klein, Chairman  
Ward County WRD

CC: Karli Frohling, HDR Engineering  
Dennis Reep, HDR Engineering



Ward Co. Low-head dam 1 9/10/19 10:05 a

WARD COUNTY DAM 1 – DWR PHOTO 2019



EASTSIDE ESTATES DAM 1 – DWR PHOTO 2019



Eastside 2  
9-10-19 9:24  
am

EASTSIDE ESTATES DAM 2 – DWR PHOTO 2019




Eastside 3  
9-10-19 9:15  
am

EASTSIDE ESTATES DAM 3 – DWR PHOTO 2019



**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** State Water Supply – City of Minot  
 University Avenue Water Main Replacement

**DATE:** September 24, 2024

***Background & Description***

The City of Minot is requesting construction cost-share for their University Avenue Water Main Replacement (Project). The Project is replacement of 5,620 feet of aging cast iron water main along University Avenue W, 9<sup>th</sup> Street NW, 10<sup>th</sup> Street NW, 11<sup>th</sup> Street NW, and 10<sup>th</sup> Avenue NW in Minot. Construction has started on the Project, however, costs already incurred prior to any approval will not be considered eligible for cost-share reimbursement. The Project is located in Ward County.

***Supplemental Information***

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 100
Present Value Cost / User (Preferred Alternative)	\$48,550
Rate / 5,000-Gallons	\$38.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Sondre Aquifer	

***Schedule***

Task	Dates
Study	N/A
Design	Mar. 2024
Bid	Apr. 2024
Construction	Jul. 2024
Completion	Oct. 2025

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$1,564,964	\$1,564,964		
Eligible Costs	\$180,800	\$3,046,262	\$3,227,062		
Total	\$180,800	\$4,611,226	\$4,792,026		
Cost-Share 60% (Requested)	\$108,480	<b>\$1,827,757</b>	\$1,936,237	\$108,480 (12/8/23)	<b>\$1,827,757</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Minot for state cost-share participation in the University Avenue project in the amount of \$1,827,757, or 60% of eligible costs, with total cost-share not to exceed \$1,936,237. This approval is contingent on available funding.**

AT:jsp:ln:/2050MIN

# 1083678 - University Avenue Watermain Replacement

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Under Review  
**Stage:** Final Application

**Initial Submit Date:** Jul 19, 2024 2:29 PM  
**Initially Submitted By:** Veronica Meyer  
**Last Submit Date:** Aug 13, 2024 11:19 AM  
**Last Submitted By:** Veronica Meyer

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Salutation Veronica Middle Name Meyer  
First Name Last Name  
**Title:** Senior Project Engineer  
**Email\*:** [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)  
**Address\*:** po Box 5006

Minot North Dakota 58702-5006  
City State/Province Postal Code/Zip

**Phone\*:** 701-857-4140 Ext.  
Phone  
### ### ####  
**Fax:** ### ### ####

**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** City of Minot  
**Organization Type\*:** Municipal Government  
**Tax Id:**  
**Organization Website:**  
**Address\*:** 1025 31st St. SE

PO Box 5006

Minot North Dakota 58701-\_\_\_\_  
City State/Province Postal Code/Zip

**Phone\*:** (701) 857-4140 Ext.  
### ### #####

**Fax:** ### ### #####

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** University Avenue Watermain Replacement

**Sponsor(s)\*:** City of Minot

**County\*:** Ward

**City\*:** Minot

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:**

**Jurisdictions/Stakeholders Involved\*:**

City of Minot

**Describe the Problem\*:**

The watermain in the University Avenue area of Minot is primarily cast-iron. This area is subject to frequent watermain breaks and water quality issues.

**Provide Project Details, Objectives and Solutions to Address Problem\*:**

This project will replace 5,500 LF of existing cast-iron pipe with larger 8-inch PVC pipe thus reducing breaks and water quality issues.  
For this project,

**Choose City, County, Water District or Other\*:** City

**What is the Current Estimated Population?\*** 51000

For this project,

**What is the Benefited Population?\*** 300

**Have Assessment Districts Been Formed?\*** N/A

**Have Land or Easements Been Acquired?\*** N/A

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\*** No

**Are There Any Road Improvements Included as Part of the Project?\*** No

**Have You Applied For Any Federal Permits?\*** No

If Yes or Ongoing, Please Explain  
(include type/number):

**Have You Applied for any State Permits?\***: No

If Yes or Ongoing, Please Explain  
(include type/number):

**Have You Applied for any Local Permits?\***: No

If Yes or Ongoing, Please Explain  
(include type/number):

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: N/A

**Design Completion\***: 3/27/24

**Bid\***: 4/25/24

**Construction Start\***: 7/2024

**Construction Completion\***: 10/31/2025

**Explain Additional Timeline Issues\***:

Construction has started on a replacing a small area of curb stops.

**Consulting Engineer\***: Houston Engineering, Inc.

**Engineer Telephone Number\***: 701-857-4140

**Engineer Email\***: [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)

**Certification (Must Be Completed by Project Sponsor)**

**Submitted by\***: Veronica Meyer 07/19/2024  
First Name LastName Date

**Address\***: PO Box 5006  
Address Line 1  
Address Line 2  
Minot North Dakota 58702-5006  
City State Zip Code

**Telephone Number\***: 701-857-4140

**Sponsor Email\***: [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:**

Yes  
  
Veronica Meyer 07/19/2024  
First Name Last Name Date  
  
Senior Project Manager

**Authorized Individual\*:**  
**Title/Position/Authority\*:**

## Documentation

---

### Documentation

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No

[CLICK HERE](#) to see examples.

#### Project Specific Map

Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community

\*:  
[NW Area Phase 2 SWC LOCATION MAP.pdf](#)

**Are You Seeking SRF or IRLF Funding?\***: Yes

#### Engineer's Estimate of Probable Cost

Separate Project Components by Type (Storm Sewer, Sanitary Sewer and Associated Roads, Drinking Water and Associated Roads, and Roads)

:  
[University WMR Bid Tab.pdf](#)

**Are You Seeking Department of Water Resources Cost-Share?\***: Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

#### Attach Completed Comprehensive Plan:

[CLICK HERE](#) for SFN 61801 Delineation of Costs Instructions and Current Version.

**Delineation of Costs SFN 61801:** [sfn\\_61801\\_delineation\\_of\\_cost\\_construction-rev.xlsx](#)

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** [University WMR Combined Bidding Documents.pdf](#)

**Water Supply Projects?:** Yes

[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

**Life Cycle Cost Analysis:** [life\\_cycle\\_cost\\_analysis\\_worksheet\\_construction\\_rev.xlsx](#)

[CLICK HERE](#) for SFN 62417 Basic Asset Inventory Tool and Current Version.

**Asset Inventory Assessment:** [sfn\\_62417\\_basic\\_asset\\_inventory\\_tool\\_1.xlsx](#)

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: No

Photos of Problem/Issue:

Other Applicable Document(s):

Other Applicable Document:

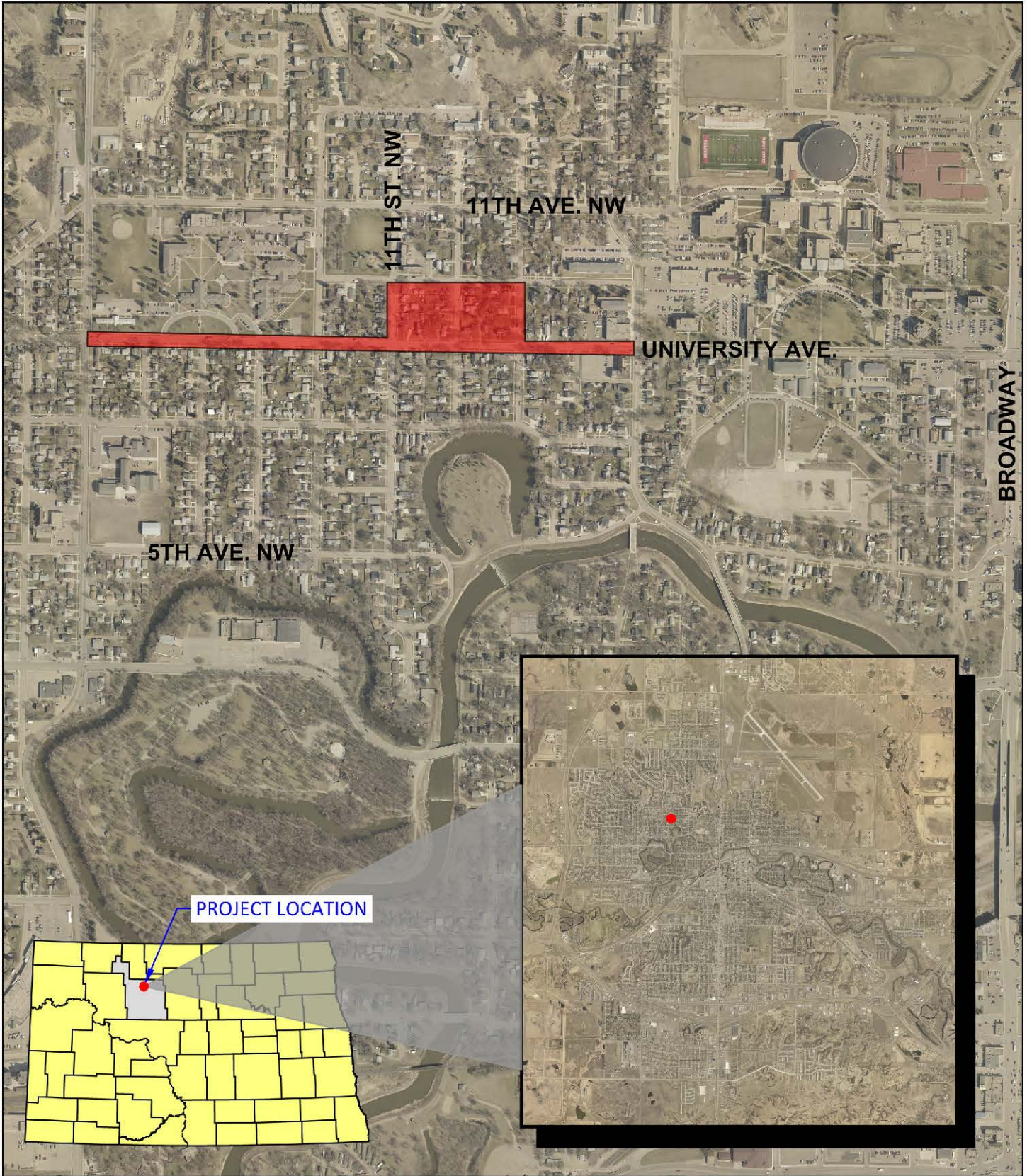
Other Applicable Document:

Other Applicable Document:

## Sources

*Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)*

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Construction	Cost Share	Current Request	\$0.00	\$2,727,270.00	\$0.00	\$2,727,270.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Already Approved	\$0.00	\$2,064,756.00	\$0.00	\$2,064,756.00	Loan	0.00	0.00
			\$0.00	\$4,792,026.00	\$0.00	\$4,792,026.00			



**COST-SHARE APPLICATION  
NW MINOT RESIDENTIAL WATERMAIN  
REPLACEMENT - PHASE 2**

DATE DRAWN: 10/02/2023

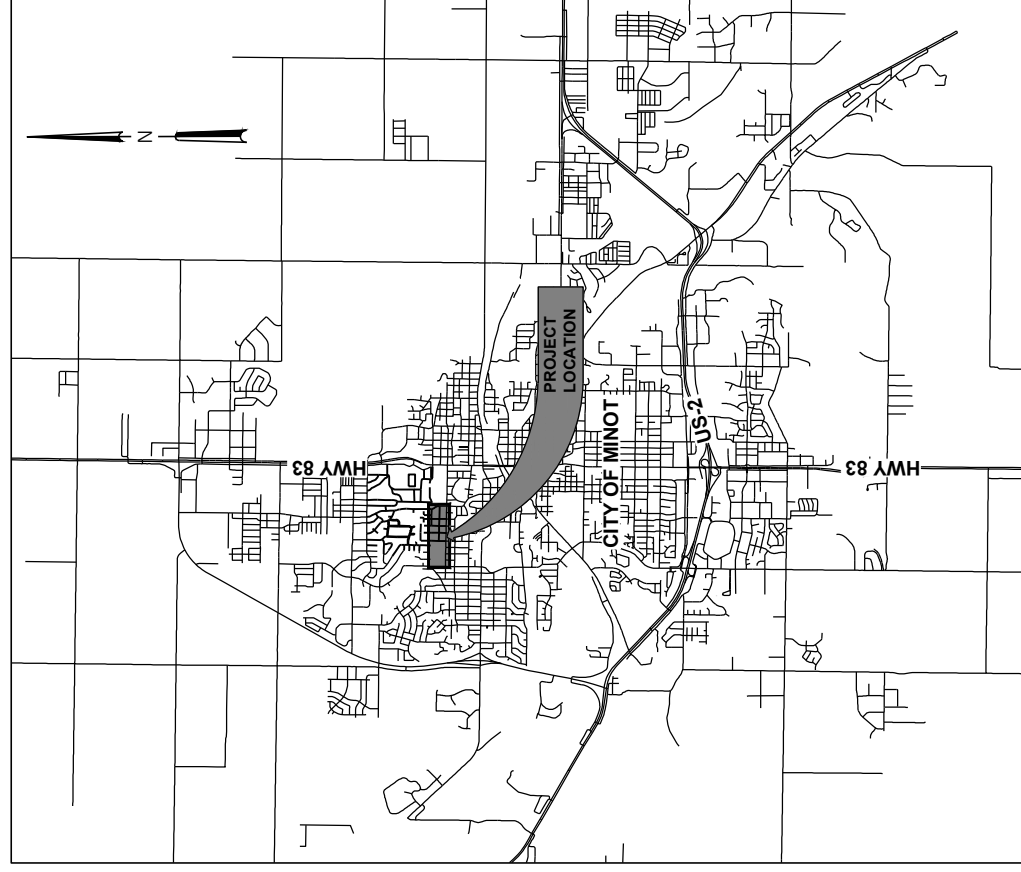




# CONSTRUCTION PLANS FOR UNIVERSITY WATERMAIN REPLACEMENT MINOT, NORTH DAKOTA MARCH 2024

## SHEET INDEX:

G-1 - G-2	COVER SHEET, ABBREVIATIONS & SYMBOLS
D-1 - D-9	REMOVALS
DD-1	REMOVAL DETAILS
W-1 - W-14	WATERMAIN PLAN & PROFILES
WD-1 - WD-2	WATERMAIN DETAILS
ST-1 - ST-5	STORM SEWER PLAN
STD-1	STORM SEWER DETAILS
RD-1 - RD-2	ROADWAY DETAILS
S-1 - S-12	SIDEWALK PLANS
SD-1 - SD-2	SIDEWALK DETAILS
TC-1 - TC-2	TRAFFIC CONTROL PLANS
TCD-1	TRAFFIC CONTROL DETAILS
EC-1	EROSION CONTROL PLANS
ECD-1	EROSION CONTROL DETAILS

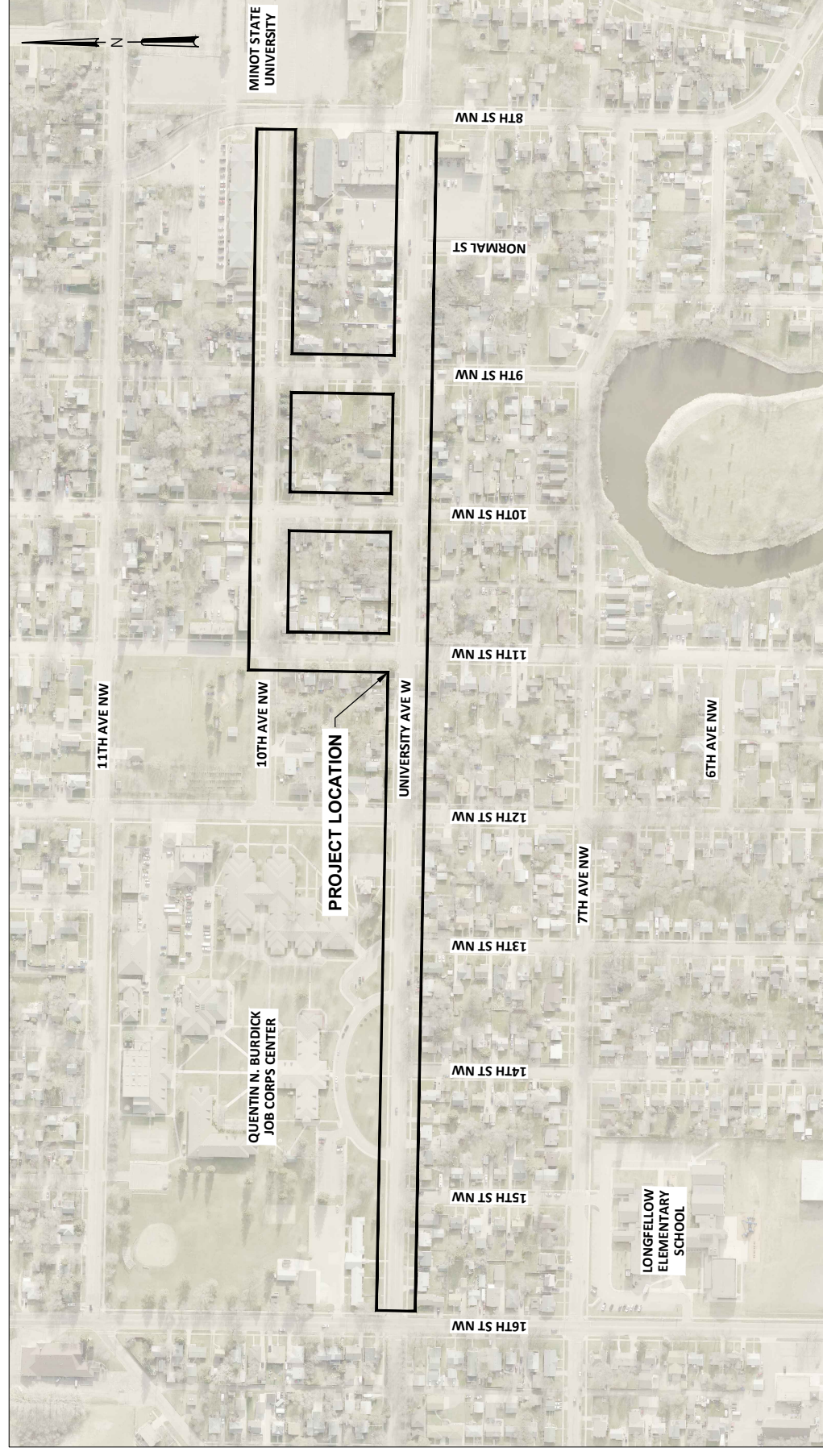


### VICINITY MAP

#### GOVERNING STANDARDS:

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MOST RECENT VERSION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). THIS SPECIFICATION INCLUDES THE SHAPES, COLORS, AND FONTS USED IN ROAD MARKINGS AND SIGNS.

CONSTRUCTION SPECIFICATIONS FOR MUNICIPAL PUBLIC WORKS IMPROVEMENTS, ADOPTED BY THE CITY OF MINOT, NORTH DAKOTA, SHALL APPLY UNLESS SUPERCEDED BY THE SPECIFICATIONS AND OTHER CONTRACT PROVISIONS INCLUDED UNDER THIS PROJECT.



### LOCATION MAP

#### UTILITY NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AS-BUILT MAPS AS PROVIDED BY MUNICIPALITIES OR UTILITY COMPANIES, AND/OR EXISTING DRAWINGS. THERE IS NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN INDICATE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. NOR IS THERE A GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY RESULT FROM THEIR FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.

