

State Water Commission Meeting
Grand Pacific Room, Bismarck Hotel & Conference Center
800 South 3rd Street Bismarck, ND
Friday, December 13, 2024 – 9:00 AM CT

Microsoft Teams meeting

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Phone Conference ID: 629 538 375#

AGENDA

- 9:00 – 9:01 A. Roll Call/Pledge of Allegiance
- 9:01 – 9:02 B. **Consideration of Agenda**
- 9:02 – 9:04 C. Disclosure of Potential Conflicts of Interest (**Matt Sagsveen**)(**no attachment**)
- 9:04 – 9:07 D. Consideration of Minutes
1. **Draft Minutes for the October 10, 2024, SWC Meeting**
 2. **Draft Minutes for the November 14, 2024, Pre-Commission Meeting**
- 9:07 – 9:10 E. SWC Secretary Update (**no attachment**)
- 9:10 – 9:15 F. Financials (**Chris Kadrmas**)
- 9:15 – 9:20 G. **Water Development Plan/Dashboard & Funding Recommendations** (**Cory Drevekcky**)
- 9:20 – 9:35 H. Southwest Pipeline Project (SWPP) (**Justin Froseth**)
1. **Southwest Water Treatment Plant Expansion**
 2. **Request for Reimbursement from REM Funds**
 3. **2025 Capital Repayment Rate, REM Rate, and SWA Budget**
- 9:35 – 9:50 I. Northwest Area Water Supply (NAWS) (**Travis Johnson**)
1. **Water Rate 2025**
 2. **Reimbursement from REM Fund for Pipe Repair**
 3. **Proposed Legislative Changes**

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 Travnicsek recommends approval of the following items:

- 9:50 – 9:55 J. General Water (**Abigail Franklund**)
1. **DWR** **Groundwater Flow Models for Water Availability** **\$631,032** **O**
- K. Water Supply (Municipal/Regional) (**Julie Prescott**)
1. **City of Mandan** **2025 Street Rehabilitation** **\$232,658** **PC**
 2. **City of Valley City** **Northwest Standpipe** **\$210,000** **PC**
 3. **City of West Fargo** **Westwood Addition Water Main Replacement** **\$110,001** **PC**
- L. Water Supply (Rural) (**Julie Prescott**)
1. **McLean Sheridan RWD** **System Improvements Phase 2** **\$226,360** **CI**
 2. **Walsh County RWD** **Interconnect with Northeast RWD** **\$250,536** **CI**

AGENDA

9:55 – 10:00	M. General Water (Abigail Franklund)				
	1. Bottineau County WRD	South Landa Drain Loan	\$1,700,000	O	
10:00 – 10:10	N. Water Supply (Municipal/Regional) (Julie Prescott)				
	1. City of Mandan	Memorial Highway Water Main	\$2,613,245	C	
	2. GDCD	Eastern ND Alternative Water Supply Loan	\$1,500,000	O	
10:10 – 10:30	O. Water Supply (Rural) (Julie Prescott)				
	1. East Central RWD	Hillsboro Aquifer Pump Test	\$0	PC	
	2. East Central RWD	Hillsboro Area Supply, Transmission, & Distribution	\$1,057,500	PC	
	3. East Central RWD	Hillsboro Water Treatment Plant	\$1,012,500	PC	
	4. Turtle Mountain PUC	Highway 3 Corridor Improvements	\$3,112,801	C	
	5. South Central Rural Water	UofM Water Storage Reservoir Scope Change	\$0	O	
10:30 – 10:55 (5 min each)	P. Project Updates (Presentations if time allows)				
	1. Devils Lake (Yaping Chi)				
	2. Mouse River (Laura Ackerman)				
	3. Missouri River (Clay Carufel)				
	4. NAWS (Travis Johnson)				
	5. SWPP (Justin Froseth)				
10:55 – 11:00	Q. Legal Updates (Presentation if time allows) (Matt Sagsveen)				
11:00 – 11:10	R. SWPP – Intake, Contract 1-2A Summary (Justin Froseth)				
11:10 – 11:30	S. Executive Session—NDCC 44-04-19.1(9) for Attorney Consultation (Matt Sagsveen)				
	1. SWPP – Intake, Contract 1-2A				
	T. 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 October 10, 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 October 10, 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 (online)
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 (online)
Jay Volk, Lower Missouri River Basin
April Walker, Upper Red River Basin
Jason Zimmerman, Mouse River Basin

State Water Commission Members Absent:

Gene Veeder, Upper Missouri 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 83 people present online and in person.

Consideration of Agenda

Commissioner Anderson moved to approve the October 10, 2024, meeting agenda as presented. The motion was seconded by Commissioner Volk and passed by unanimous vote.

Consideration of Meeting Minutes

Commissioner Frith moved to approve the August 8, 2024, State Water Commission meeting minutes as written. The motion was seconded by Commissioner Zimmerman and passed by unanimous vote.

Commissioner Volk moved to approve the September 12, 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. Commissioner Zimmerman disclosed a conflict of interest with the Ward County Water Resource District.

Commission Secretary Update

Andrea Travnicek, Ph.D., Secretary, reported the agency is having ongoing discussions on the budget with the Governor's office and Office of Management and Budget (OMB), and will continue to answer questions as they come up. DWR will stay engaged with them until the budget rolls out in December. Lt. Governor Miller and Travnicek congratulated Sindhuja S.Pillai-Grinolds for receiving the Governor's Harvest Award and presented S.Pillai-Grinolds a plaque.

Financial Report

The Glossary of Terms, allocated program expenditures, and financial reports were presented by Sarah Felchle, DWR Account/Budget Specialist (**APPENDIX A**).

The oil extraction tax deposits total \$296,209,129 estimated through September 2024 for the 2023-25 biennium, which is \$22,334,692 over the projected biennium revenue of \$273,874,437 through September 2024. Transfers in the amount of \$22,334,692 from the Resources Trust Fund to the Water Projects Stabilization Fund have occurred through September 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.

Cost-Share Policy & WebGrants Certification

Pat Fridgen, Division Director of Planning and Education, presented options to include modifications to WebGrants Certifications, and updates within the Commission's Cost-Share Policy, Procedure, and General Requirements—including new SOPs.
(APPENDIX B)

WebGrants Certification Language

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

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 along with a copy of the draft meeting minutes of the sponsoring entity verifying the sponsor's intention to apply. Applicants that have already received Cost-Share Program funding for the project in question 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 must be reimbursed back to the state within 60 days.

Standard Operating Procedures (SOP) Program Violations

New language is being proposed to be added to the SOP section of the policy for program violations, to include: If the project sponsors or their representative consultants have engaged in a perceived professional ethics violation, DWR 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, and if project sponsors or their representative consultants have engaged in a perceived criminal act, the Commission in consultation with legal counsel will determine if the facts of the incident should be referred to the State's Attorney for review and if necessary, file a complaint.

After a brief discussion, the following motion was made:

Moved by Commissioner Walker and seconded by Commissioner Anderson the Commission approve the proposed WebGrants Certification language; Cost-Share Policy, Procedure, and General Requirements language; and the Standard Operating Procedures as provided in the memorandum presented to the Commission.

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

Four-Year Progress Reports

Abigail Franklund, DWR Cost-Share Program Manager, reported to the Commission the following four (4) project sponsors have opted to give progress reports and have requested an extension:

McHenry Laterals A and B

The cost-share for the project was approved on October 8, 2020, in the amount of \$362,492. The remaining cost-share balance is \$125,347.75. The Bottineau County Water Resource District 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

The 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 \$32,902, for a sum of \$77,905. The remaining cost-share balance is \$31,327.44. The Red River Joint Water Resource District request 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.

Shortfoot Creek Watershed Planning Program

The cost-share for the project was approved on July 7, 2016, in the amount of \$154,000. A first extension was approved by the Commission on February 11, 2021. The remaining balance is \$6,209.06. Because the existing agreement's four-year term will expire on

February 11, 2025, the Sargent County Water Resource District 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

The cost-share for the project was approved on February 11, 2021, in the amount of \$75,000. The remaining 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 the final design.

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

Moved by Commission Zimmerman and seconded by Commissioner Anderson the Commission to extend the terms of cost-share agreements for the requested timeframes, based on the project sponsors making progress toward completion of their projects in 2024-2025.

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

Southwest Pipeline Project (SWPP)

Historical Cost and Capital Repayment Information

Justin Froseth, SWPP Project Manager, presented the overview memo that laid out the history of the SWPP noting SWPP remains a critical regional water supply project to the southwest region of the state. It was noted 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. Travnicsek 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

Froseth stated the feasibility criteria for SWPP includes two parameters: sign up percentage and the maximum cost per ESU. Construction inflation has been significantly outpacing general inflation. At the February 2024 SWC meeting, the Commission approved increasing the maximum cost/ESU to \$75,980 based on Southwest Water Authority’s (SWA) request calculated using the December 2023 Consumer Price Index. At the February commission meeting it was noted the DWR staff would determine the appropriate capital repayment adjustment for the increase in maximum cost/ESU, along with the SWA board and staff, and the SWA Feasibility Criteria Subcommittee.

Motions that were made and approved at the September 2024 SWA Board meeting was recommended for approval by DWR staff. There were no questions and the SWC moved to also approve the following:

Moved by Commission Walker and seconded by Commissioner Volk the Commission:

- 1. Increase 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 percent of the maximum cost/ESU with zero percent interest and 40 years repayment.**
- 2. Approve \$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. Approve 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.**

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

Feasibility Criteria-Exclusions

Froseth discussed the exclusions in the SWPP's Feasibility Criteria. He stated the guideline states that transmission and storage facilities will not be included in the determination of cost for a single ESU. Facilities built to serve towns were considered transmission facilities and based on the specific reference to storage facilities and booster pump stations in the guidelines, the storage and booster pump stations located within rural distribution have been considered exclusions and have not been included in the maximum cost/ESU calculation. DWR staff feels transmission facilities need a definition at this time as questions have arisen if the pipeline that is needed to serve signups around Lake Tschida could be an exclusion. DWR staff determined defining transmission facilities as facilities upstream of a reservoir or town is appropriate.

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

Moved by Commission Frith and seconded by Commissioner Walker the Commission define pipelines that are upstream of a reservoir as a Transmission facility and consider them as an exclusion to the maximum cost/ESU determination.

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

West Zone Expansion

Froseth stated the West Zone of the SWPP is described as the area of SWPP that is served by the main transmission line that leaves the Ray Christianson Pump Station (RCPS) and heads west, generally along Old Highway 10 corridor, to the city of Beach. At the August SWC meeting, Commission had authorized BW/AECOM to proceed with preliminary designs.

Based on preliminary design information, DWR staff recommended completing bid ready documents for Design 3, the design with nominal pipe size above identified needs with over 25 percent additional capacity, because of the following reasons:

1. Staff acknowledged 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 and 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.

After a brief discussion, the following motion was made:

Moved by Commission Goehring and seconded by Commissioner Frith the Commission proceed with developing bid ready documents for the West Zone Expansion based on Design 3, the design with the next nominal pipe size above identified needs with 25 percent additional capacity design.

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

Amendment to Water Supply Agreement with Basin Electric Power Cooperative

Froseth stated the existing intake for the SWPP is a shared intake with the Basin Electric Power Cooperative (BEPC). A 1986 water supply agreement between the State and BEPC provides for 10,600 gallons per minute (gpm) capacity from the BEPC's intake to the SWPP. DWR staff requested additional capacity for the SWPP from the BEPC intake and have reached an agreement on the commercial terms for BEPC to provide an additional 3,000 gpm capacity to SWPP. This 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 intake building with a 600 HP pump.

This increased capacity from BEPC will allow SWPP to realize the additional capacity within 2 – 3 years while SWC continues 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.

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

Moved by Commission Zimmerman and seconded by Commissioner Walker the Commission authorize the Secretary to execute the amendment to the 1986 water supply agreement between the State Water Commission and Basin Electric Power Cooperative and to proceed with developing bid ready documents for construction.

Commissioners Anderson, Frith, Ova, 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 SA 98 – Pressure Reducing Station and Isolation Vault Improvements

Travis Johnson, NAWS Project Manager, stated the SA 98 Pressure Reducing Vault and Isolation Vault Improvements project consists 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. Two (2) bids were received, from Main Electric, Inc. and Burlington Electric. At 12 percent below the Engineer's Estimate, the bid from Burlington Electric was the low bid in the amount of \$555,990.

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 projects is \$380,000 which is 65 percent of the total bid cost for the contract with five (5) percent contingency. There were no questions, and the following motion was made:

Moved by Commissioner Frith and seconded by Commissioner Zimmerman the Commission award the NAWS SA 98 Pressure Reducing Vault and Isolation Vault Improvements project to Burlington Election pending legal review of the bid documents, and; the SWC allocate \$380,000 in Capital Assets funding for this project from the 2023-2025 allocation to the NAWS project.

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

Contract SA 97 – Pressurization of Main Transmission Line

Johnson stated after reviewing the bid that was received for Contract SA 97, it was rejected due to excessive cost and lack of competitive bids. 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.

NAWS Water Rate 2025

Johnson stated 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 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 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. 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.

Consent Agenda

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

General Water

Maple River WRD	Maple River Low Head Dam (Dam 227)	\$178,875
Southeast Cass WRD	Wild Rice River Low Head Dam	\$209,625
McLean County WRD	Katz Dam Improvement Construction	\$136,466

Water Supply (Municipal/Regional)

City of Jamestown	2025 Water Main Replacement	\$168,000
City of Colfax	Supply Treated Water Transmission Line	\$368,813

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

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

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

State Cost-Share Requests

General Water

Franklund presented the following request for general water projects.

**Ward County WRD: Ward County Low Head Dams Construction \$1,102,814
(SWC Project No. 1313)**

The Water County WRD 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 (4) dams are on the Mouse River and are listed on DWR's Low-Head Dam Prioritization Inventory.

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

Moved by Commissioner Odermann and seconded by Commissioner Anderson the Commission approve the request from 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.

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

Water Supply (Municipal/Regional)

Julie Prescott, DWR Engineer Manager, presented the following municipal/regional water supply projects.

**City of Minot: University Avenue Water Main Replacement \$1,827,757
(SWC Project No. 2050MIN)**

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, 9th Street NW, 10th Street NW, 11th Street NW, and 10th 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.

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 Zimmerman and seconded by Commissioner Volk the Commission approve the 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 percent of eligible costs, with the total cost-share not to exceed \$1,936,237. This approval is contingent on available funding.

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

City of Minot: Westfield Water Main Replacement **\$2,341,417**
(SWC Project No. 2050MIN)

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 main along 18th Street SW, 22nd Street SW, 25th Street SW, 1st 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.

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 Frith and seconded by Commissioner Volk the Commission approve the request from the City of Minot for state cost-share participation in the Westfield Water Main Replacement project 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.

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

Water Supply (Rural)

Prescott presented the following rural water supply project.

Southeast Water Users District: West WTP Improvements **\$2,442,987**
(SWC Project No. 2050SOU)

Southeast Water Users District is requesting cost-share for their West Water Treatment Plant Improvement project. The project will include the construction of three (3) new wells in the existing wellfield and a 500,000-gallon ground storage reservoir at the water treatment plant.

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

Moved by Commissioner Zimmerman and seconded by Commissioner Frith the Commission approve the request from the Southeast Water Users District for state cost-share participation in the West Water Treatment Plant Improvement project in the amount of \$2,442,987, or 75 percent of eligible costs, with total cost-share not to exceed \$3,520,257. This approval is contingent on available funding.

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

Project Updates

DWR staff provided updates on the following projects:

- Devils Lake: Yaping Chi, Water Resources Engineer
- Mouse River: Laura Ackerman, Water Resource Engineer
- Missouri River: Clay Carufel, Missouri River Engineer
- NAWS: Travis Johnson, NAWS Project Manager
- 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

Froseth 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 \$40,000 towards mediation expenses was also presented. There were no questions, and the following motion was made:

Moved by Commissioner Frith and seconded by Commissioner Walker the Commission approve an additional \$40,000 for the total authorized to date amount to \$2.71 million towards claim related expenses for the SWPP Contract 1-2A.

Commissioners Anderson, Frith, Volk, Walker, Zimmerman, 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

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

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
Anine Merkens, Attorney General's Office
Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director
Justin Froseth, Southwest Pipeline Project Manager
Sarah Felchle, DWR Account/Budget Specialist
Abby Ebach, DWR Director of Public Policy
Kelli Schroeder, DWR Program Manager
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)
Elise Radaj, Fabyanske, Westra, Hart & Thomson, P.A. (online)

Moved by Commissioner Anderson and seconded by Commissioner Frith that under the provision of NDCC § 44-04-19.1(9), the Commission proceed into Executive Session on October 10, 2024, at 3:27 PM for the purpose of attorney consultation relating to the Southwest Pipeline Project/Fowler Intake—Contract 1-2A.

Commissioners Anderson, Frith, Odermann, 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 4:33 PM.

Executive Session

Under Authority of NDCC § 44-04-19.1(2) and 44-04-19.1(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) 44-04-19.1(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
Michael Anderson, Lower Red River Basin
Jeff Frith, Devils Lake Basin
James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins
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
Anine Merkens, Attorney General's Office
Pat Fridgen, DWR Planning & Education Division Director
Duane Pool, Resource Economist
Abigail Franklund, DWR Cost-Share Program Manager
Kelli Schroeder, DWR Program Manager
Shana Brost, Administrative Officer
Ben Gehrig, DWR Data & Technology Services
John Reiten, Policy Advisor, Governor's Office

Moved by Commissioner Volk and seconded by Commissioner Anderson that under the provision of NDCC § 44-04-19.1(2) and 44-04-19.1(5), the Commission proceed into Executive Session on October 10, 2024, at 4:36 PM for the purpose of attorney consultation relating to the Cost-Share Program—Violations.

Commissioners Anderson, Frith, Odermann, 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 4:43 PM.

There being no further business to come before the Commission, Lt. Governor Miller adjourned the October 10, 2024, meeting at 4:44 PM. The next State Water Commission meeting will be held on December 13, 2024, at 9:00 AM CT at the Bismarck Hotel and Conference Center, Grand Pacific Room, 800 S 3rd Street, 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

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. ¹ ALLOCATION	RENEWABLE ¹ ALLOCATION	RESOURCES TRUST FUND ALLOCATION	REVENUE	CUMULATIVE	TRANSFERS TO ¹ ENERGY CONS.	TRANSFERS TO ¹ RENEWABLE	RESOURCES TRUST FUND NET DEPOSIT	TRANSFERS TO ² 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						
TOTALS	\$449,859,211	\$1,200,000	\$3,000,000	\$445,659,211	\$296,209,129		\$1,200,000	\$3,000,000	\$292,009,129	\$22,334,692

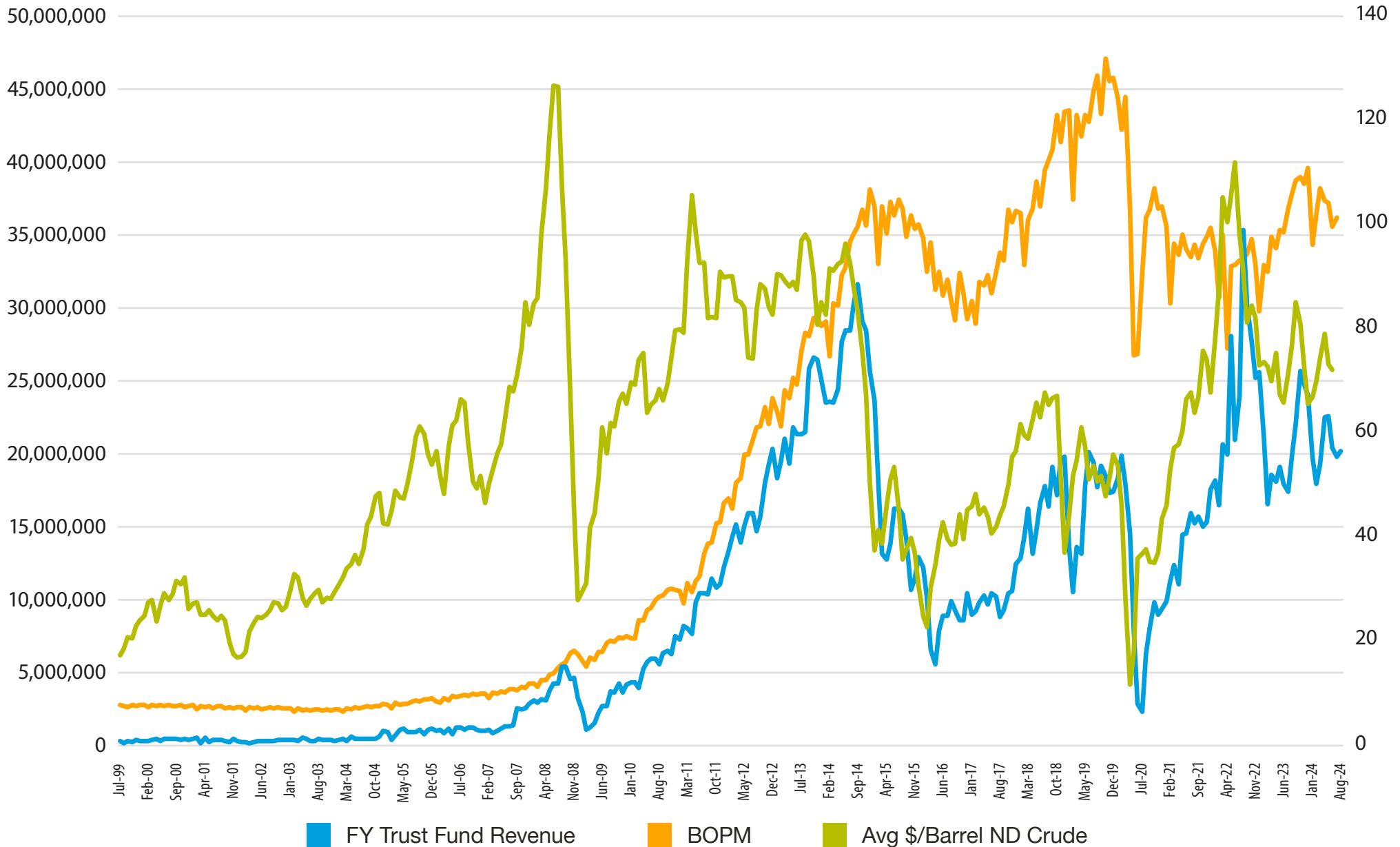
¹ Transfers to the renewable energy development fund and the energy conservation grant fund are established in North Dakota Century Code Section 57-51.1-07.

² 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

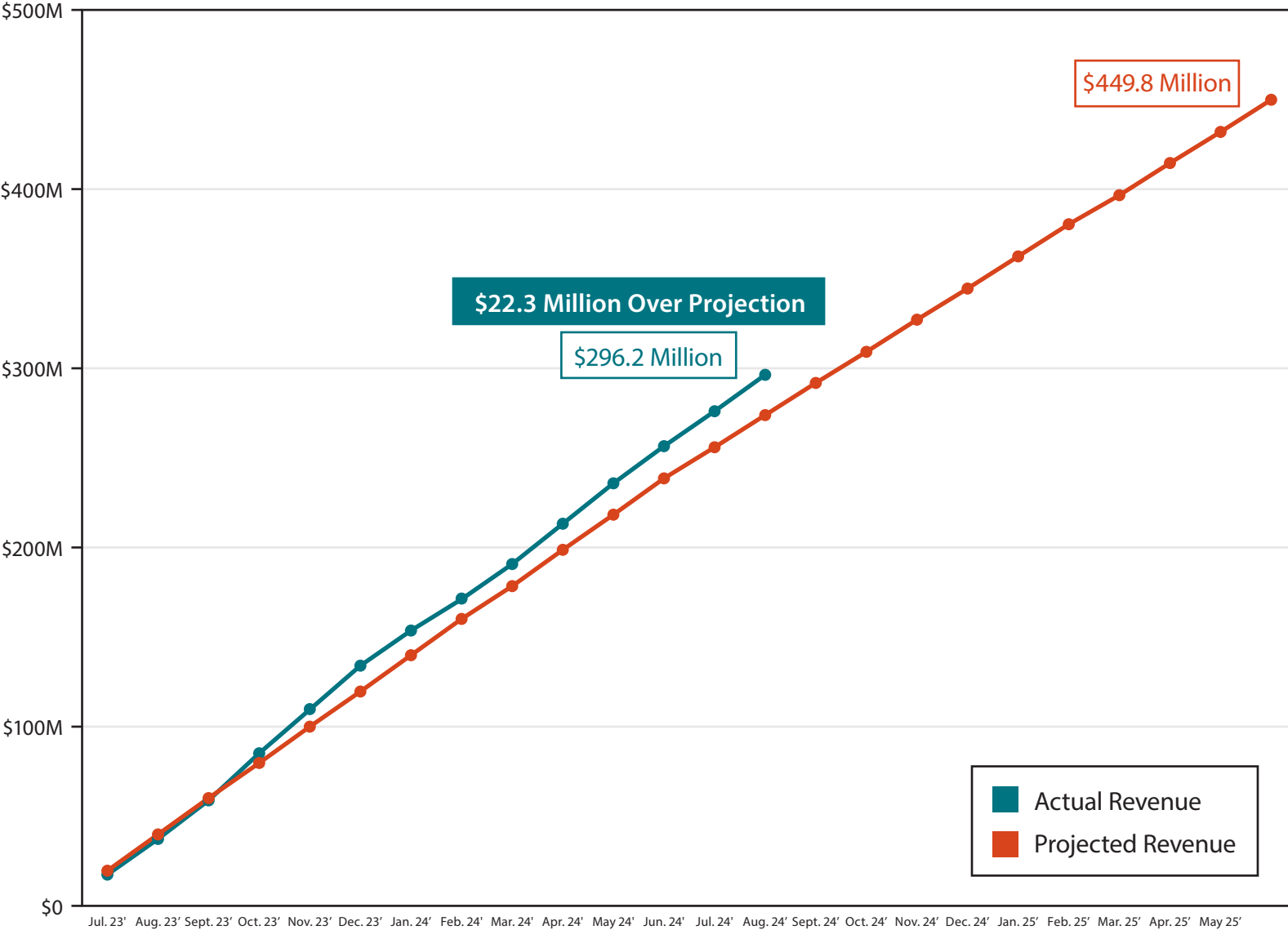
JULY 2004-AUGUST 2024

NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE

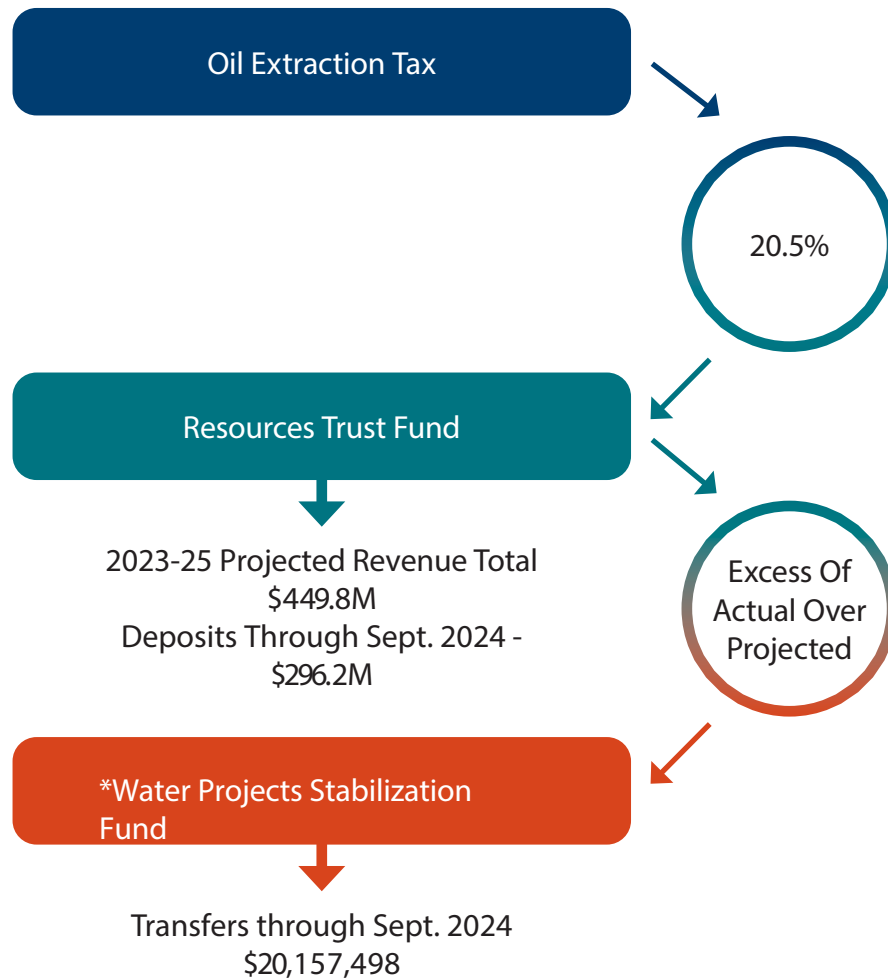


RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | September 2024



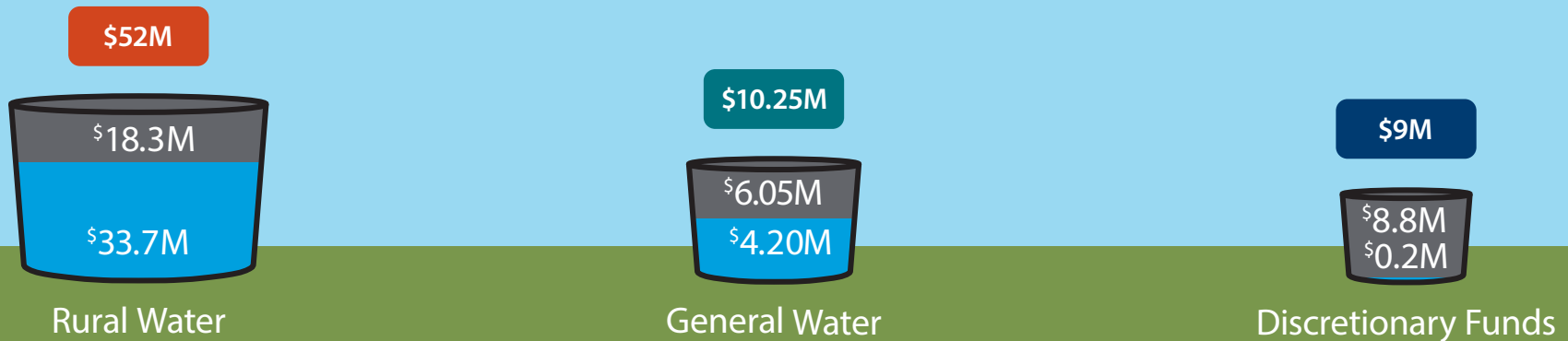
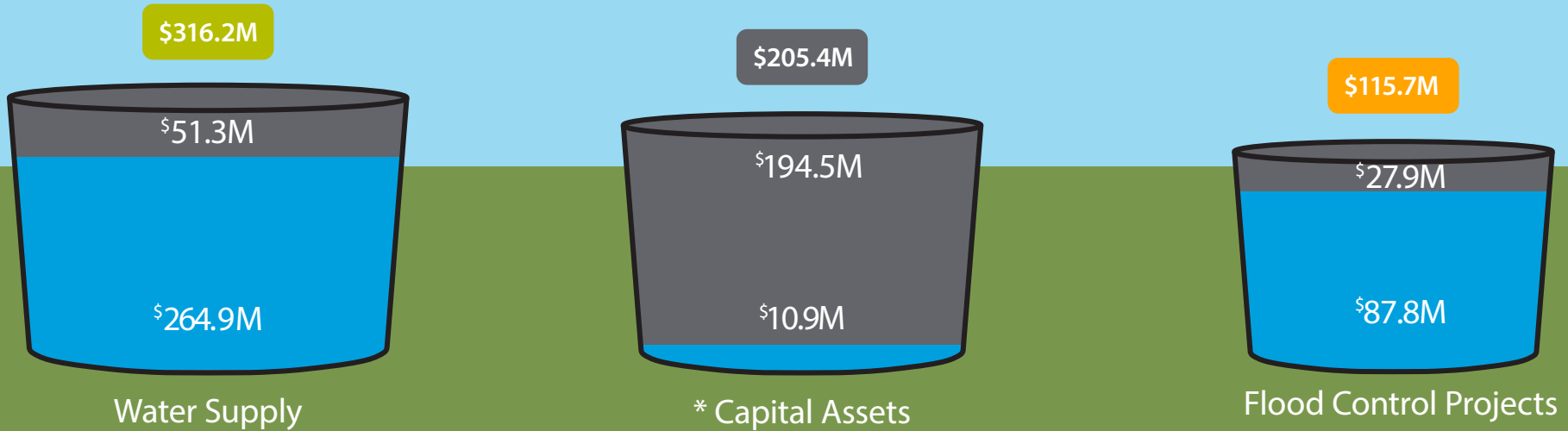
RESOURCES TRUST FUND REVENUE