#### SURVEY INFORMATION

HORIZONTAL DATUM: NAD 83  
VERTICAL DATUM: NAVD 88  
COORDINATE SYSTEM: ND STATE PLANE NORTH ZONE  
UNIT OF MEASURE: U.S. SURVEY FOOT



**HOUSTON**  
engineering, inc.

3900 13 AVE SOUTHEAST  
MINOT, ND 58701  
P. 701.852.7931  
www.houstoneng.com

HEI Project No. 6027-0094  
City of Minot Project No. 4816







**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : September 04, 2024

<b>Project:</b>	University Avenue Watermain Replacement - Construction
<b>Sponsor:</b>	City of Minot
<b>Contact:</b>	Veronica Meyer, Senior Project Manager
<b>Phone:</b>	701-857-4140
<b>Engineer:</b>	Joseph Reiter, PE, Houston Engineering, Inc.
<b>Phone:</b>	701-852-7931

<b>Total Cost :</b>	\$ 4,792,026
<b>Ineligible Cost :</b>	\$ 1,564,964
<b>Eligible Cost :</b>	\$ 3,227,062
<b>Local Cost :</b>	\$ 2,855,789

Date: September 4, 2024

	<b>Cost-Share \$</b>
	\$ 1,936,237
<b>Preconstruction :</b>	\$ 108,480
<b>Construction :</b>	\$ 1,827,757

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	9.8%	Mobilization	1	LS	275,000.00	\$ 275,000	60%	\$ 165,000
2	0.0%	Bonding	0		-	\$ -	60%	\$ -
3	0.0%	Insurance	0		-	\$ -	60%	\$ -
4	1.1%	Traffic Control	1	LS	32,000.00	\$ 32,000	60%	\$ 19,200
5	0.7%	Erosion Control	1	LS	20,000.00	\$ 20,000	60%	\$ 12,000
6	1.8%	Gate - Remove	23	EA	2,200.00	\$ 50,600	60%	\$ 30,360
7	1.0%	Hydrant - Remove	10	EA	2,800.00	\$ 28,000	60%	\$ 16,800
8	0.1%	Water Main 4 in	14	LF	250.00	\$ 3,500	60%	\$ 2,100
9	0.7%	Water Main 6 in	142	LF	138.00	\$ 19,596	60%	\$ 11,758
10	36.0%	Water Main 8 in	5464	LF	184.77	\$ 1,009,600	60%	\$ 605,760
11	5.1%	Gate Valve	25	EA	5,696.00	\$ 142,400	60%	\$ 85,440
12	5.1%	Hydrant	10	EA	14,250.00	\$ 142,500	60%	\$ 85,500
13	1.0%	Water Service Line	204	LF	132.94	\$ 27,120	60%	\$ 16,272
14	18.9%	Curb Stop	90	EA	5,900.00	\$ 531,000	60%	\$ 318,600
15	1.4%	Connection to Existing Line	16	EA	2,400.00	\$ 38,400	60%	\$ 23,040
16	21.1%	Sidewalk - Remove and Replace	1398	SY	424.15	\$ 592,962	60%	\$ 355,777
17	11.9%	Road Repair	4082	SY	81.73	\$ 333,622	60%	\$ 200,173
18	0.0%	Work Est through Oct 11	1	LS	(694,424.50)	\$ 694,425	60%	\$ 416,655
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 2,551,874	60%	\$ 1,531,125
	10.0%	<b>Contingency</b>				\$ 255,187	60%	\$ 153,112
	58.6%	<b>Construction Total</b>				\$ 2,807,062	60%	\$ 1,684,237
<b>Preconstruction Costs</b>								
27	6.4%	Final Design	1	LS	180,800.00	\$ 180,800	60%	\$ 108,480
28	0.0%		0		-	\$ -	60%	\$ -
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	3.8%	<b>Preconstruction Total</b>				\$ 180,800	60%	\$ 108,480
<b>Construction Engineering Costs</b>								
32	3.7%	Construction Contract Management	1	LS	104,800.00	\$ 104,800	60%	\$ 62,880
33	4.8%	Project Inspection	1	LS	134,400.00	\$ 134,400	60%	\$ 80,640
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	5.0%	<b>Construction Engineering Total</b>				\$ 239,200	60%	\$ 143,520
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	4.9%	Other	1	LS	234,575.00	\$ 234,575	0%	\$ -
43	0.3%	Other Construction Lead Service Lines	60	LF	200.00	\$ 12,000	0%	\$ -
44	14.5%	Work Est through Oct 11	1	LS	694,424.50	\$ 694,425	0%	\$ -
45	2.5%	Other Contingency	1	LS	119,853.51	\$ 119,854	0%	\$ -
46	10.5%	Other Road Construction	6168	SY	81.73	\$ 504,111	0%	\$ -
	32.7%	<b>Other Ineligible Total</b>				\$ 1,564,964	0%	\$ -
100.0%		<b>Total</b>				\$ 4,792,026		
		<b>Eligible Total</b>				\$ 3,227,062	60%	\$ 1,936,237
		<b>Federal or State Funds That Supplant Costs</b>				\$ -		
		<b>Eligible Cost Total</b>				\$ 3,227,062	60%	\$ 1,936,237

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

## Life Cycle Cost Analysis Review

**Sponsor:** City of Minot      **Date:** September 4, 2024  
**Project Title:** University Avenue Watermain Replacement

**Explanation of Alternatives:**

Watermain Replacement (Preferred) - Replace existing cast iron pipe with PVC pipe at selected main locations to reduce breaks and improve water quality.  
 Do Nothing - Leave the system as is and continue to do spot repairs as needed.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$5,457,231
Future Connections Served	0	Annual CIF Contribution	\$18,520,000
Current Connections Served	100	Cash Funding Target (Percentage %) New Assets	45%
Net Connections (New + Current)	100	Cash Funding Target (Percentage %) Existing Assets	0%
		<b>Annual CIF Contribution suggested for the Project</b>	<b>\$0</b>

	Watermain Replacement	Do Nothing	
Construction Cost	\$4,417,000	\$0	
Annual O & M	\$0	\$25,000	

**Details:**

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Watermain Replacement	Do Nothing	
Capital Costs	\$4,417,000	\$0	
O&M	\$0	\$694,000	
Repair, Rehab, Replacement	\$597,000	\$0	
Salvage Value	\$159,000	\$0	
<b>Total PVC</b>	<b>\$4,855,000</b>	<b>\$694,000</b>	
<b>PV Cost Per User</b>	<b>\$48,550</b>	<b>\$6,940</b>	

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$38</b>		
<b>Comparable Water Rate</b>	<b>\$37</b>		
Net Connections (New + Current)	100	100	
Cost-Share Percent	60%	60%	
Local Share	\$1,766,800	\$0	
Other Funding	\$0	\$0	
Total Local	\$1,766,800	\$0	
<b>Payment Per User With Cost-Share</b>	<b>\$89.38</b>	<b>\$0.00</b>	
Local Share	\$4,417,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$4,417,000	\$0	
<b>Payment Per User Without Cost-Share</b>	<b>\$223.45</b>	<b>\$0.00</b>	


**Explanation of Results:**

The sponsor preferred project is the "Watermain Replacement" option. The present value cost of the preferred alternative is \$4,855,000 and the presented alternative for comparison is "Do Nothing" at a present value cost of \$694,000. The present value cost per user for the preferred alternative is \$48,550. The monthly user cost of the local share with DWR 60% cost-share participation is \$89 per month and \$223 without DWR participation based upon 100 direct user connections.

ND Dept. of Commerce	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
Population & Trends	40,888	47,428	1.6%	654

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** State Water Supply – City of Minot  
 Westfield Water Main Replacement  
**DATE:** September 24, 2024

***Background & Description***

The City of Minot is requesting construction cost-share for their Westfield Water Main Replacement (Project). The Project is replacement of 6,400 feet of aging cast iron water along 18<sup>th</sup> Street SW, 22<sup>nd</sup> Street SW, 25<sup>th</sup> Street SW, 1<sup>st</sup> Avenue SW, Westfield Avenue, and Westfield Circle in the Westfield Addition area of Minot. Construction has started on the Project, however, costs already incurred prior to any approval will not be considered eligible for cost-share reimbursement. The Project is located in Ward County.

***Supplemental Information***

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 100
Present Value Cost / User (Preferred Alternative)	\$60,550
Rate / 5,000-Gallons	\$38.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Sondre Aquifer	

***Schedule***

Task	Dates
Study	N/A
Design	Mar. 2024
Bid	Apr. 2024
Construction	Jul. 2024
Completion	Oct. 2025

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$1,588,034	\$1,588,034		
Eligible Costs	\$180,800	\$3,902,362	\$4,083,162		
Total	\$180,800	\$5,490,396	\$5,671,196		
Cost-Share 60% (Requested)	\$108,480	<b>\$2,341,417</b>	\$2,449,897	\$108,480 (12/8/23)	<b>\$2,341,417</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Minot for state cost-share participation in the Westfield Water Main Replacement in the amount of \$2,341,417, or 60 percent of eligible costs, with total cost-share not to exceed \$2,449,897. This approval is contingent on available funding.**

AT:jsp:ln:/2050MIN

# 1083398 - Westfield Watermain Replacement

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Submitted  
**Stage:** Final Application

**Initial Submit Date:** Jul 18, 2024 3:50 PM  
**Initially Submitted By:** Veronica Meyer  
**Last Submit Date:** Aug 13, 2024 1:11 PM  
**Last Submitted By:** Veronica Meyer

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Salutation Veronica Middle Name Meyer  
First Name Last Name  
**Title:** Senior Project Engineer  
**Email\*:** [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)  
**Address\*:** po Box 5006

Minot North Dakota 58702-5006  
City State/Province Postal Code/Zip

**Phone\*:** 701-857-4140 Ext.  
Phone  
### ### #####  
**Fax:** ### ### #####

**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** City of Minot  
**Organization Type\*:** Municipal Government  
**Tax Id:**  
**Organization Website:**  
**Address\*:** 1025 31st St. SE

PO Box 5006

Minot North Dakota 58701-\_\_\_\_  
City State/Province Postal Code/Zip

**Phone\*:** (701) 857-4140 Ext.  
### ### ####

**Fax:** ### ### ####

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Westfield Watermain Replacement

**Sponsor(s)\*:** City of Minot

**County\*:** Ward

**City\*:** Minot

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:**

**Jurisdictions/Stakeholders Involved\*:**

City of Minot

**Describe the Problem\*:**

The watermain in the Westfield Addition area of Minot is primarily cast-iron pipe. This area is subject to frequent watermain breaks and water quality issues.

**Provide Project Details, Objectives and Solutions to Address Problem\*:**

The project will replace 6,400 LF of existing cast-iron pipe with larger 8-inch PVC pipe thus reducing breaks and water quality issues.  
For this project,

**Choose City, County, Water District or Other\*:** City

**What is the Current Estimated Population?\*** 51000

For this project,

**What is the Benefited Population?\*** 500

**Have Assessment Districts Been Formed?\*** N/A

**Have Land or Easements Been Acquired?\*** N/A

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\*** No

**Are There Any Road Improvements Included as Part of the Project?\*** No

**Have You Applied For Any Federal Permits?\*** No

If Yes or Ongoing, Please Explain  
(include type/number):

**Have You Applied for any State Permits?\***: No

If Yes or Ongoing, Please Explain  
(include type/number):

**Have You Applied for any Local Permits?\***: No

If Yes or Ongoing, Please Explain  
(include type/number):

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: N/A

**Design Completion\***: 3/13/2024

**Bid\***: 4/9/2024

**Construction Start\***: 7/2024

**Construction Completion\***: 10/31/2025

**Explain Additional Timeline Issues\***:

No additional timeline issues are anticipated.

**Consulting Engineer\***: Houston Engineering, Inc.

**Engineer Telephone Number\***: 701-857-4140

**Engineer Email\***: [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)

### **Certification (Must Be Completed by Project Sponsor)**

**Submitted by\***: Veronica Meyer 07/18/2024  
First Name Last Name Date

**Address\***: PO Box 5006  
Address Line 1  
Address Line 2  
Minot North Dakota 58702-5006  
City State Zip Code

**Telephone Number\***: 701-857-4140

**Sponsor Email\***: [veronica.meyer@minotnd.gov](mailto:veronica.meyer@minotnd.gov)

**I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*:**

Yes  
  
Veronica Meyer 07/18/2024  
First Name Last Name Date  
  
Senior Project Manager

**Authorized Individual\*:**  
**Title/Position/Authority\*:**

## Documentation

---

### Documentation

**Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*:** No

[CLICK HERE](#) to see examples.

#### Project Specific Map

Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community

\*:

[Westfield Addition Watermain SWC LOCATION MAP.pdf](#)

**Are You Seeking SRF or IRLF Funding?\*** Yes

#### Engineer's Estimate of Probable Cost

Separate Project Components by Type (Storm Sewer, Sanitary Sewer and Associated Roads, Drinking Water and Associated Roads, and Roads)

:

[Westfield WMR Bid Tab.pdf](#)

**Are You Seeking Department of Water Resources Cost-Share?\*** Yes

**Are You Seeking Cost-Share for a Main Street Initiative Related Project?:** No

#### Attach Completed Comprehensive Plan:

[CLICK HERE](#) for SFN 61801 Delineation of Costs Instructions and Current Version.

**Delineation of Costs SFN 61801:** [sfn\\_61801\\_delineation\\_of\\_cost\\_construction\\_rev Westfield.xlsx](#)

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** [Westfield WMR Combined Bidding Documents.pdf](#)

**Water Supply Projects?:** Yes

[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

**Life Cycle Cost Analysis:** [life\\_cycle\\_cost\\_analysis\\_worksheet\\_construction.xlsx](#)

[CLICK HERE](#) for SFN 62417 Basic Asset Inventory Tool and Current Version.

**Asset Inventory Assessment:** [sfn\\_62417\\_basic\\_asset\\_inventory\\_tool\\_1.xlsx](#)

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: No

Photos of Problem/Issue:

Other Applicable Document(s):

Other Applicable Document:

Other Applicable Document:

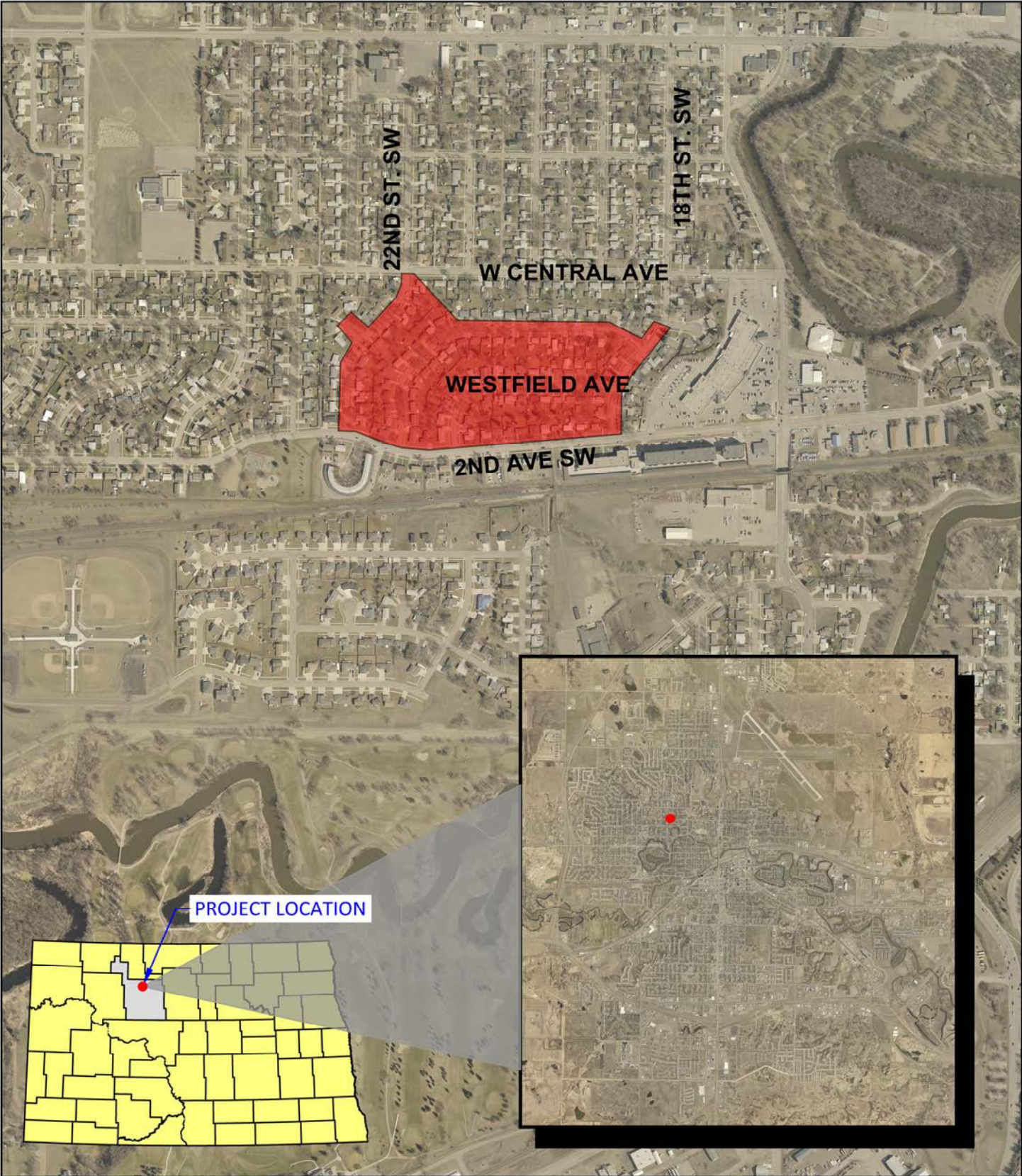
Other Applicable Document:

## Sources

*Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)*

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Construction			\$0.00	\$3,330,906.00	\$0.00	\$3,330,906.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Already Approved	\$0.00	\$2,340,290.00	\$0.00	\$2,340,290.00	Loan	0.00	0.00
			\$0.00	\$5,671,196.00	\$0.00	\$5,671,196.00			





**COST-SHARE APPLICATION**  
**WESTFIELD ADDITION MINOT RESIDENTIAL**  
**WATERMAIN REPLACEMENT**

DATE DRAWN: 10/02/2023





**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : September 04, 2024

<b>Project:</b>	Westfield Watermain Replacement - Construction
<b>Sponsor:</b>	City of Minot
<b>Contact:</b>	Veronica Meyer, Senior Project Manager
<b>Phone:</b>	701-857-4140
<b>Engineer:</b>	Joseph Reiter, PE, Houston Engineering, Inc.
<b>Phone:</b>	701-852-7931

<b>Total Cost :</b>	\$ 5,671,196
<b>Ineligible Cost :</b>	\$ 1,588,034
<b>Eligible Cost :</b>	\$ 4,083,161
<b>Local Cost :</b>	\$ 3,221,299

Date: September 4, 2024

	<b>Cost-Share \$</b>
	\$ 2,449,897
<b>Preconstruction :</b>	\$ 108,480
<b>Construction :</b>	\$ 2,341,417

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	3.8%	Mobilization	1	LS	140,000.00	\$ 140,000	60%	\$ 84,000
2	0.0%	Bonding	0		-	\$ -	60%	\$ -
3	0.0%	Insurance	0		-	\$ -	60%	\$ -
4	0.7%	Traffic Control	1	LS	25,000.00	\$ 25,000	60%	\$ 15,000
5	0.3%	Erosion Control	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
6	0.1%	Gate - Remove	15	EA	175.00	\$ 2,625	60%	\$ 1,575
7	0.1%	Hydrant - Remove	14	EA	300.00	\$ 4,200	60%	\$ 2,520
8	1.1%	Water Main 6 in	226	LF	175.00	\$ 39,550	60%	\$ 23,730
9	42.4%	Water Main 8 in	5979	LF	259.58	\$ 1,552,029	60%	\$ 931,217
10	4.9%	Gate Valve	20	EA	9,000.00	\$ 180,000	60%	\$ 108,000
11	5.2%	Hydrant	16	EA	12,000.00	\$ 192,000	60%	\$ 115,200
12	5.7%	Water Service Line	999	LF	210.45	\$ 210,240	60%	\$ 126,144
13	23.6%	Curb Stop	145	EA	5,972.10	\$ 865,955	60%	\$ 519,573
14	2.3%	Connection to Existing Line	14	EA	6,000.00	\$ 84,000	60%	\$ 50,400
15	19.3%	Sidewalk - Remove and Replace	837	SY	845.75	\$ 707,896	60%	\$ 424,738
16	12.1%	Road Repair	7437	SY	59.61	\$ 443,305	60%	\$ 265,983
17	0.0%	Work Est through Oct 11	1	LS	(1,126,652.50)	\$ -1,126,653	60%	\$ -675,992
18	0.0%		0		-	\$ -	60%	\$ -
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 3,330,147	60%	\$ 1,998,088
	10.0%	<b>Contingency</b>				\$ 333,015	60%	\$ 199,809
	64.6%	<b>Construction Total</b>				\$ 3,663,161	60%	\$ 2,197,897
<b>Preconstruction Costs</b>								
27	4.9%	Final Design	1	LS	180,800.00	\$ 180,800	60%	\$ 108,480
28	0.0%		0		-	\$ -	60%	\$ -
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	3.2%	<b>Preconstruction Total</b>				\$ 180,800	60%	\$ 108,480
<b>Construction Engineering Costs</b>								
32	2.9%	Construction Contract Management	1	LS	104,800.00	\$ 104,800	60%	\$ 62,880
33	3.7%	Project Inspection	1	LS	134,400.00	\$ 134,400	60%	\$ 80,640
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	4.2%	<b>Construction Engineering Total</b>				\$ 239,200	60%	\$ 143,520
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	2.1%	Other	1	LS	116,685.00	\$ 116,685	0%	\$ -
43	0.1%	Other Construction Lead Service Lines	60	LF	50.00	\$ 3,000	0%	\$ -
44	19.9%	Work Est through Oct 11	1	LS	1,126,652.50	\$ 1,126,653	0%	\$ -
45	2.4%	Other Contingency	1	LS	133,486.00	\$ 133,486	0%	\$ -
46	3.7%	Other Road Construction	3493	SY	59.61	\$ 208,211	0%	\$ -
	28.0%	<b>Other Ineligible Total</b>				\$ 1,588,034	0%	\$ -
100.0%		<b>Total</b>				\$ 5,671,196		
		<b>Eligible Total</b>				\$ 4,083,161	60%	\$ 2,449,897
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 4,083,161	60%	\$ 2,449,897

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

## Life Cycle Cost Analysis Review

**Sponsor:**

City of Minot

**Project Title:**

Westfield Watermain Replacement

**Date:**

September 4, 2024

**Explanation of Alternatives:**

Watermain Replacement (Preferred) - Replace existing cast iron pipe with PVC pipe at selected main locations to reduce breaks and improve water quality.