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

2023-25 PURPOSE FUNDING

JULY 2023-SEPTEMBER 2024



APPROVED

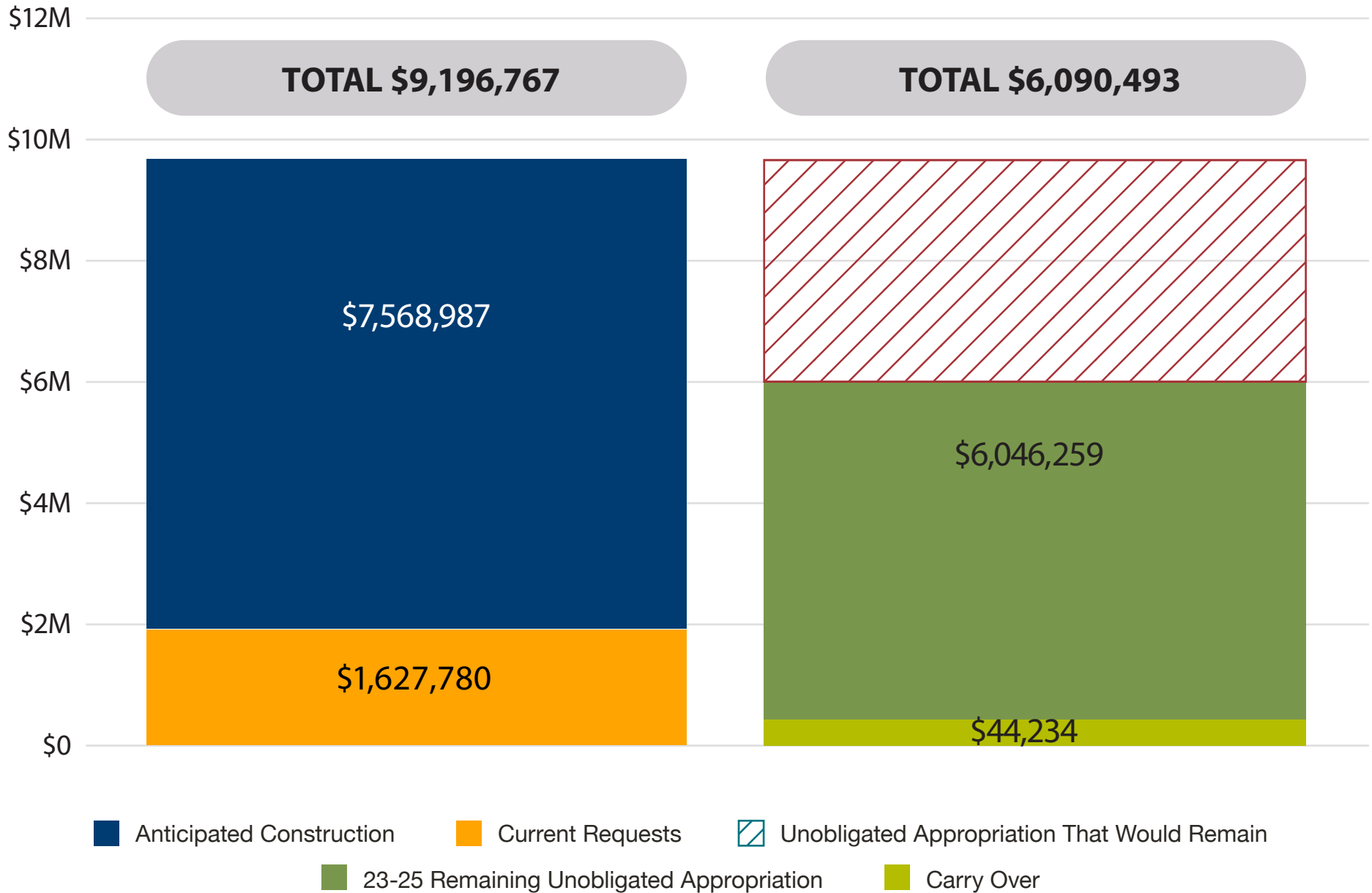
UNOBLIGATED

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

2023-25 PURPOSE FUNDING

JULY 2023-SEPTEMBER 2024

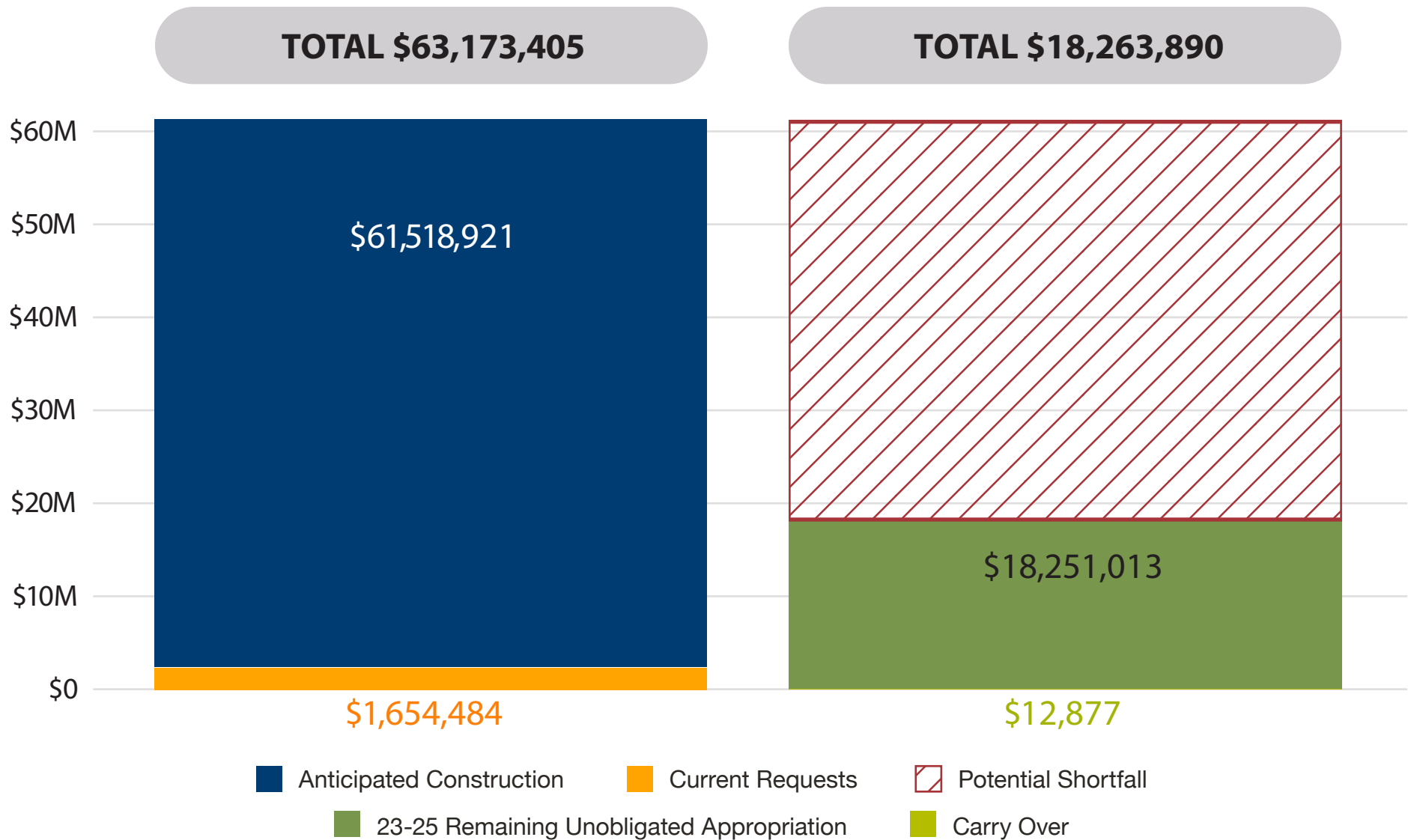
GENERAL WATER



2023-25 PURPOSE FUNDING

JULY 2023-SEPTEMBER 2024

RURAL WATER



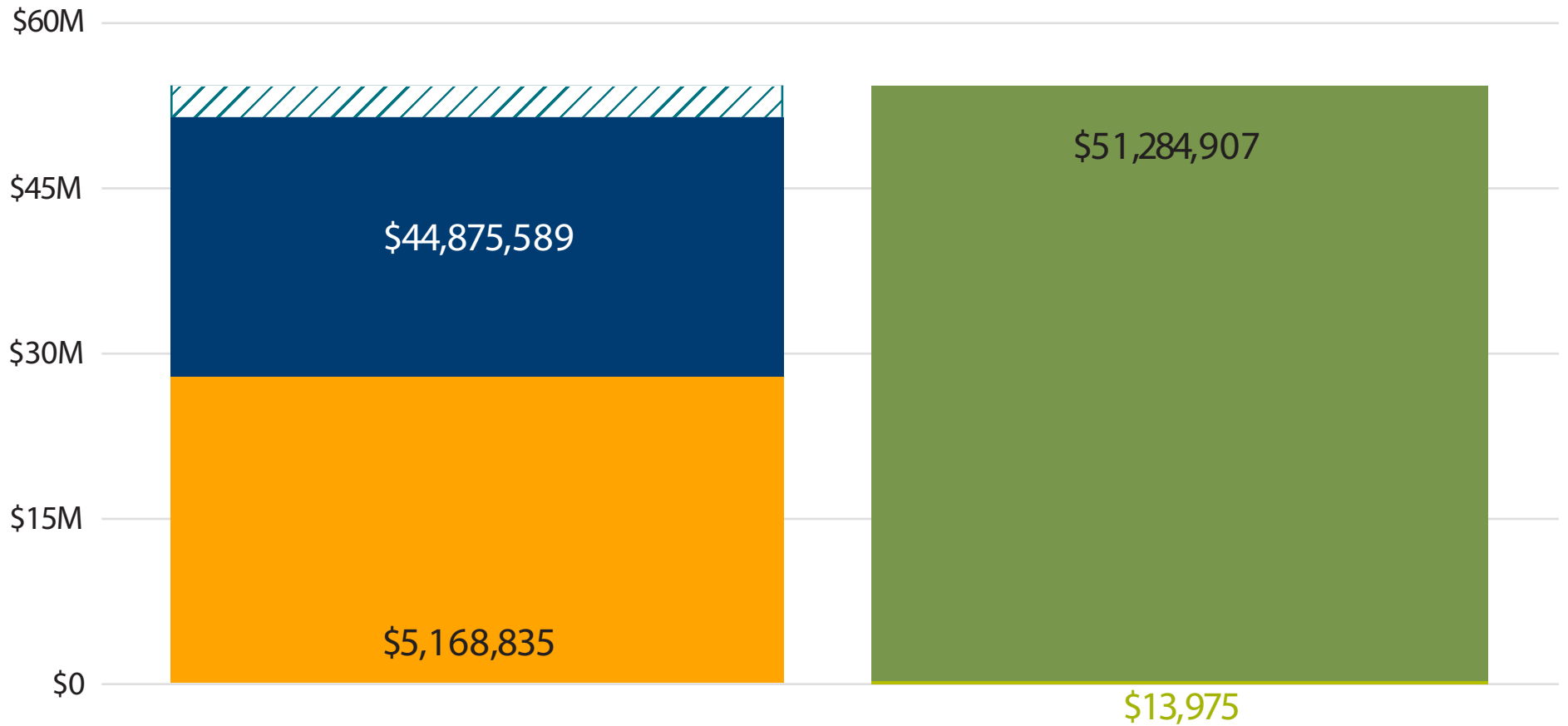
2023-25 PURPOSE FUNDING

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**

2023-2025 Unobligated Appropriation 09-30-24	Carryover Turnback 06-30-23
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Flood Control		Unobligated Appropriation	\$ 27,949,081	\$ 1,727,345
		Cost-Share		
1				
		Current Requests	\$ -	\$ -
		Estimated Unobligated Appropriation =	\$ 27,949,081	\$ 1,727,345

General Water		Unobligated Appropriation	\$ 6,046,259	\$ 44,234
		Cost-Share		
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	
		Current Requests	\$ 1,627,780	\$ -
		Estimated Unobligated Appropriation =	\$ 4,418,479	\$ 44,234

Water Supply		Unobligated Appropriation	\$ 51,284,907	\$ 13,975
		Cost-Share		
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	
		Current Requests	\$ 5,168,835	\$ -
		Estimated Unobligated Appropriation =	\$ 46,116,072	\$ 13,975

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

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

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

2023-2025 Unobligated Appropriation 09-30-24	Carryover Turnback 06-30-23
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Capital Assets		Unobligated Appropriation	\$ 260,200,000	\$ 4,171,797
SWPP		Cost-Share		
1				
2				
		Current Requests	\$ -	
NAWS				
1				
2				
		Current Requests	\$ -	
		Capital Assets Current Requests	\$ -	
		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
Current Requests	\$ 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
MUNICIPAL & REGIONAL WATER SUPPLY:					
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%			
RURAL WATER SUPPLY:					
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			
FLOOD CONTROL:					
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			
GENERAL WATER:					
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			
SUBTOTAL	289,368,732	494,150,000	783,518,732	678,189,040	105,329,692
CAPITAL ASSETS:					
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%			
DISCRETIONARY FUNDING:					
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%			
BASINWIDE PLAN IMPLEMENTATION:					
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%			
STATE FISCAL RECOVERY FUND:					
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%			
TOTAL	367,000,000	774,250,000	1,141,250,001	759,273,210	381,976,790

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

Sep-24

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
MUNICIPAL & REGIONAL WATER SUPPLY:			
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
TOTAL	383,492,687	90,964,694	292,527,993
RURAL WATER SUPPLY:			
RURAL WATER SUPPLY	89,060,771	38,557,561	50,503,210
FLOOD CONTROL:			
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
TOTAL	189,845,230	37,048,699	152,796,531
GENERAL WATER:			
GENERAL WATER	15,790,352	3,627,871	12,162,481
SUBTOTAL	678,189,040	170,198,826	507,990,214
CAPITAL ASSETS:			
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
TOTAL	67,010,363	15,639,364	51,370,999
DISCRETIONARY FUNDING:			
DISCRETIONARY FUNDING PROJECTS	2,327,703	55,300	2,272,403
BASINWIDE PLAN IMPLEMENTATION:			
BASINWIDE PLAN IMPLEMENTATION	773,787	223,710	550,077
STATE FISCAL RECOVERY FUNDS SB2345			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	7,049,196	3,923,121
TOTALS	759,273,210	193,166,396	566,106,814

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

MINUTES**North Dakota State Water Commission
Pre-Commission Meeting
November 14, 2024**

The North Dakota State Water Commission (Commission or SWC) held a Pre-Commission meeting via Teams and in-person on November 14, 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
 Gene Veeder, Upper Missouri River Basin (online)
 Jay Volk, Lower Missouri River Basin (online)
 April Walker, Upper Red River Basin (online)

COMMITTEE MEMBERS ABSENT:

Connie Ova, James River Basin
 Jason Zimmerman, Mouse River Basin

OTHERS PRESENT:

Pat Fridgen, DWR Planning and Education Division Director, Acting Commission Secretary
 DWR staff
 Approximately 49 members of the public present online.

Commission Secretary Update

Pat Fridgen, DWR Planning and Education Division Director, Acting Commission Secretary, reported the agency has been working with OMB and the Governor's office answering budget questions, the Devils Lake Outlets have ceased operations with a total discharge of 113,000-acre feet, bills for the next legislative session are being worked on, and the old State Office Building has been demolished.

**Southwest Pipeline Project (SWPP)
Southwest Water Treatment Plant Expansion**

Justin Froseth, SWPP Project Manager, stated bids would be accepted until November 19, 2024, at 1:30 PM CDT for the Southwest Water Treatment Plant Expansion project. The project consists of the construction of a 140-ft by 210-ft reinforced concrete and precast concrete building and the installation of pumping, piping, dewatering equipment, mechanical, electrical and instrumentation systems as required by the contract documents and general requirements. A recommendation to award the bid will be brought to the December SWC meeting.

Request for Reimbursement from Replacement and Extraordinary Maintenance (REM) Funds

Froseth presented a request from the Southwest Water Authority (SWA) for reimbursement from the REM fund for five (5) items of work to include: Residual Handling Facility filter press clothes, Reverse Osmosis Membranes at the Oliver Mercer North Dunn water treatment plant, GA style compressors replacement, the replacement of the Variable Frequency Driver for Pump 2 at the Beach booster, and the work on SWA Contract PP-2022-1, 2-3A Pipeline Replacement near Taylor. The total cost for all items requested for reimbursement is \$746,551.70. The current balance of the reserve fund for REM is \$26,709,295.51 as of September 30, 2024. This request will be brought for approval at the December SWC meeting.

2025 Capital Repayment, REM Rates, and Southwest Water Authority (SWA) Budget

Froseth stated SWA's budget proposes the 2025 Capital Repayment rate for contract customers increases from \$1.48/1,000 gallons to \$1.51/1,000 gallons, rural customers rate increases from \$45.02/month to \$46.16/month, and the rate for SWPP customers that tie into the Missouri West Water System increases from \$35.66/month to \$36.56/month. At the November SWA Board meeting, the REM water rate was increased 8.5%. DWR staff has consulted with SWA during the 2025 budgeting process and agree with the rate increases approved by the SWA Board. The rate adjustment is in accordance with the REM rate adjustments necessary to meet the REM guidance the Commission approved in August 2022 based on the sustainability analysis completed by DWR and SWA staff. The REM rate will need to be evaluated annually to determine if the proposed rate increase is on track to provide 100 percent of the extraordinary maintenance expenses and a portion of the replacement expenses for Capital Projects. The 2025 Capital Repayment rate and REM rate will be brought for approval at the December SWC meeting.

Northwest Area Water Supply (NAWS)

Water Rate 2025

Travis Johnson, NAWS Project Manager, stated the initial estimate of NAWS water rate for the City of Minot is increasing from \$0.61 per 1,000-gallons to \$0.68 per 1,000-gallons. NAWS water rate for contract customers is increasing from \$4.20 per 1,000 gallons to \$5.54 per 1,000-gallons. DWR staff will continue the 2025 interim water rate estimation, and the final interim NAWS water rate for 2025 will be presented for approval at the December SWC meeting.

Reimbursement from REM Fund for Pipe Repair

Johnson stated the 30-inch ductile iron raw water supply line feeding the water treatment plant in the City of Minot developed a leak that was immediately located and repaired. The repair cost was \$21,825.25. Repairs have also been conducted to address leaks on the 14-inch and 12-inch PVC pipelines north of Lansford and east of Mohall. Repair costs are currently being compiled. These projects are expected to be eligible for request for reimbursement from REM funds. A recommendation to approve reimbursement from NAWS REM funds will be presented at the December SWC meeting.

Proposed Legislative Changes

Johnson explained since the beginning of the NAWS Advisory Board, and now with the NAWS Authority, DWR has provided staffing and support. The North Dakota Century Code (NDCC) currently lacks language for the NAWS Authority to employ and fund staff to support the Authority and its operations. DWR presented several options for consideration that would enable the Authority to fund a staff. DWR also recommends adding a section into NDCC regarding easements across public lands and cleaning up language that would assure the North Prairie Regional Water District representative of the Authority is appointed in the same way as other regional water district representatives. A recommendation to approve proposed legislative changes will be brought to the December SWC meeting.

Water Development Plan and Dashboard

Cory Drevecky, Water Resource Planner, stated the Water Development Plan used to be a lengthy document but as with the last legislative session, will continue to be presented in electronic format via the Water Development Plan Dashboard. The dashboard will be updated as new information becomes available and an executive summary will be printed.

General Water Projects

Abigail Franklund, DWR Cost-Share Program Manager, presented the following general water projects that will be presented at the December Commission meeting:

- **Bottineau County Water Resource District: South Landa Drain - \$1,700,000**
The project sponsor requested a loan in the amount of \$1,700,000, with a 15-year repayment term, from the Water Infrastructure Revolving Loan Fund. Proceeds of the loan will be used for the local share of their South Landa Drain project, which will provide improved conveyance and reduce inundation to adjacent cropland and roadways. There were no questions, and the request will be on the regular agenda.
- **DWR: Groundwater Flow Models for Water Availability - \$631,032**
The project sponsor requested funding to hire a consultant to create transient MODFLOW groundwater flow models for the Elk Valley aquifer, Spiritwood-Warwick aquifer, and Wahpeton Buried Valley aquifer system to assist in the assessment of current level of appropriation, potential impacts from additional appropriation, and managed aquifer recharge as a tool to increase sustainability, provide opportunities for additional appropriations, and bank water for future use. After discussion, the request will be on the **consent agenda**.

Water Supply

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

- **City of Mandan: 2025 Street Rehabilitation - \$232,658**
The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. There were no questions, and the request will be on the **consent agenda**.
- **City of Valley City: Northwest Standpipe Replacement Project - \$210,000**
The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. There were no questions, and the request will be on the **consent agenda**.
- **City of West Fargo: Westwood Addition Water Main Replacement - \$110,001**
The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. There were no questions, and the request will be on the **consent agenda**.
- **City of Mandan: Memorial Highway Water Main - \$2,717,632**
The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. After discussion, the request will be on the regular agenda.
- **GDCD: Eastern ND Alternative Water Supply (ENDAWS) Loan - \$1,500,000**
The project sponsor requested a loan in the amount of \$1,500,000, with a 40-year repayment term, from the Water Infrastructure Revolving Loan Fund. Proceeds of the loan will be used for a portion of the 25-percent local share of the ENDAWS project. There were no questions, and the request will be on the regular agenda.

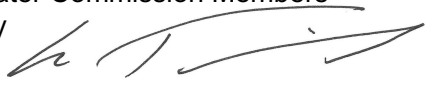
- **East Central Regional Water District: Hillsboro Aquifer Pump Test - \$0**
 The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. This request is not eligible for cost-share according to the Cost-Share policy. The request will be on the regular agenda.
- **East Central Regional Water District: Hillsboro Area Supply, Transmission, and Distribution - \$1,057,500**
 The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. After discussion, the request will be on the regular agenda.
- **East Central Regional Water District: Hillsboro Water Treatment Plant - \$1,012,500**
 The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. There were no questions, and the request will be on the regular agenda.
- **Turtle Mountain PUC: Highway 3 Corridor Improvements - \$3,112,800**
 The project sponsor requested a cost-share at 75 percent reimbursement for construction costs. There were no questions, and the request will be on the regular agenda.
- **McLean Sheridan Rural Water District: System Improvements Phase 2 - \$226,360**
 The project sponsor requested a cost-share at 75 percent reimbursement for cost increase in construction costs. There were no questions, and the request will be on the **consent agenda**.
- **Walsh County Rural Water District: Interconnect with Northeast RWD - \$250,536**
 The project sponsor requested a cost-share at 75 percent reimbursement for cost increase in construction costs. There were no questions, and the request will be on the **consent agenda**.

There being no further items of discussion, the meeting adjourned at 2:24 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: December 13, 2024



Glossary

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

2023–2025 Resources Trust Fund

Oil extraction tax deposits total \$333,802,665 estimated through November 2024 for the 2023-25 biennium. This is \$24,615,494 over the projected biennium revenue of \$309,187,171 through November 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 \$24,615,494 through November 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 November 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 November 29, 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. ¹ ALLOCATION	RENEWABLE ¹ ALLOCATION	RESOURCES TRUST FUND ALLOCATION	REVENUE	TRANSFERS TO ¹ ENERGY CONS.	TRANSFERS TO ¹ RENEWABLE	RESOURCES TRUST FUND NET DEPOSIT	TRANSFERS TO ² 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	19,772,137			19,772,137	2,405,219
SEPTEMBER, 2024	17,945,816			17,945,816	20,157,498			20,157,498	2,211,682
OCTOBER, 2024	17,945,816			17,945,816	20,051,630			20,051,630	2,105,814
NOVEMBER, 2024	17,366,918			17,366,918	17,541,906			17,541,906	174,988
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					
TOTALS	\$449,859,211	\$1,200,000	\$3,000,000	\$445,659,211	\$333,802,665	\$1,200,000	\$3,000,000	\$329,602,665	\$24,615,494

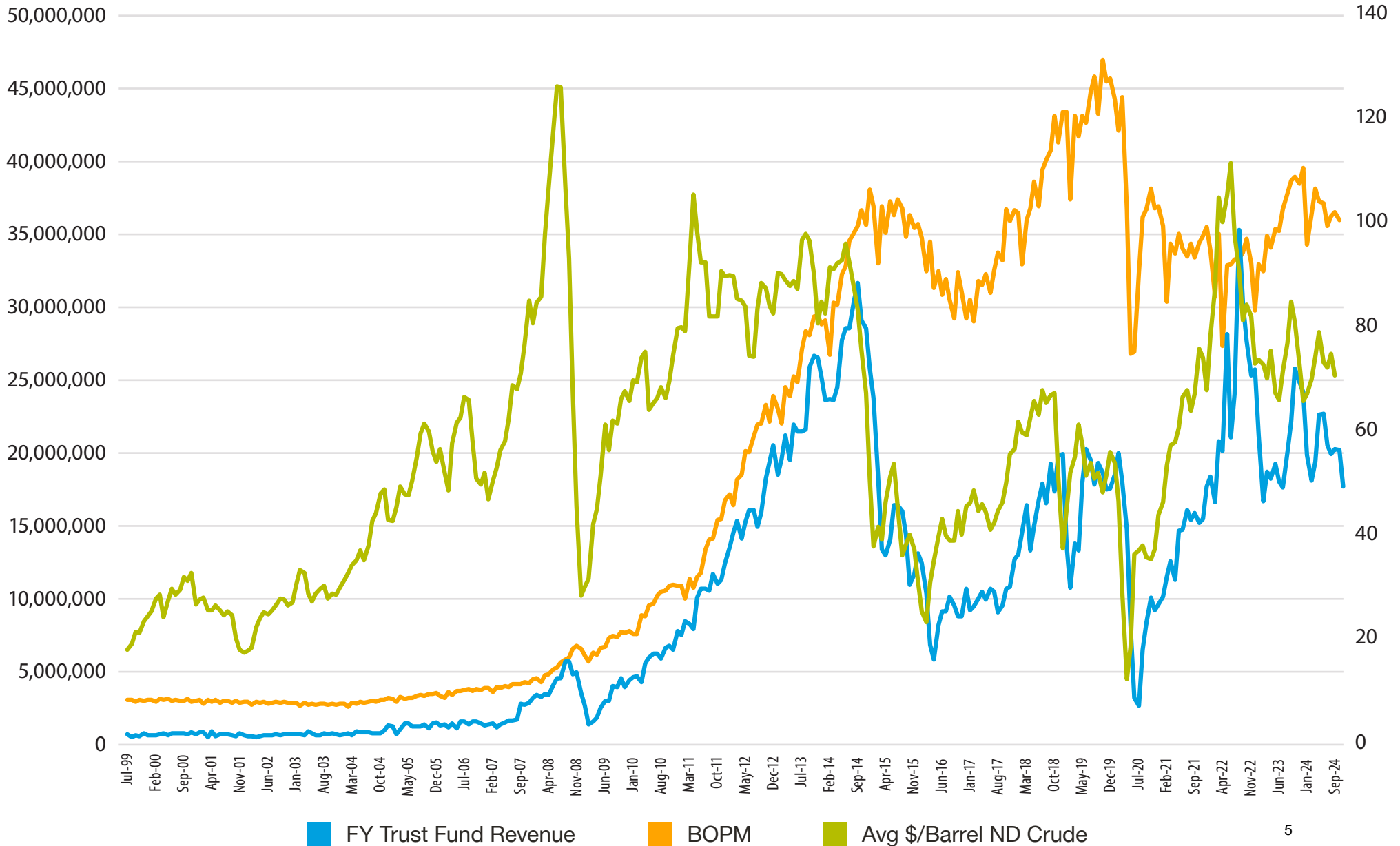
¹ Transfers to the renewable energy development fund and the energy conservation grant fund are established in North Dakota Century Code Section 57-51.1-07.

² 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 FUNDED REVENUE

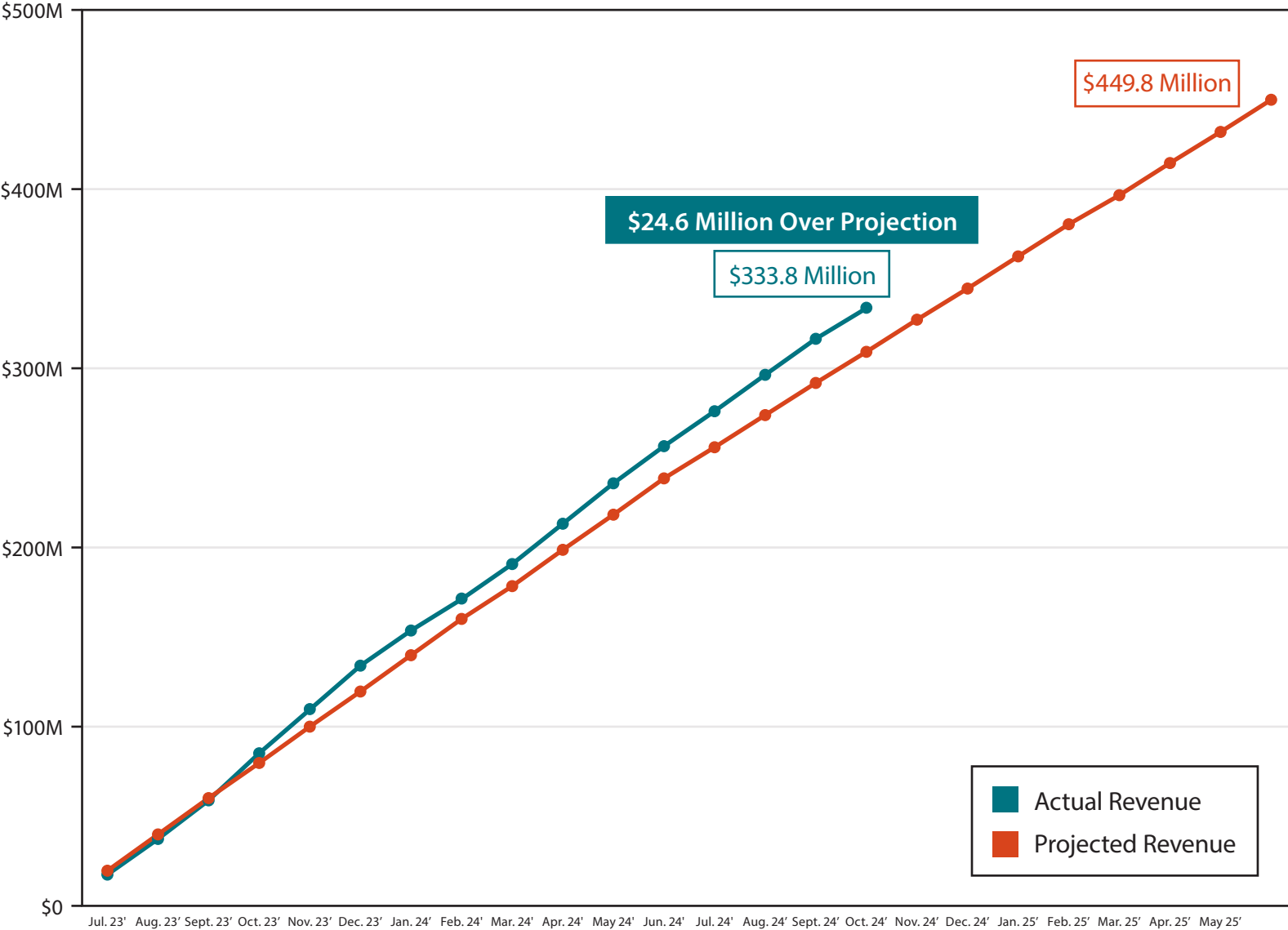
JULY 2004-SEPTEMBER 2024

NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE

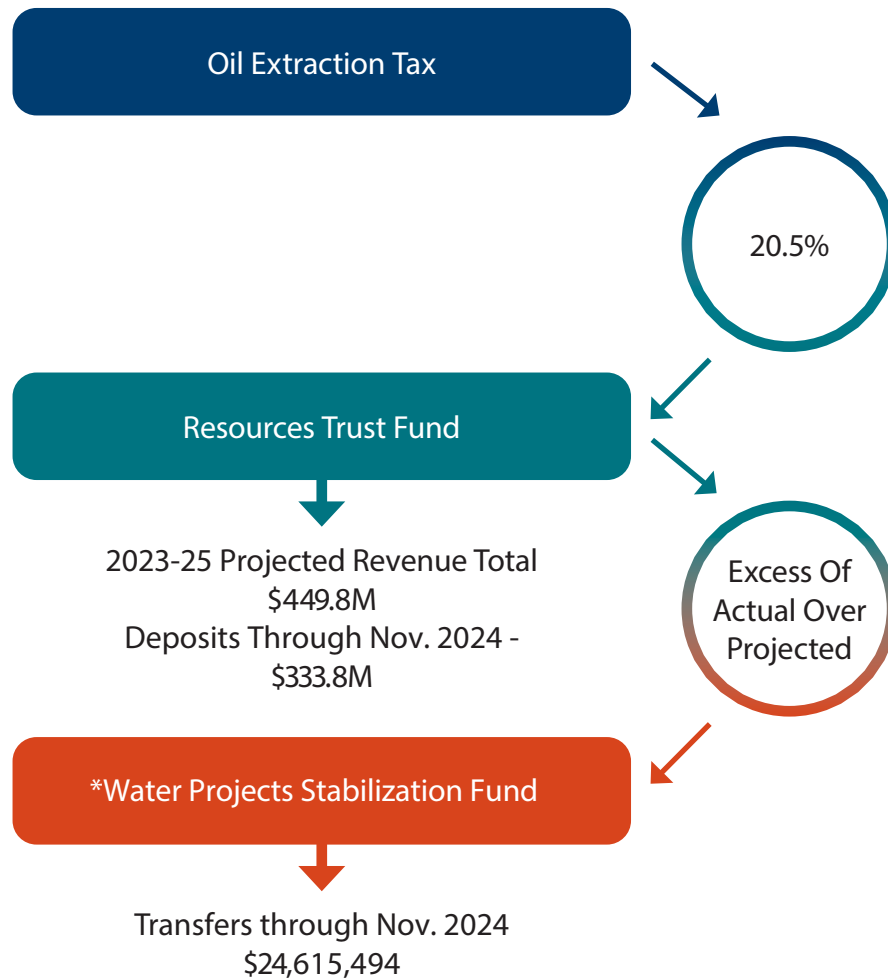


RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | November 2024



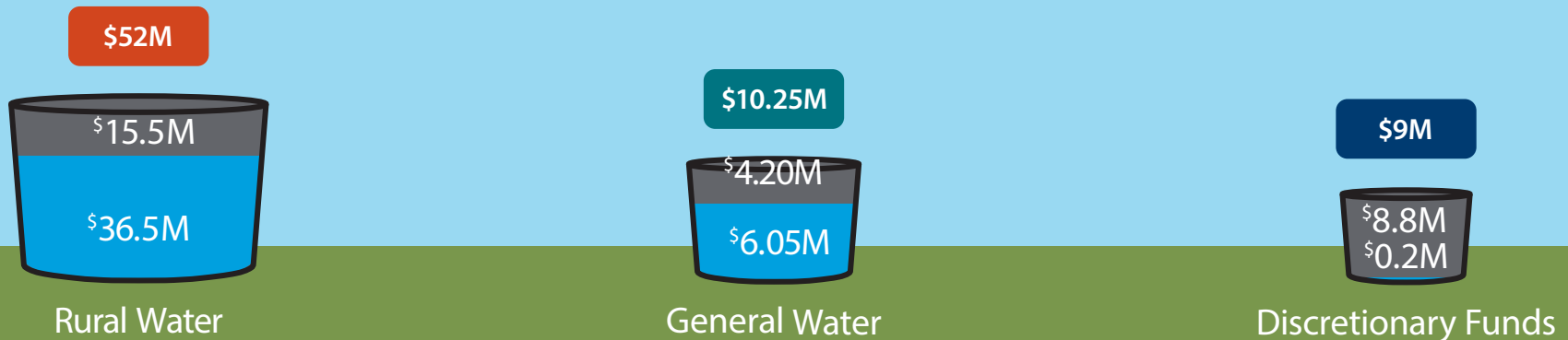
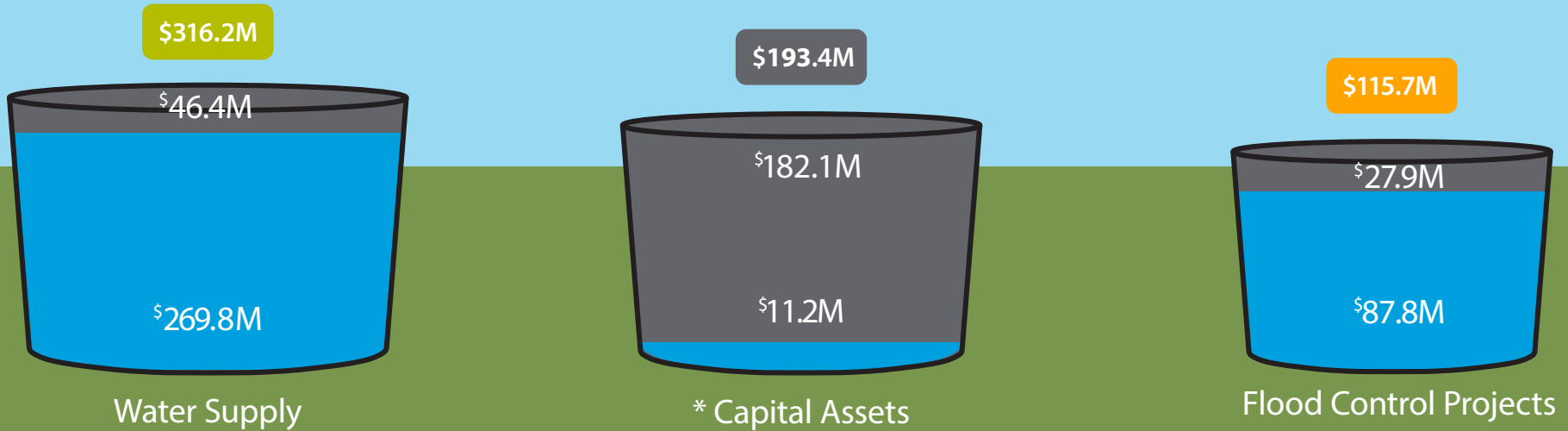
RESOURCES TRUST FUND REVENUE



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

2023-25 PURPOSE FUNDING

JULY 2023-NOVEMBER 2024



APPROVED

UNOBLIGATED

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

2023-25 PURPOSE FUNDING

JULY 2023-NOVEMBER 2024

GENERAL WATER

\$12M

TOTAL \$10,143,336

TOTAL \$4,210,412

\$10M

\$8M

\$6M

\$4M

\$2M

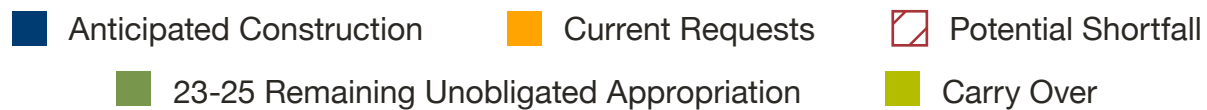
\$0

\$7,812,304

\$2,331,032

\$4,193,479

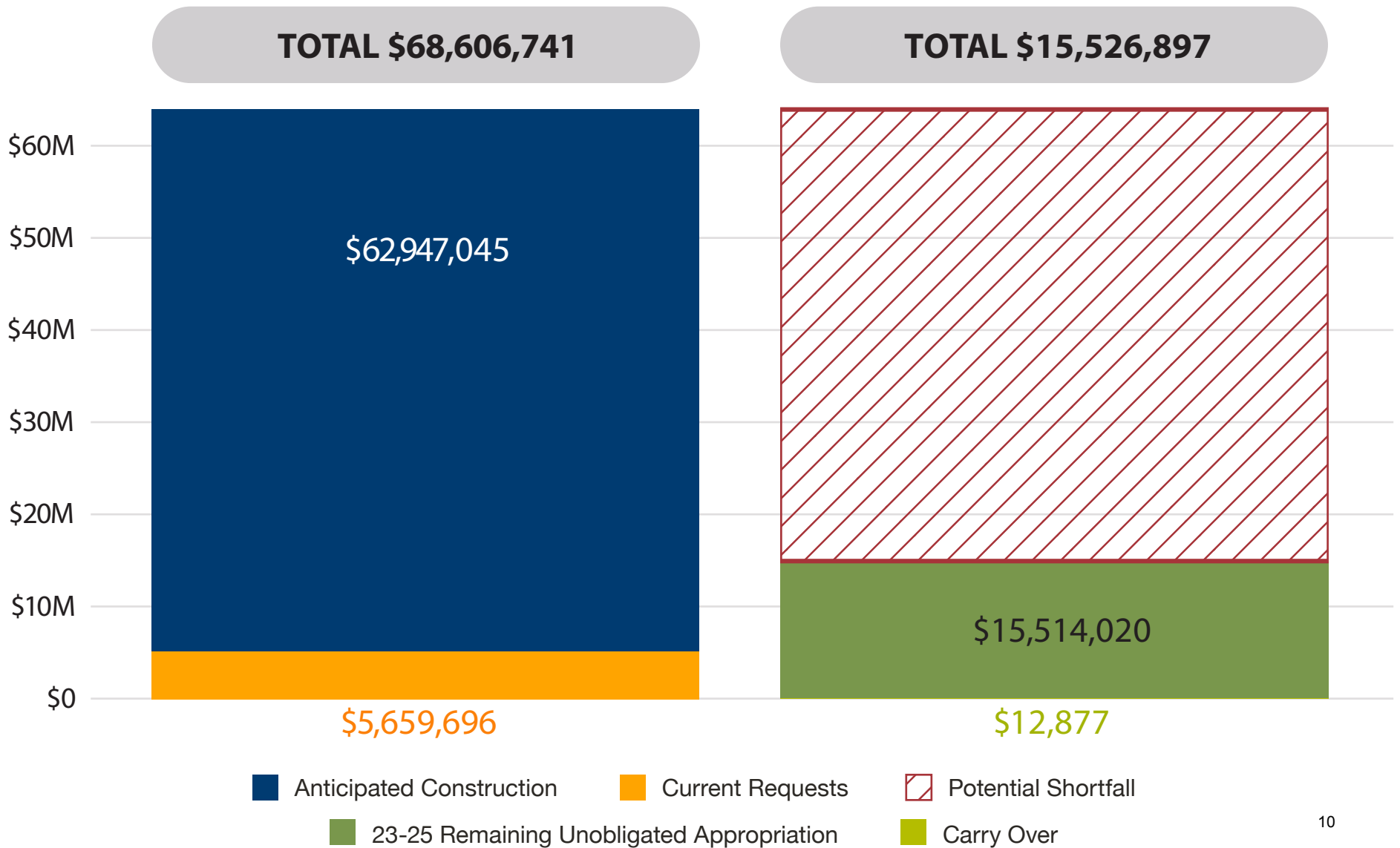
\$16,933



2023-25 PURPOSE FUNDING

JULY 2023-NOVEMBER 2024

RURAL WATER



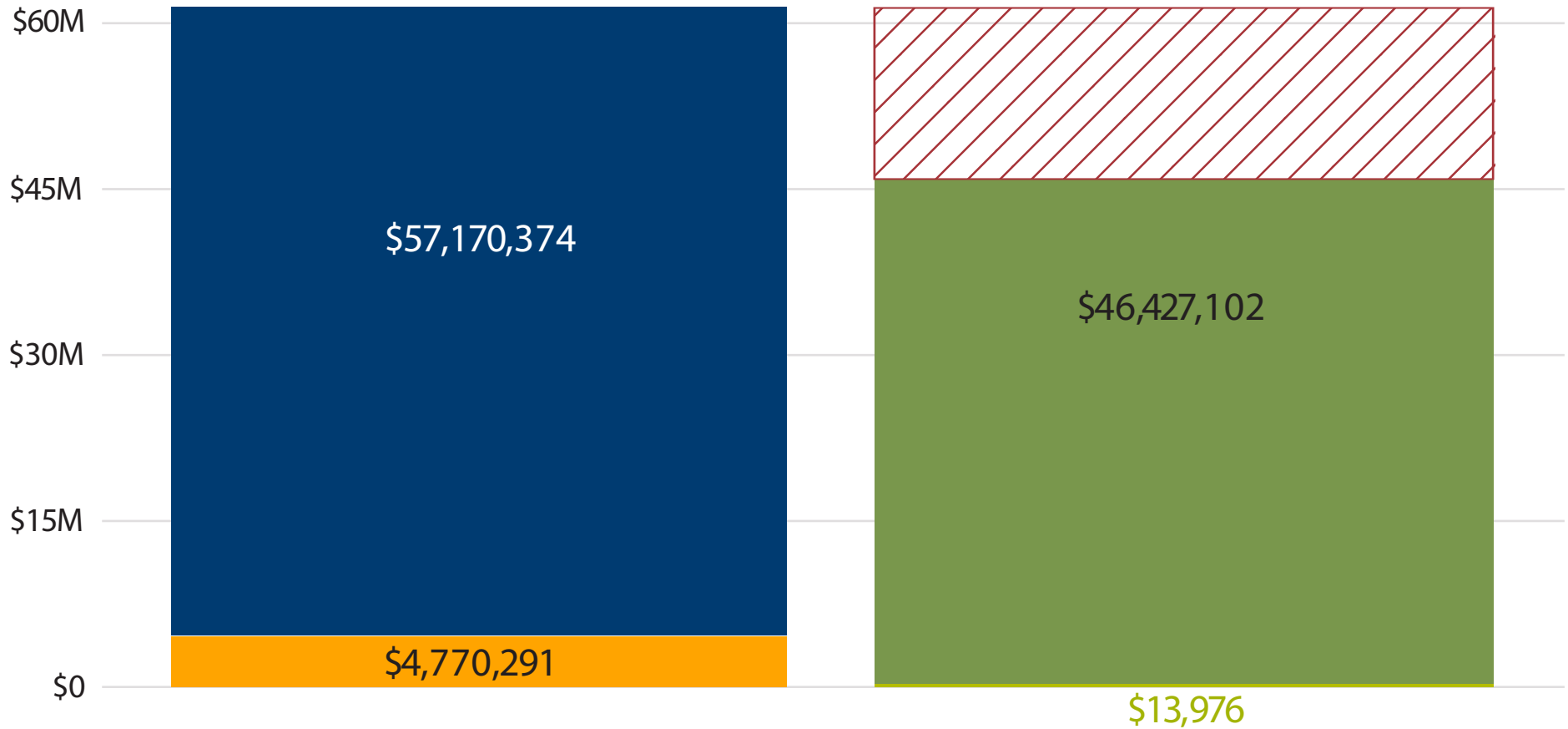
2023-25 PURPOSE FUNDING

JULY 2023-NOVEMBER 2024

WATER SUPPLY

TOTAL \$61,940,665

TOTAL \$46,441,078



- Anticipated Construction
- Current Requests
- Potential Shortfall
- 23-25 Remaining Unobligated Appropriation
- Carry Over

**PURPOSE FUNDING SUMMARY
State Water Commission Cost-Share
for December 13, 2024**

2023-2025 Unobligated Appropriation 11-26-24	Carryover Turnback 06-30-23
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Flood Control		Unobligated Appropriation	\$ 27,949,081	\$ 1,511,166
		Cost-Share		
1				
2				
3				
Current Requests		\$	-	\$ -
Estimated Unobligated Appropriation =		\$	27,949,081	\$ 1,511,166

General Water		Unobligated Appropriation	\$ 4,193,479	\$ 16,933
		Cost-Share		
Other	1 DWR: Groundwater Flow Models for Water Availability	\$	631,032	
Other	2 Bottineau County WRD: South Landa Drain Loan	\$	1,700,000	
Current Requests		\$	2,331,032	\$ -
Estimated Unobligated Appropriation =		\$	1,862,447	\$ 16,933

Water Supply		Unobligated Appropriation	\$ 46,427,102	\$ 13,976
		Cost-Share		
Pre/Construction	1 City of Mandan: 2025 Street Rehabilitation	\$	232,658	
Pre/Construction	2 City of Valley City: Northwest Standpipe	\$	210,000	
Pre/Construction	3 City of West Fargo: Westwood Addition Water Main Replacement	\$	110,001	
Construction	4 City of Mandan: Memorial Highway Water Main	\$	2,717,632	
Other	5 GDCC: Eastern ND Alternative Water Supply Loan	\$	1,500,000	
Current Requests		\$	4,770,291	\$ -
Estimated Unobligated Appropriation =		\$	41,656,811	\$ 13,976

Rural Water		Unobligated Appropriation	\$ 15,514,020	\$ 12,877
		Cost-Share		
Cost Increase	1 McLean Sheridan RWD: System Improvements Phase 2	\$	226,360	
Cost Increase	2 Walsh County RWD: Interconnect with Northeast RWD	\$	250,536	
Pre/Construction	3 East Central RWD: Hillsboro Aquifer Pump Test	\$	-	
Pre/Construction	4 East Central RWD: Hillsboro Area Supply, Transmission, & Distribution	\$	1,057,500	
Pre/Construction	5 East Central RWD: Hillsboro Water Treatment Plant	\$	1,012,500	
Construction	6 Turtle Mountain PUC: Highway 3 Corridor Improvements	\$	3,112,800	
Current Requests		\$	5,659,696	\$ -
Estimated Unobligated Appropriation =		\$	9,854,324	\$ 12,877

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

**PURPOSE FUNDING SUMMARY
State Water Commission Cost-Share
for December 13, 2024**

2023-2025 Unobligated Appropriation 11-26-24	Carryover Turnback 06-30-23
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Capital Assets		Unobligated Appropriation	\$ 182,120,000	\$ 4,171,797
SWPP		Cost-Share		
1	Water Treatment Plant Expansion		\$ 90,700,000	
2				
		Current Requests	\$ 90,700,000	
NAWS				
1				
2				
		Current Requests	\$ -	
		Capital Assets Current Requests	\$ 90,700,000	
		Less line of credit	\$ 100,000,000	
		Anticipated Unobligated Appropriation Capital Assets =	\$ (8,580,000)	

2023-2025 Unobligated Appropriation for Purpose and Capital Assets	\$ 284,972,543	\$ 9,233,190
Current Requests	\$ 103,461,019	\$ -
2023-2025 Anticipated Unobligated Appropriation =	\$ 181,511,524	

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

November 26, 2024

	2021-2023 CARRYOVER	2023-2025 APPROPRIATION	TOTAL	SWC/Secretary APPROVED	UNOBLIGATED APPROPRIATION
MUNICIPAL & REGIONAL WATER SUPPLY:					
MUNICIPAL WATER SUPPLY	53,007,838	81,209,193	134,217,031	134,217,031	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	13,976	46,427,102	46,441,078		46,441,078
Total	118,591,570	316,200,000	434,791,570	388,350,492	46,441,078
% OBLIGATED		85%			
RURAL WATER SUPPLY:					
RURAL WATER SUPPLY	55,311,784	36,485,980	91,797,764	91,797,764	0
UNOBLIGATED RURAL WATER SUPPLY	12,877	15,514,020	15,526,897		15,526,897
Total	55,324,661	52,000,000	107,324,661	91,797,764	15,526,897
% OBLIGATED		70%			
FLOOD CONTROL:					
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	8,933,841	1,577,022	10,510,863	10,510,863	0
PROPERTY ACQUISITIONS	57,573	9,750,000	9,807,573	9,807,573	0
WATER CONVEYANCE	9,206,810	323,897	9,530,707	9,530,707	0
UNOBLIGATED FLOOD CONTROL	1,511,166	27,949,081	29,460,247		29,460,247
Total	103,821,656	115,700,000	219,521,656	190,061,409	29,460,247
% OBLIGATED		76%			
GENERAL WATER:					
GENERAL WATER	11,613,912	6,056,521	17,670,433	17,670,433	0
UNOBLIGATED GENERAL WATER	16,933	4,193,479	4,210,412		4,210,412
Total	11,630,845	10,250,000	21,880,845	17,670,433	4,210,412
% OBLIGATED		59%			
SUBTOTAL	289,368,732	494,150,000	783,518,732	687,880,098	95,638,634
CAPITAL ASSETS:					
SWPP CAPITAL ASSETS	19,928,592	0	19,928,592	19,928,592	0
NAWS CAPITAL ASSETS	36,181,771	11,080,000	47,261,771	47,261,771	0
DEVILS LAKE OUTLET		200,000	200,000	200,000	
UNOBLIGATED CAPITAL ASSETS	4,171,797	182,120,000	186,291,797		186,291,797
Total	60,282,160	193,400,000	253,682,160	67,390,363	186,291,797
% OBLIGATED		6%			
DISCRETIONARY FUNDING:					
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%			
BASINWIDE PLAN IMPLEMENTATION:					
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%			
STATE FISCAL RECOVERY FUND:					
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		0
Total	10,972,317	0	10,972,317	10,972,317	0
% OBLIGATED		0%			
TOTAL	367,000,000	696,550,000	1,063,550,001	769,344,268	294,205,732

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

Nov-24

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
MUNICIPAL & REGIONAL WATER SUPPLY:			
MUNICIPAL WATER SUPPLY	134,217,031	43,501,439	90,715,592
RED RIVER VALLEY	218,269,022	65,705,274	152,563,748
OTHER REGIONAL WATER SUPPLY	35,864,439	14,547,757	21,316,683
TOTAL	388,350,492	123,754,469	264,596,023
RURAL WATER SUPPLY:			
RURAL WATER SUPPLY	91,797,764	43,882,449	47,915,315
FLOOD CONTROL:			
FARGO	0	0	0
MOUSE RIVER	85,525,991	3,507,500	82,018,491
MOUSE RIVER HB1431	64,354,625	32,516,421	31,838,204
VALLEY CITY	10,072,490	157,005	9,915,485
LISBON	259,160	4,500	254,660
OTHER FLOOD CONTROL	10,510,863	2,841,148	7,669,715
PROPERTY ACQUISITIONS	9,807,573	57,573	9,750,000
WATER CONVEYANCE	9,530,707	4,932,487	4,598,219
TOTAL	190,061,409	44,016,634	146,044,775
GENERAL WATER:			
GENERAL WATER	17,670,433	6,882,980	10,787,453
SUBTOTAL	687,880,098	218,536,532	469,343,566
CAPITAL ASSETS:			
SWPP CAPITAL ASSETS	19,928,592	6,898,076	13,030,516
NAWS CAPITAL ASSETS	47,261,771	9,292,084	37,969,687
DEVILS LAKE OUTLET	200,000	27,963	172,037
TOTAL	67,390,363	16,218,124	51,172,239
DISCRETIONARY FUNDING:			
DISCRETIONARY FUNDING PROJECTS	2,327,703	63,000	2,264,703
BASINWIDE PLAN IMPLEMENTATION:			
BASINWIDE PLAN IMPLEMENTATION	773,787	263,829	509,958
STATE FISCAL RECOVERY FUNDS SB2345			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	8,159,814	2,812,502
TOTALS	769,344,268	243,241,299	526,102,969

Since 2017, North Dakota has committed over \$2.1 billion in state funding to critical water infrastructure projects. This includes \$1.1 billion for water supply, \$1 billion for flood protection, and \$84 million for general water management initiatives, underscoring the state's long-standing dedication to enhancing its water systems.

Key investments focus on large-scale regional water supply projects, including the Red River Valley Water Supply Project (RRVWSP), Northwest Area Water Supply, Southwest Pipeline, and Western Area Water Supply. These initiatives maximize efficiency through economies of scale, ensuring sustainable, high-quality water supplies and are anticipated to serve nearly 80% of North Dakota's residents.

Significant funding has also been allocated to large-scale flood protection efforts across the Devils Lake, Mouse, Red, Missouri, and Sheyenne River basins. These projects aim to enhance resiliency and mitigate future flood damages, benefiting over one-third of the state's population.


LARGE-SCALE PROJECT FUNDING SUMMARY

PROJECT	STATE	FEDERAL	LOCAL	TOTAL
F-M Area Flood Protection*	\$568**	\$484	\$988	\$2,040
Mouse River Flood Protection	\$295	\$72	\$139	\$506
Northwest Area Water Supply	\$88	\$135	\$47	\$270
Red River Valley Water Supply	\$282	\$9	\$85	\$376
Southwest Pipeline Project	\$85	\$0	\$2	\$87
Valley City Flood Protection	\$17	\$0	\$5	\$22
Western Area Water Supply	\$191	\$0	\$47	\$238
TOTAL	\$1,526	\$700	\$1,313	\$3,539

*Federal and local shares estimated based on overall project cost-share percentages.

**Includes \$435.5 million from 2021 state bonding bill (HB 1431).

MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: 2025 Water Development Plan
DATE: November 26, 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.”

2025 Water Development Plan Process

For the first few months of 2024, Department of Water Resources (DWR) sent notices to potential project sponsors, directing them to an online submission form, which requested their assistance in identifying the water development projects and programs they aim to advance in the 2025-2027 biennium and beyond. Recipients included Tribal Nations, rural water managers, water resource districts, counties, municipalities, and other eligible entities.

The project information submission phase for the Water Development Plan concluded on April 30, 2024, with over 600 project proposals received. After review and prioritization, 545 projects were included in the preliminary 2025 Water Project Inventory.

In June and July, eight Commissioner-hosted meetings were held in Jamestown, Fargo, Grand Forks, Devils Lake, Bismarck, New Town, Dickinson, and Minot. These meetings were well-attended, with approximately 180 project sponsors and members of the public participating.

Using data from the project inventory and feedback from the Commissioner-hosted basin meetings, DWR developed a 2025-2027 funding needs inventory in fulfillment of NDCC 61-02-01.3, large project summaries, long-term funding estimates, and other relevant materials. This updated information is now available on the online Water Development Plan dashboard.


Endorsement of Executive Recommendation

With the release of the Governor’s Executive Budget December 4, 2024, project and purpose funding recommendations will be included in the 2025 Water Development Plan Executive Summary. These recommendations will then be presented to the State Water Commission for consideration of endorsement.

I recommend the State Water Commission endorse the 2025-2027 project and purpose funding Executive recommendations as outlined in the 2025 Water Development Plan Executive Summary.

AT:pf:cd/322

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: SWPP Southwest Water Treatment Plant Expansion– Bid Award

DATE: November 27, 2024

Southwest Pipeline Project (SWPP) Contract 3-2H, is for the construction of the 12 million gallons per day (MGD) Southwest Water Treatment Plant (SWTP) expansion that is designed to serve the growing needs of the SWPP served by the water treatment plant located in Dickinson.

The scope of work generally consists of the construction of a 140 ft. by 210 ft. reinforced concrete and pre-cast concrete building and the installation of pumping, piping, dewatering equipment, mechanical, electrical and instrumentation systems for the SWTP Expansion as required by the Contract Documents. The project is an expansion of the existing 6 MGD SWTP and will allow for the retirement of the 60 – 70 year old Dickinson Water Treatment Plant (WTP). However, the demolition of the Dickinson WTP is not part of the scope of this project.

Separate bids for General, Mechanical, and Electrical Contracts were sought in addition to the Single Combined Bid. Bid alternates were included in all bid schedules. The bid alternates included were :

- Bid Alternate G-1, Lime Feed System: Lime feed system was included as an alternate as the preferred system was sourced from a single manufacturer and including as a bid alternate provided the option for the rejecting the bid if bid cost received was excessive.
- Bid Alternate G-2, Replace existing acid room door hardware: This bid alternate was included to get the pricing information for the repair and maintenance project that is Southwest Water Authority (SWA)'s responsibility.
- Bid Alternate M-1, Replace existing acid room HVAC ductwork: This bid alternate was included to get the pricing information for the repair and maintenance project that is SWA's responsibility.
- Bid Alternate E-1, Furnish and install 1000 kW generator and concrete foundation in Lieu of a 750kW generator and concrete Foundation: This bid alternate was included to get the pricing information for a larger generator that has the capacity to power full expansion capacity of the WTP.

Bids for this contract were opened on November 19, 2024. Four bid packages were received for Contract 3-2H. No bids were received for Bid Schedule I – General

SWPP Southwest Water Treatment Plant Expansion– Bid Award

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November 27, 2024

Construction, one for Bid Schedule II – Mechanical Construction, two bids for Bid Schedule III – Electrical Construction, and one for Bid Schedule IV – Combined Single Bid.

Tabulations of the bid results are shown below.

Bid Schedule I – General Construction Contract		
Bidder	Base Bid with Alternates	Amount Higher than Low Bidder
Engineer’s Estimate	\$62,420,000.00	-

Bid Schedule II – Mechanical Construction Contract		
Bidder	Base Bid with Alternates	Amount Higher than Low Bidder
Central Mechanical, Inc. Mandan, ND	\$5,475,000.0	-
Engineer’s Estimate	\$7,275,000.00	32.9%

Bid Schedule III – Electrical Construction Contract		
Bidder	Base Bid with Alternates	Amount Higher than Low Bidder
Edling Electric	\$7,538,000.00	-
Denny’s Electric	\$7,811,000.00	\$273,000 3.6%
Engineer’s Estimate	\$21,450,000.00	\$13,912,000.00 184.6%

SWPP Southwest Water Treatment Plant Expansion– Bid Award

Page 3 of 4

November 27, 2024

Bid Schedule IV– Combined Single Construction Contract		
Bidder	Base Bid with Alternates	Amount Higher than Low Bidder
Rice Lake West Golden, CO	\$86,407,500.00	-
Engineer’s Estimate	\$91,145,000.00	\$4,737,500.00 5.6%

Based on BW/AECOM’s review of the bids received, all bids received appear to be in accordance with the Invitation for Construction Bids and the Bid Documents. They are thus considered to be responsive bids. Considering no bids were received for Bid Schedule 1-General Construction Contract, the only complete project bid and the apparent low bid, was received from Rice Lake West, Inc., Golden, Colorado. Rice Lake West has previously worked for the State of North Dakota at the SWPP’s Residual Handling Facility (as Rice Lake Construction Group) and is the contractor on the Northwest Area Water Supply project’s Biota Water Treatment Plant that is under construction. BW/AECOM’s experience with Rice Lake West indicates they are a qualified and experienced contractor for this project and considers them a responsible bidder.

With regards to the Bid Alternates, BW/AECOM has reviewed the pricing received for the Bid Alternates and notes that pricing received are all of fair value and recommends including them in the award. As cost responsibility for Bid Alternates G-2 and M-1 are SWA’s, SWA’s input was sought on those bid alternates. SWA has requested including Bid Alternate M-1 in the award while they intend to seek other options for completing maintenance work included in Bid Alternate G-2. DWR staff agrees with including Bid Alternate G-1 and E-1 in the award.

DWR staff recommends awarding SWPP Contract 3-2H , Southwest Water Treatment Plant Expansion Contract to Rice Lake West, Inc., based on their submission for Bid Schedule 4, Combined Constructon Contract with Bid Alternated G-1, M-1, and E-1 in the amount of \$86,382,500.

SWPP Southwest Water Treatment Plant Expansion– Bid Award

Page 4 of 4

November 27, 2024

Copies of Bartlett West/AECOM's review of bids and recommendation letter and bid tab are attached to this memo. More detail pertaining to the recommendation of award can be found on those attachments.

Funding:

Bid Alternate M-1 in the amount of \$85,000 will be reimbursed to the State Water Commission by SWA, likely from the Replacement and Extraordinary Maintenance funds. Capital assets funding needed for the award of this contract is \$90.61 million, which includes 5% contingency added to Combined Construction Contract in the amount of \$83,482,600, Bid Alternate G-1 in the amount of \$2,764,900, and Bid Alternate E-1 in the amount of \$50,000 for a total of \$86,297,500.

I recommend the State Water Commission authorize the Secretary to award SWPP Contract 3-2H – Combined Contract with Bid Alternates G-1, M-1, and E-1 to Rice Lake West, Inc. in the amount of \$86,382,500.00. The award of SWPP Contract 3-2H contract will be dependent upon legal review of the contract documents.

I recommend the State Water Commission allocate \$90.61 million to the Southwest Pipeline Project from funds appropriated for Capital Assets in the 2023-2025 biennium.

AT:JF:/1736-99

Attachments

November 27, 2024

North Dakota State Water Commission
Attn: Mr. Justin Froseth, P.E., Project Manager
1200 Memorial Highway
Bismarck ND 58504

**SUBJECT: SWPP Contract 3-H SWTP Expansion
Review of Bids Received
W.O. 3033.A35**

Justin:

On Tuesday, November 19, 2024, bids were opened for Southwest Pipeline Project (SWPP) Contract 3-2H, Southwest Water Treatment Plant (SWTP) Expansion. The scope of work generally consists of the construction of a 140 ft. by 210 ft. reinforced concrete and pre-cast concrete building and the installation of pumping, piping, dewatering equipment, mechanical, electrical and instrumentation systems for the SWTP as required by the Contract Documents.

The project is located at 735 Broadway W. in the City of Dickinson, North Dakota. Separate Bid Schedules and Scopes of Work are provided under this project for the General, Mechanical, and Electrical contracts. A Combined Single Bid is also provided under the project to encompass all individual Scopes of Work.

The Work classifications are described below.

The General Construction Contract includes the following: earthwork and steel reinforced concrete construction associated with footings, basin walls, lower level exterior walls, floors, columns, shored floor slabs; site earthwork; site piping; furnishing and installing pre-cast concrete wall panels; furnishing and installing steel roof joists and decking; EPDM membrane roof system; furnishing and installing a general purpose hoist; installing owner purchased membrane filtration and high-rate softening equipment (two each concrete rapid mix, reactor, and softening clarifier basins to be constructed as part of this contract); furnishing and installing six (6) nominal 90 HP vertical turbine pumps; furnishing and installing two CO₂ feed systems complete with all components necessary for operation including a single 50 ton storage tank, heaters, CO₂ gas piping, instrumentation and controls equipment, programmable logic controllers, and pumps; furnish and install compressed air system equipment including compressors, receivers, piping, and appurtenances; furnish and install chemical feed systems including tanks, scales, pumps, piping and appurtenances; furnish and install process piping, pipe supports, valves, flow meters, appurtenances, and penetrations; install site piping; prefabricated steel underground pump station, stoops, exterior generator and electrical transformer support pads and foundations, secant piles to protect existing lime silo foundation, install lime silo foundation, and paving. A bid alternate is included for furnishing and installing a 110-ton external bulk lime silo, pebble lime feed system, batch lime slaking, and slaked lime circulation and feed system. A second bid alternate is included for replacing door hardware in an existing acid room.

The Mechanical Construction Contract includes the following: furnishing and installing potable water and sanitary plumbing and plumbing fixtures with hangers and supports in the facility; furnishing and installing all heating, ventilation, dehumidification, cooling systems, and controls and support systems; furnishing and installing fire sprinkler system with support systems. A Mechanical bid alternate is included for replacing existing steel HVAC ductwork with CPVC ductwork in an existing acid room of the existing Southwest WTP.

The Electrical Construction Contract includes the following: Furnishing and installing all power, lighting, electrical distribution and emergency power panels, MCC's, VFD's, and associated equipment; furnishing and installing all wiring and field connections to and for electrical items supplied under the General and Mechanical contracts and Owner purchased equipment; furnish and install 750 KW diesel powered standby engine generator with support slab and ATS; installation of devices for fire alarm system expansion, installation of instrumentation and control equipment for all process and owner furnished equipment; furnish and install

lightning protection system; perform short circuit and protective device coordination study and arc flash hazard analysis, perform field testing. An Electrical bid alternate is included for a 1,000 KW standby generator with support slab.

Four bid packages were received for SWPP Contract 3-2H. No Bids were received for Bid Schedule 1-General Construction Contract. One bid was received and read aloud for Bid Schedule 2-Mechanical Construction Contract. Two bids were received and read aloud for Bid Schedule 3-Electrical Construction Contract. One bid was received for Bid Schedule 4-Combined Construction Contract. A tabulation of the bid results is attached. A copy of the bid tab has been provided to all bidders and other interested parties. All four bids were considered responsive and read aloud at the bid opening. A summary of the bids received is shown in the table below.

Schedule 1 - General Construction Contract		
Bidder	Bid Amount	Amount Higher than Low Bidder
NO BID		-
Engineer's Estimate	\$59,708,000.00	

Schedule 2 - Mechanical Construction Contract		
Bidder	Bid Amount	Amount Higher than Low Bidder
Central Mechanical Bismarck, ND	\$5,390,000.00	-
Engineer's Estimate	\$7,275,000.00	+ \$1,885,000.00 +35.0%

Schedule 3 - Electrical Construction Contract		
Bidder	Base Bid Amount	Amount Higher than Low Bidder
Edling Electric Bismarck, ND	\$7,488,000.00	-
Denny's Electric Dickinson, ND	\$7,715,000.00	+ \$227,000.00 +3.0%
Engineer's Estimate	\$20,200,000.00	+ \$12,712,000.00 +169.8%

Schedule 4 - Combined Construction Contract		
Bidder	Base Bid Amount	Amount Higher than Low Bidder
Rice Lake West, Inc. Golden, CO	\$ 83,482,600.00	-
Engineer's Estimate	\$ 88,600,000.00	+ \$5,117,400.00 +6.1%

Based on BW/AECOM's review of the bids received, they appear to be accordance with the Invitation for Construction Bids and the Bid Documents. They are thus considered to be responsive bids. Considering no bids were received for Bid Schedule 1-General Construction Contract, the only complete project bid and the apparent low bid, was received from Rice Lake West, Inc., out of Golden, Colorado. Rice Lake West has previously worked for the State of North Dakota at the SWPP Residual Handling Facility (as Rice Lake Construction Group). Rice Lake West is also the contractor for the NAWS Biota Water Treatment Plant that is currently under construction. BW/AECOM's experience with Rice Lake West indicates they are a qualified and experienced contractor for this project.

The number of bids received, and the overall bidder interest indicates that the market conditions for the construction of water or wastewater facilities continues to be a contractor-controlled market due to a significant number of water or wastewater projects being designed or currently under construction. This is further supported in BW/AECOM's discussions with numerous regional qualified bidders who declined to bid this project. These contractor discussions indicated no shortage in current workload and contractors are being selective on project pursuits due to limited available staffing.

No General Construction bid was received to compare to the engineer's estimate. The engineer's estimate was 35% higher than the single bid received for Schedule 2-Mechanical Construction. The Schedule 4-Combined Construction bid received was 6% lower than the engineer's estimate.

The Electrical Construction bid pricing received from two bidders was significantly below the engineer's estimate. Evaluating the engineer's estimate against the received bids, the engineer's estimate assumed labor material costs for conduit and wiring on the Electrical Construction contract to be 3 times higher than the Contractors bid pricing received. The bulk of the labor costs on the electrical project are for routing power and instrumentation conduit and wiring in the facility and this was estimated at \$12 Million while the received bids estimated this work around \$4 million. The engineer's estimate assumed instrumentation and control wiring was run in individual conduits where the bidders signal wiring in conduit runs to save on labor and material costs. It was also noticed during the evaluation of the electrical bids that the engineer's cost estimate for the Electrical contract included material and labor costs for some process items supplied in the General Construction contract and instrumentation and control equipment provided to the project through the Owner's separate equipment procurement and SCADA contracts. These costs inflated the engineer's Electrical Contract cost estimate by approximately \$3 million with \$1.5 million of cost attributed to the equipment included in the General Construction Contract and the other \$1.5 million attributed to the Owner's separate equipment procurement and SCADA contracts. Modifying the estimate to reflect these two items would have lowered the engineer's Electrical Contract estimate to \$10 million.

In summary, comparing the engineer's estimate to the received Electrical Construction bids indicates that the engineer's estimate overestimated the labor and material costs for conduit and wiring on the project by assuming high labor rates, conservative labor hour estimates, and not accounting for the potential labor and material savings that is inherent with combining conduit runs on the instrumentation and control wiring. This inflated the labor and material costs in the engineer's estimate to be \$8 million over the pricing received from bidders. The engineers estimate also inadvertently included \$3 Million in process and instrumentation equipment that is to be provided by the General Construction contractor, the SCADA contractor, the Membrane System Equipment procurement contractor, and the High-rate Clarifier Equipment procurement contractor.