Do Nothing - Leave the system as is and continue to do spot repairs as needed.

**Inputs:**

New Connections Served	0
Future Connections Served	0
Current Connections Served	100
Net Connections (New + Current)	100

Current CIF Balance	\$5,457,231
Annual CIF Contribution	\$18,520,000
Cash Funding Target (Percentage %) New Assets	45%
Cash Funding Target (Percentage %) Existing Assets	0%
<b>Annual CIF Contribution suggested for the Project</b>	<b>\$0</b>

	Watermain Replacement	Do Nothing		
Construction Cost	\$5,194,600	\$0		
Annual O & M	\$0	\$0		

**Details:**

Do Nothing is reported with no O&M which should require repair funding if "...continue to do spot repairs." is accurate.

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Watermain Replacement	Do Nothing		
Capital Costs	\$5,195,000	\$0		
O&M	\$0	\$0		
Repair, Rehab, Replacement	\$1,175,000	\$0		
Salvage Value	\$315,000	\$0		
<b>Total PVC</b>	<b>\$6,055,000</b>	<b>\$0</b>		
<b>PV Cost Per User</b>	<b>\$60,550</b>	<b>\$0</b>		

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$38</b>		
<b>Comparable Water Rate</b>	<b>\$37</b>		
Net Connections (New + Current)	100	100	
Cost-Share Percent	60%	60%	
Local Share	\$2,078,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$2,078,000	\$0	
<b>Payment Per User With Cost-Share</b>	<b>\$105.12</b>	<b>\$0.00</b>	
Local Share	\$5,195,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$5,195,000	\$0	
<b>Payment Per User Without Cost-Share</b>	<b>\$262.81</b>	<b>\$0.00</b>	

**Explanation of Results:**

The sponsor preferred project is the "Waterline Replacement" option. The present value cost of the preferred alternative is \$6,055,000 and the presented alternative for comparison is a "Do Nothing" at a present value cost of \$0. The present value cost per user for the preferred alternative is \$60,550. The monthly user cost of the local share with DWR 60% cost-share participation is \$105 per month and \$263 without DWR participation based upon 100 direct user connections.

	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
ND Dept. of Commerce	2010	2020		
Population & Trends	40,888	47,428	1.6%	654


The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.

LCCA Version

Version 1.2024.04.18

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** State Water Supply – Southeast Water Users District  
West Water Treatment Plant Improvements

**DATE:** September 24, 2024

***Background & Description***

Southeast Water Users District is requesting construction cost-share for their West Water Treatment Plant Improvements (Project). The Project will include the construction of three new wells in the existing wellfield and a 500,000-gallon ground storage reservoir at the water treatment plant. The Project is located in Dickey County.

***Supplemental Information***

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 970
Present Value Cost / User (Preferred Alternative)	\$39,346
Rate / 5,000-Gallons	\$65.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – LaMoure Aquifer	

***Schedule***

Task	Dates
Study	Oct. 2023
Design	Aug. 2024
Bid	Sept. 26, 2024
Construction	Apr. 2025
Completion	Nov. 2026

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$0	\$0		
Eligible Costs	\$1,436,360	\$2,205,978	\$3,642,338		
Total	\$1,436,360	\$2,205,978	\$3,642,338		
Cost-Share 75% (Requested)	\$1,077,270	<b>\$1,654,484</b>	\$2,731,754	\$150,000 (2/11/2021) \$927,270 (12/8/2023)	<b>\$1,654,484</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the Southeast Water Users District for state cost-share participation in the West Water Treatment Plant Improvements project in the amount of \$1,654,484, or 75 percent of eligible costs, with total cost-share not to exceed \$2,731,754. This approval is contingent on available funding.**

AT:jsp:ln:/2050SOU

# 1083942 - SEWUD - West WTP Improvements Project - Copy

## Application Details

---

**Funding Opportunity:** 1083251-State Fiscal Year 2024-2025 Infrastructure Request  
**Funding Opportunity Due Date:** Jun 30, 2025 3:00 PM  
**Program Area:** Funding for Infrastructure in ND - FIND  
**Status:** Under Review  
**Stage:** Final Application

**Initial Submit Date:** Aug 27, 2024 2:57 PM  
**Initially Submitted By:** Chase Julson  
**Last Submit Date:** Aug 29, 2024 8:20 AM  
**Last Submitted By:** Chase Julson

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Salutation Chase H Julson  
First Name Middle Name Last Name  
**Title:** Project Engineer  
**Email\*:** [chase.julson@ae2s.com](mailto:chase.julson@ae2s.com)  
**Address\*:** 7406 17th Street South  
  
Fargo North Dakota 58104  
City State/Province Postal Code/Zip  
**Phone\*:** 701-899-4069 Ext.  
Phone  
### ###-####  
**Fax:** ### ###-####  
**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** Southeast Water Users District  
**Organization Type\*:** Political Subdivision  
**Tax Id:** 45-0345414  
**Organization Website:** <https://www.seh2o.com>  
**Address\*:** 206 Main St

PO Box 10

Mantador North Dakota 58058-0010  
City State/Province Postal Code/Zip

**Phone\*:** 701-242-7432 Ext.  
### ### #####

**Fax:** 701-242-7807  
### ### #####

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### **Infrastructure Funding Request**

**Project, Program, or Study Name\*:** SEWUD - West WTP Improvements Project

**Sponsor(s)\*:** Southeast Water Users District

**County\*:** Multiple

**City\*:** Mantador

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:**

**If Project/Program, What Type:** Rural Water Supply

### **Jurisdictions/Stakeholders Involved\*:**

This project will address pressing concerns about the source water quality and quantity that serves three (3) North Dakota counties (Dickey, LaMoure, and Logan) encompassing approximately 970 rural members, three (3) Hutterite Colonies, three (3) individually served communities including Fredonia, Merricourt, and Nortonville, and nine (9) bulk service communities which include Berlin, Edgeley, Ellendale, Fullerton, Gackle, Guelph, Jud, Kulm, and Monango.

### **Describe the Problem\*:**

The SEWUD-West WTP, equipped with a 1,000 gpm Iron and Manganese Filtronics proprietary water filter system installed in 1996, is experiencing a decline in source water quality, is experiencing a lack of available source water, and is experiencing a lack of finished water storage during peak times. The current construction funding request pertains to two of three components of the SEWUD-West Water Treatment Plant (WTP) Improvements Project. More specifically, our current request is for: (1) the SEWUD-West Wellfield Expansion and (2) SEWUD-West WTP Ground Storage Reservoir (GSR) components of this project. The third component, the SEWUD-West WTP Treatment Improvements, is still under design and a request for construction cost-share related to these improvements will be requested at a later State Water Commission meeting. The design for this portion of the project is anticipated to extend into early 2025.

### **Provide Project Details, Objectives and Solutions to Address Problem\*:**

The SEWUD-West Wellfield Expansion Project includes the construction of three (3) new additional wells to complement the existing three (3) wells in the wellfield. This expansion will provide SEWUD-West with additional source water capacity, addressing the current concerns surrounding source water availability while ensuring that adequate supply is available for the future WTP Treatment Improvements Project. The SEWUD-West WTP GSR Project includes the construction of a new 500,000 gallon water storage reservoir, which will supplement the existing 500,000 gallon water storage reservoir. The addition of this added storage will help ensure adequate treated water is available for all customers during peak water usage periods. The increased storage capacity will also enhance the SEWUD-West system's resilience during emergencies or maintenance activities, providing a critical buffer to maintain uninterrupted water service for all users.

For this project,

**Choose City, County, Water District or Other\*:** Water District

**What is the Current Estimated Population?\*** 6492

For this project,

**What is the Benefited Population?\***: 6492

**Have Assessment Districts Been Formed?\***: N/A

**Have Land or Easements Been Acquired?\***: Yes

**Are There Any Properties with Wells, Drain Fields, or Holding Tanks Within the Project Area That Will Benefit from the Project?\***: No

**Are There Any Road Improvements Included as Part of the Project?\***: No

**Have You Applied For Any Federal Permits?\***: No

**Have You Applied for any State Permits?\***: Ongoing

**If Yes or Ongoing, Please Explain (include type/number):**

Submitted in 2022 for DWR Water Permit #7264 Request for an additional 500 Ac-Ft that is currently under review; in 2024 SEWUD submitted for DWR Water Permit #7390 Request for an additional 500 Ac-Ft that is currently in processing

**Have You Applied for any Local Permits?\***: No

**Do You Expect Any Obstacles to Implementation (i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?\***: No

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 10/2023

**Design Completion\***: 01/2025

**Bid\***: 02/2025 **Sept. 26, 2024**

**Construction Start\***: 04/2025

**Construction Completion\***: 11/2026

**Explain Additional Timeline Issues\***:

Design has been completed for the following two (2) projects - SEWUD-West Wellfield Expansion and SEWUD- West WTP Ground Storage Reservoir. Advertisement is slated to begin on August 28, 2024 for both projects with a bid opening currently scheduled for September 26, 2024. The remaining third project SEWUD-West WTP Treatment Improvements is slated to complete design in January 2025 with a bid opening in February 2025.

**Consulting Engineer\***: Chase Julson

**Engineer Telephone Number\***: 701-364-9111

**Engineer Email\***: [chase.julson@ae2s.com](mailto:chase.julson@ae2s.com)

**Certification (Must Be Completed by Project Sponsor)**

**Submitted by\***: Steve Hansen 08/26/2024  
First Name Last Name Date

**Address\***: PO Box 10  
Address Line 1  
Address Line 2

Mantador North Dakota 58058-0010  
City State Zip Code

Telephone Number\*: 701-242-7432

Sponsor Email\*: [stevhh2o@rt.net](mailto:stevhh2o@rt.net)

I Certify That, to the Best of My Knowledge, the Provided Information is True and Accurate, and in Execution of This Project, the Sponsor Will Follow All Applicable Laws and Permitting Requirements. I Further Certify Assurance of Sustainable Operation, Maintenance, and Replacement of The Assets For Which We Are Requesting Cost-Share.\*: Yes

Authorized Individual\*: Steve Hansen 08/26/2024  
First Name Last Name Date

Title/Position/Authority\*: General Manager

## Documentation

---

### Documentation

Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.\*: No

[CLICK HERE](#) to see examples.

Project Specific Map [Cost Share Maps Final.pdf](#)

Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community  
\*:

Are You Seeking SRF or IRLF Funding?\*: No

Are You Seeking Department of Water Resources Cost-Share?\*: Yes

Are You Seeking Cost-Share for a Main Street Initiative Related Project?: No

[CLICK HERE](#) for SFN 61801 Delineation of Costs Instructions and Current Version.

Delineation of Costs SFN 61801: [2024-08 sfn\\_61801\\_delineation\\_of\\_cost.xlsx](#)

Type of Request: Construction

Signed Plans and Specifications For Bidding: [SEWUD West Wellfield Expansion P-S\\_Signed.pdf](#)

Water Supply Projects?: Yes

[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

Life Cycle Cost Analysis: [2024-08 life\\_cycle\\_cost\\_analysis\\_worksheet.xlsx](#)

[CLICK HERE](#) for SFN 62417 Basic Asset Inventory Tool and Current Version.

Asset Inventory Assessment: [2024-08 sfn\\_62417\\_basic\\_asset\\_inventory\\_tool.xlsx](#)

Rural Flood Control?: No

Drain Reconstructions?: No

Flood Recovery Property Acquisition?: No



Community Flood Control, Rural Flood Control, Bank Stabilization, or Snag & Clear Project With Total Cost of \$200,000 or More?: No

Sovereign Land Permit, if Required:

DWR Construction Permit, if Required:

Conditional Letter of Map Revision (CLOMR), if Required:

Feasibility/Engineering Study for the Proposed Project: Yes

Feasibility/Engineering Study Material: [SEWUD West WTP PER\\_Signed.pdf](#)

Photos of Problem/Issue: [Project Concern Photos.pdf](#)

Other Applicable Document(s): Yes

Other Applicable Document: [2024-08-Letter of Support\\_Signed.pdf](#)

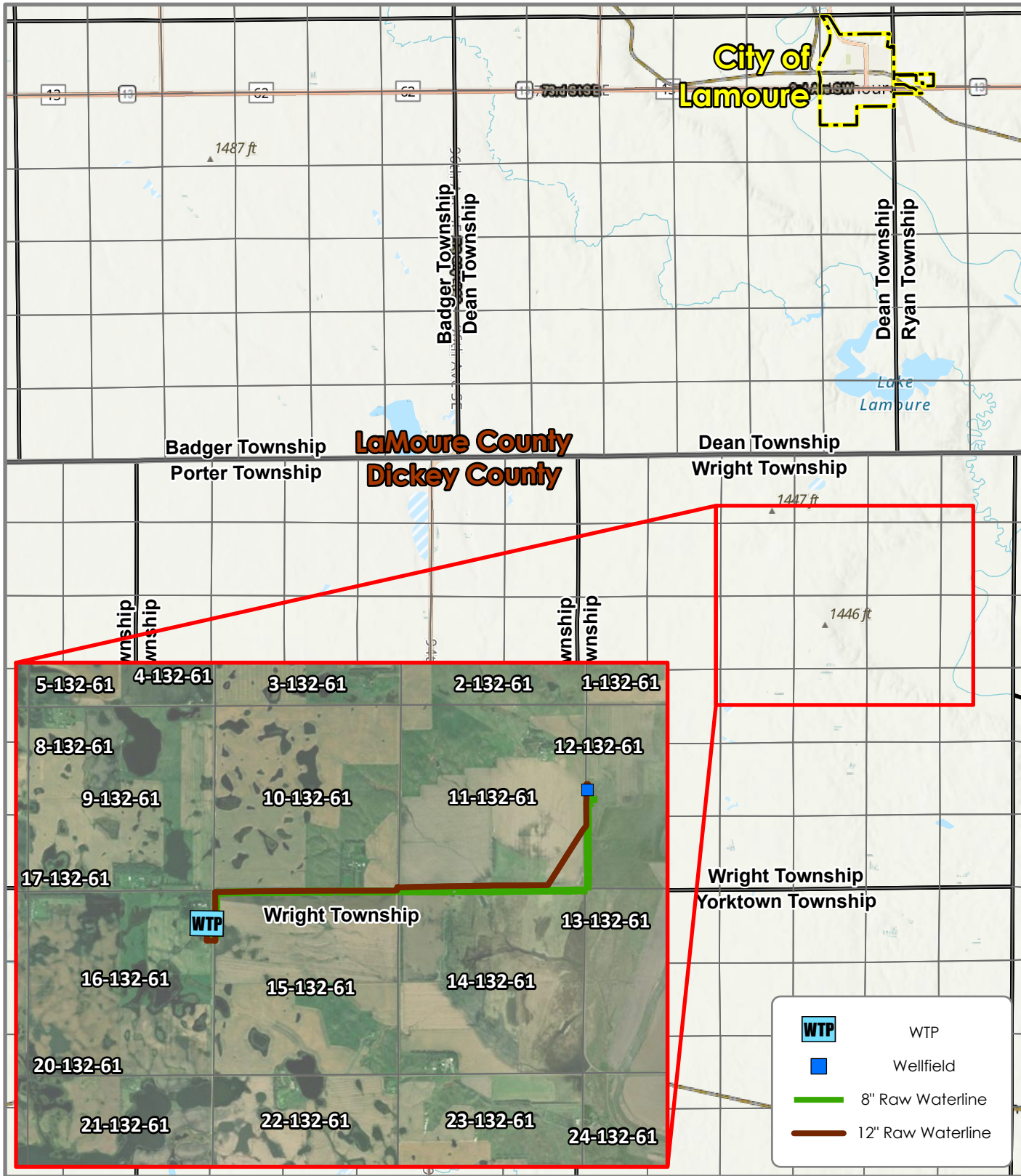
Other Applicable Document: [SEWUD West WTP GSR P-S\\_Signed.pdf](#)

Other Applicable Document:

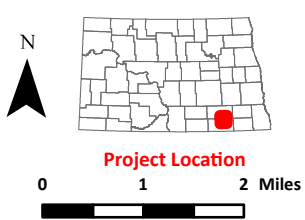
## Sources

**Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)**

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Pre-Construction	Final Design - Previously Awarded	Already Approved	\$97,266.62	\$830,003.38	\$0.00	\$927,270.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction	This is for the SEWUD-West Wellfield Expansion Project and SEWUD-West WTP GSR Project	Current Request	\$0.00	\$1,654,484.00	\$0.00	\$1,654,484.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction	This is for the SEWUD - West WTP Treatment Improvements Project	Future Request	\$0.00	\$687,698.00	\$12,076,026.00	\$12,763,724.00	Grant	0.00	0.00
Drinking Water State Revolving Fund	SRF Application Currently in Process	Already Approved	\$0.00	\$2,148,500.00	\$2,148,500.00	\$4,297,000.00	Loan	30.00	2.00
Department of Water Resources Cost Share Pre-Construction	Preliminary Design - Previously Awarded	Already Approved	\$150,000.00	\$0.00	\$0.00	\$150,000.00	Grant	0.00	0.00
Other	Cash Reserves	Already Approved	\$50,000.00	\$0.00	\$0.00	\$50,000.00		0.00	0.00
			<b>\$297,266.62</b>	<b>\$5,320,685.38</b>	<b>\$14,224,526.00</b>	<b>\$19,842,478.00</b>			



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate. Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet Intl | Edited by: jhene | W:\S\SEWUD\General Services\GIS\SEWUD General Services - Mapping and Analysis.aprx | SEWUD West WTP & Well Site

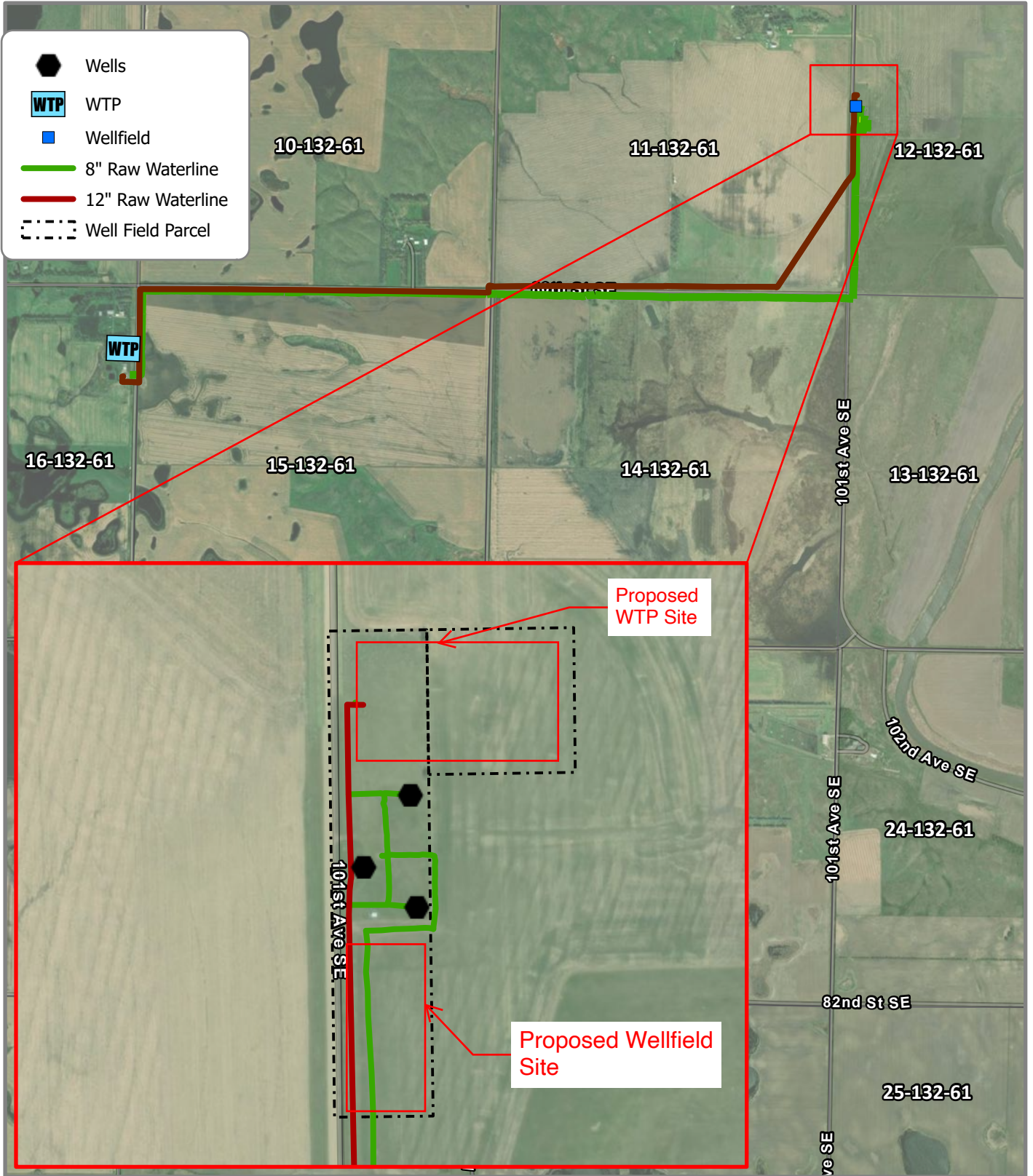


### SEWUD-WEST WTP & WELL SITE

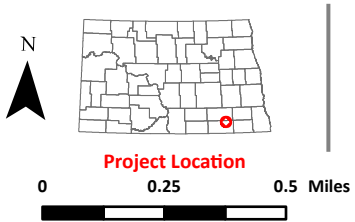
SEWUD  
Wright Township | Dickey County, ND

H<sub>2</sub>O

Date: 10/20/2023



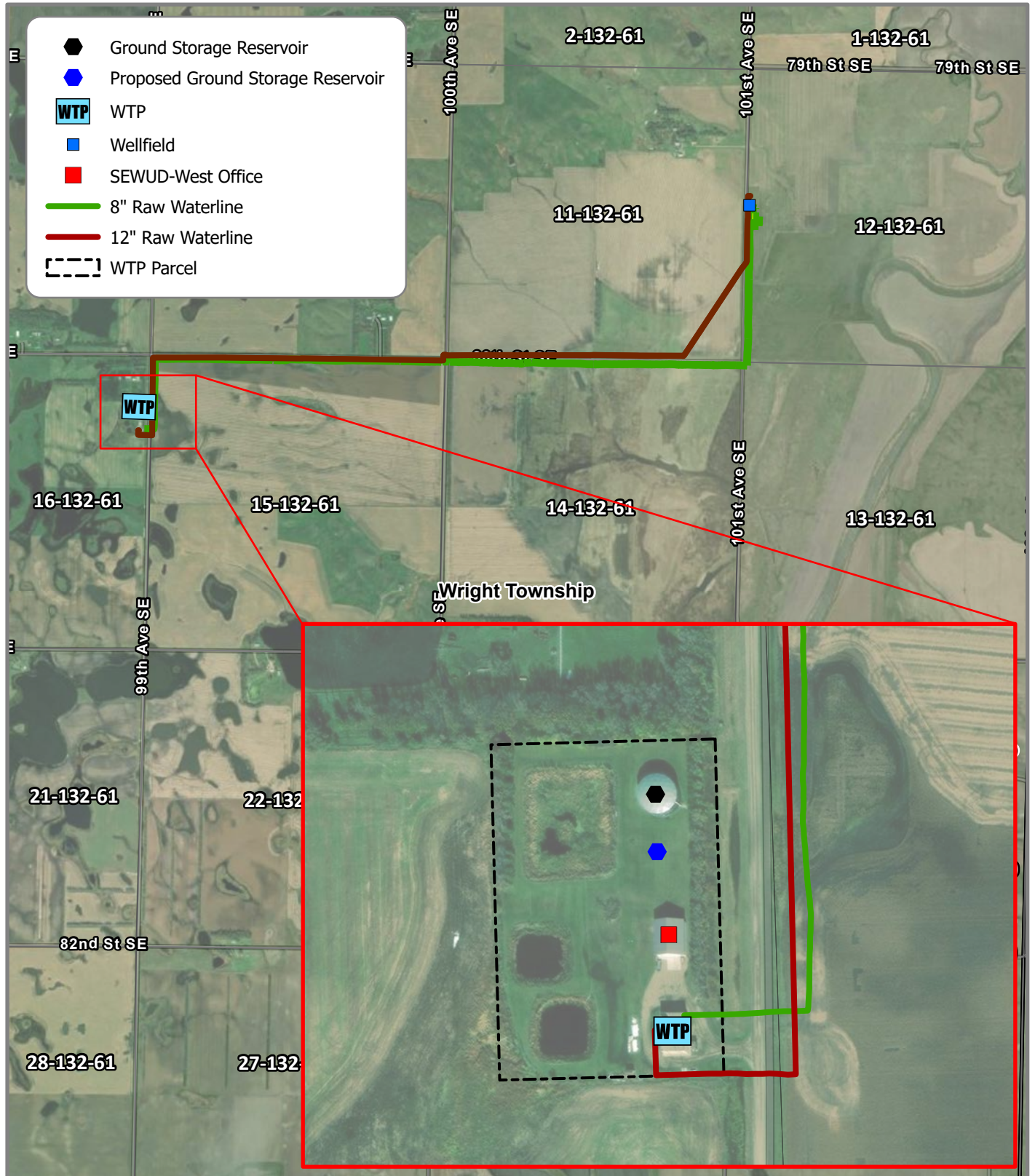
Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.  
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet Intl | Edited by: jhenne | W:\S\SEWUD\General Services\GIS\SEWUD General Services - Mapping and Analysis.aprx | SEWUD-West Existing Wellfield Site



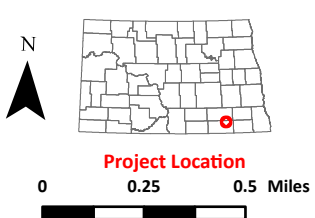
### SEWUD-WEST EXISTING WELLFIELD SITE

SEWUD  
 Wright Township | Dickey County, ND

Date: 10/20/2023



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate. Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet Intl | Edited by: jhenne | W:\S\SEWUD\General Services\GIS\SEWUD General Services - Mapping and Analysis.aprx | SEWUD-West WTP Site



**SEWUD-WEST WTP SITE**  
 SEWUD  
 Wright Township | Dickey County, ND

H<sub>2</sub>O  
 Date: 10/20/2023



**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (7/2024)

DWR Date Received : August 27, 2024

<b>Project:</b>	SEWUD - West WTP Improvements
<b>Sponsor:</b>	Southeast Water Users District (SEWUD)
<b>Contact:</b>	Steve Hansen, General Manager
<b>Phone:</b>	701-242-7432
<b>Engineer:</b>	Chase Julson, AE2S
<b>Phone:</b>	701-364-9111

<b>Total Cost :</b>	\$ 19,842,478	<b>Date:</b>	August 23, 2024
<b>Ineligible Cost :</b>	\$ 20,240		
<b>Eligible Cost :</b>	\$ 19,822,238	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 4,975,799		\$ 14,866,679

**Preconstruction :** \$ 1,077,270  
**Construction :** \$ 13,789,409 **\$1,654,484**

<b>Project Type:</b>	Rural Water Supply	<b>Cost-share %</b>	75%
----------------------	--------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	0.2%	Mobilization	1	LS	35,000.00	\$ 35,000	75%	\$ 26,250
2	0.0%	Bonding		LS	-	\$ -	75%	\$ -
3	0.0%	Insurance		LS	-	\$ -	75%	\$ -
4	0.1%	Test Pump Production Wells	96	HRS	220.00	\$ 21,120	75%	\$ 15,840
5	0.1%	Test Hole Drilling	360	LF	45.00	\$ 16,200	75%	\$ 12,150
6	0.1%	Finished Well Drilling	360	LF	70.00	\$ 25,200	75%	\$ 18,900
7	0.1%	12-inch PVC Well Casing	270	LF	75.00	\$ 20,250	75%	\$ 15,188
8	0.2%	12-inch Stainless Steel Well Screens	90	LF	440.00	\$ 39,600	75%	\$ 29,700
9	0.1%	4-inch Filter Pack	120	LF	150.00	\$ 18,000	75%	\$ 13,500
10	0.5%	Pitless Unit	3	EA	27,500.00	\$ 82,500	75%	\$ 61,875
11	0.2%	Finished Well Development	96	HRS	360.00	\$ 34,560	75%	\$ 25,920
12	0.0%	Water Analysis	3	EA	1,800.00	\$ 5,400	75%	\$ 4,050
13	8.9%	SEWUD-West WTP Ground Storage Reservoir	1	LS	1,500,000.00	\$ 1,500,000	75%	\$ 1,125,000
14	80.2%	SEWUD-West WTP Treatment Improvements - Future Request	1	LS	13,500,000.00	\$ 13,500,000	75%	\$ 10,125,000
15	0.0%		0		-	\$ -	75%	\$ -
16	0.0%		0		-	\$ -	75%	\$ -
17	0.0%		0		-	\$ -	75%	\$ -
18	0.0%		0		-	\$ -	75%	\$ -
19	0.0%		0		-	\$ -	75%	\$ -
20	0.0%		0		-	\$ -	75%	\$ -
21	0.0%		0		-	\$ -	75%	\$ -
22	0.0%		0		-	\$ -	75%	\$ -
23	0.0%		0		-	\$ -	75%	\$ -
24	0.0%		0		-	\$ -	75%	\$ -
25	0.0%		0		-	\$ -	75%	\$ -
26	0.0%		0		-	\$ -	75%	\$ -
		<b>Construction Sub-Total</b>			<b>\$1,797,830</b>	\$ 15,297,830	75%	\$ 11,473,373
		<b>Contingency</b>			<b>\$179,783</b>	\$ 1,529,783	75%	\$ 1,147,337
	<b>84.8%</b>	<b>Construction Total</b>			<b>\$1,977,613</b>	\$ 16,827,613	75%	\$ 12,620,710

**\$1,483,210**

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Preconstruction Costs</b>								
27	1.2%	Preliminary Design	1	LS	200,000.00	\$ 200,000	75%	\$ 150,000
28	6.8%	Final Design	1	LS	1,141,360.00	\$ 1,141,360	75%	\$ 856,020
29	0.4%	Bidding / Negotiations	1	LS	75,000.00	\$ 75,000	75%	\$ 56,250
30	0.1%	Archeological Study	1	LS	20,000.00	\$ 20,000	75%	\$ 15,000
31	0.0%				-	\$ -	75%	\$ -
	<b>7.2%</b>	<b>Preconstruction Total</b>				\$ 1,436,360	75%	\$ 1,077,270

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Engineering Costs</b>								
32	0.3%	Construction Contract Management - Current Request	1	LS	52,765.00	\$ 52,765	75%	\$ 39,574
33	0.8%	Project Inspection - Current Request	1	LS	139,600.00	\$ 139,600	75%	\$ 104,700
34	0.2%	I&C System Services - Current Request	1	LS	30,000.00	\$ 30,000	75%	\$ 22,500
35	0.0%	Post-Construction / Warranty - Current Request	1	LS	6,000.00	\$ 6,000	75%	\$ 4,500
36	3.0%	Construction Contract Management - Future Work	1	LS	499,200.00	\$ 499,200	75%	\$ 374,400
37	3.0%	Project Inspection - Future Request	1	LS	496,700.00	\$ 496,700	75%	\$ 372,525
38	1.8%	I&C System Services - Future Request	1	LS	299,950.00	\$ 299,950	75%	\$ 224,963
38	0.2%	Post-Construction / Warranty - Future Request	1	LS	34,050.00	\$ 34,050	75%	\$ 25,538
36	0.0%		0		-	\$ -	75%	\$ -
37	0.0%		0		-	\$ -	75%	\$ -
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
	<b>7.9%</b>	<b>Construction Engineering Total</b>			<b>\$228,365</b>	\$ 1,558,265	75%	\$ 1,168,699

**\$171,274**

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Other Eligible Costs</b>								
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
42	0.0%		0		-	\$ -	75%	\$ -
43	0.0%		0		-	\$ -	75%	\$ -
44	0.0%		0		-	\$ -	75%	\$ -
	<b>0.0%</b>	<b>Other Eligible Total</b>				\$ -	75%	\$ -

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>In-eligible Costs</b>								
45	0.1%	Property Acquisitions	1	LS	15,240.00	\$ 15,240	0%	\$ -
46	0.0%	Legal Expenses	1	LS	5,000.00	\$ 5,000	0%	\$ -
47	0.0%		0		-	\$ -	0%	\$ -
48	0.0%		0		-	\$ -	0%	\$ -
	<b>0.1%</b>	<b>Other Ineligible Total</b>				\$ 20,240	0%	\$ -

<b>100.0%</b>	<b>Total</b>	\$ 19,842,478
	<b>Eligible Total</b>	\$ 19,822,238

<b>Federal or State Funds That Supplant Costs</b>	\$ -
<b>Eligible Cost Total</b>	\$ 19,822,238

\* The cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.

## Life Cycle Cost Analysis Review

**Sponsor:** Southeast Water Users District (SEWUD) **Date:** August 30, 2024  
**Project Title:** SEWUD - West Water Treatment Plant (WTP) Improvements

**Explanation of Alternatives:**

Do Nothing - This Alternative does not address treatment quantity, quality, backwash water management, or age of existing infrastructure.

Iron and Manganese WTP at Wellfield (Preferred) - Build a new water treatment plant near the existing wellfield site.

Expansion of Existing WTP - Implement a third iron and manganese filtration skid at the existing water treatment plant site and the replacement of the existing WTP skids, all pumps, motors, and electrical processes that have reached useful/design life.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$864,000
Future Connections Served	0	Annual CIF Contribution	\$125,000
Current Connections Served	970	Cash Funding Target (Percentage %) New Assets	25%
Net Connections (New + Current)	970	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$167,488

	Do Nothing	Iron and Manganese WTP at Wellfield (Preferred)	Expansion of Existing WTP
Construction Cost	\$0	\$19,842,500	\$15,761,700
Annual O & M	\$0	\$325,000	\$500,000

**Details:**

Do Nothing - This Alternative does not address treatment quantity, quality, backwash water management, or age of existing infrastructure.

Iron and Manganese WTP at Wellfield (Preferred) - Build a new water treatment plant near the existing wellfield site. This will allow SEWUD to consolidate the treatment facilities and appurtenances to a centralized site and eliminate concerns of detention time in the existing raw water pipeline that has experienced significant iron deposition in the pipeline. This new site will provide ample space to implement additional treatment processes in the future, i.e. reverse osmosis (RO)/nanofiltration (NF) to assist in treating hardness and total dissolved solids (TDS).

Expansion of Existing WTP - This alternative involves the implementation of a third iron and manganese filtration skid at the existing water treatment plant site and the replacement of the existing WTP skids, all pumps, motors, and electrical processes that have reached useful/design life. This alternative will assist in meeting the additional water demand needs that the system has seen. However, this alternative does not allow SEWUD-West to implement future advanced water treatment plant processes and does not address backwash water management concerns.

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

	Do Nothing	Iron and Manganese WTP at Wellfield (Preferred)	Expansion of Existing WTP
Present Value			
Capital Costs	\$0	\$19,316,000	\$15,343,000
O&M	\$0	\$8,067,000	\$12,412,000
Repair, Rehab, Replacement	\$0	\$12,741,000	\$11,527,000
Salvage Value	\$0	\$1,958,000	\$1,069,000
<b>Total PVC</b>	<b>\$0</b>	<b>\$38,166,000</b>	<b>\$38,213,000</b>
<b>PV Cost Per User</b>	<b>\$0</b>	<b>\$39,346</b>	<b>\$39,395</b>

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$65</b>		
<b>Comparable Water Rate</b>	<b>\$76</b>		
Net Connections (New + Current)	970	970	970
Cost-Share Percent	75%	75%	75%
Local Share	\$0	\$4,829,000	\$3,835,750
Other Funding	\$0	\$0	\$0
Total Local	\$0	\$4,829,000	\$3,835,750
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>	<b>\$25.18</b>	<b>\$20.00</b>
Local Share	\$0	\$19,316,000	\$15,343,000
Other Funding	\$0	\$0	\$0
Total Local	\$0	\$19,316,000	\$15,343,000
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>	<b>\$100.74</b>	<b>\$80.02</b>

**Explanation of Results:**

The sponsor preferred project is the "Iron and Manganese WTP at Wellfield" option. The present value cost of the preferred alternative is \$38,166,000 and the presented alternative for comparison is a "Expansion of Existing WTP" at a present value cost of \$38,213,000. The present value cost per user for the preferred alternative is \$39,346. The monthly user cost of the local share with DWR 75% cost-share participation is \$25.18 per month and \$100.47 without DWR participation based upon 970 direct user connections.

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.



# SOUTHEAST WATER USERS

PO Box 10  
MANTADOR, ND 58058  
PHONE (701) 242-7432  
FAX (701) 242-7807

August 26, 2024

Department of Water Resources  
Governor Doug Burgum  
Chairman  
900 East Boulevard Ave.  
Dept 770  
Bismarck, ND 58505-0850

**Re: Cost-Share Request WebGrants ID 1081876**

Dear Governor Burgum and Commission Members:

Southeast Water Users District (SEWUD) is pleased to submit a construction cost-share request through WebGrants for consideration at the upcoming October 10, 2024 State Water Commission meeting. The current construction funding request pertains to two of three components of the SEWUD – West Water Treatment Plant (WTP) Improvements Project. More specifically, our current request is for: (1) the SEWUD – West Wellfield Expansion and (2) SEWUD – West WTP Ground Storage Reservoir (GSR) components of this project. The third component, the SEWUD – West WTP Treatment Improvements, is still under design and a request for construction cost-share related to these improvements will be requested at a later State Water Commission meeting. The design for this portion of the project is anticipated to extend into early 2025.

In December 2023, the Department of Water Resources (DWR) awarded Pre-Construction funds for these projects. Initially, the project components were planned to be incorporated into one single larger project. However, as the design progressed, it became clear that a three-component approach was more appropriate, as each project requires specialized contractor skills and has varying consequences of failure.

The SEWUD – West System provides potable water service to three (3) North Dakota counties (Dickey, LaMoure, and Logan) serving approximately 970 rural members. Additionally, SEWUD-West serves three (3) Hutterite Colonies, three (3) communities on an individual basis (Fredonia, Merricourt, and Nortonville) and nine (9) bulk service communities (Berlin, Edgeley, Ellendale, Fullerton, Gackle, Guelph, Jud, Kulm, and Monango).