Several bid alternates were included in the Bidding Documents. Two bid alternates were requested in Bid Schedule 1. Bid Alternate G-1 is to furnish and install the lime feed system equipment and lime silo. This was included as an alternate due to this system being sourced from a single manufacturer to allow the Owner with the most flexibility to receive competitive pricing. The equipment costs for this system were quoted in design to be at \$2 Million without installation. The received pricing for Bid

Alternate G-1 at \$2,764,900 which includes installation is considered fair pricing. Bid Alternate G-2 is for furnishing and installing replacement door hardware for the existing hydrochloric acid room and included repainting the existing door and frame. This pricing at \$25,000 is of fair value for this work. Bid Alternate M-1 is for replacement of the existing HVAC ductwork in the existing hydrochloric acid room with chemically resistant CPVC ductwork. Bid Alternate M-1 was included in the Combined Construction Contract Bid at \$85,000 and is considered fair pricing for this work. Bid Alternate E-1 was for the upsizing of the electrical generator from 750 KW to 1000 KW which provides enough capacity to power all of the equipment in the expansion project and is considered of good value and below the anticipated pricing obtained during design. Subject to review of DWR and SWA, BW/AECOM believes the pricing for all Bid Alternates under the Combined Construction Contract Bid are of fair value and are recommended for award.

Bid Alternates - Schedule 1 General Construction	
Item	NO BID
<u>Alternate Bid Item G-1</u> – Furnish and Install Lime Feed Equipment, Lime Silo, Slaker, Slurry Aging Tank, Lime Slurry Piping, Slurry Pumps, Dosing Assemblies, Lime Slaker Platform, Stairs, Controls, and Associated Valves and Instruments	
<u>Alternate Bid Item G-2</u> – Furnish and Install Replacement Door Hardware for Existing Acid Room	

Bid Alternates - Schedule 2 Mechanical Construction	
Item	CENTRAL MECHANICAL INC
<u>Alternate Bid Item M-1</u> – Replace Existing Acid Room Ductwork	+ \$85,000.00

Bid Alternates – Schedule 3 Electrical Construction		
Item	EDLING ELECTRIC INC	DENNYS ELECTRIC LLC
<u>Alternate Bid Item E-1</u> – Bid Alternate E-1. 1000 KW Generator and Concrete Foundation In Lieu of 750 KW Generator and Concrete Foundation.	+ \$50,000.00	+ \$96,000.00

Bid Alternates - Schedule 4 Combined Construction Contract	
Item	RICE LAKE WEST INC
<u>Alternate Bid Item G-1</u> – Furnish and Install Lime Feed Equipment, Lime Silo, Slaker, Slurry Aging Tank, Lime Slurry Piping, Slurry Pumps, Dosing Assemblies, Lime Slaker Platform, Stairs, Controls, and Associated Valves and Instruments	+ \$2,764,900.00
<u>Alternate Bid Item G-2</u> – Furnish and Install Replacement Door Hardware for Existing Acid Room	+ \$25,000.00
<u>Alternate Bid Item M-1</u> – Replace Existing Acid Room Ductwork	+ \$85,000.00
<u>Alternate Bid Item E-1</u> – Bid Alternate E-1. 1000 KW Generator and Concrete Foundation In Liew of 750 KW Generator and Concrete Foundation.	+ \$50,000.00

Rice Lake West has not had any OSHA safety citations within the past three years. BW/AECOM's previous experience working with Rice Lake Construction Group, a sister company to Rice Lake West, has been generally favorable. We have no reason to believe Rice Lake West cannot complete this project successfully and consider them to be a responsible bidder.

The contract documents require that the SWC award the contract, if awarded, within 60 calendar days after the bid opening as stipulated on the Bid Form. That date would be January 18, 2025.

Subject to approval by your legal counsel that the bid documents are in order from a legal standpoint, we recommend that the North Dakota State Water Commission award SWPP Contract 3-2H, SWTP Expansion, to Rice Lake West, Inc. for Bid Schedule 4, Combined Construction Contract with Bid Alternates G-1, M-1, and E-1. SWPP Contract 3-2H, if awarded, should be awarded to Rice Lake West, Inc., with Bid Alternates G-1, M-1, and E-1 in the amount of \$86,382,500.

Sincerely,

BARTLETT & WEST/AECOM



Tyson Decker, PE
Project Manager

Copy: SWA – Jen Murray
DWR- Sindhuja S. Pillai-Grinolds, P.E.
File: SWPP Contract 3-2H: 9.0

3456 East Century Avenue
P.O. Box 1077
BISMARCK, ND 58501

PROJECT: SWPP SOUTHWEST WATER TREATMENT PLANT EXPANSION

CONTRACT 3-2H

DATE: November 19, 2024

LOCATION: ND DEPARTMENT OF WATER RESOURCES

Description	ENGINEER'S ESTIMATE	RICE LAKE WEST GOLDEN, CO	CENTRAL MECHANICAL MANDAN, ND	EDLING ELECTRIC BISMARCK,ND	DENNYS ELECTRIC DICKINSON, ND	
BID SCHEDULE 1 - GENERAL CONSTRUCTION						
Lump Sum Bid Price for Base Bid	\$ 60,100,000.00	NO BID	NO BID	NO BID	NO BID	
Bid Alternate G-1. Lime Feed System	\$ 2,300,000.00					
Addition						
Bid Alternate G-2. Replace Existing Acid Room Door Hardware	\$ 20,000.00					
Addition						
Bid Adjustment	\$ -					
Total Lump Sum Bid with Alternates and Adjustment	\$ 62,420,000.00					
BID SCHEDULE 2 - MECHANICAL CONSTRUCTION						
Lump Sum Bid Price for Base Bid	\$ 7,200,000.00	NO BID	\$ 5,390,000.00	NO BID	NO BID	
Bid Alternate M-1. Replace Existing Acid Room HVAC Ductwork	\$ 75,000.00		\$ 85,000.00			
Addition						
Bid Adjustment	\$ -		\$ -			
Total Lump Sum Bid with Alternates and Adjustments	\$ 7,275,000.00		\$ 5,475,000.00			
BID SCHEDULE 3 - ELECTRICAL CONSTRUCTION						
Lump Sum Bid Price for Base Bid	\$ 21,300,000.00	NO BID	NO BID	\$ 7,488,000.00	\$ 7,715,000.00	
Bid Alternate E-1. 1000 KW Generator and Concrete Foundation In Lieu of 750 KW Generator and Concrete Foundation						
Addition	\$ 150,000.00			\$ 50,000.00	\$ 96,000.00	
Bid Adjustment	\$ -			\$ -	\$ -	
Total Lump Sum Bid with Alternates and Adjustments	\$ 21,450,000.00			\$ 7,538,000.00	\$ 7,811,000.00	
BID SCHEDULE 4 - COMBINED CONSTRUCTION CONTRACT						
Lump Sum Bid Price for Base Bid	\$ 88,600,000.00	\$ 83,482,600.00	NO BID	NO BID	NO BID	
Bid Alternate G-1. Lime Feed System	\$ 2,300,000.00	\$ 2,764,900.00				
Addition						
Bid Alternate G-2. Replace Existing Acid Room Door Hardware	\$ 20,000.00	\$ 25,000.00				
Addition						
Bid Alternate M-1. Replace Existing Acid Room HVAC Ductwork	\$ 75,000.00	\$ 85,000.00				
Addition						
Bid Alternate E-1. 1000 KW Generator and Concrete Foundation In Lieu of 750 KW Generator and Concrete Foundation	\$ 150,000.00	\$ 50,000.00				
Addition						
Bid Adjustment	\$ -	\$ -				
Total Lump Sum Bid with Alternates and Adjustments	\$ 91,145,000.00	\$ 86,407,500.00				


3456 East Century Avenue
P.O. Box 1077
BISMARCK, ND 58501

PROJECT: SWPP SOUTHWEST WATER TREATMENT PLANT EXPANSION
CONTRACT 3-2H
DATE: November 19, 2024
LOCATION: ND DEPARTMENT OF WATER RESOURCES

Description	ENGINEER'S ESTIMATE	RICE LAKE WEST GOLDEN, CO	CENTRAL MECHANICAL MANDAN, ND	EDLING ELECTRIC BISMARCK,ND	DENNYS ELECTRIC DICKINSON, ND	
SUBCONTRACTORS						
Excavating & Shoring Design		WAGNER CONSTRUCTION INTERNATIONAL FALLS, MN				
Coatings		MONGAN PAINTING CEROCREE, IA				
Roof Installer		TWIN CITY ROOFING MANDAN, ND				
Paving						
Sprinklers		NOVA FIRE PROTECTION FARGO, ND	NOVA FIRE PROTECTION FARGO, ND			
HVAC Controls		JOHNSON CONTROLS MINOT, ND	JOHNSON CONTROLS FARGO, ND			
Lightning Protection		THOMPSON LIGHTNING PROTECTION ST. PAUL, ND		THOMPSON LIGHTNING PROTECTION ST. PAUL, ND	THOMPSON LIGHTNING PROTECTION ST. PAUL, ND	
Arc Flash Study		RESA BLAINE, MN		RESA BLAINE, MN	BORDER STATES BISMARCK, ND	
SUPPLIERS						
Batch Lime Feed Systems		VESSCO CHANHASSEN, MN				
Chemical Feed Systems		VESSCO CHANHASSEN, MN				
Pumps		GENERAL REPAIR SERVICE/FLOW SERVE VADNAIS HAIGHTS, MN				
Pre-Cast Wall Panels		WELLS CONCRETE MAPLE GROVE, MN				
Piping		PLANT & FLANGE BLAINE, MN				
Valves & Appurtenances		VESSCO CHANHASSEN, MN				
Air Handlers/Chiller			DAIKIN			
Membrane Roofing System		TWIN CITY ROOFING MANDAN, ND				
Mechanical		CENTRAL MECHANICAL DICKINSON, ND				
Standby Generator		BUTLER MACHINERY BISMARCK, ND		BUTLER MACHINERY BISMARCK, ND	TWE BASE BID BUTLER ALTERNATE 1E	
VFDs		BORDER STATES BISMARCK, ND		BORDER STATES BISMARCK, ND	BORDER STATES BISMARCK, ND	

MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: SWPP – Reimbursement from reserve fund for Replacement and Extraordinary Maintenance

DATE: November 27, 2024

The Southwest Water Authority (SWA) collects and maintains a reserve fund for “Replacement and Extraordinary Maintenance” (REM). This fund is required by authorizing legislation, and the agreement that transferred the operations and maintenance of Southwest Pipeline Project (SWPP) from the State Water Commission (Commission) to the SWA states that the expenditures from this fund are to be authorized by the Commission. The agreement also states that the reserve fund shall be accumulated with interest and maintained in an amount to be determined by the Commission.

Known REM projects are generally included in the SWA’s annual budget, which is approved by the Commission at its December meeting. For projects that arise after the Commission’s approval of the budget, SWA consults with staff at the Department of Water Resources (DWR) as to whether or not a project qualifies for use of REM funds. SWA initially funds the construction of REM projects from their operation and maintenance fund and then seeks SWA Board and Commission approval for reimbursement from the REM funds after the project is completed.

The Commission received the attached letter from the SWA dated November 4, 2024, requesting reimbursement of \$746,551.70 from the REM funds.

The reimbursement is requested for the following five items.

1. Material purchased from Evoqua Water Technologies, LLC. for replacement of 138 Residual Handling Facility filter press cloths. The billing amount was \$21,566.58 and has been paid. The material was budgeted for \$25,000.00 from the Replacement and Extraordinary Maintenance Fund and was approved in the 2024 budgeting process.
2. Material purchased from Consolidated Water Solutions for 63 2nd stage Reverse Osmosis membranes at the Oliver Mercer North Dunn Water Treatment Plant. The amount billed to date is \$33,883.59 and has been paid. The material was budgeted for \$40,000.00 from the Replacement and Extraordinary Maintenance Fund and was approved in the 2024

SWPP – Reimbursement from reserve fund for Replacement and Extraordinary Maintenance

Page 2 of 2

November 27, 2024

budgeting process.

3. Replacement of the oil-less rotary scroll compressors with two oil injected rotary screw compressors at the Southwest Water Treatment Plant. North Dakota Department of Environmental Quality compliant food grade oil and oil particulate filters were also purchased. The material was budgeted for \$62,000.00 from the Replacement and Extraordinary Maintenance Fund, approved in the 2024 budgeting process. Due to the oil injected style compressors being significantly less expensive than the oil less rotary style compressors, the expense was considerably lower than the budgeted amount. The total expense for this replacement project was \$29,242.91 and all expenses have been paid.
4. Replacement of the Variable Frequency Drive for Pump No. 2 at the Beach Booster Station. The amount billed is \$26,589.04 and has been paid. The replacement was budgeted for \$40,000.00 from the Replacement and Extraordinary Maintenance fund, approved in the 2024 budgeting process.
5. Work on SWA Contract PP-2022-1, 2-3A Pipeline Replacement near Taylor has been completed. SWA was approved for a Cost-Share agreement with the SWC for this project in an amount up to \$6 million, with \$4.5 million in grant funding from the State Fiscal Recovery Fund and \$1.5 million from the SWPP's REM fund. The final expenses for the SWA Contract PP-2022-1, 2-3A Pipeline Replacement near Taylor exceed the \$6 million Cost Share Agreement by \$635,269.58 and all expenses have been paid. The SWA Board of Directors approved the overage as an eligible expenditure for reimbursement from REM funds. The SWA Board approved \$500,000 for this project during the 2024 budget process and increased that amount by an additional \$325,000 at the February 5, 2024, Board of Directors meeting. Expenses include the construction contract costs with BEK Consulting, cathodic protection engineering through HDR, and construction administration. The request for reimbursement from REM funds with this request is \$635,268.58.

The current balance of the REM fund is \$26,709,295.51 as of September 30, 2024.


I recommend the State Water Commission approve the reimbursement from the reserve fund for Replacement and Extraordinary Maintenance (REM) in the amount of \$746,551.70 for the five REM items as described above.

AT:JF: /1736-99

Attachment

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: SWPP – Capital Repayment, REM rates and SWA Budget for 2025

DATE: November 27, 2024

Under the agreement for the Transfer of Management, Operations, and Maintenance Responsibilities for the Southwest Pipeline Project (SWPP), (Transfer Agreement) the Southwest Water Authority (SWA) must prepare a budget by December 15 of each year and submit it to the Secretary of the State Water Commission (Commission). This budget is deemed approved unless the SWA is notified of the Commission's disapproval by February 15. The budget for 2025 was received on November 5, 2024.

Water rates are a primary component of the SWA's budgeting process. The Commission approves the Capital Repayment rate and the reserve fund for Replacement and Extraordinary Maintenance (REM) rate explicitly by Commission action.

Capital Repayment Rate:

Capital Repayment portion of the water rate collected is currently returned to the Resources Trust Fund (RTF) on a monthly basis. An amendment to the Transfer Agreement that transferred the operations and maintenance of the SWPP to the SWA, established the Consumer Price Index (CPI) in effect on September 1 (August CPI) as the basis for determining the Capital Repayment rate. The September 1, 2024, CPI adjustment results in a 2.53 percent increase in the Capital Repayment rate for 2025. Based on that adjustment, the Capital Repayment rate for contract customers increases from \$1.48/1,000 gallons to \$1.51/1,000 gallons, rural customer's Capital Repayment rate increases from \$45.02/month to \$46.16/month, and the Capital Repayment rate for SWPP customers that tie into the Missouri West Water System increases from \$35.66/month to \$36.56/month. The SWA Board of Directors approved the 2025 water rates along with the above Capital Repayment rates on November 4, 2024. The 2025 budget estimates depositing \$6.7 million in Capital Repayment from all SWPP customers in to the RTF.

The SWA's budget proposes \$12.00/1,000 gallons for oil industry contracts. The oil industry rate for 2025 will remain unchanged from the 2024 rate. The Capital Repayment for general oil industry rate will remain at \$4.00/1,000 gallons. For SWA's water depot east of Dickinson,

the Capital Repayment rate will remain at \$3.00/1,000 gallons.

REM Rate:

The REM rate adjustment and guidance for using REM funds is not spelled out explicitly in the Transfer Agreement. The Transfer Agreement states that the REM reserve fund shall be accumulated with interest and maintained in an amount to be determined by the Commission and also the Commission shall determine whether or not a proposed project is replacement or extraordinary maintenance.

Action was taken by the Commission in relation to the SWPP REM fund at the August 2022 Commission meeting to provide guidance on the definition of “Replacement” and “Extraordinary Maintenance” in SWPP’s REM and the level to which the SWPP’s REM fund provides for Extraordinary Maintenance expenses and replacement expenses for Capital Projects. Based on the sustainability analysis completed by Department of Water Resources staff in consultation with SWA, annual REM rate increases are needed to provide for 100 percent of the Extraordinary Maintenance expenses and a portion of the replacement expenses for Capital Projects.

In the Transfer Agreement, the base rate for REM was set at \$0.30/1,000 gallons for contract customers and \$.10/1,000 gallons for rural customers. Rural customer’s water rate includes the contract REM rate in addition to the rural REM rate. REM rate for contract customers was increased to \$0.35/1,000 gallons in 1999. Since then, the REM rate has increased a number of times, ultimately to the 2024 REM rate of \$0.82/1,000 gallons. REM rate history is shown in Figure 1. At the SWA Board meeting on November 4, 2024, the REM rate was increased 8.5%.

Rate	2024 Rate	2025 Rate
Contract - Transmission REM	\$0.82	\$0.89 (+ 8.5%)
Rural – Transmission +Distribution REM	\$0.94	\$1.02 (+ 8.5%)

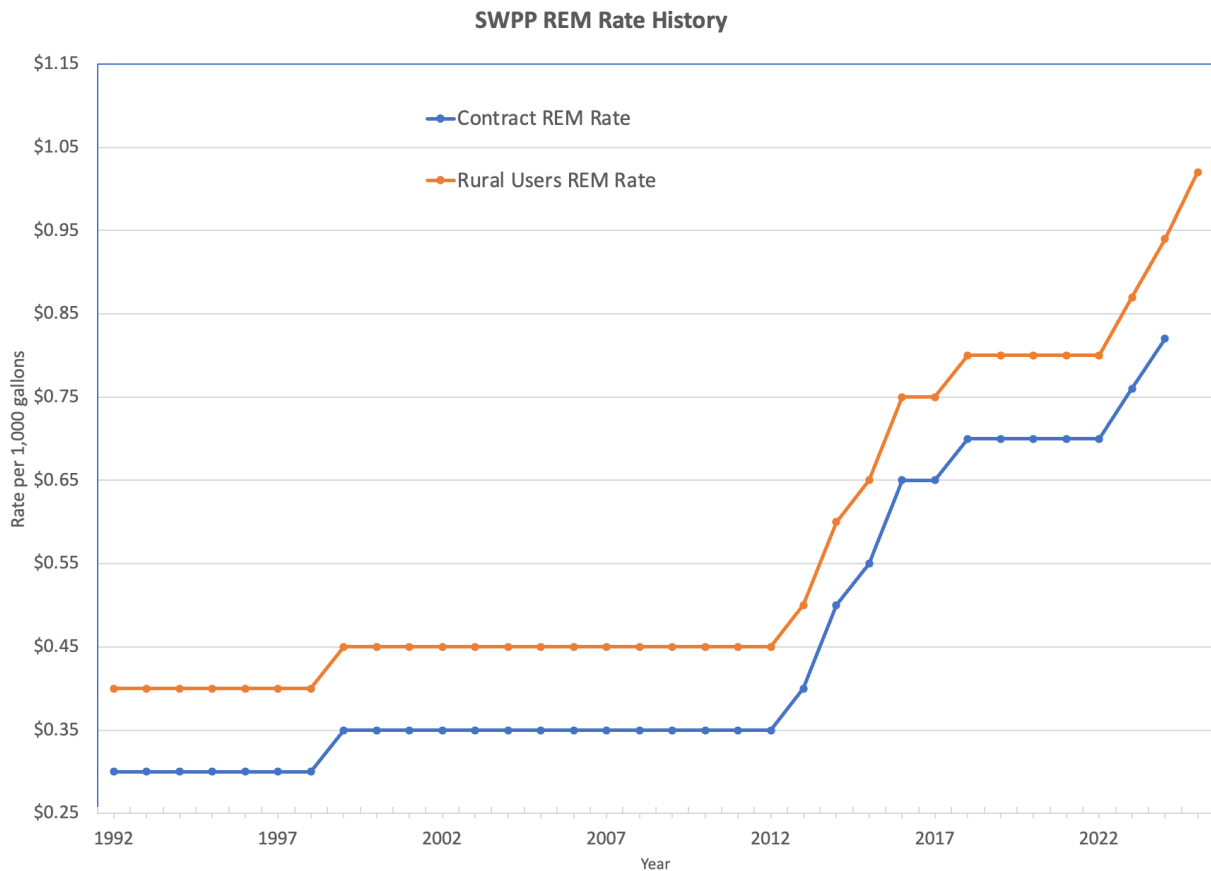


Figure 1: SWPP REM Rate History

DWR staff has consulted with SWA during the 2025 budgetting process and agree with the rate increases approved by the SWA Board. The rate adjustment is in accordance with the REM rate adjustments necessary to meet the REM guidance the Commission approved in August 2022 based on the sustainability analysis completed by DWR staff. The REM rate will need to be evaluated annually to determine if the proposed rate increases are on track to provide for 100 percent of the extraordinary maintenance expenses and a portion of the replacement expenses for Capital Projects.

Included in the SWA’s budget is the budget for the REM funds. The estimated beginning balance in REM funds for 2025 is \$26.36 million; estimated income for 2025 is \$2.73 million; and estimated expenses is \$5.60 million, with an estimated year end balance of \$23.48 million.

The budgeted expenses for 2025 from the REM fund include:

- Leak repair and investigation by Goose Creek near New England
- Residual Handling Facility pump
- Pipeline relocations in Right of Way

SWPP – Capital Repayment, REM Rates and SWA Budget for 2025

Page 4

November 27, 2024

- Tank/reservoir repairs
- Pump motor repairs/replacements
- Ductile iron pipeline repairs and investigations
- Zap potable reservoir settlement repairs
- New England tank recoat
- Contract PP-2024-1 Highway 85 relocation project
- Contract CP-2024-1 Anode bed replacement
- Oliver Mercer North Dunn Water Treatment Plant roof repair
- Local share for ductile iron pipeline replacement
- Intake generator repairs

Overall Water Rate:

Based on the 2025 budget approved by the SWA, the SWA's water rate for the contract customers in 2025 will remain at \$5.87 per 1,000 gallons. The SWA has elected to retain the water rate at last year's amount and the increase for Capital Repayment and REM rates are absorbed by reducing other water rate components.

The minimum monthly rate for rural customers in 2025 will also remain at 2024 rate of \$55.32. The monthly minimum of \$55.32 in 2024 included Capital Repayment of \$45.02 and operations and maintenance fee of \$10.30. Similar to the water rate for contract customers, the SWA has elected to keep the customer's rates the same by absorbing the increase in Capital Repayment by reducing the operations and maintenance fee. The breakdown of the monthly minimum in 2025 is \$46.16 towards capital repayment and \$9.16 towards the operations and maintenance fee. The Commission receives \$5.00 of operation and maintenance fee for the first two years, and then it goes to the SWA for fixed operation and maintenance. The usage rate for the rural customers in 2025 will remain the same at \$6.47 per 1,000 gallons. Budget projections indicate the SWA will end 2025 with a cash balance that would be sufficient to cover 8.71 months of expenses in their operations and maintenance reserve.

Tables below show the summary of the Capital Repayment and REM rates.

Capital Repayment Rates

Customer	2024 Rate	2025 Rate	Change
Contract Customer	\$ 1.48	\$ 1.51	\$ 0.03
SWA Rural Customer	\$ 45.02	\$ 46.16	\$ 1.14
Morton County Customer	\$ 35.66	\$ 36.56	\$ 0.90
Oil Industry Rate - SWA Depot	\$ 3.00	\$ 3.00	\$ -
Oil Industry Rate - Others	\$ 4.00	\$ 4.00	\$ -

REM Rates

Customer	2024 Rate	2025 Rate	Change
Contract Customer	\$ 0.82	\$ 0.89	\$ 0.07
SWA Rural Customer	\$ 0.94	\$ 1.02	\$ 0.08
Morton County Customer	\$ 0.94	\$ 1.02	\$ 0.08
Oil Industry Rate - SWA Depot	\$ 3.00	\$ 3.00	\$ -
Oil Industry Rate - Others	\$ 4.00	\$ 4.00	\$ -


I recommend that the State Water Commission establish 2025 Capital Repayment and REM rates as follows:

Capital Repayment for contract and rural customers: \$1.51 per thousand gallons for contract users, \$36.56 for rural users in Morton County with water service from Missouri West Water System, and \$46.16 per month for other rural users.

Capital Repayment for oil industry contracts: \$3.00 per thousand gallons for Dickinson Water Depot, and \$4.00 per thousand gallons for other oil industry contracts.

REM Rate: \$0.89 per thousand gallons for the contract users, \$1.02 per thousand gallons for rural users, \$3.00 per thousand gallons for the SWA's Dickinson Water Depot, and \$4.00 per thousand gallons for other oil industry contracts.

NORTH
Dakota | Water Resources
Be Legendary.

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: NAWS – 2025 NAWS Interim Water Rate
DATE: November 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. New facilities becoming operational requires estimation of expenses.

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. In addition, City of Rugby pays the replacement and extraordinary maintenance (REM) rate based on their water usage as Phase I NAWS project included expansion of City of Rugby's water treatment plant capacity and transmission system improvements.

Determination of NAWS Water Rate:

The NAWS water rates are comprised of capital costs, supply and treatment costs (S&T), operation and maintenance costs (O&M), and REM rate. 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 currently provides the raw water supply and treatment for the NAWS project based on the Interim Water Service Agreement. When the NAWS intake at Lake Sakakawea comes online and the Biota Water Treatment Plant begins operation, there will be a new component added for the NAWS Lake Supply Rate. This NAWS Lake Supply Rate will cover the total O&M costs for the intake and the supply pipeline from the lake to Minot as well as the electrical costs for the high service pumps at the Biota Water Treatment Plant.

Capital Costs:

The capital costs portion of the NAWS water rate is covered by Minot's 35% share of construction costs.

Operation and Maintenance Rate (O&M Rate):

The O&M rate includes labor, repair, maintenance and utility expenses. Labor expenses include salaries, benefits, vehicle, travel expenses, per diems, and lodging. In 2025, DWR is planning on seeking approval for an additional full time NAWS operator due to the growth of the system, the raw water supply from Lake Sakakwea, and additional facilities becoming operational. Repairs are an estimate and can vary significantly year to year. Larger repair expenses are usually eligible for the REM funds, but many are not eligible and numerous items like sump pumps, heaters, dehumidifiers, and batteries for uninterruptable power supplies are replaced regularly.

The majority of utility expenses for NAWS is for electrical expenses. The electrical expenses are roughly ninety percent pumping costs which are calculated based on projected water use, pump horsepower, pump run times, and future electrical rates. Other electrical costs are for facilities which are not pump stations such as meter vaults, pressure reducing valve vaults, cathodic rectifier stations, etc. and are based on historical use and future electrical rates. Input on future electrical rates are provided by the electrical utilities. Other utility expenses include telephone and internet.

Current calculation of the O&M rate charged to the City of Minot for its connections, based on the projected water use and expenses, shows an increase to \$0.27/1,000 gallons from the previous \$0.26/1000 gallons rate.

The O&M rate charged to NAWS contract customers (\$1.65/1,000 gallons in 2024) based on the projected water use and expenses results in the 2025 O&M rate of \$2.03/1,000 gallons.

Supply and Treatment (S&T Rate):

The ground water S&T rate is determined by the City of Minot and is a straight pass through to NAWS customers. No S&T rate is charged to the City of Minot contracts as it is already included in their billing structure. The cost for S&T from the City of Minot is increasing from \$2.20/1,000 gallons in 2024 to \$3.00/1,000 gallons for 2025.

With the expectation of the raw water supply from Lake Sakakwea becoming operational in 2025, Minot was requested to provided a breakdown of their S&T rate. The City of Minot has provided a breakdown of \$0.41/1,000 gallons for the supply rate and \$2.59/1,000 gallons for

the treatment rate. The raw water transmission system from Lake Sakakwea for NAWS includes the pumps at Snake Creek Pumping plant, the Biota Water Treatment Plant, South Prairie Reservoir, multiple rectifier stations for the cathodic protection system, a pressure reducing station, and three isolation valves. The cost for supplying water from Lake Sakakwea to the water treatment plant at Minot was calculated by estimating pumping costs at the intake and Biota Water Treatment Plant based on anticipated flows, discharge pressures, and electrical rates; costs for the rectifiers on the cathodic protection system based on historic use; and estimating electrical demands for the South Prairie facilities and isolation vaults based on similar facilities. In addition, electrical rate increases are also included in this cost projection for 2025. Other operational expenses for the lake supply water line are more challenging to estimate as it depends on when the facilities become operational. The approximately 45 miles of lake supply water line represents seventeen percent of the miles of pipe on the Project, but the infrastructure is much larger in size than on the distribution side and contributes greater costs per mile for operations and maintenance. The percentage of operations and maintenance costs to be incurred on the lake supply water line is an unknown at this point, but applying five percent of operations and maintenance costs to the lake supply line results in a Lake Supply rate of \$0.39/1,000 gallons.

The supply rate from City of Minot is close to the estimated NAWS Lake Supply rate. This allows the supply charges to be consistent between the project and the City of Minot. This approach is logical as the project isn't delivering lake water to anyone other than the Minot water treatment plant.

Replacement and Extraordinary Maintenance Rate (REM Rate):

Adjusting the REM rate (\$0.35/1,000 gallons for 2024) similar to the increase in the O&M rate and S&T rate rates results in a rate of \$0.45/1,000 gallons for 2025. This adjustment to the REM rate is justifiable as the amount of infrastructure for the project has increased and continues to grow in 2025 with the intake and supply pipeline coming online.

The REM rate for NAWS remained at \$0.15/1,000 gallons through 2022. The REM rate was increased to \$0.30/1,000 gallons and \$0.35/1,000 gallons in 2023 and 2024 respectively. The city of Rugby was not notified of the increase in REM rate in 2023 and 2024, but they continued to pay \$0.15/1,000 gallons in 2023 and 2024. The city of Rugby will be notified of the 2025 REM rate.

2025 NAWS Interim Water Rates Summary:

The NAWS water rate for City of Minot is increasing from \$0.61/1,000 gallons to \$0.72/1,000 gallons as shown in the Table 1 below.

The 2025 rate for NAWS contract customers is increasing from \$4.20/1,000 gallons to \$5.48/1,000 gallons as shown in Table 1 below.

The 2025 REM rate for City of Rugby will be \$0.45/1,000 gallons.

	Capital Cost (Per 1,000 gallons)	O&M Rate (Per 1,000 gallons)	S&T Rate (Per 1,000 gallons)	REM Rate (Per 1,000 gallons)	Total NAWS Water Rate (per 1,000 gallons)
City of Minot	\$0.00	\$0.27	\$0.00	\$0.45	\$0.72
NAWS Contract Customers	\$0.00	\$2.03	\$3.00	\$0.45	\$5.48
City of Rugby				\$0.45	\$.45

Table 1: NAWS 2025 Water Rate Summary

The NAWS Authority at their November 21, 2024 approved the initial estimate of the 2025 Interim NAWS water rate. Included with this memo is the supporting documentation for the 2025 Interim NAWS water rate estimation.

I recommend the State Water Commission approve the 2025 Interim NAWS water rate.

AT:TGJ/237-4

Attachment

2025 NAWS Interim Water Rate Determination - Supporting Documentation

Assumptions for 2025 NAWS Water Rate Estimation

Operational Expenses Split

Lake Supply	5%
NAWS City of Minot	25%
NAWS Contract Customers	70%
Utility Rate Increase assumption from 2024 to 2025	7%
HSPS Electricity Cost - Allocation to City of Minot	82%

Water Sales Estimation

	Annulaized 2024			
	Water Sales	2025 Projection	Variance	Comments
City of Minot Usage	1,210,325,589	1,260,000,000		4% 2025 Projections from City of Minot
North Prairie Usage	39,427,603	40,000,000		1% 2025 Projections from City of Minot
Other NAWS Customers Usage	314,339,599	295,000,000		-6% 2025 Projections from City of Minot
Total Water Sales	1,564,092,791	1,595,000,000		2%

O&M: Operations Expenses Estimation					
O&M Expenses - Operations. Includes labor, repairs, equipment	Annulaized 2024 Expenses	2025 Projection	Variance	Comments	
Payroll - Operators (Base Salaries and Benefits)	\$ 169,147	\$ 220,000	\$ 50,853	Includes costs for adding another FTE as operator	
Payroll - Operator Overtime pay	\$ 5,162	\$ 6,000	\$ 838		
Payroll - Operator On call pay	\$ 39,951	\$ 42,000	\$ 2,049		
Payroll - NAWS PM (Base salaries and Benefits)	\$ -	\$ 16,000	\$ 16,000	Historically NAWS PM's time towards operations were not included in Water Rate estimation. Including 10% of the NAWS PM's time towards NAWS operations	
Agency Operations - Lodging	\$ 14,745	\$ 15,483	\$ 737	Increased 2024 Costs by 5%	
Agency Operations - Meals Reimbursement	\$ 5,840	\$ 6,132	\$ 292	Increased 2024 Costs by 5%	
Agency Operations - Motor Pool	\$ 18,467	\$ 19,390	\$ 923	Increased 2024 Costs by 5%	
Agency Operations - Motor Pool Replacement	\$ 10,128	\$ 10,634	\$ 506	Increased 2024 Costs by 5%	
Agency Operations - ITD & Telephone	\$ 5,605	\$ 5,885	\$ 280	Increased 2024 Costs by 5%	
Agency Operations - Other Professionals	\$ 4,440	\$ 4,662	\$ 222	First District Health expenses, Increase 2024 Costs by 5%	
Agency Operations - Engineering Services	\$ 44,284	\$ 46,498	\$ 2,214	Increased 2024 Costs by 5%	
Agency Operations - Special Use Permit with BOR	\$ 16,540	\$ 17,367	\$ 827	Increased 2024 Costs by 5%	
Agency Operations - Insurance	\$ 17,500	\$ 22,750	\$ 5,250	Increased 2024 costs by 30% to account for the premium increase notice from NDIRF and to account for adding additional facilities	
Agency Operations - Repairs	\$ 38,923	\$ 40,000	\$ 1,077		
Agency Operations - AMR Monitoring Fee	\$ 3,780	\$ 3,969	\$ 189	Increased 2024 Costs by 5%	
Agency Operations - SCADA Licensing Fee	\$ 5,900	\$ 6,195	\$ 295	Increased 2024 Costs by 5%	
Agency Operations - Equipment Purchase		\$ 10,714	\$ 10,714	Skid Steer purchase recovered over 7 Years - starting in 2025	
Agency Operations - Cost to serve Westhope through ASWUD	\$ 26,857	\$ 27,479	\$ 622	ASWUD's cost for serving Westhope in 2024 was \$2.16/1000, in 2025 it is \$2.21/1000	
Total Operational Expenses	\$ 427,270	\$ 521,159	\$ 93,889		
O&M Operations Split		Cost	Volume	Cost/1000 gallons	
Lake Supply	5%	\$ 26,057.95	1,595,000,000	\$ 0.02	
NAWS City of Minot	25%	\$ 130,289.73	1,300,000,000	\$ 0.10	
NAWS Contract Customers	70%	\$ 364,811.24	295,000,000	\$ 1.24	

O&M: Utility Expenses Estimation

Utility Rate Escalation to use

7%

Utility Expenses for Lake Supply Rate Estimate

SCPP Electrical Cost Estimate	NA	\$410,377.42		Estimate for the full calendar year
Biota WTP HSPS Electrical cost Estimate	NA	\$177,911.61		Estimate for the full calendar year
Other Lake supply facility expenses	\$ 6,070.79	\$ 6,495.74		
Total Lake Supply Utility Expenses		\$594,784.77	\$ 594,785	
Water Volume		1,595,000,000		
Cost/1000 gallons		\$ 0.37		

Distribution Utility Expenses

HSPS Electricity Costs attributable for NAWS	60%			Comments
Total HSPS Electricity Costs	\$ 399,256.42	\$ 427,204.37		
HSPS Electricity Costs for NAWS (60%)	\$ 239,553.85	\$ 256,322.62		

Utility Expenses For NAWS City of Minot

NAWS City of Minot's allocation of the NAWS HSPS Costs	82%			Comments
HSPS Costs - NAWS City of Minot	\$ 196,434.16	\$ 210,184.55		
North Prairie Connections Utility - NAWS City of Minot	\$ 4,841.91	\$ 5,180.85		
Total Utility Expenses (For NAWS City of Minot)	\$ 201,276.07	\$ 215,365.40		
Water Volume		1,300,000,000		
Cost/1000 gallons		\$ 0.17		

Utility Expenses For NAWS Contract Customers

NAWS Contract Customers allocation of the NAWS HSPS Costs	18%			Comments
HSPS Costs - NAWS Contract Customers	\$ 43,119.69	\$ 46,138.07		
Other Utility Expenses - NAWS Contract Customers	\$ 176,629.62	\$ 188,993.69		Includes projection for Bottineau Pump Station
Total Utility Expenses (For NAWS Contract Customers)	\$ 219,749.31	\$ 235,131.76		
Water Volume		295,000,000		
Cost/1000 gallons		\$ 0.80		

Water Rate Summary


	Lake Supply Rate Estimate *	City of Minot Supply Rate*	City of Minot Treatment Rate	O&M Rate (Operations + Utilities)	REM Rate	Total
NAWS City of Minot (2024)	\$ 0.20	Not Applicable	Not Applicable	\$ 0.26	\$ 0.35	\$ 0.61
NAWS City of Minot (2025)	\$ 0.39	Not Applicable	Not Applicable	\$ 0.27	\$ 0.45	\$ 0.72
Total Increase for 2025						\$ 0.11
NAWS Contract Customers (2024)	\$ 0.20	\$ 0.20	\$ 2.00	\$ 1.65	\$ 0.35	\$ 4.20
NAWS Contract Customers (2025)	\$ 0.39	\$ 0.41	\$ 2.59	\$ 2.03	\$ 0.45	\$ 5.48
Total Increase for 2025						\$ 1.28

*NAWS customers will be charged either the Lake Supply Rate or City of Minot Supply rate.