The SEWUD – West Wellfield Expansion Project includes the construction of three (3) new additional wells to complement the existing three (3) wells in the wellfield. This expansion will provide SEWUD-West with additional source water capacity, addressing the current concerns

surrounding source water availability while ensuring that adequate supply is available for the future WTP Treatment Improvements Project.

The SEWUD – West WTP GSR Project includes the construction of a new 500,000 gallon water storage reservoir, which will supplement the existing 500,000 gallon water storage reservoir. The addition of this added storage will help ensure adequate treated water is available for all customers during peak water usage periods. The increased storage capacity will also enhance the SEWUD-West system's resilience during emergencies or maintenance activities, providing a critical buffer to maintain uninterrupted water service for all users.

As mentioned previously, the remaining SEWUD – West WTP Treatment Improvements Project component will continue to be designed through 2024/early 2025. A separate cost-share funding request for the construction related to these improvements will be submitted once the design is finalized.

Thank you for considering SEWUD's construction cost-share application. This funding is crucial in supporting the SEWUD - West's regional water system. If you have any questions, please do not hesitate to contact me at (701) 242-7432.

Sincerely,

**Southeast Water Users District**

A handwritten signature in blue ink, appearing to read "Steve Hansen".

Steve Hansen  
General Manager

CC: Chase Julson, AE2S





SEWUD-West Filter Media New Media (L) and Media after 3-years of use (R)




SEWUD-West 12-inch Raw Water Supply Line □ Iron Build-Up (2017)



SEWUD-West 6-inch Raw Water Supply Line □ Iron Build-Up (2019)

## MEMORANDUM

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** Devils Lake Update

**DATE:** September 16, 2024

### **Devils Lake Water Surface Elevation**

The Devils Lake water surface elevation as of September 16, 2024 is 1449.9 feet, which is presented in Figure 1. The schematic also shows pertinent elevations such as the overflow elevation, record high lake level elevation, the elevation Devils Lake begins spilling into Stump Lake, and the 1992 lake level which was the low point before its significant rise in the following years. The minimum elevation for operation of the West End Outlet is approximately 1445.0 feet, and 1446.0 feet for the East End Outlet. All elevations are in NGVD 29 datum.

### **Devils Lake Downstream Conditions**

The sulfate concentration of the recent water samples collected from the Sheyenne River downstream of Devils Lake are illustrated in Figure 1.

### **Hydrologic Conditions**

The National Weather Service provides forecasts for the Devils Lake water surface elevation. The forecast is based on operations of the Devils Lake Outlets at a daily average of 350 cubic foot per second (cfs) from May 15, 2024, through October 30, 2024. The outlook released on August 22, 2024, notes that there is a 50% chance that Devils Lake will fall below 1449.4 feet from September 01, 2024 through November 30, 2024.

### **2024 Outlets Operation**

Department of Water Resources (DWR) began the Devils Lake West End Outlet (West Outlet) operation for the 2024 discharge season on May 6<sup>th</sup>, with an initial discharge rate of 200 cfs. The West Outlet discharge was reduced to 200 cfs on June 27<sup>th</sup> as discharge at 250 cfs caused the Josephine tank to overflow. The discharge from the West Outlet remained at 200 cfs since then except for two days when the outlet was shut off for weed removal in the canal, which is a routine part of each season's operation and maintenance. The analysis report for the overflow issue is currently under review.

The Devils Lake East End Outlet (East Outlet) operation for the 2024 discharge season was started on May 14<sup>th</sup>, with an initial discharge rate of 75 cfs. The East Outlet discharge rate was increased to 150 cfs on May 15<sup>th</sup> and then to 200 cfs on May 22<sup>nd</sup>. The East Outlet has been discharging primarily at 200 cfs since July 15<sup>th</sup>, with the exception of eight days in July and six days in August when the discharge rate was increased to 275 cfs.

The operation of the outlets has been adjusted multiple times in the past few months to meet the downstream water quantity and quality requirements as shown in Figure 2. As of the date of this memo, the total discharge from both the West and East Outlets is 400 cfs. The total combined discharge reached 475 cfs in July and August before an adjustment was made to comply with the water quality constraint. This is the highest combined discharge rate since 2018. DWR remains committed to running the Devils Lake Outlets and will discharge as much water as possible within the operating constraints. DWR staff will continue to monitor downstream water quality and quantity conditions.

### **Engineering Services for the Devils Lake Outlets Operation**

There are currently two ongoing task orders with BW/AECOM for maintaining the continued operations of the West Outlet and East Outlet.

The ongoing efforts under Task Order No. 1 for general engineering services include:

- (1) Assistance with the flow meter replacement projects for the West Outlet, which is anticipated to be completed in September.
- (2) Assistance with pump operation issues at the East Outlet, which is mostly complete. Onsite inspection of all pumps at both outlets is scheduled for October.
- (3) Assistance with the permanent backfill around the East Outlet pipe leakage repair area. The work is currently advertised for bids with bid opening on September 26<sup>th</sup>. The work is anticipated to start this Fall when the operation season is over.
- (4) Investigation of the sedimentation issue at an East Outlet pump intake, with the anticipated completion this fall. A recent attempt to remove the intake screen for further investigation was unsuccessful, and alternative approaches to address the sedimentation issue are currently being evaluated.
- (5) Assistance with preventative maintenance for switchgears at both outlets, which is estimated to be completed this year after outlet operations conclude.

Task Order No. 2 is dedicated to investigating the overflow issue at the Josephine tank. The hydraulic analysis report was submitted to DWR in September 2024 and includes the possible causes and recommendations for mitigating the overflow issue. The report is currently under review.

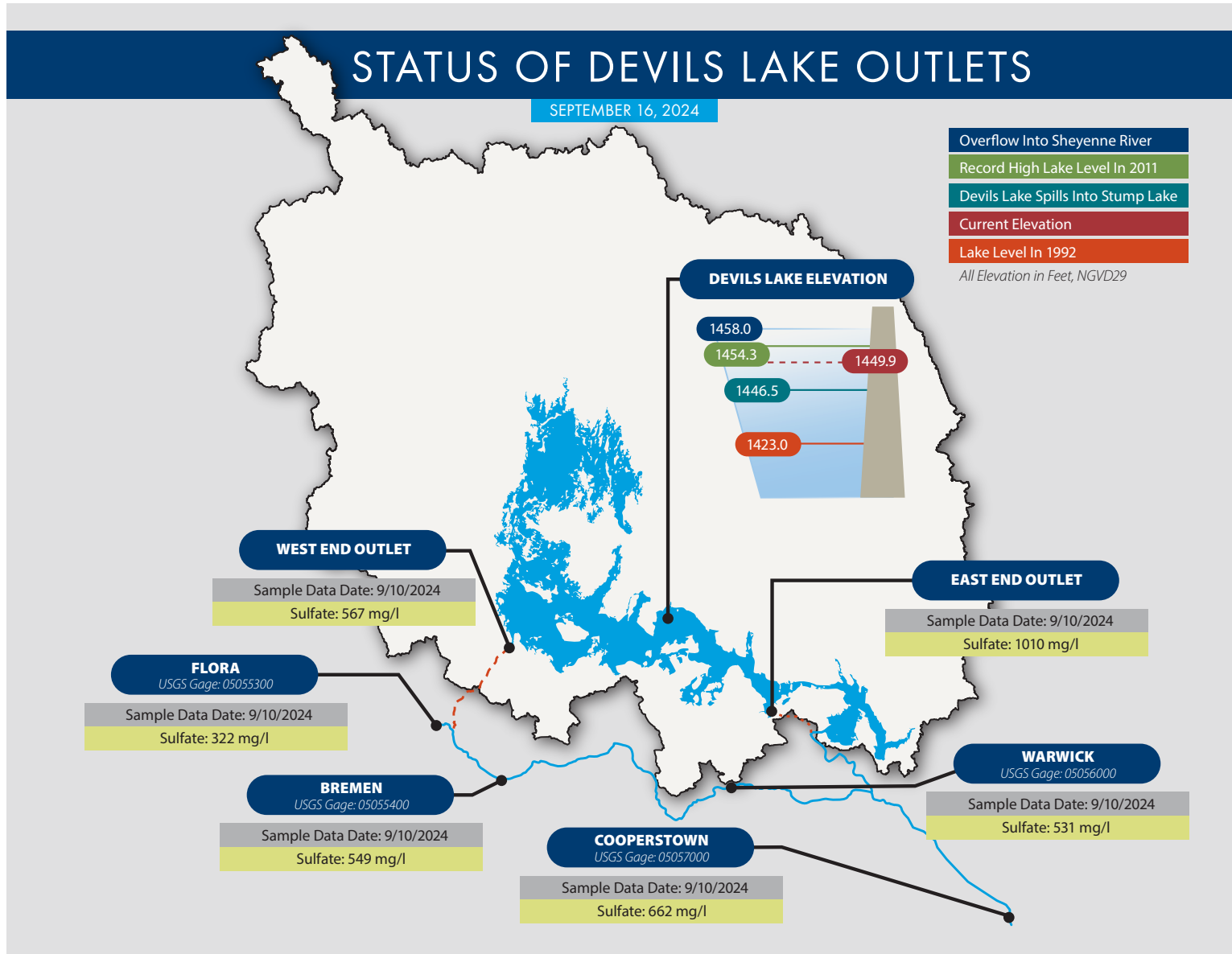


Figure 1: Status of Devils Lake and Downstream Conditions

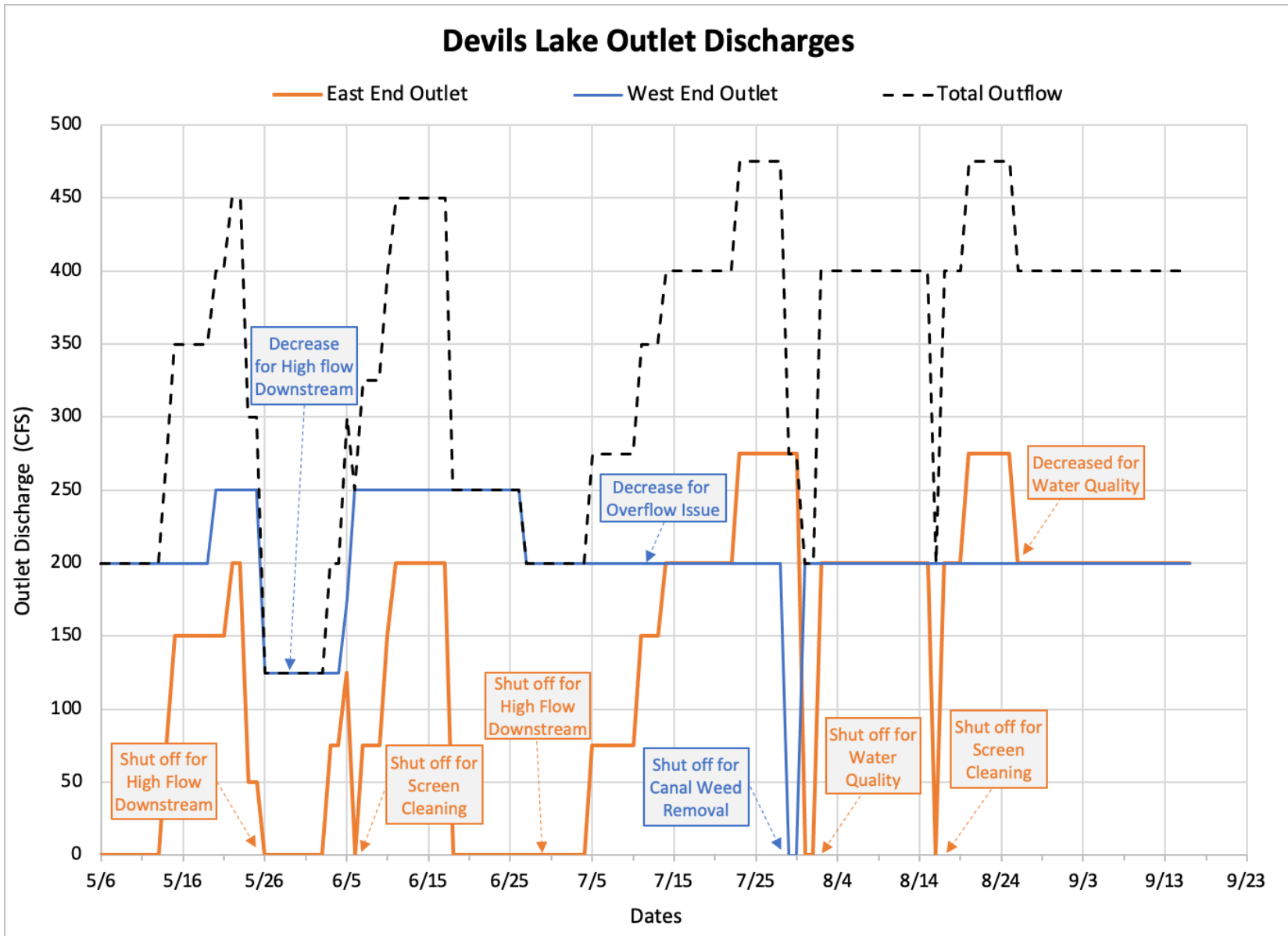



Figure 2: Devils Lake Outlet Operations from May 6 to September 16, 2024

**MEMORANDUM**

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** Mouse River Update  
**DATE:** September 20, 2024

**Hydrologic Conditions and Reservoir Status**

Streamflow of the Souris (Mouse) River and tributaries in North Dakota has generally continued to be normal to above normal in late summer and fall, according to the United States Geological Survey's National Water Dashboard. The U.S. Drought Monitor (as of September 19<sup>th</sup>) and North American Drought Monitor (as of August 31<sup>st</sup>) indicate that the western region of the Souris River Basin in Saskatchewan and North Dakota has developed drought conditions ranging from abnormally dry to severe. The areas most affected are the Long Creek Basin, which contributes to Boundary Reservoir, and the Souris River above Rafferty Reservoir.

At Boundary Reservoir, outflows have not occurred this year and inflows have been zero or nearly zero since early August. Similarly, Rafferty Reservoir has not released water this year and inflows have been zero or nearly zero since mid-June. The elevation of Rafferty Reservoir is slightly below its February 1<sup>st</sup> Normal Drawdown Level, due to evaporation this summer. Grant Devine Reservoir is approximately 0.6 feet above its February 1<sup>st</sup> Normal Drawdown Level and continues to release about 35 cubic feet per second (cfs). Inflows to Grant Devine have been nearly zero since early August.

Flows at the Sherwood Crossing (Saskatchewan-North Dakota border) are about 40 cfs. The lowest flow experienced at Sherwood so far this year was a brief drop to 15 cfs in early August, due to the testing of gates at Grant Devine Dam. Lake Darling is 0.2 feet above its February 1<sup>st</sup> Normal Drawdown Level and is releasing about 20 cfs.

Rainfall in the uncontrolled area downstream of Lake Darling has generally been above normal this summer. As a result, releases from J. Clark Salyer National Wildlife Refuge have been elevated compared to the other dams in the Souris River Basin. Currently, releases to Manitoba are about 200 cfs, which is well above the required 20 cfs minimum flow.



Reservoir status as of September 18, 2024, in the Souris River Basin is illustrated in Figure 1, along with approximate channel capacity of the mainstem in North Dakota.

### **International Souris River Board**

The next meeting of the International Souris River Board (ISRB) will be held in Minot, ND on February 25-26, 2025. The International Joint Commission (IJC) is hosting their 2024 fall semi-annual meeting in Ottawa, Ontario the week of October 21<sup>st</sup>. The ISRB's appearance before the IJC is scheduled for October 22<sup>nd</sup>.

Since the restructuring of the ISRB by the IJC in November 2022, two Canadian seats on the ISRB remain unfilled due to concerns from the Province of Saskatchewan. In an effort to resolve these concerns, a group of agencies, collectively called the Water Management Agencies or WMA, achieved consensus on a recommended adjustment to some of the committees under the ISRB.

The WMA is currently considering comments from the IJC on the recommendation. Based on progress so far, it is possible that Saskatchewan will be fully participating in the ISRB at the February 2025 meeting.

The WMA has consisted of the ND Department of Water Resources (DWR), U.S. Army Corps of Engineers (USACE), U.S. Fish & Wildlife Service (USFWS), Saskatchewan Water Security Agency (WSA), and Manitoba Environment and Climate Change. The ISRB co-chairs also participated in developing the recommendation.

### **Rafferty Dam Spillway Underdrainage Work**

DWR, along with USACE and USFWS, was notified by WSA in February 2024 that they were planning to repair the underdrainage system for the spillway at Rafferty Dam in late 2024 (starting in August). It was estimated that the spillway would be inoperable for about 4 to 6 weeks while construction was occurring. Following additional discussions about the project and the requirement within the international agreement to provide one-year's notice of maintenance curtailments, WSA adjusted their timeline and moved the proposed work to 2025 (targeting August to December timeframe).

DWR staff has reviewed and commented on WSA's "Advanced Notification Document" for the project, which included concerns about operations remaining in accordance with the international agreement during construction. This project will be discussed by the WMA in an upcoming meeting on October 8<sup>th</sup>. DWR staff will continue working with WSA to stay apprised of this project to evaluate impacts from the project and offer input.

Mouse River Update Memo

Page 3 of 4

September 20, 2024

### **Mouse River Enhanced Flood Protection Project (MREFPP)**

The Souris River Joint Board (SRJB) sponsored Mouse River Enhanced Flood Protection Project (MREFPP) is a basin wide project to reduce flood risk in the Mouse River Basin within North Dakota.

At their September meeting, the SRJB received updates on the construction for the Northeast Tieback Levee (MI-5), which is estimated to be about 84% complete. The SRJB continues to work through challenges in bidding out the Eastwood Park/Downtown Minot segment (MI-6) and Mouse River Park Bridge replacement. Progress has occurred on the Roosevelt Park and Zoo segment (MI-7), with the contract for the levee/floodwall being awarded to Wagner Construction.

More information about the MREFPP can be accessed at the following link: <https://www.mouseriverplan.com/>.

AT:LCA/1974/1758

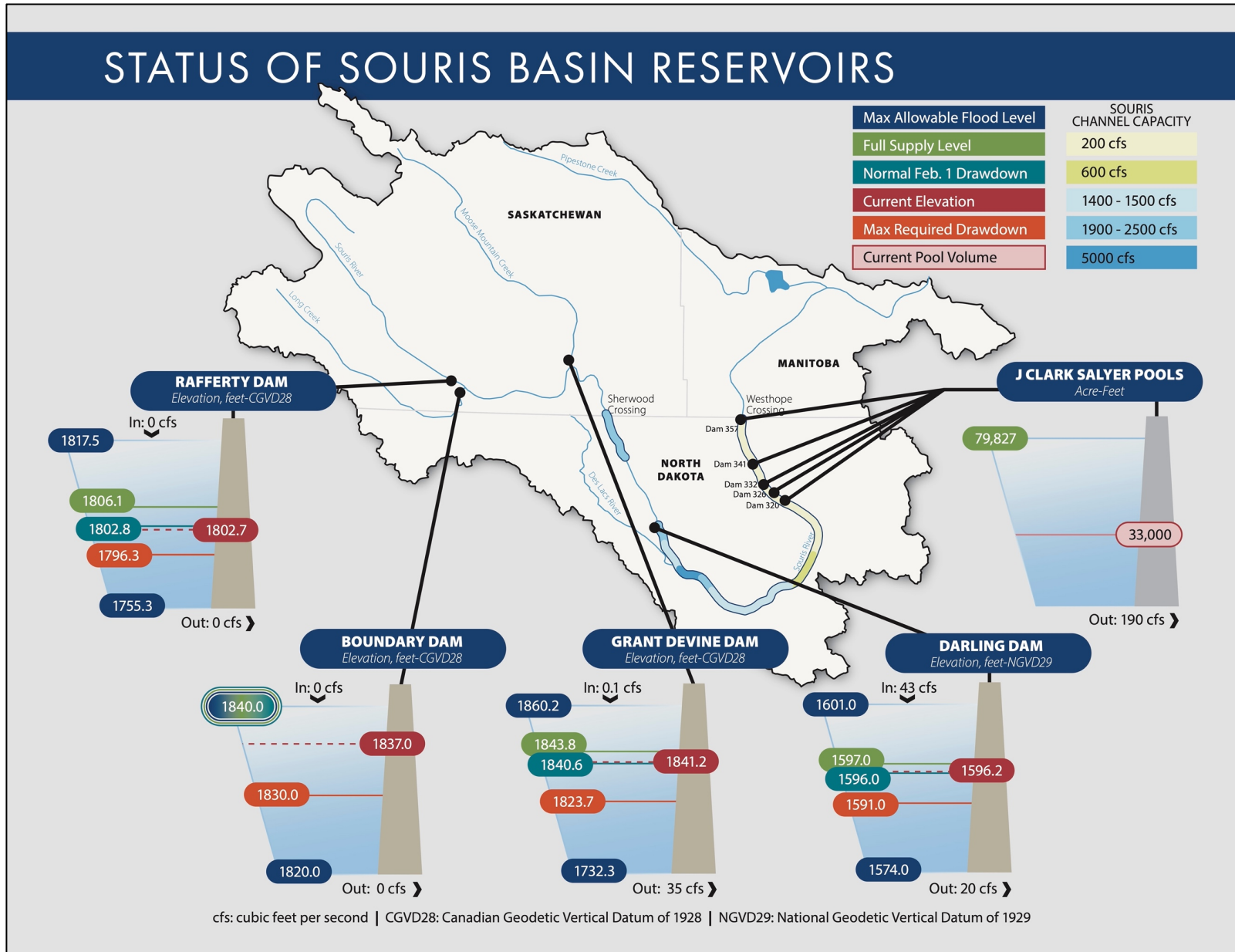



Figure 1: September 18, 2024 Reservoir Status in the Souris River Basin

**MEMORANDUM**

**TO:** Governor Doug Burgum  
 Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** Missouri River Update  
**DATE:** September 20, 2024

**System/Reservoir Status**

Table 1 shows that Fort Peck Lake’s elevation is approximately 4 feet below its average, Lake Oahe’s elevation is approximately one foot above its average, and Lake Sakakawea’s elevation is approximately 2 feet above its average for this time of year. The U.S. Army Corps of Engineers (USACE) will lower Lake Sakakawea to the base of its Flood Control pool before the start of the next runoff season (about March of each year). System storage is slightly below average for this time of year. All 16.4 MAF of flood control storage is available in the system, plus an additional 2 MAF.