DWR will be working with City of Minot to determine how the supply rate is passed on to NAWS Customers when Lake Water becomes available in Summer 2025.

N O R T H
Dakota | Water Resources
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TO: Governor Doug Burgum
 Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: NAWS – Reimbursement from Replacement and Extraordinary Maintenance Fund for Pipe Repair

DATE: November 25, 2024

The State Water Commission collects and maintains a reserve fund for Replacement and Extraordinary Maintenance (REM) from water sales revenues from the Northwest Area Water Supply (NAWS) system. Funds are collected on all NAWS contracts including all users served through the City of Minot's contract, all communities and rural water systems served through the NAWS infrastructure, and the City of Rugby. The State Water Commission adopted a policy for use the REM funds for the NAWS project at its June 2012 meeting. The memorandum for this policy is attached which notes items over \$15,000 are eligible for reimbursement from REM funds.

All infrastructure projects require regular maintenance and replacement of equipment. Much of the costs are incurred annually and are included in the annual operating budget. Larger cost items occur less frequently, incur higher costs, and are meant to be funded by the REM funds.

On October 3, 2024, the 30 inch ductile iron pipeline feeding the water treatment plant in the City of Minot developed a leak. This leak was immediately located and repaired. The total repair costs incurred totalled \$35,058.77. The breakdown of the total repair costs are shown in the table below. Materials for the repair were used from project inventory and restocked with new order. Included as attachment are the supporting invoices. The NAWS REM account balance as of November 24, 2024 is \$3.417 million.

Kemper Invoice	Installation costs	\$21,825.25
American Invoice	Materials	\$4,529.42
Ferguson Invoice	Materials	\$8,704.10
Total Repair Costs		\$35,058.77

I recommend the State Water Commission approve that the 30 inch ductile iron pipeline repair is an eligible Replacement and Extraordinary Maintenance project and approve reimbursement of \$35,058.77 from the NAWS Replacement and Extraordinary Maintenance Fund.

AT:TGJ/237-4
 Attachment



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

TO: Governor Jack Dalrymple, Members of the State Water Commission
FROM: Todd Sando, P.E., Chief Engineer-Secretary
SUBJECT: NAWS – REM Policy
DATE: June 13, 2012

The State Water Commission collects and maintains a reserve fund for Replacement and Extraordinary Maintenance (REM) from water sales revenues from the Northwest Area Water Supply (NAWS) system. Funds are collected on all NAWS contracts including all users served through the City of Minot's contract, all communities and rural water systems served through the NAWS infrastructure, and the City of Rugby.

A policy regarding the utilization of funds from the NAWS REM fund is necessary as portions of the system have been in use for a few years now. The proposed policy will mirror that used on the Southwest Pipeline Project in that only items over \$15,000 be considered and the Commission be notified ahead of time when possible to concur in the determination that item be considered Replacement or Extraordinary Maintenance. If the Commission concurs that at item is Replacement or Extraordinary it will then authorize reimbursement. There is a separate yet similar agreement with regards to the Dickinson Water Treatment plant put in place after the Southwest Water Authority took over operation but the City of Dickinson retained ownership. Something similar will be necessary in the future but not at this point as the City of Minot currently owns and operates the Minot water treatment facility.

I recommend the State Water Commission adopt the following policy for expenses eligible for the Northwest Area Water Supply reserve fund for Replacement and Extraordinary Replacement

- **Only items initially funded by NAWS funding and considered NAWS project works are eligible**
- **Only items over \$15,000 are eligible**
- **The State Water Commission will be notified of budgeted items intended for REM reimbursement as part of the local budget process**
- **The State Water Commission will concur on eligible items and authorize reimbursement for the REM fund.**

TSS:TJF/237-4

JACK DALRYMPLE, GOVERNOR
CHAIRMAN

TODD SANDO, P.E.
CHIEF ENGINEER AND SECRETARY



3305 4th Ave NW
 PO Box 8
 Minot ND 58703-0008

Invoice

Date	Invoice #
10/28/2024	303

Phone # 701-838-1733 Fax # 701-839-5533
 E-mail kemper@kemperconstruction.com

Bill To

North Dakota Water Commission
 900 East Boulevard Ave
 Bismarck ND 58505-0850

Code No. / P.O. No.	
Location	
AFE #	

Qty Description	Unit Rate	Item Total
46.5 hrs Foreman	100.00	4,650.00
29.5 hrs Equipment Operator	75.00	2,212.50
76 hrs Laborer	60.00	4,560.00
3.5 hrs Pickup	50.00	175.00
1 hrs Truck & Trailer	130.00	130.00
10 hrs Tool Van Truck	60.00	600.00
4 hrs End Dump Tandem	95.00	380.00
21.5 hrs Komatsu PC360 Excavator	165.00	3,547.50
21.5 hrs Bobcat	55.00	1,182.50
21.5 hrs Loader	95.00	2,042.50
1 day 6" Jet Pump	450.00	450.00
2 Permits	50.00	100.00
24 tons Screened Sand	24.85	596.40
12.72 tons 1" Washed Rock	44.75	569.22
14.07 tons 3/4" Washed Rock	44.75	629.63
October 3-4, & 7, 2024		
Ordered by Perry at 701.527.2962		
Repaired NAWS 30" Water Leak		
Old City of Minot Landfill, Behind Minot Fire Practice Station, near 18th St SW		
In Minot City Limits		

Payment is due in 30 days.

A late payment charge of 1-1/2% per month will be charged on past due accounts.

Invoices to be paid in United States Funds Only.

**Mail payments to:
 Kemper Construction Company
 9035 County Road 17B
 Maxbass ND 58760**

Subtotal	\$21,825.25
Sales Tax (7.5%)	\$0.00
Total	\$21,825.25
Payments/Credits	\$0.00
Balance Due	\$21,825.25



AMERICAN

DUCTILE IRON PIPE

THE RIGHT WAY

1501 31st AVENUE NORTH BIRMINGHAM, AL 35207
 TELEPHONE 205-325-7701 FAX 205-325-8941

INVOICE

INVOICE #: D5H6529 001

DATE: 11/11/24

Bill To:
 ND STATE WATER COMMISSION
 900 EAST BLVD
 701-328-2750
 BISMARCK, ND

Ship To:
 ND STATE WATER COMMISSION
 BIOTA WTP
 3277 28TH ST NW
 48HR PRECALL REQUIRED
 MAX, ND 58759

CUSTOMER #	P.O. NUMBER	DATE SHIPPED	SHIPPED VIA	SALES ENGINEER	ORIGIN	FREIGHT TERMS
NORD040	EMERGENCY REPAIR PIPE	11/11/24	TASWO K	LMB	BHM	PREPAY/ALLOW

LINE #	DESCRIPTION	WEIGHT	QUANTITY	UO I	UNIT PRICE	AMOUNT
1	30" FST FSTPE, W/FSTPE GAGED FULL PIPE CL-250 0.42" 20'0-1/2", 9-2-2-2/G	5910.48	40.0834	FT	226.00	9058.85
			Used: 20.0417ft			\$4528.42
2	30" FASTITE GASKET, STYRENE BUTADIENE COPOLYMER (SBR) RUBBER, REFERENCE ANSI/AWWA C111/A21.11 AND DRAWING PA-02583 LATEST REVISION	39.60	6.0000	EA	.00	.00
3	RING FIELD FLX RNG 30 FLDFLEX	44.00	2.0000	EA	1416.00	2832.00
5	LUBRICANT FASTITE AMERICAN 2 LB	2.00	1.0000	EA	.00	.00
6	36" FASTITE GASKET, STYRENE BUTADIENE COPOLYMER (SBR) RUBBER, REFERENCE ANSI/AWWA C111/A21.11 AND DRAWING PA-02583 LATEST REVISION	48.60	6.0000	EA	.00	.00

LININGS
 9 - HS DBL CEMENT LINED W/ SEAL COAT (NC)
 COATINGS
 2 - ASPHALTIC

RECEIVED

NOV 9 2024

ND DEPT. OF WATER RESOURCES

TERMS: NET 30

Make all checks payable to:
 AMERICAN CAST IRON PIPE COMPANY
 P.O. BOX 402659
 ATLANTA, GA. 30384-2659

Wire Transfer to:
 AMERICAN CAST IRON PIPE COMPANY
 BANK: BANK OF AMERICA
 ROUTING NUMBER: 026009593
 ACCOUNT NUMBER: 003275520981
 SWIFT NUMBER: BOFAUS3N

ACH or EDI Payment:
 AMERICAN CAST IRON PIPE COMPANY
 BANK: BANK OF AMERICA
 ABA: 061000052
 ACCOUNT NUMBER: 003275520981



FERGUSON WATERWORKS #2517
 2005 CHANNEL DRIVE
 BISMARCK, ND 58501-6714

Phone: 701-258-9700
 Fax: 701-258-1452

Deliver To: From: Brian W Sjomeling brian.sjomeling@ferguson.com Comments:
--

12:50:50 NOV 25 2024

FERGUSON WATERWORKS #2516
 Order Confirmation
 Phone: 701-258-9700
 Fax: 701-258-1452

Order No: 0508156
Order Date: 10/15/24
Writer: MAP

Req Date: 12/01/24

Ship Via: OUR TRUCK
Terms: NET 10TH PROX

Sold To: ND STATE WATER COMMISSION
 900 E BOULEVARD AVE
 BISMARCK, ND 58505-0850

Ship To: ND STATE WATER COMMISSION
 3728 E PRINCETON AVE
 BISMARCK, ND 58504

Cust PO#: MJ SLEEVES.

Job Name:

Item	Description	Quantity	Net Price	UM	Total	Used(Qty)	Cost
	30" MJ SLEEVE						

MJELSSLA3024	30X24 MJ C153 LONG SLV SLD EPOX	2	4523.000	EA	9046.00	1	\$4,523.00
SSGDPS30	30 STARBOND STARGRIP F/ DIP	4	1683.290	EA	6733.16	2	\$3366.58
MJGA30	30 MJ GSMT	4	67.260	EA	269.04	2	\$134.52
MJSS304BHHNGU	1X6 SS 304 MJ T-BLT W/ HH NUT	80	17.000	EA	1360.00	40	\$680.00
	SUBTOTAL				17408.20	Total	\$8,704.10

	36" MJ SLEEVE						

MJELSSLA3624	36X24 MJ C153 LONG SLV SLD EPOX	1	5619.030	EA	5619.03		
SSGDPS36	36 SBOND DI SGRIP SER 3000	2	2170.600	EA	4341.20		
MJGA36	36 MJ GSMT	2	76.460	EA	152.92		
MJSS304BHHNGU	1X6 SS 304 MJ T-BLT W/ HH NUT	48	17.000	EA	816.00		
	SUBTOTAL				10929.15		

Net Total: \$28337.35
Tax: \$0.00
Freight: \$0.00
Total: \$28337.35

WARRANTY PROVISIONS

The purchaser's sole and exclusive warranty is that provided by the manufacturer, if any. Seller makes no express or implied warranties. SELLER DISCLAIMS ALL EXPRESS OR IMPLIED WARRANTIES INCLUDING ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT WILL SELLER BE LIABLE FOR ANY INCIDENTAL, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES ARISING DIRECTLY OR INDIRECTLY FROM THE OPERATION OR USE OF THE PRODUCT. SELLER'S LIABILITY, IF ANY, SHALL BE LIMITED TO THE NET SALES PRICE RECEIVED BY SELLER. Complete Terms and Conditions are available upon request or can be viewed on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to complete a survey about your orders:

<https://survey.medallia.com/?bidsorder&fc=2516&on=1733>

FERGUSON WATERWORKS #2516
Order Confirmation

Fax: 701-258-1452

12:50:50 NOV 25 2024
Reference No: 0508156

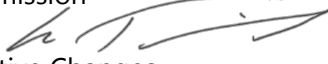


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complete a survey about your orders:

<https://survey.medallia.com/?bidsorder&fc=2516&on=1733>

NORTH
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TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: NAWS Authority Proposed Legislative Changes
DATE: November 25, 2024

During the 2023 Legislative session, through HB 1218, legislators elevated the Northwest Area Water Supply (NAWS) Advisory Committee to the NAWS Authority (Authority) to put the NAWS Project in line with North Dakota's other large regional water projects. HB 1218 additionally updated the representatives for the NAWS Authority Board to reflect the water use entities of the NAWS system. The NAWS Project is expected to begin drawing water from the Missouri River in 2025.

As the project nears completion, the Department of Water Resources (Department) completed a review of North Dakota Century Code (N.D.C.C.) ch. 61-24.6 to identify necessary legislative changes to further support the Authority and the NAWS Project.

Authority Staffing and Funding:

Since the beginning of the NAWS Advisory Board, and now with the NAWS Authority, the Department has provided staffing and support. N.D.C.C. currently lacks language for the NAWS Authority to employ and fund staff to support the Authority and its operations.

The Department has identified several options for consideration that would enable the Authority to fund staff. They are as follows:

- Levy a tax within the boundaries of the service area
- Allocate a certain amount from the water rate revenue
- Develop a membership payment from the water-use entities

The other water authorities in the state are funded as follows:

NAWS Authority Proposed Legislative Changes

Page 2 of 3

November 25, 2024

Regional Water System	Authority or Political Subdivision	Funding Source for the General Operation of the Authority
Southwest Pipeline Project	Southwest Water Authority (SWA)	For each taxable year through 2020, the authority levied a tax of not to exceed one mill annually on each dollar of taxable valuation within the boundaries of the authority. With the sunset of mill levy in 2020, the SWPP water rate fully funds the operations of the SWA.
Red River Valley Water Supply Project	Lake Agassiz Water Authority (LAWA) Garrison Diversion Conservancy District	Membership dues support LAWA's general expenses. Garrison Diversion provides support and administrative services for LAWA. Garrison Diversion is funded by a mill from each member county.
Western Area Water Supply Project (WAWS)	Western Area Water Supply Authority	The Executive Director and staff of the WAWS authority are funded through the WAWS water rate.

Based on the funding structure of the other large regional water system authorities in the state, the Department recommends allocating an amount from the water rate revenue to fund staff for the Authority.

Draft conceptual changes to N.D.C.C ch. 61-24.6 are noted in the attached document. Summary of the changes are noted below.

Easements:

The Department recommends adding a section into N.D.C.C. ch. 61-24.6 regarding easements across public lands. The language directly mirrors language from the Southwest Pipeline Project and would establish an automatic easement across state-owned land, including land used for highway right-of-way purposes, for NAWS pipelines, connections, valves, and facilities provided the Department of Transportation Director and Department of Water Resources Director approve the plan.

Clean Up Language:

The Department identified subsection 2 of N.D.C.C. § 61-24.6-02 to not match the language of other subsections. Proposed changes assure that the North Prairie Regional Water District representative of the Authority is appointed in the same way as other regional water district representatives.

Powers and Duties of the Authority:

The draft language includes powers and duties of the NAWS Authority as a new section in N.D.C.C ch. 61-24.6. The language is based off of N.D.C.C for Southwest Water Authority and Garrison Diversion Conservancy District.

NAWS Authority Proposed Legislative Changes

Page 3 of 3

November 25, 2024

Timeline:

The draft conceptual language was approved by the NAWS Authority at its November 21, 2024 meeting. Upon approval of the State Water Commission, Department staff will work to identify a bill sponsor to introduce the bill during legislative session.

I recommend the State Water Commission approve the draft conceptual North Dakota Century Code language for the NAWS Authority and identification of a bill sponsor to introduce the bill during legislative session.

AT:TGJ/237-4

Attachment

Sixty-ninth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

"enter sponsor or agency name"

A BILL for an Act to create and enact a new section to chapter 61-24.6 of the North Dakota Century Code, relating to easements for the northwest area water supply project, to create and enact a new section to chapter 61-24.6 of the North Dakota Century Code, relating to operation and maintenance of the northwest area water supply project, to create and enact a new section to chapter 61-24.6 of the North Dakota Century Code, relating to the powers and duties of the northwest area water supply authority, to amend and reenact section 61-24.6-02 of the North Dakota Century Code, relating to the northwest area water supply authority, and to amend and reenact section 61-24.6-03 of the North Dakota Century Code, relating to the northwest area water supply authority staffing.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 61-24.6 of the North Dakota Century Code is created and enacted as follows:

Easement granted for northwest area water supply project.

In connection with the construction and development of the northwest area water supply project, there is granted over all the lands belonging to the state, including lands owned or acquired for highway right-of-way purposes, a right of way for pipelines, connections, valves, and all other appurtenant facilities constructed as part of the northwest area water supply project, provided, however, the director of the department of transportation and the director of the department of water resources must approve the plans of the authority regarding the use of all right of way of roads before the grant is effective.

Commented [AE1]: Mirrors SWPP language 61-24.5-18

SECTION 2. A new section to chapter 61-24.6 of the North Dakota Century Code is created and enacted as follows:

Operation and maintenance - Commission to appoint manager and employees.

The commission may obtain the assistance necessary for the operation and maintenance of the northwest area water supply project. The commission may appoint a manager and subordinate officers and employees. The commission may designate the manager its general agent in respect to the operation and maintenance of the northwest area water supply project, but subject to the supervision, limitation, and control of the commission.

Subject to the control and regulation of the commission, the manager of the northwest area water supply project may appoint and employ such deputies and other subordinates, and such contractors, engineers, attorneys, and other experts, agents, and servants as the manager shall deem required.

The total compensation of such appointees and employees, together with other expenditures for the operation and maintenance of the northwest area water supply project, shall remain within the appropriation and earnings lawfully available in each year for such purpose.

Commented [AE2]: Generally mirrors Southwest Water Authority language 61-24.3-12.

In this section, we are assuming the SWC will appoint the NAWS Authority as its manager. The last 2 paragraphs indicate the manager may employ people.

SECTION 3. A new section to chapter 61-24.6 of the North Dakota Century Code is created and enacted as follows:

Powers and duties of the authority.

The board of directors of the northwest area water supply authority may:

1. Sue and be sued in the name of the authority.
2. Accept funds, property, and services or other assistance, financial or otherwise, from federal, state, and other public or private sources for the purpose of aiding and promoting the maintenance, and operation of the northwest area water supply project, or any part thereof.
3. Cooperate and contract with the state, its agencies, or its political subdivisions, or any agency of the United States, in research and investigation or other activities promoting the establishment or operation of the northwest area water supply project, or any part thereof.
4. Furnish assurances of cooperation, and as principal and guarantor or either to enter into a contract, or contracts, with the United States of America, or any department or agency thereof, and with public corporations and political subdivisions of North Dakota for the

Commented [AE3]: This language is currently in all other water Authorities' code

performance of obligations for the operation or maintenance of the northwest area water supply project, or any part thereof, or for the delivery of water to any such department, agency, or political subdivision.

Commented [AE4]: Language exists in GDCD and SWA code.

5. Construct or purchase separately or in cooperation with agencies of the United States, or the state of North Dakota, its agencies or political subdivisions, and to equip, maintain, and operate an office and principal place of business for the authority, or other buildings or facilities to carry out activities authorized by this chapter.

Commented [AE5]: Language exists in GDCD and SWA code.

6. Appoint and fix the compensation of such employees as the board shall deem necessary to conduct the business and affairs of the authority, and to procure the services of engineers and other technical experts, and to retain an attorney or attorneys to assist, advise, and act for it in its proceedings.

Commented [AE6]: This language is currently in all other water Authorities' code

7. Appoint from their number an executive committee and vest the same with such powers and duties as the board may from time to time delegate thereto, in order to facilitate the duties and work of the board in connection with the business affairs involved in the development, operation, and maintenance of the northwest area water supply project, or any part thereof.

Commented [AE7]: Language exists in GDCD and SWA code.

8. Enter into a contract or contracts for a supply of water from the United States or the state water commission and to sell, lease, and otherwise contract to furnish any such water for beneficial use to persons or entities within or outside the authority.

Commented [AE8]: Language exists in GDCD and SWA code.

9. Accept, on behalf of the authority, appointment of the authority as fiscal agent of the United States or the state water commission and authorization to make collections of money for and on behalf of the United States or the state water commission in connection with the northwest area water supply project, or any part thereof.

Commented [AE9]: Language exists in GDCD and SWA code.

10. Sell or exchange any and all real property purchased or acquired by the authority. All moneys received pursuant to any such sale or exchange shall be deposited to the credit of the authority and may be disbursed for the payment of expenses of the authority.

Commented [AE10]: This language is currently in all other water Authorities' code

11. Establish water rates for the customers in cooperation with the state water commission.

12. Notwithstanding any other law, to exercise the powers granted to a municipality under subsection 5 of section 40-33-01 pursuant to the limitations set forth therein. The authority may pay the cost of leasing any waterworks, mains, and water distribution system and any equipment or appliances connected therewith and any property related thereto pursuant to subsection 5 of section 40-33-01 solely from revenues to be derived by the authority from the ownership, sale, lease, disposition, and operation of the waterworks, mains, and water distribution system; the funds or any other amounts invested by the authority pursuant to the laws of the state or invested on the authority's behalf by the state, or any agency or institution of the state, in conformity with policies of the industrial commission, including investment in a guaranteed investment contract and any earnings thereon, to the extent pledged therefor; and funds, if any, appropriated annually by the board of the authority or received from federal or state sources.

Commented [AE11]: Language exists in SWA code.

13. To study and analyze options for providing additional water supplies to northwest North Dakota for purposes, including domestic, rural water, municipal, livestock, energy development, industrial, mining, and other uses.

Commented [AE12]: Language exists in SWA code.

14. To conduct engineering, legal, financial, educational, and other activities to further the completion of the northwest area water supply project, or any part thereof, or any other works or projects necessary to provide adequate water supplies for northwest North Dakota.

Commented [AE13]: Language exists in SWA code.

15. Operate and manage the authority to distribute water to its customers.

SECTION 4. AMENDMENT. Section 61-24.6-02 of the North Dakota Century Code is amended and reenacted as follows:

61-24.6-02. Northwest area water supply authority - Created.

The northwest area water supply authority consists of the following representatives who, except for the members elected under subsection 5, are appointed by the state water commission:

1. Four representatives from the city of Minot recommended by the Minot city council.

2. One representative ~~from of~~ the North Prairie regional water district [recommended by the North Prairie regional water district board of directors](#).
3. One representative of all seasons water users district recommended by the all seasons users district board of directors.
4. One representative of the upper Souris water district recommended by the upper Souris water district board of directors.
5. One representative of cities other than the city of Minot, with direct water service from the northwest area water supply project to be selected by election by cities during the annual meeting of the North Dakota league of cities.
6. One representative of the state water commission who resides in the Souris River basin recommended by the state water commission.
7. One representative of the Garrison Diversion Conservancy District recommended by the Garrison Diversion Conservancy District board of directors who serves as a nonvoting member.
8. One representative of the Turtle Mountain Band of Chippewa Indians recommended by the tribal council who will serve as a nonvoting member.

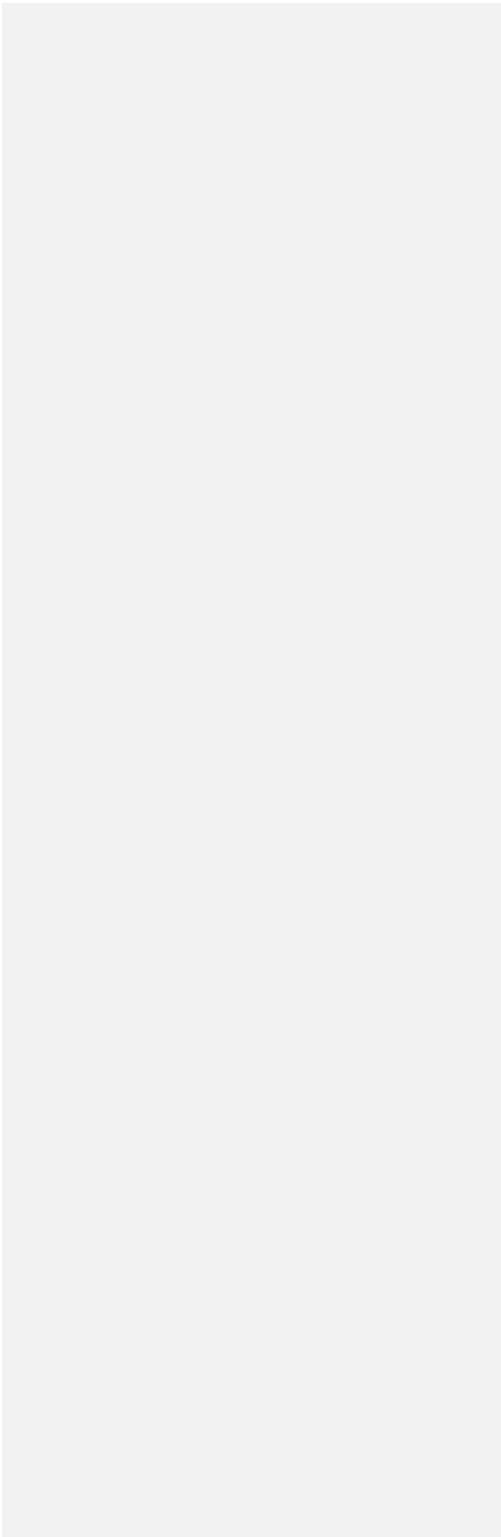
SECTION 5. AMENDMENT. Section 61-24.6-03 of the North Dakota Century Code is amended and reenacted as follows:

61-24.6-03. Northwest area water supply authority - Duty - Officers - Meetings - Compensation - Staffing.

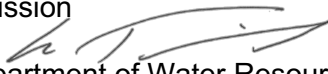
The northwest area water supply authority shall develop recommendations for the legislative management regarding the transition of long-term operations and management of the northwest area water supply project. The members of the authority shall serve four-year terms. The authority shall elect a chairman and vice chairman and meet no less often than once per quarter at the times and places necessary to carry out the purposes of this chapter. The authority members may be reimbursed for their mileage and expenses in the amount provided for by sections 44-08-04 and 54-06-09. The authority

members serve at the pleasure of the state water commission. Vacancies must be filled in the same manner as original appointments are made. The department of water resources ~~shall~~may provide staffing and support for the authority.

DRAFT



MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: NDSWC Cost-Share Request – Department of Water Resources
 Groundwater Flow Models for Water Availability and Artificial Recharge
 Projections
DATE: November 25, 2024

Background & Description

The Department of Water Resources (DWR) requests funding for their Groundwater Flow Models for Water Availability and Artificial Recharge Projections (Project). The Project will include creating transient MODFLOW groundwater flow models for three specific aquifers in North Dakota. The three aquifers include the Elk Valley aquifer, Spiritwood-Warwick aquifer, and Wahpeton Buried Valley aquifer system, which were selected based on water availability concerns and aquifer recharge potential. The purpose of the Project is to define the current level of appropriation and assess additional groundwater appropriation potential impacts, in addition to evaluating the use of managed aquifer recharge as a tool to increase aquifer sustainability and provide additional appropriation opportunities. Project deliverables will be final modeling reports for each aquifer and digital archives of all MODFLOW models.

Supplemental Information

Water Development Plan	No
Benefit-Cost Ratio	NR

(NR) Not Required

Schedule

Task	Dates
Completion	December 2025

Cost-Share Funding Summary

	Project Funding	Approved	Recommend
Department of Water Resources	\$631,032		
Total	\$631,032		
Funding Request	\$631,032		\$631,032

This project meets requirements of the Water Commission’s cost-share policy. I recommend approval of this request by the Department of Water Resources for state cost participation in the Groundwater Flow Models for Water Availability and Artificial Recharge Projections project in an amount not to exceed \$631,032. This approval is contingent on available funding.

AT:bn/af/2232

Water Development Plan: No

1084256 - Groundwater Flow Models for Water Availability and Artificial Recharge Projections

Application Details

Funding Opportunity:	1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date:	Oct 28, 2024 2:05 PM
Funding Opportunity Due Date:	Jun 30, 2025 3:00 PM	Initially Submitted By:	Kimberly Fischer
Program Area:	Funding for Infrastructure in ND - FIND	Last Submit Date:	Last
Status:	Submitted	Submitted By:	
Stage:	Final Application		

Contact Information

Primary Contact Information

Active User*: yes

Type: External User

Name: Salutation Kimberly
First Name Joy
Middle Name Fischer
Last Name Joy

Title: Hydrologist Manager

Email*: kfischer@nd.gov

Address*: 1200 Memorial Highway

Organization Information

Status*: Approved

Name*: ND Department of Water Resources

Organization Type*: State Government

Tax Id:

Organization Website:

Address*: 900 E Boulevard Ave

Bismarck North Dakota
 City State/Province

58504
 Postal Code/Zip

Phone*: 701-328-2796 Ext.
 Phone
 ###-###-####

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

Comments:

Bismarck North Dakota
 City State/Province

58505-____
 Postal Code/Zip

Phone*: 701-328-4952 Ext.
 ###-###-####

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

Vendor ID:

**PeopleSoft
 Supplier ID:**

Comments:

**Location
 Code:**

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study

Name*:

Groundwater Flow Models for Water Availability and Artificial Recharge Projections

Sponsor(s)*: Department of Water Resources

County*: Multiple

City*: Bismarck

Description of Request*: New

If Study, What Type: Hydrologic

If Project/Program, What Type: Multi-purpose

Jurisdictions/Stakeholders

Involved*:

North Dakota Department of Water Resources

Describe the Problem*:

Many of the aquifers in North Dakota are approaching the sustainable development limit. A request for proposal was released to develop transient groundwater flow models of three aquifers. These aquifers were selected based on the following:

1. Potential for managed aquifer recharge identified in the 2024 report completed for the Department of Water Resources titled Managed Aquifer Recharge Potential for Glacial Drift Aquifers in North Dakota.
2. Concerns about water availability at the current level of use during drought conditions.
3. Conditional water permit applications that are in deferred or pending review status.
4. Potential availability of water to future appropriation requests.

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

The Department of Water Resources is seeking to hire a consultant to create transient MODFLOW groundwater flow models for the Elk Valley aquifer, Spiritwood-Warwick aquifer, and Wahpeton Buried Valley aquifer system to assist in the assessment of current level of appropriation, potential impacts from additional appropriation; and managed aquifer recharge as a tool to increase sustainability, provide opportunities for additional appropriations, and bank water for future use.

For this project,

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

What is the Current Estimated Population?* 103000

For this project,

What is the Benefited Population?* 75000

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?* Yes

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?*: 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*: December 15, 2025

Design Completion*: NA

Bid*: NA

Construction Start*: NA

Construction Completion*: NA

Explain Additional Timeline Issues*:

NA

Consulting Engineer*: Kimberly Fischer

Engineer Telephone Number*: 701-328-2796

Engineer Email*: kfischer@nd.gov

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Andrew Nygren 10/28/2024
 First Name Last Name Date

Address*: 1200 Memorial Highway
 Address Line 1
 Address Line 2
 Bismarck North Dakota 58504-____
 City State Zip Code

Telephone Number*: 701-328-1069

Sponsor Email*: anygren@nd.gov

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.*: Yes

Authorized Individual*: Andrew Nygren 10/28/2024
 First Name Last Name Date

Title/Position/Authority*: Water Appropriations Division Director

Documentation***Documentation***

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

CLICK HERE to see examples.

Project Specific Map Figure1.png

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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: Not required.docx

Cover Letter: Not required.docx

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: Copy of sfn_61801_delineation_of_cost.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:

GIS Files: Please Compress All Files Into One .zip File.