**Table 1.** Current and historical reservoir elevations and total system storage.

	Reservoir Elevation (feet msl)			Total System Storage (MAF) <sup>(1)</sup>
	Fort Peck	Lake Sakakawea	Lake Oahe	
September 20, 2024	2,226.9	1,839.0	1,602.8	54.4
One-Year Ago	2,228.9	1,840.4	1,601.3	54.5
	<b>September 31<sup>st</sup> Reservoir Statistics (period of record: 1967-2023)</b>			
<i>Average</i>	2,231.2	1,837.3	1,601.6	55.8
<i>Record High (elevation [year])</i>	2,248.0 [1978]	1,848.2 [1975 & 2010]	1,616.5 [1997]	66.8 [1975]
<i>Record Low (elevation [year])</i>	2,199.8 [2004]	1,809.5 [2006]	1,571.4 [2006]	35.0 [2006]

(1) MAF – Million Acre Feet. More storage indicates more water is in the system

**Missouri River Runoff and Reservoir Forecasts**

Figure 1 shows that drought development has occurred in the Missouri River basin since the last State Water Commission meeting. Severe drought has developed in some parts of western North Dakota. Figure 2 shows that drought is expected to persist throughout the Missouri River basin, including in North Dakota, through the end of the year.

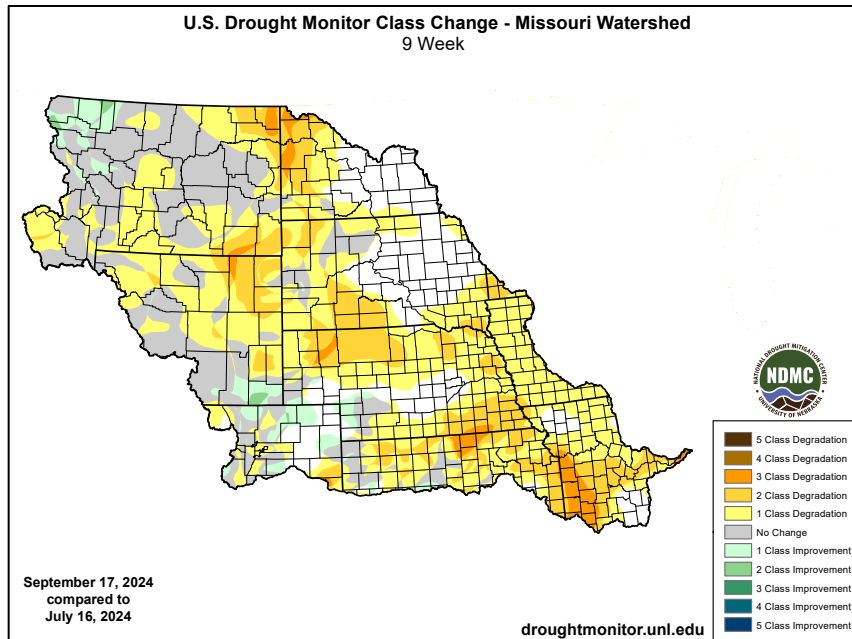


Figure 1. Change in drought conditions in the Missouri River basin from July 16<sup>th</sup> to September 17<sup>th</sup>, 2024. Graphic is courtesy of the National Drought Mitigation Center.

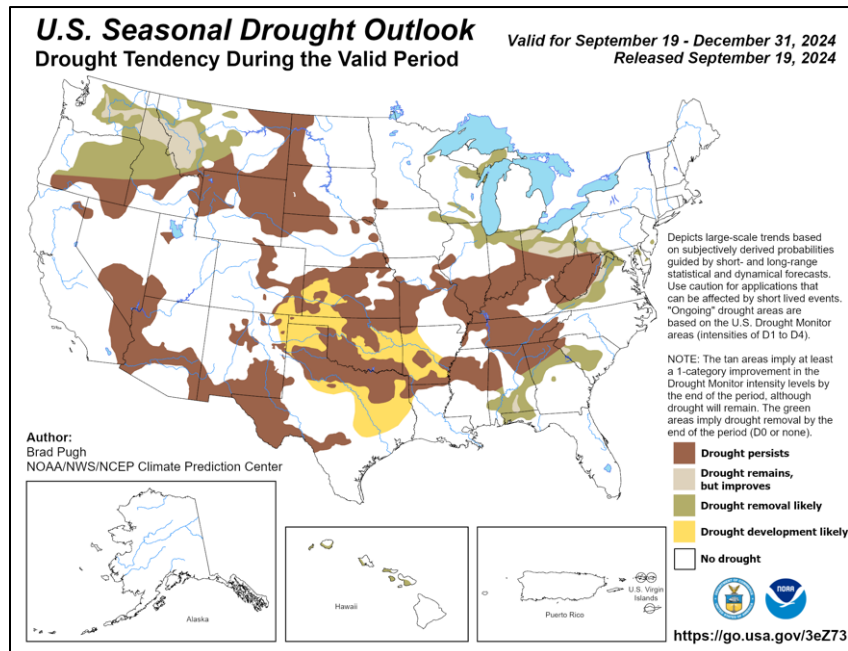


Figure 2. Drought outlook for the end of summer through fall 2024. Graphic is courtesy of the National Weather Service's Climate Prediction Center.

USACE forecasts that 2024 runoff for the Missouri River System will be 23.8 MAF, 93% of average. Lake Sakakawea currently has an elevation of 1,839.0 ft msl, inflows of 16,000 cfs, and outflows of 13,900 cfs. Releases out of Garrison Dam will remain at 14,000 cfs throughout the fall. Garrison releases will be increased once the river has frozen for the winter.

### **Snake Creek Embankment**

The Snake Creek Embankment (Embankment) is an important component of the Garrison Diversion Unit (GDU), which also includes the Snake Creek Pumping Plant, Lake Audubon, and McClusky Canal. USACE identified risks to the Embankment through a Dam Safety Modification Study (DSMS) and determined that it cannot be operated at its full design potential. Since the review of the draft DSMS report, DWR has continually advocated for USACE to choose a structural repair measure for the Embankment to restore it to its full design capabilities, rather than the operational measure USACE has chosen in the draft DSMS report.

In early 2024, USACE secured funds to complete the preliminary design of structural repair measures for the Embankment. USACE is considering two structural repair options: a cut-off wall and seepage berms. DWR staff met with USACE on August 23<sup>rd</sup> to discuss their progress on preliminary design of the structural repair alternatives. As a follow-up to the discussion on August 23<sup>rd</sup>, DWR wrote a letter to USACE commenting on the preliminary designs and highlighting again the need for a structural repair for the Embankment. Preliminary designs are expected to be completed this fall and will reduce existing cost and construction uncertainties. The DWR will meet with USACE again on October 23<sup>rd</sup> to discuss the updated preliminary designs.

### **Fort Peck Test Flow**

USACE began the Fort Peck Test Flow on April 26<sup>th</sup>, 2024, and it ended on July 24<sup>th</sup>. The test flow was the first in a series of test flows that will be carried out by USACE to comply with the Endangered Species Act (ESA) and a 2018 U.S. Fish and Wildlife Service Biological Opinion. USACE hope the test flows will help them determine if releases out of Fort Peck Dam that better mimic pre-dam conditions could aid in the recovery of the endangered pallid sturgeon.

USACE conducted physical monitoring of bank erosion, flooding, condition of water intakes, the Fort Peck Dam spillway, and cultural resources to determine impacts, if any, from the test flow. Concerns arose from Montana landowners about bank erosion and inability to use one irrigation intake during the test flow. USACE will determine what role the test flow had in these incidents. There were no

reported impacts to North Dakota from the test flow. USACE observed the spawning of one pallid sturgeon during the test flow. This was the first observed natural pallid sturgeon spawning on the upper Missouri River since the 2011 flood. An after-action meeting on the test flow will be held this fall.

### **Missouri River Recovery Implementation Committee Plenary Meetings**

DWR staff attended the Missouri River Recovery Implementation Committee (MRRIC) plenary meeting in Sioux Falls, SD, from September 17<sup>th</sup> – 19<sup>th</sup>. MRRIC discussed human consideration impacts from USACE's implementation of the Bank Stabilization and Navigation Fish and Wildlife Mitigation Project, the Fort Peck test flow, and other actions USACE has taken to meet their ESA obligations.

### **Fall Annual Operating Plan Public Meeting in Bismarck**

USACE will host their fall Annual Operating Plan (AOP) meeting for the Missouri River System in Bismarck the evening of October 28<sup>th</sup>. Location and time are to be determined. USACE will provide an update on the current year's runoff forecast and reservoir operations as well as planned operations for the next year's runoff season. Members of the public are encouraged to attend the meeting and ask questions. The DWR will review the draft AOP to ensure North Dakota's interests are considered and will provide a comment letter to USACE. DWR anticipates the draft AOP will be available by the end of September.

### **Status of Missouri River Basin Reservoirs in ND**

Figure 4 shows the status of federally operated reservoirs in the Missouri River basin as of September 20<sup>th</sup>, 2024. Pipestem outflows continue to exceed inflows to evacuate flood control storage.

AT:CRC/1392

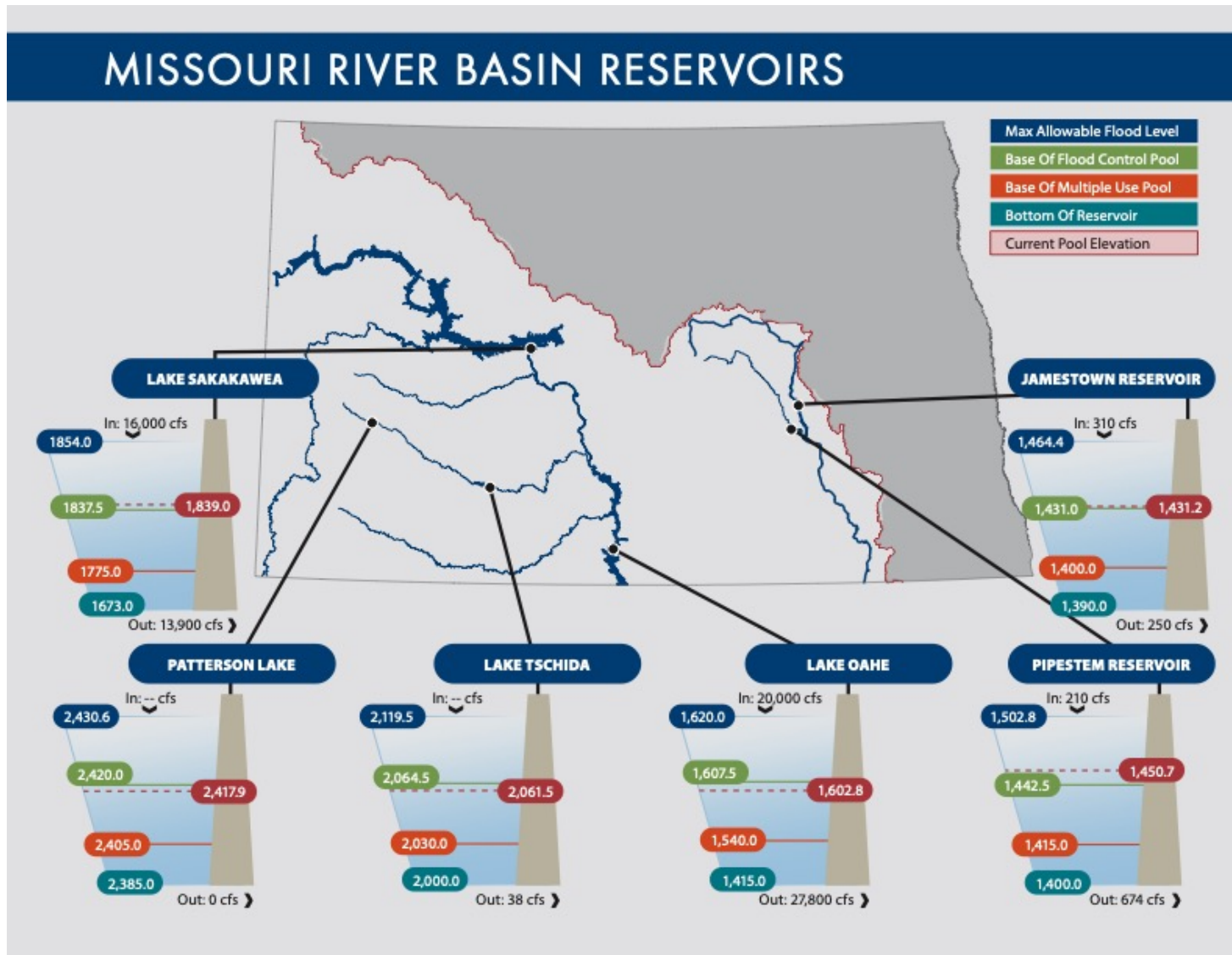



Figure 4. Status of reservoirs in the basin as of September 20<sup>th</sup>, 2024.



TO: Governor Doug Burgum  
Members of the State Water Commission  
FROM: Andrea Travnicek, Ph.D., Secretary   
SUBJECT: NAWS – Project Update  
DATE: September 24, 2024

*Updates from the last meeting memo are shown in bold italics.*

### **NAWS Contract 6-1A Intake Modifications to Snake Creek Pumping Plant**

Contract 6-1A Intake Modifications to Snake Creek Pumping Plant includes three equipment procurement contracts, Demolition Contract, and Construction Contract.

The equipment procurement contracts included a delivery date of March 1, 2024 for all equipment excluding the backup generator which had a delivery date of March 1, 2025. The March 1, 2024 delivery date is not met by any of the equipment procurement contractors. The current expected delivery date for one of the pieces of electrical equipment, the switchgear, is as late as March 2025. DWR staff have directed Houston Engineering staff to check with procurement contractors weekly to get updates on delivery dates for these critical equipment necessary for the operation of the NAWS intake pumps inside the Snake Creek Pumping plant.

Work on the Contract 6-1A Demolition, is underway. Work on Contract 6-1A Demolition and Construction Contracts has been delayed due to the extensive coordination needed with the Bureau of Reclamation (Reclamation), the owner of the Snake Creek Pumping Plant. The Demolition Contract has been delayed beyond the changed completion date through the execution of a change order on the contract, which is April 15, 2024. The motor, pump shaft, *and bowl* for pump unit No. 1 has been removed. Removal of motor housing for pump unit No. 1 was delayed until the asbestos mitigation submittal is complete. The pipe penetration work through the wall of the existing discharge structure is complete. A change order based on time and materials will need to be executed to change the contract price for the work. *The Demolition Contract is currently around 90% complete. The current expected completion date for the Demolition Contract is October 15, 2024.*

NAWS – Project Update

Page 2 of 10

September 24, 2024

Work on the Contract 6-1A Construction, is currently underway. PKG Contracting is the contractor for both the Demolition and Construction Contract. The current completion date on the Construction Contract is June 30, 2024. Because of the delays due to the submittal review process and the equipment delivery, the completion date of June 30, 2024 was not met by the contractor. ***Based on the recent schedule provided by the contractor, the current expected completion date for the Construction Contract is June 19, 2025.***

To date, only one Change Order on the Contract 6-1A Demolition Contract that extended the completion date from June 28, 2023 to April 15, 2024 has been executed by all parties.

***Photo 1: NAWS Contract 6-1A Demolition Contract Progress – Unit #1 Discharge Removal***



**Contract 2-1E**

Contract 2-1E includes the discharge pipeline that connects the Snake Creek Pumping Plant to the NAWS raw water transmission pipeline. An easement and construction license required for work covered under Contract 2-1E were received in May 2023 from US Army Corps of Engineers (USACE) and Contract 2-1E was awarded at the June 2023 State Water Commission meeting. The contractor on Contract 2-1E mobilized to the site in early September 2023. The Contract had a Milestone Completion date of January 30, 2024 for underground pipeline work. Contractor has submitted a Change Order request for time and cost to the Engineer due to the delay in allowing the Contractor to begin work. Their request was reviewed and rejected by the Engineer due to reference to the incorrect articles of the contract documents. The contractor has submitted a revised request. A response to the request is under development. The contractor remobilized to the site in May and started pipeline installation. The scope of work involves construction of approximately 2,100 feet of 36" ductile iron pipe. *Installation of all pipeline and backfill is complete. The Contractor is still awaiting delivery of the flowmeter and associated components and fittings for installation in the isolation vault. The Contractor is working to restore the access road that was removed for pipe installation. The current expected completion date on this contract is November 30, 2024.*

**Photo 2: Contract 2-1E – Installation of Discharge Pipeline on August 21, 2024**



**Contract 1-1A**

Because of the potential challenges associated with the construction of horizontally directionally drilled intake pipe, the potential for installing the permanent intake pipe on the lake bed with the partial removal of existing cofferdam near the Snake Creek Pumping Plant was discussed with the federal agencies and GDCD and has been accepted. DWR directed the consulting engineer to proceed with the design that includes complete width removal of the cofferdam and cleaning out the forebay of the Snake Creek Pumping Plant to an elevation of 1780. *The design for the lake bed installation is 95% complete and the 408 permit application was submitted on July 12, 2024 to the U.S.Army Corps of Engineers (USACE). The completeness review of the 408 application by the USACE determined that the application is incomplete. The design team has completed the responses and the additional request for information received from the USACE and the revised application has been submitted to the Bureau of Reclamation (Reclamation) as the lead federal agency for the project. Reclamation will complete the necessary National Environmental Policy Act document required for the project and will forward the permit application to the USACE.* . USACE has requested \$89,000 in additional funds towards the previously executed 1156 agreement (agreement between DWR and USACE for the Section 408 review) for the review of the modified plans. *DWR staff via a letter dated July 17, 2024 requested funding breakdown for the requested funds and the timeline for receiving the permit and the real estate instruments from the USACE . A response was received from USACE on September 19, 2024. The response indicated that the permit processing would take 6 months pending the application is complete and there is no additional request for information.*

The overall operations of the Snake Creek Pumping Plant will improve with this design. Reclamation and GDCD has expressed interest in this project. DWR met with Reclamation and GDCD staff to determine the path forward for getting concurrence on their participation towards the cost of the removal of the cofferdam and cleaning out the forebay. Reclamation has noted that they have some funding availability to provide towards the cost of the removal of the cofferdam, however that is not enough to meet their full responsibility, based on estimated costs. Further discussions will be held to determine the path forward. The modified design addresses some USACE's embankment seepage concerns associated with the sand lens identified in the Geotechnical report. So discussions are ongoing for potential cost share participation from the USACE.