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 2			Total Cost	Type	Term	Interest Rate
			Year 1 July to June	July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Pre-Construction		Current Request	\$631,032.00	\$0.00	\$0.00	\$631,032.00	Grant	0.00	0.00
			\$631,032.00	\$0.00	\$0.00	\$631,032.00			

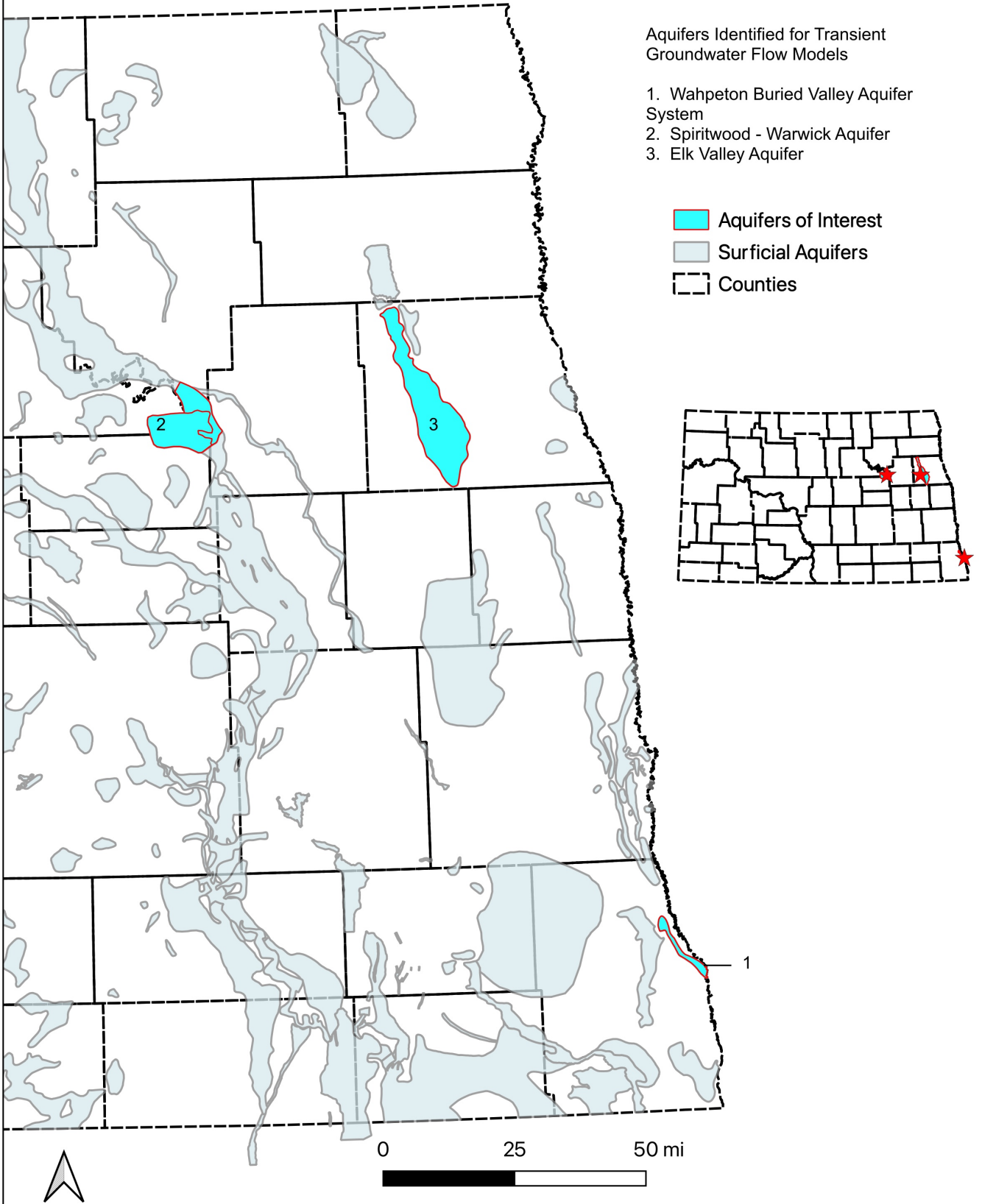
Aquifers Identified for Transient Groundwater Flow Models

1. Wahpeton Buried Valley Aquifer System
2. Spiritwood - Warwick Aquifer
3. Elk Valley Aquifer

 Aquifers of Interest

 Surficial Aquifers

 Counties





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

DWR Date Received : October 29, 2024

Project: Groundwater Flow Models for Water Availability and Artificial Recharge Pr
Sponsor: Department of Water Resources
Contact: Andrew Nygren, Water Appropriations Division Director
Phone: 701_328_1069
Engineer:
Phone:


Total Cost :	\$ 631,032	Date:	October 24, 2024
Ineligible Cost :	\$ -		
Eligible Cost :	\$ 631,032	Cost-Share \$	\$ 631,032
Local Cost :	\$ -	Preconstruction :	\$ -
		Construction :	\$ 631,032

Project Type:	Cost-share %
Other (100%)	100%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	#DIV/0!	Mobilization	1	LS	-	-	100%	\$ -
2	#DIV/0!	Bonding	0		-	-	100%	\$ -
3	#DIV/0!	Insurance	0		-	-	100%	\$ -
4	#DIV/0!		0		-	-	100%	\$ -
5	#DIV/0!		0		-	-	100%	\$ -
6	#DIV/0!		0		-	-	100%	\$ -
7	#DIV/0!		0		-	-	100%	\$ -
8	#DIV/0!		0		-	-	100%	\$ -
9	#DIV/0!		0		-	-	100%	\$ -
10	#DIV/0!		0		-	-	100%	\$ -
11	#DIV/0!		0		-	-	100%	\$ -
12	#DIV/0!		0		-	-	100%	\$ -
13	#DIV/0!		0		-	-	100%	\$ -
14	#DIV/0!		0		-	-	100%	\$ -
15	#DIV/0!		0		-	-	100%	\$ -
16	#DIV/0!		0		-	-	100%	\$ -
17	#DIV/0!		0		-	-	100%	\$ -
18	#DIV/0!		0		-	-	100%	\$ -
19	#DIV/0!		0		-	-	100%	\$ -
20	#DIV/0!		0		-	-	100%	\$ -
21	#DIV/0!		0		-	-	100%	\$ -
22	#DIV/0!		0		-	-	100%	\$ -
23	#DIV/0!		0		-	-	100%	\$ -
24	#DIV/0!		0		-	-	100%	\$ -
25	#DIV/0!		0		-	-	100%	\$ -
26	#DIV/0!		0		-	-	100%	\$ -
		Construction Sub-Total				\$ -	100%	\$ -
	0.0%	Contingency				\$ -	100%	\$ -
	0.0%	Construction Total				\$ -	100%	\$ -
Preconstruction Costs								
27	#DIV/0!		0		-	\$ -	100%	\$ -
28	#DIV/0!		0		-	\$ -	100%	\$ -
29	#DIV/0!		0		-	\$ -	100%	\$ -
30	#DIV/0!		0		-	\$ -	100%	\$ -
31	#DIV/0!		0		-	\$ -	100%	\$ -
	0.0%	Preconstruction Total				\$ -	100%	\$ -
Construction Engineering Costs								
32	#DIV/0!		0		-	\$ -	100%	\$ -
33	#DIV/0!		0		-	\$ -	100%	\$ -
34	#DIV/0!		0		-	\$ -	100%	\$ -
35	#DIV/0!		0		-	\$ -	100%	\$ -
36	#DIV/0!		0		-	\$ -	100%	\$ -
	0.0%	Construction Engineering Total				\$ -	100%	\$ -
Other Eligible Costs								
37	100.0%	Other	1		631,032.00	\$ 631,032	100%	\$ 631,032
38	0.0%		0		-	\$ -	100%	\$ -
39	0.0%		0		-	\$ -	100%	\$ -
40	0.0%		0		-	\$ -	100%	\$ -
41	0.0%		0		-	\$ -	100%	\$ -
	100.0%	Other Eligible Total				\$ 631,032	100%	\$ 631,032
In-eligible Costs								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	Other Ineligible Total				\$ -	0%	\$ -
	100.0%	Total				\$ 631,032		
		Eligible Total				\$ 631,032	100%	\$ 631,032
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 631,032	100%	\$ 631,032

* 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.

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – City of Mandan
 2025 Reconstruction
DATE: November 25, 2024

Background & Description

The City of Mandan is requesting preconstruction cost-share for their 2025 Reconstruction (Project). The Project is replacement of 9,220 feet of aging cast iron water main between Sunset Drive, Boundary Street NW, and 6th Avenue NW in the northwest area of Mandan. The Project will also include eligible pavement reconstruction costs. The Project is located in Morton County.

Supplemental Information

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 160
Present Value Cost / User (Preferred Alternative)	\$55,088
Rate / 5,000-Gallons	\$51.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Missouri River	

Schedule

Task	Dates
Study	Aug. 2024
Design	Feb. 2025
Bid	Mar. 2025
Construction	Jun. 2025
Completion	Nov. 2025

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$50,000	\$1,727,012	\$1,777,012		
Eligible Costs	\$387,764	\$6,381,685	\$6,769,449		
Total	\$437,764	\$8,108,697	\$8,546,461		
Cost-Share 60%	\$232,658	\$3,829,011	\$4,061,669		\$232,658

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of the request from the City of Mandan for state cost-share participation in the 2025 Reconstruction project at 60 percent of eligible costs, not to exceed \$232,658. This approval is contingent on available funding.

AT:jsp:ln:/2050MAN

1084245 - 2025 Reconstruction Project

Application Details

Funding Opportunity: 1084196-October 2024 - June 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: Oct 24, 2024 10:47 AM
Initially Submitted By: Jarek Wigness
Last Submit Date: Oct 29, 2024 10:25 AM
Last Submitted By: Josh Wayt

Contact Information

Primary Contact Information

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

Fax: ### ### #####
Comments:

Organization Information

Status*: Approved
Name*: City of Mandan
Organization Type*: Political Subdivision
Tax Id:
Organization Website:
Address*: 205 2nd Avenue NW

Mandan North Dakota 58554-3125
City State/Province Postal Code/Zip

Phone*: (701) 667-3215 Ext.
#####

Fax: ### ### #####

Vendor ID:

PeopleSoft Supplier ID:

Comments:

DUNS 058261421

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: 2025 Reconstruction Project

Sponsor(s)*: City of Mandan

County*: Morton

City*: Mandan

Description of Request*: New

If Study, What Type:

If Project/Program, What Type:

Jurisdictions/Stakeholders Involved*:

The City of Mandan and its residents.

Describe the Problem*:

The project area has Cast Iron Pipe (CIP) watermains that are more than 70 years old and now failing. Specifically, the project area has experienced 28 watermain breaks since 2008. The breaks are occurring at an accelerating pace.

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

The City is proposing to replace the watermain, appurtenances, and services to provide an updated water system for the project area. The work will consist of open trench water main installation and restoration.

For this project,

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

What is the Current Estimated Population?* 24210

For this project,

What is the Benefited Population?* 400

Have Assessment Districts Been Formed?* Yes

Date Formed: 10/01/2024

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.:

The underground infrastructure is over 70 years old. The watermain will be replaced as a part of this project and the sewer mains will be televised to ensure improvements are not made over any aging infrastructure.

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

Have You Applied for any State Permits?*: N/A

Have You Applied for any Local Permits?*: N/A

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*: 08/01/2024

Design Completion*: 02/18/2025

Bid*: 03/08/2025

Construction Start*: 06/01/2025

Construction Completion*: 11/01/2025

Explain Additional Timeline Issues*:

Not applicable.

Consulting Engineer*: Grant Dockter

Engineer Telephone Number*: 701-667-3227

Engineer Email*: jarek.wigness@cityofmandan.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Jarek Wigness 10/24/2024
First Name Last Name Date

Address*: 205 2nd Ave NW
Address Line 1
Address Line 2

Mandan North Dakota 58554-3100
City State Zip Code

Telephone Number*: 701-667-3227

Sponsor Email*: jarek.wigness@cityofmandan.com

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.*:

Yes

Jarek Wigness 10/24/2024
First Name Last Name Date

City Engineer

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

[24080_Monte Drive_Project Location_10082024.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: [24080_Monte Drive_Meeting Minutes_Draft.pdf](#)

Cover Letter: [24080_Monte Drive_Cover Letter_Signed.pdf](#)

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: [24080_Monte Drive_Delineation Costs.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: [24080_Monte Drive_LCCA.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: Yes

Feasibility/Engineering Study Material: [24080_Monte Drive_Study_10102024.pdf](#)

Photos of Problem/Issue:

GIS Files: Please Compress All Files Into One .zip File.


Other Applicable Document(s):

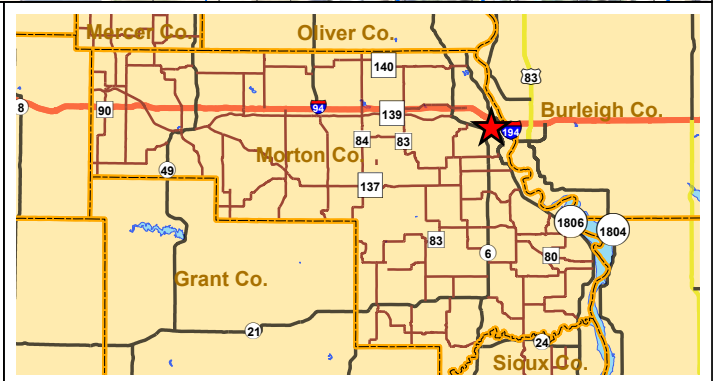
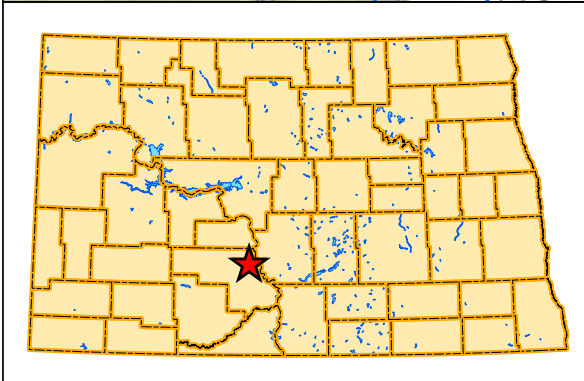
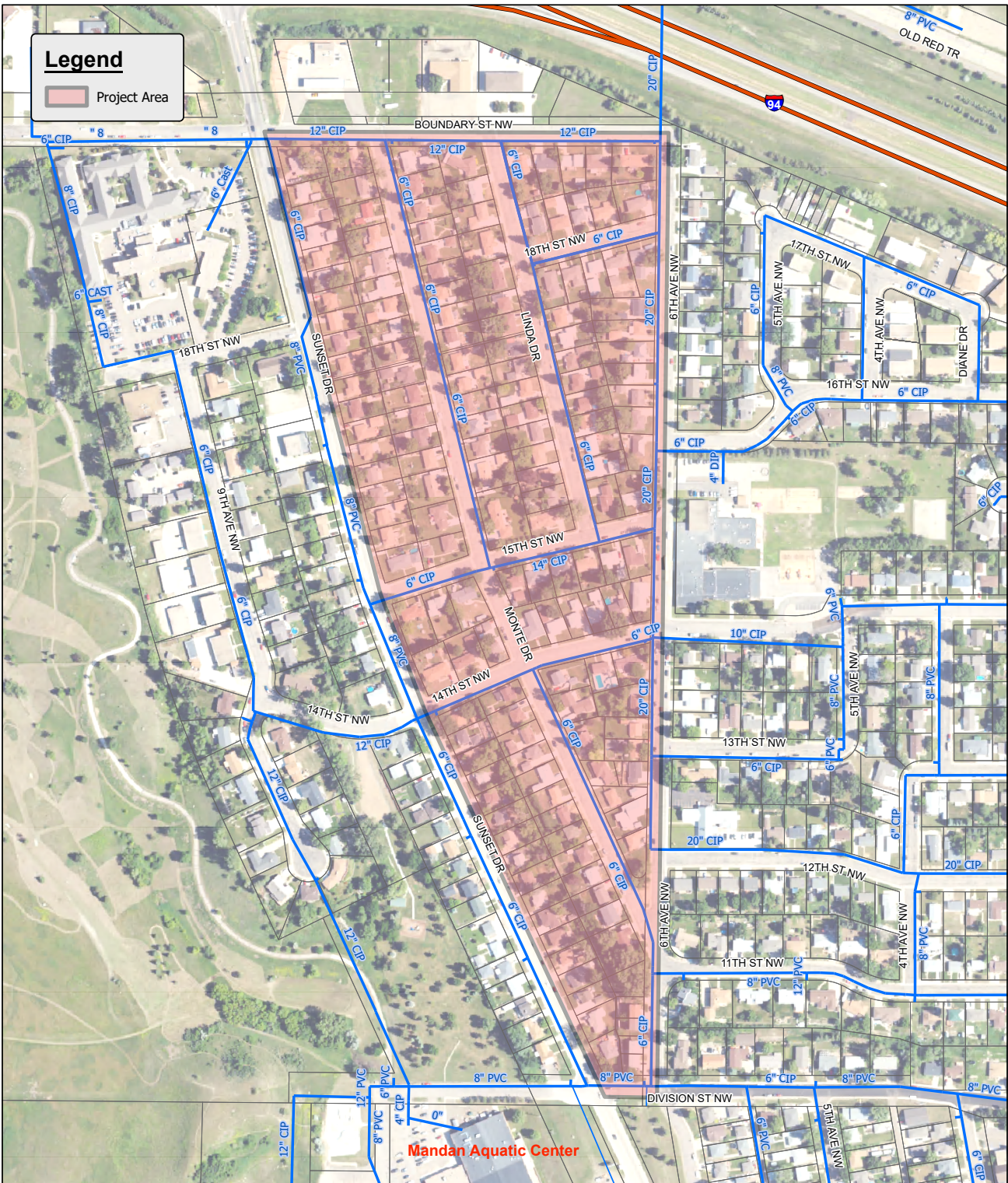
Sources

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

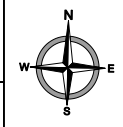
Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Pre-Construction Cost Share		Current Request	\$232,658.00	\$0.00	\$0.00	\$232,658.00		0.00	0.00
Department of Water Resources Construction Cost Share		Future Request	\$1,000,000.00	\$2,829,011.00	\$0.00	\$3,829,011.00		0.00	0.00
Other	City Funding	Already Approved	\$0.00	\$4,484,792.25	\$0.00	\$4,484,792.25		0.00	0.00
			\$1,232,658.00	\$7,313,803.25	\$0.00	\$8,546,461.25			

Legend

 Project Area



**RECOMMENDED WATER SYSTEM IMPROVEMENTS
MANDAN, NORTH DAKOTA**



Created By: KMV Date Created: 10/08/2024 Date Saved: 10/08/24 Date Exported: 10/08/24
 Plotted By: Kyle Wolk Parcel Date: N/A Aerial Image: 2022 County NAIP 6426 Elevation Date: N/A
 Horizontal Datum: NAD 1983 StatePlane North Dakota North FIPS 5001 Feet Vertical Datum: NAVD1988
 T:\Projects\2400024080_Midtown10_ArcProj\24080_Monte_Drive\24080_Monte_Drive.aprx



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

DWR Date Received :

Project:	Mandan 2025 Reconstruction Project
Sponsor:	City of Mandan
Contact:	Jarek Wigness
Phone:	701-667-3227
Engineer:	Grant Dockter
Phone:	701-751-8383

Total Cost :	\$ 8,546,461	Date:	October 16, 2024
Ineligible Cost :	\$ 1,777,012		
Eligible Cost :	\$ 6,769,449	Cost-Share \$	\$ 4,061,670
Local Cost :	\$ 4,484,791	Preconstruction :	\$ 232,658
		Construction :	\$ 3,829,011

Project Type:	Municipal Water Supply	Cost-share %	60%
----------------------	------------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	5.3%	Mobilization	1	LS	320,000.00	\$ 320,000	60%	\$ 192,000
2	0.0%	Bonding	0		-	\$ -	60%	\$ -
3	0.0%	Insurance	0		-	\$ -	60%	\$ -
4	0.5%	Testing Allowance	1	LS	28,000.00	\$ 28,000	60%	\$ 16,800
5	0.3%	Storm Water Management	1	LS	16,000.00	\$ 16,000	60%	\$ 9,600
6	0.2%	Traffic Control	1	LS	12,000.00	\$ 12,000	60%	\$ 7,200
7	0.7%	Temporary Water	1	LS	40,000.00	\$ 40,000	60%	\$ 24,000
8	1.4%	Concrete Removals	3333	SY	25.05	\$ 83,500	60%	\$ 50,100
9	0.5%	Removal of Hydrant	14	EA	2,000.00	\$ 28,000	60%	\$ 16,800
10	0.0%		0		-	\$ -	60%	\$ -
11	0.6%	Removal of Gate Valve	35	EA	1,000.00	\$ 35,000	60%	\$ 21,000
12	1.7%	Connection to Existing Main	18	EA	5,500.00	\$ 99,000	60%	\$ 59,400
13	17.9%	Water Service	160	EA	6,687.50	\$ 1,070,000	60%	\$ 642,000
14	9.2%	Gate Valve & Box	39	EA	14,102.56	\$ 550,000	60%	\$ 330,000
15	2.3%	Hydrant - 6"	14	EA	10,000.00	\$ 140,000	60%	\$ 84,000
16	27.1%	Water Main	9220	LF	176.37	\$ 1,626,150	60%	\$ 975,690
17	16.9%	Roadway Restoration	10000	SY	101.10	\$ 1,011,000	60%	\$ 606,600
18	6.2%	Concrete	3333.33	SY	111.83	\$ 372,750	60%	\$ 223,650
19	0.0%		0		-	\$ -	60%	\$ -
20	0.1%	Topsoil - 4"	1250	SY	6.00	\$ 7,500	60%	\$ 4,500
21	0.1%	Hydraulic Mulch	1250	SY	4.00	\$ 5,000	60%	\$ 3,000
22	0.0%	Seeding Class III	1250	SY	2.00	\$ 2,500	60%	\$ 1,500
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		Construction Sub-Total				\$ 5,446,399	60%	\$ 3,267,840
	10.0%	Contingency				\$ 547,413	60%	\$ 328,448
	70.1%	Construction Total				\$ 5,993,812	60%	\$ 3,596,287
Preconstruction Costs								
27	2.7%	Preliminary Design	1	LS	160,000.00	\$ 160,000	60%	\$ 96,000
28	3.8%	Final Design	1	LS	227,764.00	\$ 227,764	60%	\$ 136,658
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	4.5%	Preconstruction Total				\$ 387,764	60%	\$ 232,658
Construction Engineering Costs								
32	3.8%	Project Inspection	1	LS	227,873.00	\$ 227,873	60%	\$ 136,724
33	2.7%	Construction Contract Management	1	LS	160,000.00	\$ 160,000	60%	\$ 96,000
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	4.5%	Construction Engineering Total				\$ 387,873	60%	\$ 232,724
Other Eligible Costs								
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%	Other Eligible Total				\$ -	60%	\$ -
In-eligible Costs								
42	2.3%	Engineering (Ineligible)	1	LS	193,909.25	\$ 193,909	0%	\$ -
43	0.0%		1	LS	-	\$ -	0%	\$ -
44	0.6%	Legal and Bonding Expenses	1	LS	50,000.00	\$ 50,000	0%	\$ -
45	17.9%	Ineligible Construction & Contingencies	1	LS	1,533,103.00	\$ 1,533,103	0%	\$ -
	20.8%	Other Ineligible Total				\$ 1,777,012	0%	\$ -
100.0%		Total				\$ 8,546,461		
		Eligible Total				\$ 6,769,449	60%	\$ 4,061,670
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 6,769,449	60%	\$ 4,061,670

* 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.



Engineering

October 16, 2024

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

RE: 2025 Reconstruction Project Preconstruction Funding Request

Dear Beth:

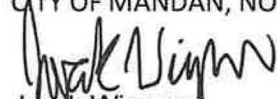
The City of Mandan has initiated a project to replace the existing watermain in the Monte Drive neighborhood. The watermain in this area consists of Cast Iron Pipe (CIP) that is more than 70 years old. This CIP is now well beyond its useful life, and the area has experienced 28 costly and disruptive breaks since 2008. This project will use the open cut method to replace the watermain, appurtenances, and services.

The City has contracted with Moore Engineering Inc. (MEI) to perform design and preconstruction engineering services. The City respectfully requests 60% cost share for these preconstruction activities, which include preliminary design and final design.

We appreciate your willingness to support the City's efforts to provide safe, reliable, and cost-effective drinking water to its residents and visitors. If you have any questions, please feel free to contact me or the City's engineering consultant, Grant Dockter, at (701) 425-1942 or grant.dockter@mooreengineeringinc.com.

Thank you.

Sincerely,
CITY OF MANDAN, NORTH DAKOTA



Jarek Wigness
City Engineer

The Mandan City Commission met in regular session at 5:30 PM on October 15, 2024 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *New Employee Introduction, Human Resource Generalist Cassidy Buchholz.* HR Director Berger introduced Human Resource Generalist Cassidy Buchholz. Buchholz started with the city three weeks ago.

D. APPROVAL OF AGENDA Commissioner Rohr moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

E. MINUTES

1. *Consider approval of the following minutes of the Board of City Commissioners: .*

a. *Oct. 1, 2024 Regular Meeting.* Commissioner Sjoberg moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

b. *Oct. 3, 2024 Special Meeting.* Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Lots 5-7, Block 1, Twin City Industrial Sites Setback Variance.* Planner Stromme presented the setback variance request. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Rohr moved and Commissioner Braun seconded to approve the setback variance of twenty feet as presented for the project outlined in the report. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider Preliminary Plat and Zone Change from A - Agriculture to MA - Industrial for Mandan Industrial Park 14th Addition.* Planner Stromme presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Braun moved and Commissioner Sjoberg seconded to approve the preliminary plat for Mandan Industrial Park 14th Addition. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider a request for a preliminary plat and a Exclusion/De-Annexation for Biber Subdivision.* Planner Stromme presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing

none, the public hearing closed. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the preliminary plat for Biwer Subdivision. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider a vacation of 5th Avenue SE and a minor plat to be named Helblings 7th Addition.* Planner Stromme presented the vacation request and minor plat. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the minor plat of Helblings 7th Addition. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. BIDS

H. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider approval of the following raffle permits:.*
 - a. *North Dakota Simmental Association.*
 - b. *Bismarck State College Mystic Athletic Club.*
3. *Consider proclaiming Nov. 1, 2024 as Extra Mile Day.*
4. *Consider a budget amendment to the 2025 street and utility departments' budgets.*
5. *Consider approval to accept FY2024 COPS hiring grant funding of \$500,000.00 for four Police Officers.*
6. *Consider approval of 2023 and 2024 Abatements for Darin & Megan Helbling.*
7. *Consider approval to apply for 2024 America The Beautiful Program Development Grant.*
8. *Consider Minor Plat for Replat of Lots 15 & 16, Block 1, Shores At Lakewood Addition.*
9. *Consider approval of the 2024 Title VI/Nondiscrimination and ADA Plan.*
10. *Assessments for Weed Cutting of 2024, Health & Safety of 2024, Sidewalks of 2024, Delinquent Alarm System Accounts for 2024, and Delinquent Utility Billing Accounts for 2024.*
11. *Consider Minor Plat for Joseph Addition.* Commissioner Sjoberg moved and Commissioner Braun seconded to approve consent agenda items 1-11 including all sub items as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider Water and Sewer Improvement District 65 design agreement.* Engineer Wigness presented the design agreement. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the engineer's report, enter into the engineering design agreement and apply for State Water Commission reconstruction funding. Roll Call vote: Aye 5, Nay 0. The motion passed.
2. *Consider approval of the verification of 6 special assessment districts:*
 - i. *Street Improvement District #222, 19th Street Trail*
 - ii. *Street Improvement District #224, Sunrise View Estates & Rockwood*
 - iii. *Street Improvement District #226, West Hills 5th Addition*
 - iv. *Street Improvement District #227, Heck Addition - new high school area*
 - v. *Street Improvement District #229, Shores at Lakewood*

vi. *Street Improvement District #232, 2023 Street Improvement Project*

. Engineer Wigness presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the special assessments for certification on Street Improvement Districts #222, #224, #226, #227, #229, and #232. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider Financing Resolution for street improvement districts and warrants.* Assistant Finance Director Schulz presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the Financing Resolution for the following street improvement districts and warrants: Street Improvement District #222 (19th Street Trail, Phase II) Definitive Improvement Warrant, Series 2024A; Street Improvement District #232A (2023 Street Maintenance) Definitive Improvement Warrant, Series 2024B. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider Refunding Improvement Bonds, Series 2024.* Finance Director Welch introduced John Lundby with Collier's Securities, LLC to present the result of the sale of bonds from earlier in the day on Oct. 15, 2024. The interest rate determined from the sale of the bonds is 3.48%. Moody's reaffirmed the City's existing credit rating of Aa3. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the resolution creating the fund of an improvement district and authorizing the issuance of Improvement Warrants; and approve the resolution authorizing the issuance of \$11,945,000 Refunding Improvement Bonds, Series 2024. Roll Call vote: Aye 5, Nay 0. The motion passed.

5. *Consider a letter of support for Big Sky Passenger Rail Authority and contribution to the Bismarck-Mandan Metropolitan Planning Organization (MPO) membership in the Rail Authority's Government Partners Program.* Planner Stromme presented the letter of support and the request to join the government partners program. Commissioner Heinsohn moved and Commissioner Rohr seconded to join the Big Sky Passenger Rail Authority Government Partners Program. Roll Call vote: Aye 5, Nay 0. The motion passed.

6. *Consider Approval of Construction Engineering Amendment for SID 231 – 8th Ave Reconstruction.* Engineer Wigness presented the construction engineering amendment. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the construction engineering amendment for the 8th Ave NW reconstruction project. Roll Call vote: Aye 5, Nay 0. The motion passed.

7. *Consider Approving and Sponsoring an Application for a 2027 Pedestrian Trail Project.* Engineer Wigness presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the application and sponsorship of the project, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1455, a rezone from A - Agriculture to MA - Industrial for Mandan Industrial Park 14th Addition.* Planner Stromme presented the ordinance. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the first consideration of ordinance 1455. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *First Consideration of Ordinance 1456 related to the Exclusion/De-Annexation of 1.5 acres of land related to Biwer Subdivision.* Planner Stromme presented Ordinance 1456. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the first consideration of Ordinance 1456. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider Resolution of Vacation for 5th Avenue SE (Helbling's 7th Addition).* Planner Stromme presented the resolution. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the right-of-way vacation. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

November 5, 2024 at 5:30 p.m..

November 19, 2024 at 5:30 p.m..


December 3, 2024 at 5:30 p.m..

N. ADJOURN There being no other business to come before the Board, the meeting adjourned at 6:29 p.m.

James Neubauer
City Administrator

James Froelich
President, Board of City Commissioners

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – City of Valley City
 Northwest Standpipe Replacement
DATE: November 25, 2024

Background & Description

Valley City is requesting preconstruction cost-share for their Northwest Standpipe Replacement (Project). The Project is replacement of an aging 250,000-gallon elevated storage tank located in Zone 7 and an aging and inefficient 550,000-gallon standpipe located in Zone 6 with one new 250,000-gallon elevated tower to be located in Zone 6. The Project will eliminate mixing and freezing issues and will improve system pressures in the northwest area of Valley City. Upon completion of the Project, the City’s storage system will consist of the new Zone 6 elevated storage tank (250,000 gallons), the existing Zone 2 elevated storage tank (200,000 gallons), and the existing Zone 1 ground storage reservoir (700,000 gallons), for a total storage capacity of 1,150,000 gallons. Peak daily demand is 1,351,000 gallons. The Project is located in Barnes County.

Supplemental Information

Water Development Plan/Priority	2023/Low
New / Future / Current Service Users	0 / 0 / 250
Present Value Cost / User (Preferred Alternative)	\$17,960
Rate / 5,000-Gallons	\$48
Comparable Rate / 5,000-Gallons	\$47
Water Source – Sheyenne River, Valley City	

Schedule

Task	Dates
Study	Apr. 2024
Design	2025
Bid	2025
Construction	2025
Completion	2026

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$350,000	\$3,398,510	\$3,748,510		
Total	\$350,000	\$3,398,510	\$3,748,510		
Cost-Share 60%	\$210,000	\$2,039,106	\$2,249,106		\$210,000

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Valley City for state cost-share participation in the Northwest Standpipe Replacement project at 60 percent of eligible costs, not to exceed \$210,000. This approval is contingent on available funding.

AT:jsp:ln/2050VAL

1084252 - Northwest Standpipe Replacement Project

Application Details

Funding Opportunity: 1084196-October 2024 - June 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: Oct 29, 2024 3:29 PM
Initially Submitted By: Brenda Klein
Last Submit Date: Oct 31, 2024 11:38 AM
Last Submitted By: Brenda Klein

Contact Information

Primary Contact Information

Active User*: Yes
Type: External User
Name: Ms. Brenda Rene Klein
Salutation First Name Middle Name Last Name
Title: Finance Director
Email*: bklein@valleycity.us
Address*: 254 2nd Ave NE

Valley City North Dakota 58072
City State/Province Postal Code/Zip

Phone*: (701) 845-8124 Ext.
Phone

Fax: (701) 845-4588
#####

Comments:

Organization Information

Status*: Approved
Name*: City of Valley City
Organization Type*: Municipal Government
Tax Id: 45-6002171
Organization Website: <https://www.valleycity.us>
Address*: PO Box 390

254 2nd Ave NE

Valley City North Dakota 58072-0390
City State/Province Postal Code/Zip

Phone*: 701-845-8121 Ext.
#####

Fax: ### ### #####

Vendor ID:

PeopleSoft Supplier ID:

Comments:

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: Northwest Standpipe Replacement Project

Sponsor(s)*: City of Valley City

County*: Barnes

City*: Valley City

Description of Request*: Updated (previously submitted)

If Study, What Type:

If Project/Program, What Type: Municipal Water Supply

Jurisdictions/Stakeholders Involved*:

City of Valley City

Describe the Problem*:

The current Pressure Zone 6 served by the Northwest Standpipe has grown since its construction, reducing pressures across its service area and resulting in a lack of capacity. Existing water pressures do not meet current 10 State Standard guidelines. Growth is anticipated in the next 2-5 years increasing water demand. Additionally, Pressure Zone 7 contains an elevated spheroid steel tower constructed in the mid-1960s in need of repair.

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

A Preliminary Engineering Report was completed in April 2024. Alternatives were considered to increase capacity and pressures in Pressure Zone 6 while also evaluating alternatives for the deficiencies in Pressure Zone 7. The Valley City Commission selected the alternative to remove the standpipe in Pressure Zone 6, replacing it with an elevated water tower while also making modifications to Pressure Zone 7. In addition, the Commission also elected to remove the NW spheroid tower in Pressure Zone 7 and connect Pressure Zone 7 to Pressure Zone 6 with additional pressure modifications, eliminating the need for one tower in the City.

For this project,

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

What is the Current Estimated Population?* 6575

For this project,

What is the Benefited Population?* 6575

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?*: No

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*: 04/2024

Design Completion*: 2025

Bid*: 2025

Construction Start*: 2025

Construction Completion*: 2026

Explain Additional Timeline Issues*:

Cost increases, availability of contractors and supply shortages may impact the construction timeline.

Consulting Engineer*: Chad Petersen

Engineer Telephone Number*: 701-845-9446

Engineer Email*: chad.petersen@kljeng.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Brenda Klein 10/28/2024
First Name Last Name Date

Address*: 254 2nd Ave NE
Address Line 1
Address Line 2

Valley City North Dakota 58072-0390
City State Zip Code

Telephone Number*: 701-845-8124

Sponsor Email*: bklein@valleycity.us

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.*:

Yes

Brenda Klein 10/28/2024
First Name Last Name Date

City Finance Director

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

[LocationMap Stand Pipe-2.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

[Opinion_of_Cost_Alternatives_1A__3C.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: [10.28.2024 Special Commission Minutes.docx](#)

Cover Letter: [Signed-Cost-Share_Request_VC_Letter_Standpipe.pdf](#)

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: [sfn_61801_delineation_of_cost_NW_Standpipe_Pre-Construction_Design.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: [Valley_City_life_cycle_cost_analysis_worksheet_Standpipe_20241030.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: Yes

Feasibility/Engineering Study Material: [22978_ValleyCityWaterSystemReport_Final_Complete_20240410.pdf](#)

Photos of Problem/Issue:

GIS Files: Please Compress All Files Into One .zip File.