**NAWS Contract 7-2A/4-1A Biota Water Treatment Plant (BWTP)**

NAWS Contract 7-2A/4-1A generally includes construction of new concrete, steel, and precast BWTP, for which contracts were awarded in February 2021 and the Notices to Proceed for the general and electrical construction were issued in March 2021. Site work

NAWS – Project Update

Page 5 of 10

September 24, 2024

including excavation and grading began in April 2021. Work Change Directive to deliver Sundre aquifer water to the BWTP has been issued to the BWTP's general contractor *and the Contractor has been pumping water to fill the South Prairie Reservoir. That reservoir is now full and the change over has been made to start filling the pipe to the south of the South Prairie Reservoir towards the BWTP. The pipe is currently full to the Control Structure at the divide. Discussion is ongoing with the General Contractor regarding defective roof notices and the plan for correction. In addition, a preliminary flow distribution test uncovered a manufacturing defect in the air chamber for the filter underdrain system. A Defective Work Notice has been sent to the contractor regarding this issue.* Extending the Substantial Completion Date on these contracts due to lake water unavailability would result in additional cost to the project that is currently being negotiated with all contractors. Total estimated project cost is \$64 million.

**Photo 3: Biota Water Treatment Plant, August 2024**



*The table below shows the change orders signed to date on the Biota WTP Contracts.*

Contract	Change Orders (CO)	Value of COs	Total Contract Cost	CO Percent of Contract
<b>General</b>	<b>5</b>	<b>\$ 1,200,992.92*</b>	<b>\$ 39,028,192.92</b>	<b>3.2%</b>
Electrical	5	\$ 671,921.71	\$ 7,260,302.71	9.3%
Mechanical	5	\$ 151,143.84	\$ 5,065,350.84	3.0%
UV	1	\$ -	\$ 707,125.00	0.0%
DAF	3	\$ (40,709.50)	\$ 1,803,160.50	-2.3%

*\*\$585,922 in change order costs were signed before the change order policy was adopted for NAWS at the December 2022, SWC meeting*

### **NAWS Contract 5-1A South Prairie Reservoir and Hydraulic Control Structure**

This contract includes a ten and one half million-gallon (average day demand) reservoir roughly three miles north of Highway 23 on the NAWS raw water line and a hydraulic control structure two and a half miles south of Highway 23 at the high point of the raw water pipeline. The Substantial Completion Date on this contract was extended from November 30, 2023 to January 19, 2024 due to work added to the contract and delays caused by leaks that developed in the NAWS main transmission pipeline. The certificate of substantial completion has been issued.

The reservoir has been successfully leak tested and *final seeding has been completed but germination is weak due to hot and dry weather immediately after seeding was conducted. The seed germination will be reviewed again after spring thaw to see if the snow cover assisted in attaining better vegetative cover.* The substantial completion date on the reservoir contract was changed to June 15, 2024 by change order. The reservoir is substantially complete and the certificate of substantial completion has been issued. Total estimated project cost is \$16.7 million.

**Photo 4: South Prairie Reservoir and Flow Control Structure on April 25, 2024**



*The table below shows the change orders signed to date on the Contract 5-1A Contracts.*

Contract	Change Orders	Value of Change Orders	Total Contract Cost	CO Percent of Contract
Reservoir	6	\$36,539.92	\$ 7,851,544.92	0.47%
Facilities	4	\$ 89,710.00	\$ 7,209,910.00	1.24%

### **NAWS Contract 7-1B Minot WTP Phase II Improvements**

NAWS Contract 7-1B was awarded by the State Water Commission (SWC) at its February 8, 2018, meeting to PKG Contracting and generally consists of construction of a new primary treatment building at the Minot water treatment facility to replace the aging softening basins, chemical storage and feed systems, laboratory, break room, and IT facilities. All water treated in Minot is being treated through the new portion of the facility. The contract was considered substantially complete on December 31, 2022. Equipment failures and long lead times for replacements have delayed closeout of this contract. A harmonic filter was installed and started up on March 13, 2024. The replacement power monitor was installed end of July. We are working with the contractor on closing out the contract. ***A recent issue identified with settlement around the building has resulted in damages to electrical conduits. The contractor has been directed to provide a cost proposal to reroute the damaged conduits above ground.*** Estimated total project cost is \$34 million. Ten change orders totaling \$3,230,395.75 have been added to this contract

NAWS – Project Update

Page 8 of 10

September 24, 2024

to date with \$2,895,136 signed before the change order policy was adopted for NAWS at the December 2022, SWC meeting.

### **NAWS Contract 4-4B/5-4B Bottineau Reservoir and Booster Pump Station**

The Bottineau and Souris Reservoir and Pump Stations contracts consist of a one million-gallon ground storage reservoir and pump station at the intersection of State Highways 5 and 14 south of Souris and a three million-gallon ground storage reservoir and pump station roughly four miles west of the connection to Bottineau. The final pipeline contract climbs roughly 300 feet in elevation from the location of the Souris Reservoir and Pump Station to the connection to Bottineau. The final design flows for both the City of Bottineau and All Seasons Water Users District northwest of Bottineau will require both storage and pumping to meet water demands. Bids were opened February 7, 2023, for the Bottineau reservoir and pump station. At the February 13, 2023, SWC meeting, the Commission authorized the Secretary to award the contracts.

The precast installation for the pump station is complete. *Equipment pads are placed and process piping is being installed along with house water piping, electrical work, and HVAC piping and equipment. As of this writing, high service pumps and check valves are expected to arrive in early October.* One change order was executed with the pump station contractor and the reservoir contractor to accommodate changes to the overflow and reservoir drain piping requested by the Department of Environmental Quality. The change order added less than \$1000 dollars to the pump station contract and no change to the reservoir contract price. The completion date on the reservoir contract and the pump station contract was changed to November 8, 2024 and November 26, 2024 respectively.

The reservoir contractor mobilized this spring and work is progressing essentially on schedule. *Subgrade work has been completed, the concrete tank base slab and footing walls have been placed, the precast concrete wall and roof panels have been installed, and concrete slot pours have been completed. Currently the reservoir is undergoing placement of prestressing steel and shotcrete covering.* Total project cost is estimated at \$12.8 million.



**Photo 5: Bottineau Reservoir on September 10, 2024**



**SA 97 Contract for Pressurization of Main Transmission Line:**

*The scope of work for this contract involved completing the pressure testing of the NAWS Main Transmission Line from the lake to the pressure reducing station south of Minot. The invitation for Bid was issued on July 17, 2024 with a bid response deadline of August 7, 2024. An addendum was issued on July 29, 2024 which included clarifications, more detailed bid form, and pushed back the response deadline to August 21, 2024.*

*On August 21, 2024, the bid opening was conducted, and only one bid was received for the work. That bid was exceptionally high with the bid on the order of 385% above engineer's estimate. Other contractors who had previously expressed interest in the work were contacted to inquire as to why they did not bid. One indicated that their existing workload had them already committed, another had the bid opening date wrong and missed the deadline, and a third was uncertain about the scope of work.*

*Upon review of the bid received, Houston Engineering Inc., recommended the bid for SA97 be rejected due to excessive cost and lack of competitive bids. The DWR concurred with that recommendation. Consideration was given to re-bidding the*

*work, but a re-bid does not appear to be of much benefit due to the bidding environment.*

*The DWR is currently looking into a simplified scope of pressure testing and is in discussion with the NAWS 2-1E Discharge Pipeline contractor to conduct additional pressure testing in conjunction with the pressure testing they are already required to perform on the pipeline segment they are constructing utilizing essentially the same testing protocols. Due to the unknowns associated with the potential for leak detection and repair if any leaks occur, the work would be conducted on a time and materials basis. The Contractor has been requested to provide a rate sheet for equipment and labor, and a rough estimate for the amount of time to conduct the pressure testing work.*

**SA 98 Construction of NAWS Pressure Reducing Station and Isolation Vault Improvements:**


*This contract is discussed under a separate memo.*

**NAWS Interim Water Supply:**

Well C in the City of Minot has been rehabilitated and has been online since the summer of 2022. Well F has been drilled, developed, plumbed into the Sundre well field supply system and has been put into service. Costs of \$658,204.03 have been incurred by the City of Minot through the end of 2022 for Well F. Sixty five percent of total costs associated with the well construction were credited towards City of Minot's cost share on the NAWS project. The remaining costs on Well F are in the process of being finalized and should be reimbursed in the near future.

**City of Minot Reimbursement:**

The City of Minot sent a letter requesting reimbursement for repair of the wells in the Minot aquifer completed in 2016, construction of the reservoir, pumpstation near the Sundre well field and construction of the new raw water pipeline designed and constructed between 2016 and 2020. The reimbursement request is because these projects are eligible Northwest Area Water Supply projects and due to circumstances that existed at that time these projects were funded by City of Minot upfront and the requested reimbursement is for the State's share of 65% of the total costs. The request was approved at the February State Water Commission meeting. DWR will include the credit in the monthly reimbursement request to City of Minot as the Financing Agreement with the City of Minot has been executed by all parties

**TO:** Governor Doug Burgum  
 Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** SWPP – Project Update  
**DATE:** September 26, 2024

*Updates from last Commission meeting memo are shown in bold italics.*

**Contract 1-2A Supplemental Raw Water Intake:**

Updates on expenditures will be provided through separate agenda item and additional information will be covered during executive session.

**Contract 4-1E/4-2B Upgrades at the Dodge and Richardton pump stations:**

The three contracts for this project; general, mechanical and electrical, have all been closed out. A warranty item related to the air chamber control settings, an issue with low suction pressure at the Dodge Pump Station, is currently being addressed. BW/AECOM has been working with the air chamber supplier to resolve the warranty issue.

**Contract 6A SCADA Contract:**

Work Order No. 1, is for the SCADA changes necessary to accommodate the work completed on Contract 4-1E/4-2B . Work was completed in 2022.

Work Order No. 2, is for instrumentation and control equipment, and programming to support the construction of the Taylor Elevated tank. Work was completed in 2022.

Work Order No. 3, is for integration with the existing SCADA equipment necessary to support the modifications at the City of Killdeer’s master meter vault. Work was completed in 2023.

BW/AECOM received the Operation and Maintenance manuals for all three Work Orders and they are under review. No other work remains.

**Distribution Capacity Expansion:**

Southwest Water Authority (SWA) and State Water Commission (SWC) implemented a three-pronged plan to meet the distribution capacity needs of SWPP. The three prongs include:

- Prong 1. Improvements to the transmission facilities from the Ray Christenson Pump Station to the first tanks in the distribution system, which were completed in 2022. The West Zone Transmission improvements which were added to Prong 1 in 2022.
- Prong 2. Addressing the waiting list users by implementing hydraulic improvements like booster pump station, parallel piping, and water reservoirs at strategic locations.

- Prong 3. Canvassing targeted service areas for users interested in signing up for rural water and design a rural distribution system for those areas.

Prong 1 – Transmission Improvements:

West Zone Transmission Improvements:

Following the receipt of a request to increase the City of Medora contract amount from 150 gpm to 225 gpm as well as a second point of connection, DWR and SWA met with the City of Medora, Billings County, as well as the Theodore Roosevelt Medora Foundation (TRMF). An analysis was completed to determine the scale of transmission improvements required for increasing the capacity for City of Medora as well as all of the West Zone transmission facilities. The West Zone consists of the communities of South Heart, Belfield, Beach, Sentinel Butte, and Medora as well as the rural service areas of Belfield, Fryburg, and Beach. This West Zone analysis provided conceptual design costs to increase the design flowrate from the West Zone pumps in the Ray Christensen Pump Station to the Beach Reservoir. The total planning level cost estimate for the West Zone transmission improvements of \$17.6 million (total project costs) was included in the 2023-2025 Executive Budget request for SWPP and was approved in the capital assets funding for SWPP in the SB 2020.

A water service agreement with the Theodore Roosevelt Presidential Library (TRPL) in the amount of 7 gallons per minute was executed between SWA and TRPL in January of 2023.

The West Zone transmission improvements includes main transmission pipeline improvements, improvements to the Ray Christensen, Fryburg, and Beach pump stations, and a new reservoir west of Medora.

A specific authorization to complete an engineering report to refine the capacity needs in the West Zone was executed. To better understand the future water needs of the West Zone several meetings with City of Medora and TRMF were held. Draft portions of the report that included the future capacity needs estimate was submitted by BW/AECOM for DWR and SWA staff review. In response to DWR staff comment, the SWA completed an outreach effort to all communities and contract customers in the West Zone to confirm the needs identified in the draft report. *Aside from the identified needs, the potential for further development beyond what can reasonably be foreseen at this time was discussed extensively at the August SWC meeting. At the August meeting, DWR staff recommended a preliminary design for the identified needs and also a preliminary design for the identified needs, plus 25% capacity, commonly referred to as "blue sky" capacity. At the August SWC completing an additional preliminary design for the next nominal pipe size required for meeting the identified needs plus an additional 25% capacity was also approved. In addition, DWR staff requested BW/AECOM to complete an estimate and approximate additional capacity that could be realized by installing 16" pipeline from the Ray Christensen Pump Station to City of Beach. Information on the preliminary designs*

***completed along with a recommendation for proceeding with development of bid ready documents is presented in a separate memo.***

In discussion with Bureau of Reclamation (BOR) and the US Forest Service (USFS) it was concluded that the US Forest Service (USFS) will be the lead agency for the West Zone transmission expansion project as the BOR does not have the federal nexus to this project while the USFS does since the project plans include installation of parallel piping through USFS owned property. A permit application to install the pipe through the USFS land was submitted in February. ***USFS has determined that the SWPP's parallel piping project will require a decision memo and not an Environmental Assessment. Initially USFS had required completion of a Class III cultural survey for the issuance of the permit which has now been determined not necessary. We expect the decision memo and the permit from the USFS soon.***

Prong 2 -Strategic Hydraulic Improvements:

Contract HI-2021 which includes improvements in the New Hradec, Fairfield, Twin Buttes, and Killdeer Mountain service areas; as well as Contract 5-18 Taylor elevated tank within the Davis Buttes service area are projects that fall under Prong 2. HI 2021 projects and Taylor elevated tank proceeded to construction based on estimated cost/Equivalent Service Unit (ESU). The issues with using the estimated cost/ESU was discussed at December 2022 SWC meeting. Weighted prioritization matrix developed to identify future strategic hydraulic improvement projects to proceed with design and construction was approved at the April 2023 SWC meeting and BW/AECOM was authorized to proceed with preliminary design for the strategic hydraulic improvement project in North New England area based on the prioritization matrix completed in March 2023.

Following the June SWC meeting that approved proceeding with final design of the hydraulic improvement project in the north New England Service Area, BW/AECOM submitted a Specific Authorization (SA) for completing the bid ready documents for this project. The SA is currently under review by DWR staff.

Contract HI 2021: Hydraulic Improvements in the Fairfield, Killdeer Mountain, New Hradec, and Twin Buttes Service areas

Bids for SWPP Contract HI-2021, Hydraulic Improvements in the Fairfield, Killdeer Mountain, New Hradec, and Twin Buttes Service areas were opened on November 17, 2022. The SWC approved the award of HI-2021 to Carstensen Contracting, Inc. at the December 9, 2022, meeting for bid schedules 1-4 with alternates in the amount of \$5,104,510.50.

The scope of the contract includes four bid schedules to accommodate strategic improvements in the four service areas noted. The project consists of hydraulic improvements totaling approximately 18 miles of PVC pipe ranging from 3 inch – 6 inch as well as five new booster pump stations. The improvements will provide capacity for the waiting list users to become Subsequent

Customers. Alternates changed a portion of 4 inch parallel to a 6 inch parallel to increase the capacity for potentials in two strategic areas, the Killdeer Mountain and Twin Buttes areas. This project will add the capacity for 100.8 ESUs based on the base bid schedules plus an additional 59.5 future potential users with the alternates awarded. The future potential capacity is based on the inclusion of a future storage reservoir.

All the pipelines were turned over for service on November 16, 2023. The project achieved substantial completion on June 17th with the five booster stations all operating as designed. The SWA has been notifying customers who have signed the "Intent to become Subsequent Customer" forms of the completion of the project so that they can complete their signup and connect to the line to receive SWPP water.

***The contractor continues to work on construction punch-list items as well as administrative items required as part of project close-out. These items will need to be complete before staff considers the project to meet final completion.***

Below is a table summarizing project change orders to date:

Bid Price	No. of COs	Cummulative COs	Current Contract Cost	COs as a % of bid
\$ 5,104,510.50	3	\$ 204,518.44	\$ 5,309,028.94	4.0%

### Prong 3 – Rural Distribution System Improvements

#### Burt and Hebron Service Area Expansion:

In February 2021, SWA voted to proceed with signup campaign in the Burt and Hebron service areas including Lake Tschida. SWC concurred with that request in April 2021. SWPP is currently in the preliminary design phase of the expansion in the Burt and Hebron service areas.

***As of August 2024, in the Burt-Hebron service area there are 735 signups with 255 around Lake Tschida and 480 in rural areas.*** The preliminary design for Burt Hebron Service Area expansion is divided into seven sub areas: Hebron Service area divided into: Hebron Rural, North Tschida and Curlew Butte pocket area; Burt Service area divided into Burt Rural, South Tschida, Burt VFD pocket area and service to Flasher. The analysis for service to Flasher is not completed yet. Preliminary design of the pipeline network for this project was completed for the signups that were determined to meet the distance of 2.5-mile and 1.25 mile. SWPP's existing feasibility criteria for rural distribution contracts has been under discussion between DWR staff, SWA staff, and SWA Board. The SWA Board formed a Feasibility Criteria Subcommittee in December 2022. SWA sent a letter with proposals from the SWA Board for feasibility criteria adjustments on January 23, 2024. The proposal was discussed at the February SWC meeting and an action to increase the maximum cost per Equivalent Service Unit (ESU) limit to \$75,890 was approved. ***The approval of increase in maximum cost per ESU was subjected to evaluation of potential capital***

*repayment adjustment for Commission's consideration at a later date. The SWA's Feasibility Criteria Subcommittee and SWA Board discussed the potential capital repayment adjustment offered by the DWR staff and took action on it at the September SWA Board meeting. A separate agenda item discussing the SWA's request for Feasibility Criteria changes and additional discussions on exclusions is included.*

Following the February SWC action to increase the maximum cost per ESU limit within the project's Feasibility Criteria, the SWA took action at their March meeting to focus on a project in the Hebron Rural area while also looking at the potential to develop a smaller project in the Burt Rural area that could be constructed with the \$11.2 million included in the 2023-2025 budget for Burt-Hebron Service Area expansion.

BW/AECOM has completed a preliminary design that includes signups that meets the distance of three quarters of a mile, a distance that could be met with a maximum per ESU amount of \$75,980 approved by the SWC in February. The information is under review by SWA and DWR staff.

**Contract 2-3A Metallic Line Replacement and Assessment Progress:**

To replace metallic pipe observed to be affected by Microbiologically Induced Corrosion (MIC), SWC approved an allocation of State Fiscal Recovery Funds (SFRF) to SWA for cost-share at 75 percent for Contract 2-3A replacement costs in an amount not to exceed \$4.5 million at the August 11, 2022 SWC meeting. The Commission also approved the use of Replacement and Extraordinary Maintenance (REM) Fund for non-SFRF cost share portion of this project, which was estimated at \$1.5 million. DWR and SWA have executed a cost share agreement for SFRF funds. To date, two requests totalling \$4,046,023.52 in SFRF funds and \$1,348,674.50 in REM funds have been reimbursed for the Contract 2-3A replacement costs. The original estimate of \$6 million for this project has been exceeded. The current estimate for the replacement project is \$6,825,000. In addition to the \$1.5 million approved in REM funds in 2022, the SWA's 2024 Budget, reviewed by the SWC at its December 2023 meeting included \$500,000 in REM funds for this project. At the February 2024 SWA meeting, the SWA Board of Directors approved using an additional \$325,000 for a total of \$2,325,000 from REM funds for this project. This amount from the REM fund exceeds the initial estimate of \$1,500,000 by \$825,000.