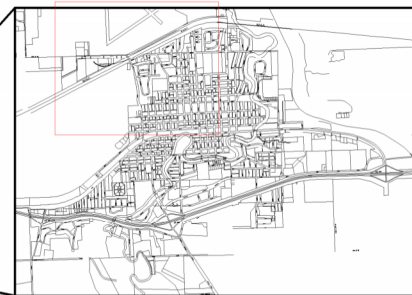
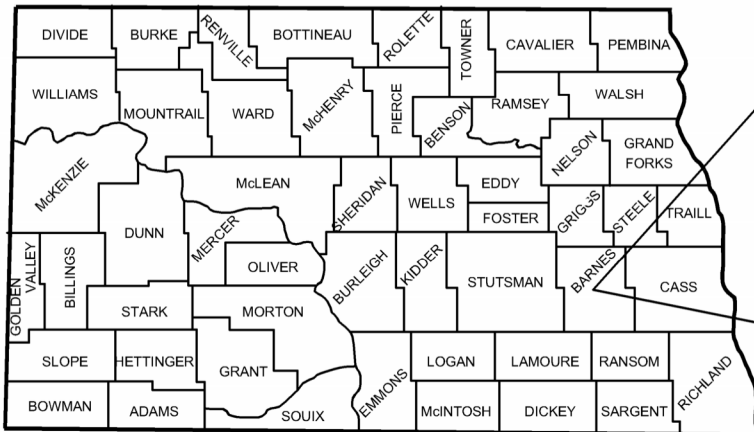
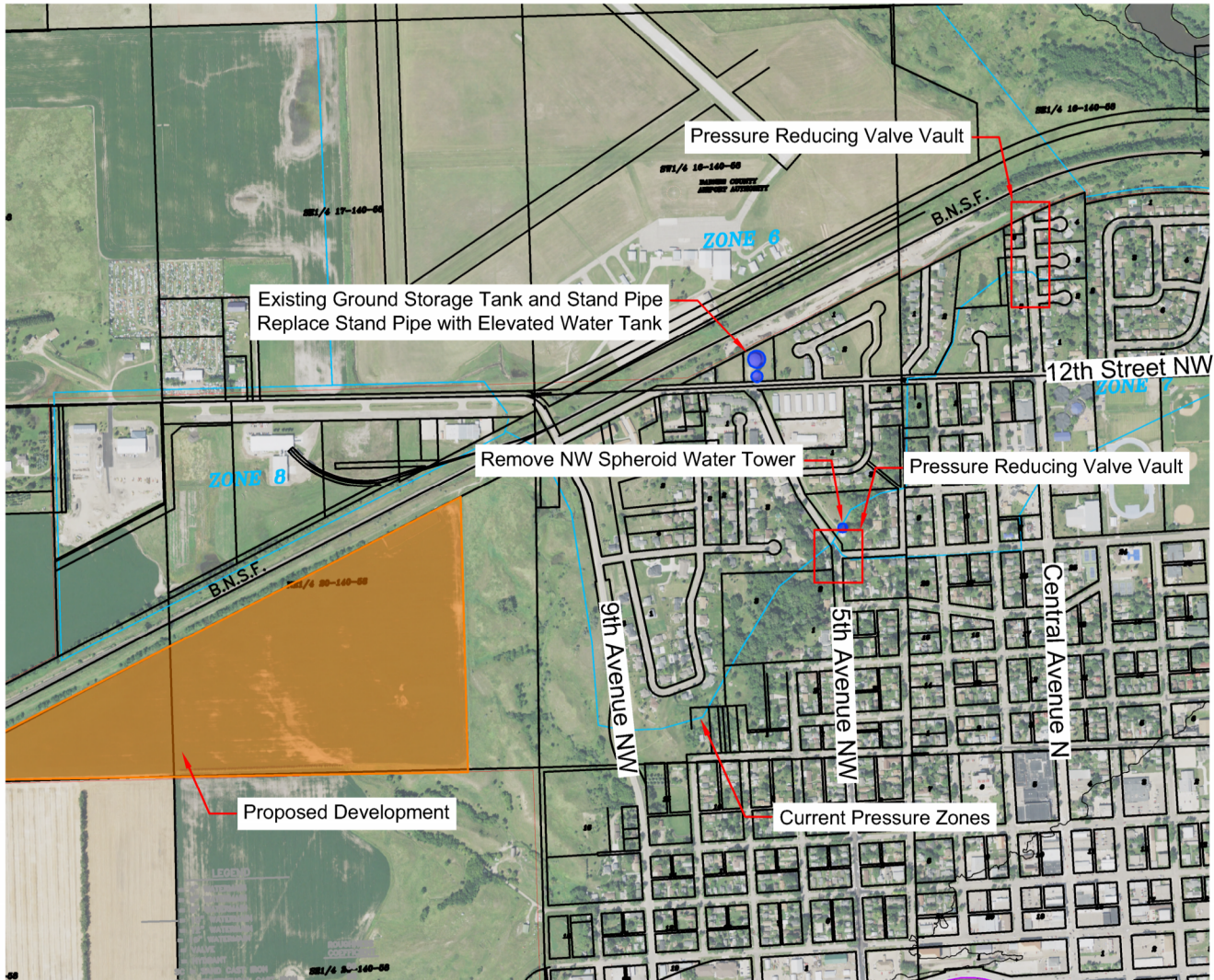
Other Applicable Document(s): No

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 Cost Share Pre-Construction		Current Request	\$210,000.00	\$0.00	\$0.00	\$210,000.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$2,039,106.00	\$0.00	\$2,039,106.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Future Request	\$0.00	\$1,399,404.00	\$0.00	\$1,399,404.00	Loan	20.00	2.00
Other	City of Valley City		\$0.00	\$100,000.00	\$0.00	\$100,000.00		0.00	0.00
			\$210,000.00	\$3,538,510.00	\$0.00	\$3,748,510.00			

Northwest Water Distribution Project City of Valley City, North Dakota



Valley City, ND





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

DWR Date Received :

Project:	Northwest Standpipe Replacement Project
Sponsor:	City of Valley City
Contact:	Gwen Crawford, City Administrator
Phone:	701_845-8120
Engineer:	Chad Petersen, KLJ Engineering LLC
Phone:	701_845_9446

Total Cost :	\$ 3,748,510	Date:	October 28, 2024
Ineligible Cost :	\$ -		
Eligible Cost :	\$ 3,748,510	Cost-Share \$	\$ 2,249,106
Local Cost :	\$ 1,499,404	Preconstruction :	\$ 210,000
		Construction :	\$ 2,039,106

Project Type:	Cost-share %
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	7.8%	Mobilization	1	LS	240,000.00	\$ 240,000	60%	\$ 144,000
2	0.0%	Bonding	0		-	\$ -	60%	\$ -
3	0.0%	Insurance	0		-	\$ -	60%	\$ -
4	61.3%	Tower - 250 kGal Spheroid x 140' HWL	1	LS	1,890,000.00	\$ 1,890,000	60%	\$ 1,134,000
5	1.6%	Demolition	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
6	1.6%	Underground Piping, Valves, and Hydrant	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
7	1.6%	PZ6 Booster Station - Pump Modification	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
8	7.1%	Pressure Reducing Valve Vault	2	EA	110,000.00	\$ 220,000	60%	\$ 132,000
9	3.6%	Site Controls, Improvements & Restoration	1	LS	110,000.00	\$ 110,000	60%	\$ 66,000
10	0.3%	Electrical	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
11	0.3%	Connection to Existing Line	2	EA	5,000.00	\$ 10,000	60%	\$ 6,000
12	0.0%	Water Main 8 in	50	LF	12.00	\$ 600	60%	\$ 360
13	0.1%	Gate Valve	4	EA	500.00	\$ 2,000	60%	\$ 1,200
14	0.3%	Site Work	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
15	5.2%	Remove Existing Tower & Foundation	1	LS	160,000.00	\$ 160,000	60%	\$ 96,000
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%	\$ -
		Construction Sub-Total				\$ 2,802,600	60%	\$ 1,681,560
	10.0%	Contingency				\$ 280,260	60%	\$ 168,156
	82.2%	Construction Total				\$ 3,082,860	60%	\$ 1,849,716
Preconstruction Costs								
27	11.4%	Final Design	1	NA	350,000.00	\$ 350,000	60%	\$ 210,000
28	0.0%		0		-	\$ -	60%	\$ -
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	9.3%	Preconstruction Total				\$ 350,000	60%	\$ 210,000
Construction Engineering Costs								
32	10.2%	Project Inspection	1	NA	315,650.00	\$ 315,650	60%	\$ 189,390
33	0.0%		0		-	\$ -	60%	\$ -
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	8.4%	Construction Engineering Total				\$ 315,650	60%	\$ 189,390
Other Eligible Costs								
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%	Other Eligible Total				\$ -	60%	\$ -
In-eligible Costs								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	Other Ineligible Total				\$ -	0%	\$ -
100.0%		Total				\$ 3,748,510		
		Eligible Total				\$ 3,748,510	60%	\$ 2,249,106
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 3,748,510	60%	\$ 2,249,106

* 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 Valley City
Project Title: Northwest Standpipe Replacement Project
Date: November 5, 2024

Explanation of Alternatives:

1A + 3C (Preferred) - Remove and Replace Standpipe in Pressure Zone 6 w/ Elevated Water Tower & Remove NW Spheroid in Pressure Zone 7
 Connect Pressure Zones 6 & 7 -

1A + 3A - Remove Standpipe in Pressure Zone 6, Replace w/ Elevated Water Tower, Rehabilitate NW Spheroid in Pressure Zone 7

2 + 3C - Remove Standpipe in Pressure Zone 6, Remove NW Spheroid, New Ground Storage Tank, - Remove Standpipe in Pressure Zone 6, Remove NW Spheroid in Pressure Zone 7, Construct New Ground Storage Tank w/ Booster Station, Connect Pressure Zones 6 & 7

Do Nothing - Standpipe pressures is below 10 state standards at 40 psi and precludes serving a new planned development. There have been issues with freezing in the standpipe.

Inputs:

New Connections Served	0	Current CIF Balance	
Future Connections Served	0	Annual CIF Contribution	
Current Connections Served	250	Cash Funding Target (Percentage %) New Assets	
Net Connections (New + Current)	250	Cash Funding Target (Percentage %) Existing Assets	
		Annual CIF Contribution suggested for the Project	

	1A + 3C (Preferred)	1A + 3A	2 + 3C	Do Nothing
Construction Cost	\$3,748,600	\$3,580,500	\$1,905,900	\$0
Annual O & M	\$3,000	\$10,000	\$50,000	\$0

Details:

--

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	1A + 3C (Preferred)	1A + 3A	2 + 3C	Do Nothing
Capital Costs	\$3,749,000	\$3,581,000	\$1,906,000	\$0
O&M	\$80,000	\$267,000	\$1,335,000	\$0
Repair, Rehab, Replacement	\$750,000	\$1,181,000	\$819,000	\$0
Salvage Value	\$89,000	\$175,000	\$13,000	\$0
Total PVC	\$4,490,000	\$4,854,000	\$4,047,000	\$0
PV Cost Per User	\$17,960	\$19,416	\$16,188	\$0

Current Water Rate (Cost Per 5000g)	\$48			
Comparable Water Rate	\$47			
Net Connections (New + Current)	250	250	250	250
Cost-Share Percent	60%	60%	60%	60%
Local Share	\$1,499,600	\$1,432,400	\$762,400	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$1,499,600	\$1,432,400	\$762,400	\$0
Payment Per User With Cost-Share	\$30.34	\$28.99	\$15.43	\$0.00
Local Share	\$3,749,000	\$3,581,000	\$1,906,000	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$3,749,000	\$3,581,000	\$1,906,000	\$0
Payment Per User Without Cost-Share	\$75.86	\$72.46	\$38.57	\$0.00

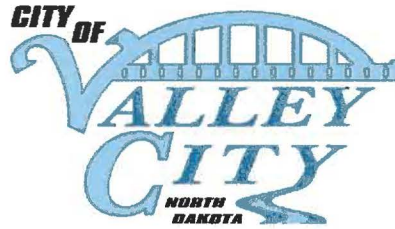
Explanation of Results:

The sponsor preferred project is the "1A + 3C" option. The present value cost of the preferred alternative is \$4,490,000 and the presented alternative for comparison is "2 + 3C" at a present value cost of \$4,047,000. The present value cost per user for the preferred alternative is \$17,960. The monthly user cost of the local share with DWR 60% cost-share participation is \$30.34 per month and \$75.86 without DWR participation.

ND Dept. of Commerce	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
Population & Trends	6,585	6,300	-0.4%	-29

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.

City Hall
254 2nd Ave NE
PO Box 390
Valley City, ND 58072-0390



Phone: 701-845-1700
Fax: 701-845-4588
www.valleycity.us

October 29, 2024

Department of Water Resources
1200 Memorial Highway
Bismarck, ND 58504-5262

RE : Cost-Share Request
Northwest Standpipe Replacement Project
Valley City, North Dakota

The City of Valley City has recently completed a feasibility study to evaluate alternatives to increase water capacity and improve water pressure to the area served by the northwest standpipe. We are prepared to move forward with the design phase of the project. The City is requesting 60% cost-share or \$210,000 for this work.

If you have any questions, please contact me at me at (701)845-8120.

Sincerely,

City of Valley City


Gwen Crawford
City Administrator

CITY COMMISSION MEETING VALLEY CITY, NORTH DAKOTA

Monday, October 28, 2024

President Carlsrud called the meeting to order at 11:00AM.

Members present: President Carlsrud, Commissioner Bishop, Commissioner Magnuson

Members Absent: Commissioner Gulmon, Commissioner Erickson

Others: City Administrator Crawford, City Attorney Martineck, Finance Director Klein, Police Chief Horner, Administrative Assistant Hintz.

PLEDGE OF ALLEGIANCE

NEW BUSINESS

Approve ND DWR Pre-Construction Cost-Share Application for Design Engineering for Northwest Standpipe Replacement Project. Total Project cost estimate is 3.7 million dollars. This project will have a 60/40 cost share.

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson. Motion passed unanimously.

Approve ND DWR Construction Cost-Share Application for Watermain Improvement District No. 106 (2nd St N, 3rd Ave NE and 4th Ave NE). Total Project cost estimate is 1.82 Million. This project will have a 60/40 cost share.

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson. Motion passed unanimously.

Approve Local Permit for the Greg Rockneberg Benefit on 11.4.2024 at the Eagles.

Commissioner Magnuson moved to approve, seconded by Commissioner Bishop. Motion passed unanimously.

ADJOURN


Meeting was adjourned at 11:10AM.

Attested to by:

Brenda Klein, Finance Director
City of Valley City

Dave Carlsrud, President of the
City of Valley City Commission

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – City of West Fargo
 Westwood Addition Reconstruction
DATE: November 25, 2024

Background & Description

The City of West Fargo is requesting preconstruction cost-share for their Westwood Addition Reconstruction (Project). The Project is replacement of 3,850 feet of aging cast iron water main along Elm Street, Oak Street, 8th Avenue W, and 9th Avenue W in the Westwood Addition of the city. The Project also has associated eligible pavement reconstruction costs and is part of combined sanitary sewer, storm sewer, and paving improvements planned for West Fargo. The sewer-related elements of the project are not eligible for cost-share. The Project is located in Cass County.

Supplemental Information

Water Development Plan/Priority	2023/Low
New / Future / Current Service Users	0 / 0 / 73
Present Value Cost / User (Preferred Alternative)	\$115,178
Rate / 5,000-Gallons	\$44
	\$47
Water Source – City of Fargo – Red River and Sheyenne River	

Schedule

Task	Dates
Study	Oct. 2024
Design	Jan. 2025
Bid	Feb. 20, 2025
Construction	May 2025
Completion	Aug. 2026

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$427,781	\$5,490,203	\$5,917,984		
Eligible Cost	\$183,335	\$1,948,682	\$2,132,017		
Total	\$611,116	\$7,438,885	\$8,050,001		
Cost-Share 60%	\$110,001	\$1,169,209	\$1,279,210		\$110,001

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of West Fargo for state cost-share participation in the Westwood Addition Reconstruction project at 60 percent of eligible costs, not to exceed \$110,001. This approval is contingent on available funding.

AT:jsp:ln/2050WES

1084257 - Westwood Addition Reconstruct

Application Details

Funding Opportunity: 1084196-October 2024 - June 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: Oct 28, 2024 4:40 PM
Initially Submitted By: Daniel Hanson
Last Submit Date: Oct 30, 2024 12:01 PM
Last Submitted By: Josh Wayt

Contact Information

Primary Contact Information

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

Fax: ### ### #####
Comments:

Organization Information

Status*: Approved
Name*: City of West Fargo
Organization Type*: Political Subdivision
Tax Id:
Organization Website:
Address*: 800 4th Ave E

West Fargo North Dakota 58078-0000
City State/Province Postal Code/Zip

Phone*: (701) 515-5000 Ext.
####

Fax: ### ### ####

Vendor ID:

PeopleSoft Supplier ID:

Comments:

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: Westwood Addition Reconstruction

Sponsor(s)*: City of West Fargo

County*: Cass

City*: West Fargo

Description of Request*: New

If Study, What Type: Feasibility

If Project/Program, What Type: Municipal Water Supply

Jurisdictions/Stakeholders Involved*:

The City of West Fargo and its residents.

Describe the Problem*:

The Westwood Addition contains aging water mains and appurtenances that are in need of replacement.

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

This project will replace all the water mains, gate valves, fire hydrants, and water services within the City's right-of-way.

For this project,

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

What is the Current Estimated Population?* 39985

For this project,

What is the Benefited Population?* 266

Have Assessment Districts Been Formed?* Yes

Date Formed: 09/16/2024

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?* Yes

If Yes, Describe the Condition and Last Improvements Made to Any Underground Infrastructure.:

The streets are in poor condition and show clear signs of pavement failure. The underground utilities were originally installed in 1959.

Have You Applied For Any Federal Permits?*: No

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*: 10/21/2024

Design Completion*: 01/20/2025

Bid*: 02/20/2025

Construction Start*: 05/15/2025

Construction Completion*: 07/18/2026

Explain Additional Timeline Issues*:

None.

Consulting Engineer*: Brandon Smith

Engineer Telephone Number*: 701-551-1066

Engineer Email*: brandon.smith@mooreengineeringinc.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Daniel Hanson 10/28/2024
First Name Last Name Date

Address*: 2515 6th St E
Address Line 1
Address Line 2

West Fargo North Dakota 58078-0000
City State Zip Code

Telephone Number*: 701-515-5103

Sponsor Email*: daniel.hanson@westfargond.gov

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.*:

Yes

Authorized Individual*: Daniel Hanson 10/28/2024
First Name Last Name Date

Title/Position/Authority*: Sr. Director of Community & Development

Documentation

Documentation

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

[CLICK HERE](#) to see examples.

Project Specific Map [22746_West Fargo_Project 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?* No

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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: [CityCommission_MeetingMinutes_20240916.pdf](#)

Cover Letter: [22746_West Fargo_Cover Letter_Signed.pdf](#)

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: [22746_Delineation of Cost_Updated.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: [22746_LCCA_20241029.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: Yes

Feasibility/Engineering Study Material: [3006_FeasibilityStudy_10232024.pdf](#)

Photos of Problem/Issue:

GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s): Yes

Other Applicable Document: [3006_Agenda Packet_09162024.pdf](#)

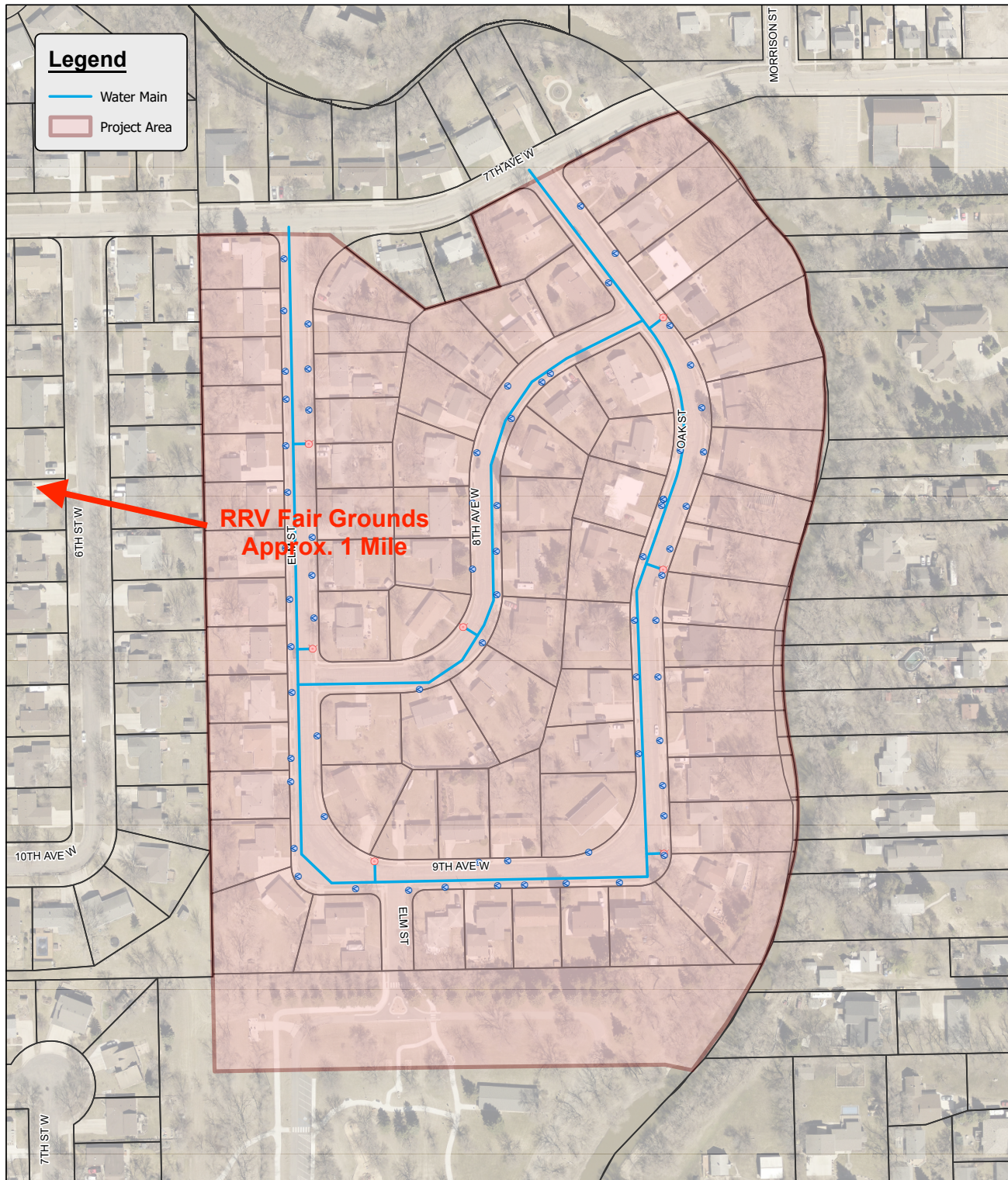
Other Applicable Document: [3006_TaskOrder64-2_EXECUTED.pdf](#)

Other Applicable Document:

Sources

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

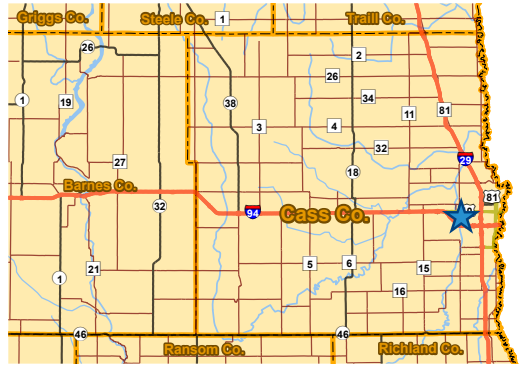
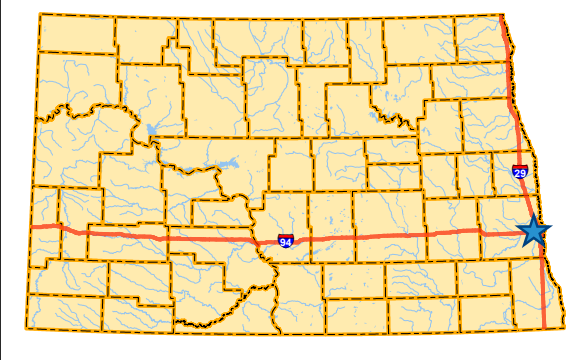
Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Pre-Construction		Current Request	\$110,001.00	\$0.00	\$0.00	\$110,001.00	Grant	0.00	0.00
Other	Local funding	Already Approved	\$0.00	\$6,770,790.00	\$0.00	\$6,770,790.00		0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$1,169,209.00	\$0.00	\$1,169,209.00	Grant	0.00	0.00
			\$110,001.00	\$7,939,999.00	\$0.00	\$8,050,000.00			



Legend

- Water Main
- Project Area

**RRV Fair Grounds
Approx. 1 Mile**



**RECOMMENDED WATER SYSTEM IMPROVEMENTS
WEST FARGO, NORTH DAKOTA**



Created By: KHV Date Created: 10/15/2024 Date Saved: 10/15/24 Date Exported: 10/15/24
 Plotted By: Kyle Wolk Parcel Date: State Parcels 09/15/24 Aerial Image: 2024 FM Metro Area Elevation Data: N/A
 Horizontal Datum: NAD 1983 StatePlane North Dakota North FIPS 3201 Feet Vertical Datum: NAVD1988
 T:\Projects\22700\227146_WeatwoodReconstruct\10_ArcPro\227146_DWR_Exhibit\227146_DWR_Exhibit.aprx



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

DWR Date Received :

Project:	Westwood Addition Reconstruction
Sponsor:	City of West Fargo
Contact:	Daniel Hanson, City Engineer
Phone:	701-515-5500
Engineer:	Brandon Smith, Moore Engineering Inc.
Phone:	701-551-1066

Total Cost :	\$ 8,050,000	Date:	October 29, 2024
Ineligible Cost :	\$ 5,917,984		
Eligible Cost :	\$ 2,132,017		
Local Cost :	\$ 6,770,790		
		Cost-Share \$	\$ 1,279,210
		Preconstruction :	\$ 110,001
		Construction :	\$ 1,169,209

Project Type:	Municipal Water Supply	Cost-share %	60%
----------------------	------------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	3.7%	Mobilization	1	LS	65,000.00	\$ 65,000	60%	\$ 39,000
2	0.0%	Bonding	1	LS	-	\$ -	60%	\$ -
3	0.0%	Insurance	1	LS	-	\$ -	60%	\$ -
4	0.4%	Gate Valve - Remove	13	EA	550.00	\$ 7,150	60%	\$ 4,290
5	0.4%	Hydrant - Remove	6	EA	1,100.00	\$ 6,600	60%	\$ 3,960
6	6.4%	Removal of Asbestos Concrete Pipe - W	1700	LF	65.00	\$ 110,500	60%	\$ 66,300
7	0.7%	Removal of Water Service	2250	LF	5.50	\$ 12,375	60%	\$ 7,425
8	1.0%	Water Main 6 in	195	LF	90.00	\$ 17,550	60%	\$ 10,530
9	21.0%	Water Main 8 in	3655	LF	100.00	\$ 365,500	60%	\$ 219,300
10	6.9%	Water Service Connection - Curb Stop &	73	EA	1,650.00	\$ 120,450	60%	\$ 72,270
11	6.5%	Water Service Line	2250	LF	50.00	\$ 112,500	60%	\$ 67,500
12	1.5%	Gate Valve & Box - 6"	7	EA	3,850.00	\$ 26,950	60%	\$ 16,170
13	3.1%	Gate Valve & Box - 8"	12	EA	4,500.00	\$ 54,000	60%	\$ 32,400
14	3.3%	Hydrant	7	EA	8,250.00	\$ 57,750	60%	\$ 34,650
15	4.0%	Temporary Water Service	1	LS	70,000.00	\$ 70,000	60%	\$ 42,000
16	1.9%	Curb and Gutter - Remove & Replace	720	LF	45.00	\$ 32,400	60%	\$ 19,440
17	2.1%	Sidewalk - Remove and Replace	320	SY	115.00	\$ 36,800	60%	\$ 22,080
18	1.2%	Removal of Bituminous Pavement	4060	SY	5.00	\$ 20,300	60%	\$ 12,180
19	2.0%	Geogrid	4340	SY	8.00	\$ 34,720	60%	\$ 20,832
20	6.7%	Gravel - Road Base	4340	SY	27.00	\$ 117,180	60%	\$ 70,308
21	10.6%	Paving	1360	TON	135.00	\$ 183,600	60%	\$ 110,160
22	0.7%	Common Excavation	1085	CY	11.00	\$ 11,935	60%	\$ 7,161
23	0.9%	Subgrade Preparation	4340	SY	3.50	\$ 15,190	60%	\$ 9,114
24	3.2%	Seeding	1	LS	55,000.00	\$ 55,000	60%	\$ 33,000
25	0.2%	Sign Allowance	1	LS	3,500.00	\$ 3,500	60%	\$ 2,100
26	2.6%	Other Eligible General Construction Item	1	LS	45,000.00	\$ 45,000	60%	\$ 27,000
		Construction Sub-Total				\$ 1,581,950	60%	\$ 949,170
	10.0%	Contingency				\$ 158,195	60%	\$ 94,917
	21.6%	Construction Total				\$ 1,740,145	60%	\$ 1,044,087
Preconstruction Costs								
27	5.4%	Preliminary Design	1	LS	93,842.25	\$ 93,842	60%	\$ 56,305
28	5.1%	Final Design	1	LS	89,492.25	\$ 89,492	60%	\$ 53,695
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	2.3%	Preconstruction Total				\$ 183,335	60%	\$ 110,001
Construction Engineering Costs								
32	3.3%	Construction Contract Management	1	LS	57,537.00	\$ 57,537	60%	\$ 34,522
33	7.2%	Project Inspection	1	LS	126,000.00	\$ 126,000	60%	\$ 75,600
34	0.3%	Post-Construction / Warranty	1	LS	6,000.00	\$ 6,000	60%	\$ 3,600
35	1.1%	Construction Contract Administration	1	LS	19,000.00	\$ 19,000	60%	\$ 11,400
36	0.0%		0		-	\$ -	60%	\$ -
	2.6%	Construction Engineering Total				\$ 208,537	60%	\$ 125,122
Other Eligible Costs								
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%	Other Eligible Total				\$ -	60%	\$ -
In-eligible Costs								
42	4.9%	Legal Expenses	1	LS	396,366.00	\$ 396,366	0%	\$ -
43	5.3%	Ineligible Preconstruction Engineering	1	LS	427,780.50	\$ 427,781	0%	\$ -
44	5.5%	Ineligible Construction Engineering	1	LS	442,253.00	\$ 442,253	0%	\$ -
45	57.8%	Ineligible Construction	1	LS	4,651,584.00	\$ 4,651,584	0%	\$ -
	73.5%	Other Ineligible Total				\$ 5,917,984	0%	\$ -
100.0%		Total				\$ 8,050,000		
		Eligible Total				\$ 2,132,017	60%	\$ 1,279,210
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 2,132,017	60%	\$ 1,279,210

* 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 West Fargo
Project Title: Westwood Addition Reconstruct

Date: November 5, 2024

Explanation of Alternatives:

Do Nothing - This alternative would mean that no improvements would be made to the existing water system throughout the city and would be maintained as it is today.

Full Replacement & Asbestos Cement Pipe (ACP) Abandonment (Preferred) - The project will replace the entire water system using open cut trenching, including mains, hydrants, gate valves, fittings, curb stops, and water service lines up to the property line. This project will shift the water main to prevent the need to remove the majority of the existing water main, which is ACP. The existing pipe will be abandoned in place.

Full Replacement & ACP Abandonment with Horizontal Directional Drilling (HDD) - The project will replace the entire water system using HDD where possible. Replacements include mains, hydrants, gate valves, fittings, curb stops, and water service lines up to the property line. This project will shift the water main to prevent the need to remove the majority existing water main, which is ACP. The existing pipe will be abandoned in place.

Full Replacement & ACP Removal - The project will replace the entire water system using open cut trenching, including mains, hydrants, gate valves, fittings, curb stops, and water service lines up to the property line. This project will install the new water main in the same location as the existing, requiring removal of all existing ACP mains.

Inputs:

New Connections Served	0
Future Connections Served	0
Current Connections Served	73
Net Connections (New + Current)	73

Current CIF Balance	
Annual CIF Contribution	
Cash Funding Target (Percentage %) New Assets	
Cash Funding Target (Percentage %) Existing Assets	
Annual CIF Contribution suggested for the Project	

	Do Nothing	Full Replacement & ACP Abandonment (Preferred)	Full Replacement & ACP Abandonment HDD	Preconstruction Full Replacement & ACP Removal
Construction Cost	\$0	\$8,050,000	\$8,357,880	\$8,478,000
Annual O & M	\$30,000	\$5,000	\$5,000	\$5,000

Details:

--

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Do Nothing	Full Replacement & ACP Abandonment (Preferred)	Full Replacement & ACP Abandonment HDD	Full Replacement & ACP Removal
Capital Costs	\$0	\$8,050,000	\$8,358,000	\$8,478,000
O&M	\$832,000	\$134,000	\$134,000	\$134,000
Repair, Rehab, Replacement	\$0	\$263,000	\$335,000	\$263,000
Salvage Value	\$0	\$39,000	\$44,000	\$36,000
Total PVC	\$832,000	\$8,408,000	\$8,783,000	\$8,839,000
PV Cost Per User	\$11,397	\$115,178	\$120,315	\$121,082

Current Water Rate (Cost Per 5000g)	\$44
Comparable Water Rate	\$47
Net Connections (New + Current)	73
Cost-Share Percent	60%
Local Share	\$0
Other Funding	\$0
Total Local	\$0
Payment Per User With Cost-Share	\$0.00
Local Share	\$0
Other Funding	\$0
Total Local	\$0
Payment Per User Without Cost-Share	\$0.00

Explanation of Results:

The sponsor preferred project is the "Full Replacement & ACP Abandonment" option. The present value cost of the preferred alternative is \$8,408,000 and the presented alternative for comparison is "Full Replacement & ACP Removal" at a present value cost of \$8,839,000. The present value cost per user for the preferred alternative is \$115,178. The monthly user cost of the local share with DWR 60% cost-share participation is \$223 per month and \$558 without DWR participation.

ND Dept. of Commerce Population & Trends	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
	25,830	38,194	4.8%	1236

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.

October 28, 2024

Lori Noack
Cost Share Program Administrator
North Dakota Department of Water Resources
1200 Memorial Highway
Bismarck, ND 58505-0850

RE: Westwood Addition Reconstruction Preconstruction Funding Request

Dear Lori:

The City of West Fargo has initiated a project to replace the water mains, gate valves, fire hydrants, and water services within the Westwood Addition. The Westwood Addition contains 76 residential properties that are home to approximately 266 people. The area's water distribution system consists of asbestos cement pipe (ACP) water mains and appurtenances that are now at least 65 years old.

The overall project will also reconstruct the sanitary sewer system, storm sewer system, sidewalks, and streets within the neighborhood. The water supply improvements constitute 30% of the construction costs. The City has applied this same percentage to derive the water portion of preconstruction costs.