The contract for replacement is closed out. Reimbursement requests from the SFRF fund and the REM fund will be processed when formal request from SWA is received.

A condition assessment program for all metallic pipeline on the SWPP is currently under development to compile the soil sampling information (chemical composition, resistivity, water quality sampling, presence of bacteria) as well as excavation observations of the pipeline in selected locations to further define the extent of the MIC.

SWPP – Project Update

Page 6 of 6

September 26, 2024

**Southwest Water Treatment Plant (SWTP) Expansion:**

At the June 2023 meeting, the Commission awarded Contract 3-2F (Membrane Equipment Procurement contract) and Contract 3-2G (Softening Equipment Procurement Contract) to Westech Engineering LLC.

Contracts 3-2G and 3-2F are executed and Notice to Proceeds have been issued. The design submittals are in development by the equipment supplier. The anticipated bidding timeframe for the expansion is in fall 2024.

*Development of bid ready documents continues to progress. The 90% design review documents were received and reviewed. . The current schedule anticipates advertisement for bids in early October and a bid opening date for mid-November. The recommendation for award is expected to be presented at the December Commission meeting.*


**Existing Intake Capacity Expansion:**

*Approval of the amendment to the 1986 water supply agreement with Basin Electric Power Cooperative for increased allocation is presented as a separate agenda. DWR staff will authorize BW/AECOM to develop bid ready documents for the improvements needed to realize the additional allocation after the amendment is fully executed.*

AT:JF:/1736-99



## MEMORANDUM

**TO:** Governor Doug Burgum  
Members of the State Water Commission  
**FROM:** Andrea Travnicek, Ph.D., Secretary   
**SUBJECT:** 2025 Water Development Plan Update  
**DATE:** September 25, 2024

### Background

NDCC 61-02-01.3 requires that on a biennial basis, the State Water Commission “develop and maintain a comprehensive water development plan organized on a river basin perspective, including an inventory of future water projects for budgeting and planning purposes.”

### Current Status

In line with statutory requirements, the Planning and Education Division is currently developing the 2025 Water Development Plan (WDP), which will focus on the 2025-2027 biennium and beyond. Using data gathered from the water project inventory and feedback from this summer's Commissioner-hosted basin meetings, the DWR team is assessing and updating the 2025-2027 funding needs, large project summaries, long-term funding estimates, and other relevant materials. This new information will ultimately be displayed on the online Water Development Plan dashboard.

### Transition To 2025 WDP

A key goal of transitioning the WDP to an online format in 2023 was to enable ongoing updates. Previously, the WDP was released as a hard copy every two years. This year, the new 2025 information transfer will take place entirely online. The DWR team has begun replacing the 2023-2025 WDP materials with new information. This process will continue through the rest of 2024.

### Coordination With Executive Budget

Much of the funding decisions for projects are contingent upon the Governor's Executive Budget, which will become public December 4, 2024. Project and purpose funding recommendations, which will represent the most up-to-date “funding plan” based on the most recent revenue projections, will then be presented at the December 13, 2024, State Water Commission meeting. The project and purpose funding recommendations will ultimately be included in materials presented during the Legislative Assembly.

AT:pf:cd/322

**MEMORANDUM**

**TO:** Governor Doug Burgum  
State Water Commission

**CC:** Director Andrea Travnicek

**FROM:** Matthew Sagsveen, Assistant Attorney General

**SUBJECT:** State Water Commission Litigation Update

**DATE:** September 30, 2024 (for October 9, 2024 meeting)

**STATE WATER COMMISSION LITIGATION**

**Case:** Wagner Construction, Inc. and HDDS, LLC v. NDSWC (1:22-CV-154)

**Date Filed:** September 26, 2022

**Court:** North Dakota Federal District Court

**Judge:** Judge Hochhalter

**Attorney:** Jennifer Verleger

**Opposing Counsel:** Kyle Hart (Fabyanske, Westra, Hart & Thomson) – representing Wagner  
R.J. Pathroff (Vogel Law) – representing HDDS

**Issue:** \$2M claim regarding differing subsurface conditions on construction contract.

**Current Status:** Case was dismissed without prejudice.

**Case:** Wagner Construction, Inc. and HDDS, LLC v. NDSWC (1:23-cv-00213-CRH)

**Date Filed:** November 2, 2023

**Court:** North Dakota Federal District Court

**Judge:** Judge Hochhalter

**Attorney:** Matthew Sagsveen, Erik Wallevand

**Opposing Counsel:** Kyle Hart (Fabyanske, Westra, Hart & Thomson) – representing Wagner  
R.J. Pathroff (Vogel Law) – representing HDDS

**Issue:** \$2M claim regarding differing subsurface conditions on construction contract.

**Current Status:** The Plaintiff filed a new complaint in federal court against the Commission. Deadline to respond is Nov. 27.

The NDSWC has filed another Motion to Dismiss based upon Eleventh Amendment Immunity.

The Court issued an order on August 30, dismissing the case without prejudice.

## Other cases of interest

**WOTUS** – The original ND WOTUS case (Obama rule) was on hold until recently, but all Parties have agreed to dismiss the case. North Dakota brought a new case over the new rule (Biden rule) in conjunction with several other states, including West Virginia, Iowa, and Georgia. Preliminary injunction granted in North Dakota, so we are operating under the 1985 regulations. New amended rule has been published. State's filed an amended complaint on November 13, 2023. The State's have moved for summary judgment on February 26, 2024. Briefing was completed in July, although parties recently filed additional briefs addressing the impact of *Loper Bright Enterprises v. Raimondo*, a recent Supreme Court decision, and recent agency actions.

**MHA Litigation** – The Dept. of Interior has issued a new M-opinion (its 4<sup>th</sup>) alleging MHA, rather than the State, owns the Missouri River through the Fort Berthold Reservation reservation. The Federal Government is now bringing a Quiet Title action in the D.C. District Court against the State to determine who owns the riverbed, which the State has been asking them to do for several years. Because of jurisdictional issues with suing the tribe or the federal government, the federal government suing us is the cleanest way to get final resolution to the issue. **Waiting for court to resolve procedural motion (Motion to Amend/Correct Answer to Complaint filed 07/07/2023) before case proceeds – as of 5/30/2024. The Court granted MHA's Motion to intervene in the case, and the Court has set a discovery and briefing schedule for the case.**

**Federal Emergency Management Agency National Flood Insurance Program – Risk Rating 2.0** – State Plaintiffs, including North Dakota, filed a lawsuit against the various Federal Defendants, including FEMA, on June 1, 2023. The suit challenges the constitutional, statutory, and procedural validity of FEMA's price methodology known as "Risk Rating 2.0." The Plaintiffs alleged Risk Rating 2.0 fundamentally changes how FEMA calculates rates for federal flood insurance and is producing alarming results. In the nine-count Complaint, Plaintiffs assert Risk Rating 2.0 is (1) contrary to law in four different ways; (2) arbitrary and capricious for failing to account for important aspects of the problem and considering other inappropriate factors; (3) arbitrary and capricious for failure to consider reliance interests; (4) arbitrary and capricious for departing from prior policy without sufficient justification; (5) arbitrary and capricious because it rests on pretextual bases; (6) in violation of the APA's notice-and-comment requirement; (7) in excess of FEMA's statutory authority; (8) contrary to a constitutional right; and (9) in violation of the National Environmental Policy Act ("NEPA"). Plaintiffs are asking the Court to declare and hold that Risk Rating 2.0 is unlawful and to preliminarily and permanently enjoin Defendants from imposing Risk Rating 2.0.

The Court recently issued an order denying the Federal Defendants' Motion to Dismiss, in part, and denying the State Plaintiffs Motion for a Preliminary Injunction. With respect to the Motion for Preliminary Injunction, the Court found in part:

[That] the injuries Defendants would suffer upon the issuance of an injunction substantially outweigh the harm the Plaintiff States ... will suffer without an injunction. The Court also finds ... any interest the public has in the need for federal agencies to follow the law is outweighed by the public's interest in the stability of the administration of the National Flood

Insurance Program, which would be greatly disrupted if this Court were to issue a preliminary injunction restraining Defendants from enforcing the rating methodology that was fully implemented prior to Plaintiffs' filing of this lawsuit.

The Agency administrative record is due on July 26, 2024, and summary judgment motions are due on February 23, 2025. **There are currently disputes over the administrative record that have delayed the case, and there is a pending motion for a protective order for some of the data in the record.**

**MEMORANDUM**

**TO:** Governor Doug Burgum  
State Water Commission  
**CC:** Director Andrea Travnicek  
**FROM:** Matthew Sagsveen, Assistant Attorney General  
**SUBJECT:** Department of Water Resources (DWR) Litigation Update  
**DATE:** September 30, 2024 (for October 9, 2024 meeting)

**DEPARTMENT OF WATER RESOURCES (DWR) LITIGATION**

**Case:** Whiting Oil and Gas Corporation v. Arlen A. Dean, et. al. (27-2016-CV-00040)  
**Date Filed:** January 25, 2016  
**Court:** McKenzie County District Court  
**Judge:** Robin Schmidt  
**Attorney:** Matthew Sagsveen (OSE)  
James Wald (Land Board)  
**Opposing  
Counsel:** Dave Garner, Paul Forster, Shane Hanson, Kevin Chapman, Bruce Selinger,  
Peter Morowski, Lawrence Bender, Shane Hanson, Josh Swanson, Numerous  
pro se defendants

**CONSOLIDATED WITH**

**Case:** State of N.D. ex. rel. N.D. State Engineer v. Leland, et al. (27-2019-CV-00312)  
**Date Filed:** July 10, 2019  
**Court:** McKenzie County District Court  
**Judge:** Robin Schmidt  
**Attorney:** Matthew Sagsveen (OSE)  
**Opposing  
Counsel:** Kevin Chapman, Ari Johnson

**Issues:** Whiting filed an interpleader for the lands underlying a spacing unit located near the Montana border for which the Yellowstone River runs through. Whiting is requesting the Court determine the property interests for the spacing unit so that Whiting can correctly distribute the proceeds from the well located in the unit. There are islands contained within the river for which Whiting is unable to determine ownership.

The following issues were considered by the court in phase one of the trial: 1) Was the Yellowstone River navigable at statehood; 2) How did the West Bank form and who owns it; 3) How did the Melland/North Island form and who owns it; 4) How did the Walk/South Island form and who owns it; 5) Are the State's claims barred by laches?

**Current**

**Status:** The Court recently issued a decision containing the following conclusions of law: 1) The Yellowstone River segment contained in North Dakota's borders was navigable

at Statehood; 2) The Yellowstone River's OHWM as stipulated by the parties is adopted by the court; 3) the West Bank is owned by the State; 4) The North Island is not owned by the State; 5) The South Island is owned by the State; the State's claim is not barred by laches.

Phase 2 of the case has begun, and all motions for summary judgment are due on or before August 1, 2024. A bench trial is scheduled for December 17, 2024, if necessary. The trial will be limited to the issue of estoppel by deed and other unadjudicated disputes concerning the State's ownership of the West Bank and the South Island. In other words, the Defendants shall have an opportunity to argue the State has deeded away its interest(s) in these properties.

The parties have completed their summary judgment briefing. Oral arguments are scheduled for November 8 in Watford City.

**Case: North Dakota Office of the State Engineer and North Dakota Board of University and School Lands v. Bureau of Land Management**

**Date Filed:** April 25, 2016  
**Court:** North Dakota Federal District Court  
**Attorney:** Charles Carvell, Matthew Sagsveen, Dave Garner  
**Opposing Counsel:** Unknown


**Current Status:**

In 2014, the Bureau of Land Management resurveyed land along the Missouri River to locate the boundary between public domain land owned by the United States and the riverbed owned by the State of North Dakota. The boundary between riparian land and the riverbed is the ordinary high watermark. The Office of State Engineer and Board of University and School Lands appealed the decision of the Bureau of Land Management to officially file the Supplemental Plats of Survey posted and described in the Federal Register on July 8, 2014. The land is located in Fifth Principal Meridian, Township 154 North, Range 98 West. A Statement of Reasons was filed in June 2016.

We received an unfavorable opinion from IBLA on March 25, 2020. Land Board and State Engineer have appealed by filing Complaint in Federal District Court. As anticipated and agreed to by all parties, this case was put on an immediate stay because the legal issue to be resolved is already being litigated in another case before the court.

This case is on indefinite hold pending other litigation. Status reports are submitted regularly to the Court.

**TO:** Governor Doug Burgum  
Members of the State Water Commission

**FROM:** Andrea Travnicek, Ph.D., Secretary 

**SUBJECT:** SWPP – Supplementary Intake Contract 1-2A – Open Session

**DATE:** September 26, 2024

This memo includes the project history, summary of claim related expenses, projection of claim related expenses through September 2024, and overall cost spent to date on the Southwest Pipeline Project’s Supplementary Raw Water Intake project.

**Project History:**

The supplementary raw water intake project has been viewed as a need for 14 years. In February of 2010, the State Water Commission (SWC) approved Specific Authorization (SA) 166 which authorized Bartlett & West/AECOM to complete the design and develop bid ready documents for the construction of the intake. In the summer of 2013, bids were received for the project and a construction contract was executed with James .W. Fowler Company (JWF). Also in the summer of 2013, SA 190 was approved with BW/AECOM to provide construction engineering (inspection and management) services for the construction phase of the project.

Since the contractual agreement with JWF, there have been two failed micro-tunneling attempts as well as a failed Horizontal Directional Drilling (HDD) attempt over the past ten years. The HDD failure was in September of 2022. JWF submitted a differing site condition and constructability claim for the HDD attempt. Resolution of the claim through a mediation process is ongoing. Along with these failures have come multiple change orders to the construction contract and amendments to the SAs for the engineering services over the years, ultimately aimed at successful completion of the intake project.

After the failed HDD attempt, the Contractor, JWF, filed a claim against the state in 2022. In pursuit of claim resolution, the SWC has authorized the amounts shown in Table 1 for claim related expenses.



**Table 1: Commission authorization for claim related expenses**

Month	Amount Authorized
February of 2023	\$ 900,000
April of 2023	\$ 470,000
June of 2023	\$ 270,000
August of 2023	\$ 180,000
October of 2023	\$ 450,000
February of 2024	\$ 150,000
April of 2024	\$ 60,000
June of 2024	\$130,000
August of 2024	\$60,000
<b>Total</b>	<b>\$ 2,670,000</b>

**Claim Related Expenses:**

A summary and explanation of the estimated claim expenses through anticipated mediation were provided at the April 2023 meeting. The expenses through mediation were estimated at \$2.1 to \$2.5 million. A summary of expenses to date and estimated anticipated expenses through November 2024 are included in Table 2 and Table 3. With about \$2.51 million expended to date (Table 2) and with the projection of needing an additional \$0.20 million through November (Table 3), an additional authorization to bring the total to \$2.71 million is required.

**Table 2: Expenses paid or invoiced to date related to the claim**

Firm/Company	Claim Related Expenses included in August Memo	August through September Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 538,933.57	\$ 55,466.74
Bennett Trenchless Engineers, LLP	\$ 203,047.85	\$ 6,125.00
Dr. Richard Finno	\$ 100,184.38	
Woods Aitken LLP	\$ 23,879.51	\$ 9,564.60
Braun Intertec (Geotechnical Program)	\$ 730,565.07	
BW/AECOM	\$ 659,509.12	\$ 69,357.98
Dakota Appraisal Ltd	\$ 17,500.00	
Spectrum Forensics, LLC	\$ 75,000.00	
Stress Engineering	\$ 22,077.40	
	<b>\$ 2,370,696.90</b>	<b>\$ 141,000</b>
<b>Total paid to date (rounded to nearest \$1,000)</b>		<b>\$ 2,512,000</b>

Table 3: Additional estimated expenses through November of 2024

**Additional estimated expenses through end of November**

Firm/Company	Projected Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 150,000
Bennet Trenchess Engineers	\$ 10,000
Dr.Finno	\$ -
Woods Aitken LLP	\$ 10,000
Braun Intertec	\$ -
BW/AECOM	\$ 25,000
Spectrum Forensincs	\$ -
Estimated additional expenses through November of 2024	<b>\$ 195,000</b>

Expenses Invoiced/paid	\$	2,512,000.00
Total estimated through November of 2024	\$	2,707,000.00
Prior Authorization	\$	2,670,000.00
<b>Additional authorization requested</b>	<b>\$</b>	<b>40,000.00</b>

**Project Cost Summary:**

Table 4 below is the accounting summary of the construction contract with JWF. Table 5 summarizes the payment summary to JWF and Table 6 summarizes all costs to date including engineering and mediation expenses on the intake contract.

**Table 4: SWPP Contract 1-2A Construction Contract Costs Summary**

Change Order Number	Date	Amount	Description
1	12/8/14	\$ -	JWF allowed to use SWPP's Reverse Osmosis Concentrate line for dewatering
2	4/23/14	\$ -	Accepted the use of larger reinforced concrete pipe with 73.5" outside diameter
3	2/10/15	\$ 3,500,000.00	Settlement for Differing Site Condition (DSC) claim during caisson construction
4	5/21/15	\$ (6,022.00)	Elimination of shaft ladder
5	7/27/15	\$ 29,557.00	Increase in screen size to match the larger intake pipe
6R	7/18/17	\$ -	Acceptance of revised microtunneling alignment and other details
7	1/25/18	\$ -	Negotiation of reduced liquidated damages and extension of the contract completion date to December 31, 2018
8	4/2/21	\$ -	Acceptance of Horizontal Directional Drilling plan, renegotiation of the Liquidated damages, extension of contract completion date to February 28, 2023
9	3/25/22	\$ 9,068,203.00	Mediated settlement agreement for JWF to stay and complete the project, release of claim for engineering expenses, release of JWF's claim of DSC and defective plans and specifications

Total	\$	12,591,738.00
Total Change Order Costs	\$	12,591,738.00
Bid Cost	\$	12,994,000.00
Total Contract Amount	\$	<b>25,585,738.00</b>
Contract Payment to JWF	\$	(21,530,019.00)
Contract Amount Remaining	\$	4,055,719.00

**Table 5: SWPP Contract 1-2A Construction Payments to JWF**

Payment Number	Date	Payment Amount		
1	22-Apr-14	\$ 809,370.00		
2	02-Jul-14	\$ 163,075.00		
3	05-Aug-14	\$ 297,261.00		
4	13-Aug-14	\$ 1,429,047.00		
5	19-Sep-14	\$ 664,136.00		
6	22-Oct-14	\$ 611,364.00		
7	20-Nov-14	\$ 624,025.00		
8	30-Dec-14	\$ 336,078.00		
9	14-Jan-15	\$ 376,016.86		
10	12-Feb-15	\$ 2,830,548.54		
11	13-Mar-15	\$ 1,078,280.55		
12	09-Apr-15	\$ 541,364.63		
13	12-May-15	\$ 91,588.20		
14	10-Jun-15	\$ 160,741.64		
15	15-Jul-15	\$ 181,286.71		
16	14-Aug-15	\$ 935,621.82		
17	21-Sep-15	\$ 455,932.50		
			\$11,585,737.45	*
18	10-May-22	\$ 5,111,262.17		
19	08-Jun-22	\$ 1,450,700.63		
20	22-Jun-22	\$ 1,223,157.02		
21	18-Jul-22	\$ 869,914.22		
22	11-Aug-22	\$ 801,762.97		
23	09-Sep-22	\$ 487,484.41		
			\$ 9,944,281.42	**
<b>Total</b>		<b>\$ 21,530,018.87</b>		

\*Total Payments prior to First Microtunneling failure

\*\*Total Payments prior to HDD Failure

**Table 6: SWPP Contract 1-2A Total Costs Summary**

<b>Description</b>	<b>Dates of Expenditure</b>	<b>Amount Spent to Date</b>
Design and bid ready documents (BW/AECOM)	2011 to 2013	\$1,014,000
Construction Engineering (BW/AECOM)	2013 to present	\$2,622,000
Construction Contract (JWF)	2013 to present	\$21,530,000
HDD Claim related expenses (Multiple vendors)	November of 2022 to present	\$2,512,000
<b>Total</b>		<b>\$27,677,000</b>

I recommend authorizing additional \$40,000 for the total authorized to date amount of \$2.71 million towards claim related expenses for the SWPP Contract 1-2A.

AT/JF:1736-99