The City now respectfully requests 60% cost share for the water portion of preconstruction costs. These costs include preliminary design, geotechnical investigations, legal and bonding services, final design, ROW/utility coordination, and public outreach.

We appreciate your willingness to support the City's efforts to provide safe, reliable, and cost-effective drinking water to its residents and visitors. If you have any questions, please feel free to contact me or the City's engineering consultant, Brandon Smith, at brandon.smith@mooreengineeringinc.com or (701) 551-1066.

Thank you.

Sincerely,



Daniel Hanson
City Engineer



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 16, 2024 5:30 PM

Meeting Items

A. Call to Order

The West Fargo City Commission meeting was held in the in the City of West Fargo Commission Chambers on Monday, September 16, 2024.

B. Pledge of Allegiance

The Pledge of Allegiance was recited.

C. Roll Call

Commissioner Rory Jorgensen – present; Commissioner Amy Zundel – present; Commissioner Bernie Dardis – present; Commissioner Brad Olson – present; Commissioner Roben Anderson – present; All Commissioners were present, there was no Commissioner absent from the meeting.

D. Approve Order of Agenda

Commissioner Olson moved and Commissioner Anderson seconded to approve the agenda. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the order of agenda as presented was declared carried.

E. Approval of Minutes -- September 3, 2024

Commissioner Zundel moved and Commissioner Jorgensen seconded to approve the minutes of September 3, 2024. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the minutes of September 3, 2024 was declared carried.

F. Building Permits

Commissioner Olson moved and Commissioner Anderson seconded to approve the building permits. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the building permits as presented was declared carried.



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 16, 2024 5:30 PM

Consent Agenda - Approve the Following:

- a. Bills**
- b. Recommendation to appoint Chad Brousseau to Economic Development Advisory Committee**
- c. A24-21 Charleswood River Estates 13th Addition, request for final plat approval**
- d. Games of Chance for Blessed Sacrament Church**
- e. Games of Chance for Freedom Elementary PTA**
- f. Site Authorization for Horace Lions at Unhynged**

Commissioner Zundel moved and Commissioner Anderson seconded to approve the consent agenda. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the consent agenda as presented was declared carried.

Regular Agenda

1. Public Comment

Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend. City Commission Meeting Public Comment | West Fargo, ND (westfargond.gov)

2. Public Hearing on the Preliminary Budget -- Dustin Scott, City Administrator

During the Public Hearing, comments will only be received on budget-specific items.

Residents of West Fargo came forward during this time, no action was taken.

3. Approval of 2025 Utility Rates -- Matt Andvik, Director of Public Works

Commissioner Anderson moved and Commissioner Jorgensen seconded to approve the 2025 Utility Rates. Commissioners Jorgensen, Dardis and Anderson voted aye. Commissioners Zundel and Olson voted nay, the motion to approve the of 2025 Utility Rates as presented was declared carried on a 3:2 vote.



4. Request to consider amending the city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety -- Daniel Flaten, West Fargo Resident

Commissioner Zundel moved and Commissioner Jorgensen seconded to allow staff to look into an amendment of city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to allow staff to look into an amendment of city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety as presented was declared carried.

5. A24-23 North Pond at the Preserve 18th Addition, request for final plat approval -- Aaron Nelson, Director of Planning

Commissioner Zundel moved and Commissioner Olson seconded to approve the request for final plat approval for A24-23 North Pond at the Preserve 18th Addition. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the request for final plat approval for A24-23 North Pond at the Preserve 18th Addition as presented was declared carried.

6. Short-Term Rental information & discussion -- Aaron Nelson, Director of Planning

Commissioner Zundel moved and Commissioner Olson seconded to approve option 3 of the short term rental:

Option 3: Comprehensive Ordinance Update with STR Licensing Standards

This option involves a more comprehensive update of city ordinances to establish a broader regulatory framework for STRs, including the establishment of a licensing framework.

Key Elements:

- Drafting of new ordinances specific to STRs to include such things as occupancy limits, quiet hours, enhanced penalties/restrictions for repeat violations, and licensing requirements.

- All STR operators to register and obtain a license, ensuring compliance with ordinances and tax responsibilities.
- Could require annual registration/licensing fee to help off-set additional budget costs to administer new program.
- Creates a process to ensure STR operators pay appropriate lodging tax.
- Additional staffing resources needed to administer.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve option 3 of the short term rental was declared carried.

7. Enterprise Grant for Sandy's Donuts -- Casey Sanders-Berglund, Director of Economic Development Director

Commissioner Olson moved and Commissioner Jorgensen seconded to approve the Enterprise Grant for Sandy's Donuts. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the Enterprise Grant for Sandy's Donuts as presented was declared carried.

5 Minute Break took place

8. Westwood Addition Reconstruction – Dan Hanson, City Engineer

- **Create Improvement District No. 3006, Direct Engineer to prepare an Engineer's Report; and Approve Task Order for Preliminary Engineering Services**

Commissioner Olson moved and Commissioner Zundel seconded to approve the Westwood Addition Reconstruction; create Improvement District No. 3006, direct Engineer to prepare an Engineer's Report; and approve Task Order for Preliminary Engineering Services. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the Westwood Addition Reconstruction; create Improvement District No. 3006, direct Engineer to prepare an Engineer's Report; and approve Task Order for Preliminary Engineering Services as presented was declared carried.



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 16, 2024 5:30 PM

9. Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation

-- **Dan Hanson, City Engineer**

- **Approve Task Order No. 87-1 for Basic Services**

Commissioner Anderson moved and Commissioner Olson seconded to approve Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation; approve Task Order No. 87-1 for Basic Services. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation; approve Task Order No. 87-1 for Basic Services as presented was declared carried.

10. Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94)

-- **Dan Hanson, City Engineer**

- **Approve a Task Order for Sanitary Sewer Evaluation Study**

Commissioner Zundel moved and Commissioner Anderson seconded to approve Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94); approve Task Order for Sanitary Sewer Evaluation Study. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94); approve Task Order for Sanitary Sewer Evaluation Study as presented was declared carried.

11. City Administrator's Report -- Dustin Scott, City Administrator

Utility Rate Update, create a resolution

Finance Director update, starting on Wednesday

12. Correspondence

There was no correspondence.

13. Non-Agenda Items

Commissioner Jorgensen on clarification of Commissioner voting.

Commission President Dardis gave recognition on engagement from public and staff regarding the budget.

Dan Hanson, City Engineer came forward to bring up future improvements regarding a recent accident within West Fargo at 36th and Veterans.



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 16, 2024 5:30 PM


14. Adjourn

Commissioner Jorgensen moved and Commissioner Anderson seconded to adjourn. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to adjourn was carried at 8:00 PM.

Bernie Dardis, Commission President

Dustin T. Scott, City Administrator

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – McLean Sheridan Rural Water District
 System Expansion Phase 2
DATE: November 25, 2024

Background & Description

The McLean Sheridan Rural Water District is requesting a construction cost-share increase for their System Expansion Phase 2 (Project). The Project is expansion of the District’s system to provide service to 129 new users. This increase is due to additional wetland boring and pipe costs in the City of Butte. The Project is located in McLean County.

Supplemental Information

Water Development Plan / Priority	None
New / Future / Current Service Users	127 / 0 / 1,063
Present Value Cost / User (Preferred Alternative)	\$1,808
Rate / 5,000-Gallons	\$121.05
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Lake Nettie Aquifer	

Schedule

Task	Dates
Study	Sept. 2021
Design	Nov. 2021
Bid	May 2022
Construction	Jun. 2022
Completion	Sept. 2025

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$0	\$0		
Eligible Costs	\$250,500	\$11,011,846	\$11,262,346		
Total	\$250,500	\$11,011,846	\$11,262,346		
Cost-Share 75% (Requested)	\$187,875	\$8,258,885	\$8,446,760	\$670,000 (8/12/21) \$6,200,000 (2/23/22) \$287,900 (12/9/22) \$1,062,500 (4/11/24)	\$226,360

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from McLean Sheridan Rural Water District for additional state cost-share participation in the System Improvement Phase 2 project in the amount of \$226,360, or 75 percent of eligible costs, with total cost-share not to exceed \$8,446,760. This approval is contingent on available funding.

AT:jsp:ln:/2050MCL

1084255 - 2021 System Improvements Phase 2 - Increase Request

Application Details

Funding Opportunity:
1084196-October 2024 - June 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: Oct 25, 2024 8:54 AM

Initially Submitted By: Abby Ritz

Last Submit Date: Oct 31, 2024 4:39 PM

Last Submitted By: Abby Ritz

Contact Information

Primary Contact Information

Active User*: Yes

Type: External User

Name: Salutation Ann Middle Name
First Name
Broussard
Last Name

Title: Manager

Email*: msrwater@westriv.com

Address*: 987 17th Ave NW

Turtle Lake North Dakota
City State/Province

58575
Postal Code/Zip

Organization Information

Status*: Approved

Name*: McLean Sheridan Rural Water District

Organization Type*: Political Subdivision

Tax Id: McLean Sheridan Rura

Organization Website:

Address*: 987 17th Ave NW

Turtle Lake North Dakota
City State/Province

58575-____
Postal Code/Zip

Phone*: (701) 448-2686 Ext.
Phone
###-###-####

Phone*: 701-448-2686 Ext.
###-###-####

Fax: (701) 448-2315
###-###-####

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

Comments:

Vendor ID:

**PeopleSoft
Supplier ID:**

Comments:

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

**Project, Program, or Study
Name*:** 2021 System Improvements Phase 2 - Increase Request

Sponsor(s)*: McLean Sheridan Rural Water District

County*: McLean

City*: Turtle Lake

Description of Request*: Updated (previously submitted)

If Study, What Type:

If Project/Program, What Type: Rural Water Supply

Jurisdictions/Stakeholders

Involved*:

McLean Sheridan Rural Water District, City of Turtle Lake, City of Cole Harbor, City of McClusky

Describe the Problem*:

The MSRWD has received numerous requests for rural water service throughout its service territory. Well water in the MSRWD service area is inadequate to meet the agricultural and residential needs due to limited well capacity and water quality that does not meet health department regulations.

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

The MSRWD has worked with farmers and ranchers to provide clean safe drinking water to meet the needs of a growing agricultural industry. This request is to accomodate a contractor change order to balance the quantities and costs of their contract to date. These costs are attributed to the growth of wetlands across the project area and for additional pipe in the City of Butte.

For this project,

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

**What is the Current Estimated
Population?*** 3573

For this project,	
What is the Benefited Population?* :	363
Have Assessment Districts Been Formed?* :	No
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?* :	Yes
If Yes or Ongoing, Please Explain (include type/number):	
Railroad crossing permit	
Have You Been Approved for any State Permits?* :	Yes
If Yes or Ongoing, Please Explain (include type/number):	
Railroad crossing permit	
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*: 09/2021

Design Completion*: 11/2021

Bid*: 05/2022

Construction Start*: 06/2022

Construction Completion*: 09/2025

Explain Additional Timeline

Issues*:

No timeline issues anticipated. Construction completion date was extended to accommodate additional users added to the project.

Consulting Engineer*: Brett Morlok, AE2S

Engineer Telephone Number*: 701-221-0530

Engineer Email*: Brett.Morlok@AE2S.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Ann Broussard 10/23/2024
First Name Last Name Date

Address*: 987 17th Avenue NW
Address Line 1
Address Line 2
Turtle Lake North Dakota 58575-9649
City State Zip Code

Telephone Number*: 701-448-2686

Sponsor Email*: ann@msrwd.com

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.*:

Authorized Individual*: Ann Broussard 10/23/2024
First Name Last Name Date
Title/Position/Authority*: Manager

Documentation

Documentation

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

[CLICK HERE to see examples.](#)

Project Specific Map MSRWD Phase 2 Overall System Map 20220106.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: Oct Minutes 2024.docx

Cover Letter: MSRWD 2024 Increase Request CO5.pdf

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: MSRWD CO5 Pipeline sfn_61801_delineation_of_cost - 24.10.31.xlsx

Type of Request: Construction

Signed Plans and Specifications For Bidding:

MSRWD_2021 System Improvements Phase 2 Specifications and 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: MSRWD CO5 Pipeline 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_MSRWD_202406.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:

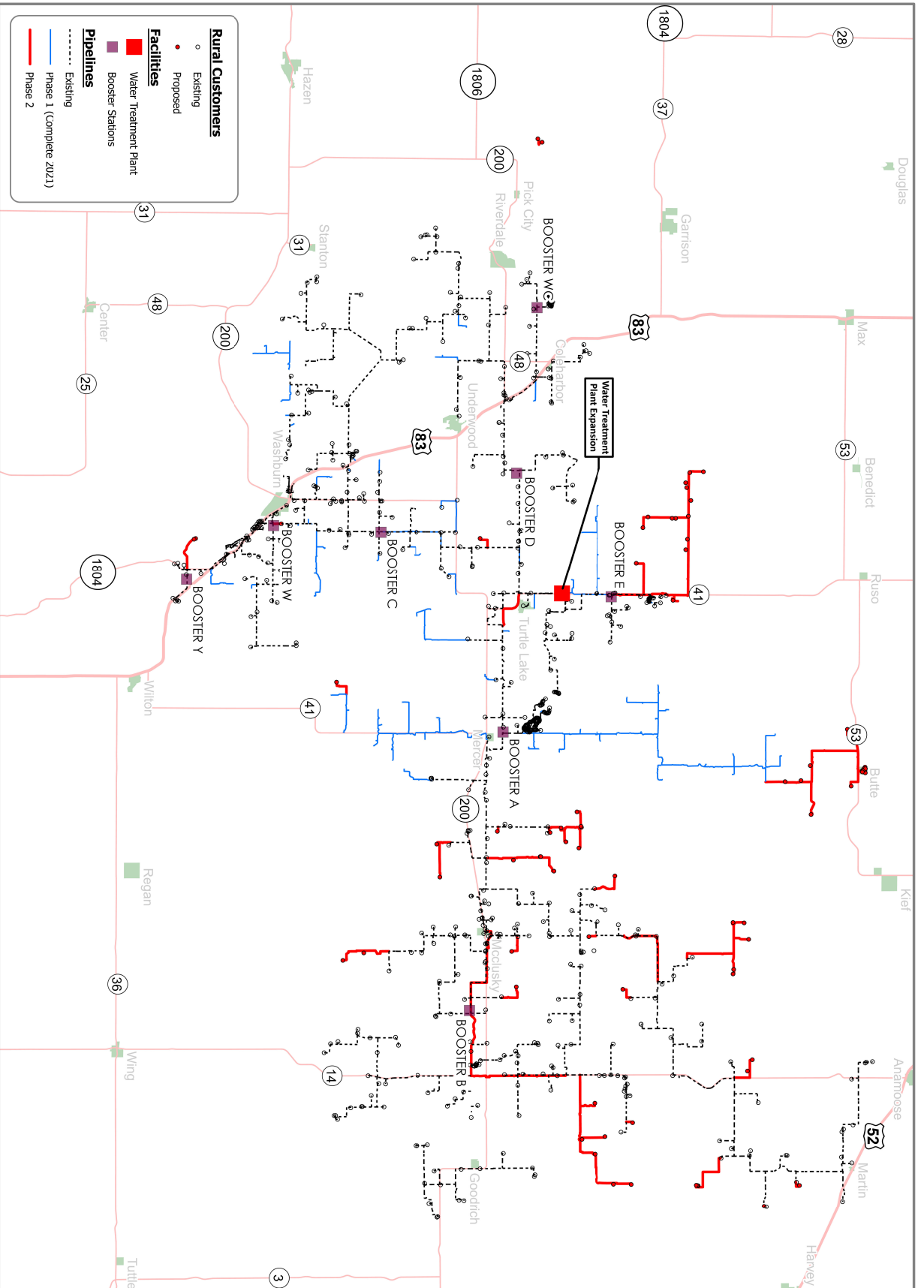
GIS Files: Please Compress All Files Into One .zip File.

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			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	\$0.00	\$226,360.00	\$226,360.00		0.00	0.00
Department of Water Resources Cost Share Construction		Already Approved	\$0.00	\$3,243,950.00	\$4,306,450.00	\$7,550,400.00		0.00	0.00
Department of Water Resources Cost Share Pre-Construction		Already Approved	\$670,000.00	\$0.00	\$0.00	\$670,000.00		0.00	0.00
Drinking Water State Revolving Fund		Already Approved	\$192,100.00	\$1,274,014.00	\$1,349,473.00	\$2,815,587.00		0.00	0.00
			\$862,100.00	\$4,517,964.00	\$5,882,283.00	\$11,262,347.00			



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 North FIPS 3301 Feet | Edited by: ASchlagel | C:\Users\ASchlagel\AE2S\MSRWD - 2019 Rural Water - 00215-2016-002 - Documents\GIS\Overall System Map\MSRWD Overall Map\MSRWD Overall Map.aprx | MSRWD_Overall_Phase 2 Update



MSRWD
 Date: 1/6/2022

MSRWD

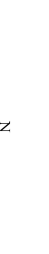
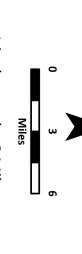
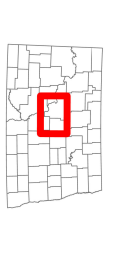
Overall System Map
 Phase II Expansion Areas

McLean County, ND

Turtle Lake

MSRWD - PHASE II
 SYSTEM EXPANSION
 AND
 IMPROVEMENTS

Locator Map Not to Scale





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

DWR Date Received : October 31, 2024

Project:	2021 System Improvements Phase 2
Sponsor:	McLean Sheridan Rural Water District
Contact:	Ann Broussard, Manager
Phone:	701-448-2686
Engineer:	Brett Morlok, AE2S
Phone:	701-221-0530

Total Cost :	\$ 11,262,347	Date:	October 31, 2024
Ineligible Cost :	\$ -		
Eligible Cost :	\$ 11,262,347	Cost-Share \$	\$ 8,446,760
Local Cost :	\$ 2,815,587	Previously Approved	\$ 8,220,400
		Construction Increase	\$ 226,360

Project Type:	Rural Water Supply	Cost-share %	75%
----------------------	--------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	0.7%	Mobilization	1	LS	68,611.00	\$ 68,611	75%	\$ 51,458
2	2.0%	Bonding	1	LS	192,650.00	\$ 192,650	75%	\$ 144,488
3	2.0%	Insurance	1	LS	192,650.00	\$ 192,650	75%	\$ 144,488
4	31.0%	Water Main 2 in	598648	LF	5.00	\$ 2,993,240	75%	\$ 2,244,930
5	4.3%	Water Main 4 in	51719	LF	8.00	\$ 413,752	75%	\$ 310,314
6	10.0%	Water Main 6 in	92253	EA	10.50	\$ 968,657	75%	\$ 726,492
7	2.1%	Water Main 8 in	14232	EA	14.50	\$ 206,364	75%	\$ 154,773
8	25.1%	Boring - Poly	77382	LF	31.34	\$ 2,424,900	75%	\$ 1,818,675
9	1.0%	Connection to Existing Line	61	EA	1,600.00	\$ 97,600	75%	\$ 73,200
10	2.7%	Hydrant	27	EA	9,590.00	\$ 258,930	75%	\$ 194,198
11	1.5%	Gate Valve	88	EA	1,600.00	\$ 140,800	75%	\$ 105,600
12	5.3%	Meter - Frost Free	145	EA	3,550.00	\$ 514,750	75%	\$ 386,063
13	0.2%	Sign Allowance	267	EA	75.00	\$ 20,025	75%	\$ 15,019
14	0.7%	Seeding	673	AC	100.00	\$ 67,300	75%	\$ 50,475
15	0.0%					\$ -	75%	\$ -
16	0.0%					\$ -	75%	\$ -
17	0.0%	CO5 Expenses				\$ -	75%	\$ -
18	0.1%	Mobilization	1	LS	10,000.00	\$ 10,000	75%	\$ 7,500
19	0.1%	Bonding	1	LS	7,500.00	\$ 7,500	75%	\$ 5,625
20	0.1%	Insurance	1	LS	7,500.00	\$ 7,500	75%	\$ 5,625
21	1.8%	Boring - Poly	5778	LF	30.00	\$ 173,340	75%	\$ 130,005
22	0.1%	Gate Valve	10	EA	1,240.00	\$ 12,400	75%	\$ 9,300
23	0.0%					\$ -	75%	\$ -
24	0.0%					\$ -	75%	\$ -
25	0.0%					\$ -	75%	\$ -
26	0.0%					\$ -	75%	\$ -
		Construction Sub-Total				\$ 8,770,969	75%	\$ 6,578,226
	10.0%	Contingency				\$ 877,097	75%	\$ 657,823
	85.7%	Construction Total				\$ 9,648,065	75%	\$ 7,236,049
Preconstruction Costs								
27	1.6%	Preliminary Design	1		155,000.00	\$ 155,000	75%	\$ 116,250
28	1.0%	Archeological Study	1		95,000.00	\$ 95,000	75%	\$ 71,250
29	0.0%	Ads for Construction	1		500.00	\$ 500	75%	\$ 375
30	0.0%		0		-	\$ -	75%	\$ -
31	0.0%		0		-	\$ -	75%	\$ -
	2.2%	Preconstruction Total				\$ 250,500	75%	\$ 187,875
Construction Engineering Costs								
32	11.9%	Project Inspection	1		1,151,281.33	\$ 1,151,281	75%	\$ 863,461
33	0.5%	Construction Contract Management	1		50,000.00	\$ 50,000	75%	\$ 37,500
34	0.0%				-	\$ -	75%	\$ -
35	0.4%	Project Inspection	1	NA	35,000.00	\$ 35,000	75%	\$ 26,250
36	0.1%	Archeological Study	1	NA	10,000.00	\$ 10,000	75%	\$ 7,500
	11.1%	Construction Engineering Total				\$ 1,246,281	75%	\$ 934,711
Other Eligible Costs								
37	0.7%	Survey (Easements and Monumenting)	1		77,500.00	\$ 77,500	75%	\$ 58,125
38	0.1%	Permit Fees	1		15,000.00	\$ 15,000	75%	\$ 11,250
39	0.0%				-	\$ -	75%	\$ -
40	0.1%	Crop Damage	1	NA	10,000.00	\$ 10,000	75%	\$ 7,500
41	0.1%	Survey (Easements and Monumenting)	1	NA	15,000.00	\$ 15,000	75%	\$ 11,250
	1.0%	Other Eligible Total				\$ 117,500	75%	\$ 88,125
In-eligible Costs								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	Other Ineligible Total				\$ -	0%	\$ -
100.0%		Total				\$ 11,262,347		
		Eligible Total				\$ 11,262,347	75%	\$ 8,446,760
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 11,262,347	75%	\$ 8,446,760

* 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: McLean Sheridan Rural Water District
Project Title: 2021 System Expansion and Improvements

Date: November 2, 2024

Explanation of Alternatives:

System and WTP Filter Expansion - Add 108 new rural users and expand system capacity by adding parallel pipes.
 Change in Scope (Preferred) - Add 21 additional new rural users.
 Change #5 - Additional costs and quantities associated with the growth of wetlands across the project area and for additional pipe in Butte.
 No Build - Under this alternative, the district would not expand its system. This will not result in any additional costs for the district but will prevent additional rural users from connecting to the system.

Inputs:

New Connections Served	127
Future Connections Served	0
Current Connections Served	1063
Net Connections (New + Current)	1190

Current CIF Balance	NA
Annual CIF Contribution	NA
Cash Funding Target (Percentage %) New Assets	NA
Cash Funding Target (Percentage %) Existing Assets	NA
Annual CIF Contribution suggested for the Project	NA

	System Expansion (Original Scope + Previous Change Orders)	No Build	Change Order #5 Increase (Preferred)
Construction Cost	\$10,960,600	\$0	\$11,262,300
Annual O & M	\$15,000	\$0	\$15,000

Details:

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

	System Expansion (Original Scope + Previous Change Orders)	No Build	Change Order #5 Increase (Preferred)
Present Value			
Capital Costs	\$10,814,000	\$0	\$11,111,000
O&M	\$384,000	\$0	\$384,000
Repair, Rehab, Replacement	\$365,000	\$0	\$70,000
Salvage Value	\$87,000	\$0	\$18,000
Total PVC	\$11,476,000	\$0	\$11,547,000
PV Cost Per User	\$9,644	\$0	\$9,703

Current Water Rate (Cost Per 5000g)	\$121		
Comparable Water Rate	\$76		
Net Connections (New + Current)	1,190	1,190	1,190
Cost-Share Percent	75%	75%	75%
Local Share	\$2,703,500	\$0	\$2,777,750
Other Funding	\$0	\$0	\$0
Total Local	\$2,703,500	\$0	\$2,777,750
Payment Per User With Cost-Share	\$11.49	\$0.00	\$11.81
Local Share	\$10,814,000	\$0	\$11,111,000
Other Funding	\$0	\$0	\$0
Total Local	\$10,814,000	\$0	\$11,111,000
Payment Per User Without Cost-Share	\$45.97	\$0.00	\$47.23

Explanation of Results:

The present value cost of the "Change Order #5 preferred alternative is \$11,547,000. The present value cost per user for the project including the latest change order is \$9,703 and the previous approval comparison is not apples-to-apples due to the sponsor lumping LCCA assets together and applying a different life to assets being compared. The monthly user cost of the local share with DWR 75% cost-share participation is \$11.81 per month and \$47.23 without DWR participation.

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.

McLean-Sheridan Water District

987 17th Avenue NW
Turtle Lake, ND 58575-9649

E-mail msrwater@westriv.com

Phone: 701-448-2686
Fax: 701-448-2315

October 22, 2024

Andrea Travnicek, Ph. D., Secretary
North Dakota State Water Commission
900 E Boulevard Ave
Bismarck ND 58505-0850

**Re: McLean Sheridan Rural Water District (MSRWD)
2021 System Improvements Phase 2
Cost Share Increase Request**

Dear Ms.Travnicek:

The McLean Sheridan Rural Water District (MSRWD) is requesting an additional \$226,360 to the existing Phase 2 expansion project. The project is approximately 87% complete. The contractor has requested a change order to balance the quantities and costs of their contract to date, which resulted in an increase of \$210,740. The majority of the cost increase is due to extended bore lengths, which were typically lengthened to accommodate the growth of wetlands across the project area and for additional pipe in the City of Butte.

The Phase 2 Pipeline project budget will increase from \$10,960,528 to \$11,262,347. At 75%, the total SWC cost share will be \$8,446,760. \$8,220,400 has been previously approved by the SWC. At this time, we are requesting approval of an additional cost share totaling \$226,360.

Thank you very much for your assistance with this important project for the McLean Sheridan Rural Water District. If you have any questions, please do not hesitate to contact me at 701-448-2686 or Brett Morlok with Advanced Engineering and Environmental Services, LLC at 701-221-0530.

Respectfully submitted,



Ann Broussard
Manager

McLean-Sheridan Rural Water District Board Minutes

Water District Board Meeting was held October 15th, 2024, at 8:00 am at Turtle Lake city hall.

Present were:

Board Members: Jackson Hagen, Darwin Saari, Jeff Walcker, Luke Peterson, and Gerard Goven

Employees: Ann Broussard and Marlin Leidholm

Other: Tyler Fode and Cory Chorne of AE2S

On Video Call: Walter Lipp and Terry Strobel

Called to order: Meeting called to order by President Gerard Goven at 8:00 am.

Approve Agenda: Darwin made a motion to approve the agenda, Jackson seconded; all in favor, Motion approved.

Approve Minutes Previous Meeting: Jeff made a motion to approve the minutes of the September board meeting, Luke seconded; all in favor, Motion approved.

Transaction Report: Checks 12630-12683, 1409-1410, 1095-1096 for the month of September were presented to the Board.

Total checks: \$116,339.03, \$99,076.91, \$49,404.64

Total payroll: \$16,969.49

Total other debits: \$419,097.66, \$395,077.66, \$0.00

Jeff made a motion to approve transactions, Darwin seconded; all in favor, Motion approved.

Operating Report: Month of September:

Available working capital \$ 1,844,580.99

Brush Maintenance: \$287,300.73/Expansion Reserve CD: \$262,000.00/WC: \$1,295,280.26

Net operating income \$56,453.93

Operating Revenue \$140,936.46

Accounts Receivable: presented to the board

Darwin made a motion to approve manager's report, Luke seconded; all in favor, Motion approved.

Employee Reports:

Marlin: there is a pump at Booster WC that needs repair work; fixed a couple of water leaks this month, getting things taken care of before winter weather arrives; shutting off water for customers at our lake sites; storage container was purchased for the shop items, \$7,500 brand new, can use for a couple of years and sell at that point, don't plan on doing anything permanent in the interior so it should stay in pretty good shape

Ann: had a meeting with our Blue Cross Blue Shield rep about renewal, rates went up 14%; further discussion was had on the RRVWSP and the impending deadline for signing the MOC, the possibility of an assurance from Fargo and Grand Forks taking over our allocation in the future was brought up, the board would be inclined to sign the MOC if that assurance was in writing

McClusky Tower Project: items on Marlin's list have not been addressed, he is meeting with Jon of Moore Engineering this afternoon, there are several house cleaning type issues and small repairs, this should be ready by the next meeting.

Expansion Project: Cory with AE2S was present to give an update, the board was given documentation on Balancing Change Order 5 with Eatherly Constructor's, with this change order the District would need

to request a Construction Increase from the State Water Commission in the amount of \$226,360 (75% of \$301,814)

Darwin made a motion to submit an application to the SWC for their December meeting, requesting 75% cost share on a construction increase of \$301,814 which would be \$226,360 in funding, Jackson seconded; all in favor, Motion approved.

The contractor is currently out of the area, any further work this year will be weather dependent and would be in November; AE2S is working to schedule a meet up with landowner in the Butte area to discuss top soil issues, Jeff will also attend; a compaction test was conducted and 2 additional tests as well, in looking over the reports the engineers had questions about the validity of the results, will revisit this at a later meeting; the board would like an update on landowner complaints and rectification at the board meeting, possibly sharing GIS and the notes the RPR is taking on communication

Water Treatment Project: Tyler with AE2S was present to give an update, contracts have been awarded and signed; Sun Electronic mobilized last week and will be starting work this week, first step is relocating the transformer, anticipated start date for Swanberg is November 1 but is dependent on the transformer relocation, possible completion of the admin building fall of 2025

Old Business:

Salary committee: no update, but Ann requested communication before next month's meeting with a line item for tentative budget

Hiring Committee: Ann will send a draft version of advertisement to committee and run next few weeks

Transportation Committee: Durango was sold for \$9,500; Tahoe hail damage has been repaired, will bring the truck in for repairs next week

New Business:

Annual meeting will be at Turtle Lake city hall, October 30 at 6 pm, Ann will pick up sandwiches and salads at Country House Deli in Bismarck on her way in that morning

Discussion was had on sending out the summary page from the Water Softening Tech Memo that AE2S completed for us.


Meeting Adjourned: meeting adjourned 9:30 am

Gerard Goven, President: _____

Jeff Walcker, Vice-President: _____

MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: State Water Supply – Walsh Rural Water District
Interconnect with Northeast Regional Water District

DATE: November 25, 2024

Background & Description

The Walsh Rural Water District is requesting a construction cost-share increase for their Interconnect with Northeast Regional Water District (Project). The Project is installation of approximately 15 miles of water main to connect the Lankin booster station to the Northeast Regional Water District system. The purpose of the Project is to increase capacity and improve pressures. The Project was previously approved for cost-share, but federal requirements have delayed timelines, resulting in increased costs. The Project is located in Walsh County.

Supplemental Information

Water Plan (Priority/Page)	None
Current/New/Future Service Users	1,400/1/0
Present Value Cost / User (Preferred Alternative)	\$2,964
Rate / 5,000-Gallons	\$93.00
Comparable Rate / 5,000-Gallons	\$75.00

Schedule

Task	Dates
Study	Mar. 2022
Design	Dec. 2024
Bid	Dec. 10, 2024
Construction	May 2025
Completion	Oct. 2025

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$15,196	\$0	\$15,196		
Eligible Cost	\$200,000	\$3,034,048	\$3,234,048		
Total	\$215,196	\$3,034,048	\$3,249,244		
Cost-Share 75%	\$150,000	\$2,275,536	\$2,425,536	\$161,500 (2/23/2022) \$2,013,500 (8/11/22)	\$250,536

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of the request from the Walsh Rural Water District for additional state cost-share participation in the Interconnect with Northeast Regional Water District in the amount of \$250,536, or 75% of eligible costs, with total cost-share not to exceed \$2,425,536. This approval is contingent on available funding.

AT:jsp/2050WAL

1084235 - WRWD: Interconnect with NRWD - Copy - Copy

Application Details

Funding Opportunity:	1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date:	Oct 23, 2024 9:43 AM
Funding Opportunity Due Date:	Jun 30, 2025 3:00 PM	Initially Submitted By:	Geoff Slick
Program Area:	Funding for Infrastructure in ND - FIND	Last Submit Date:	
Status:	Submitted	Last Submitted By:	
Stage:	Final Application		

Contact Information

Primary Contact Information

Active User*:	Yes
Type:	External User
Name:	Mr. Geoff
	Salutation First Name
Middle Name	Slick
	Last Name
Title:	Rural Water Practice Leader
Email*:	Geoffrey.slick@ae2s.com
Address*:	6250 Driftwood Dr

Organization Information

Status*:	Approved
Name*:	Walsh Rural Water District
Organization Type*:	Political Subdivision
Tax Id:	45-0451398
Organization Website:	
Address*:	PO Box 309

	Grand Forks	North Dakota		Grafton	North Dakota
	City	State/Province		City	State/Province
58201			58237-0309		
Postal Code/Zip			Postal Code/Zip		
Phone*:	701-213-7580	Ext.	Phone*:	(701) 352-3915	Ext.
	Phone			###-###-####	
	###-###-####		Fax:	###-###-####	
Fax:	###-###-####		Vendor ID:		
Comments:			PeopleSoft Supplier ID:		
			Comments:		
			Location Code:		

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: WRWD: Interconnect with NRWD

Sponsor(s)*: Walsh Rural Water District

County*: Walsh

City*: Grafton

Description of Request*: Updated (previously submitted)

If Study, What Type:

If Project/Program, What Type:

Jurisdictions/Stakeholders Involved*:

Walsh Rural Water District
 Northeast Regional Water District (NRWD)

Describe the Problem*:

WRWD currently struggles to serve several users that are located west of Lankin.

Issues arise from large elevation changes, undersized pipes, and shallow pipes. Users struggle with little or no pressure during spray season, out of water immediately if a break/power fail occur. Management and users fear that if a prolonged winter outage or break occurred the existing pipeline would be susceptible to freezing leaving all user located west of the booster station out of water until the frozen pipeline was fixed.. Walsh currently pumps 3-times within 5-miles to try and get water to there western most users, located almost 400 feet higher in elevation.

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

The proposed solution would allow WRWD to purchase water from NRWD. Utilizing the benefits of gravity to not only provide better pressure and consistency to Walsh's western most users but also allow WRWD to have a supplemental water source for parts of the system. The correct sized pipelines will allow users that are on the western portion of the Walsh system to have adequate flow and pressure to meet their daily household needs.

For this project,

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

What is the Current Estimated Population?*: 5000

For this project,

What is the Benefited Population?*: 5000

Have Assessment Districts Been Formed?*: No

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?*: N/A

Have You Applied for any State Permits?*: N/A

Have You Applied for any Local Permits?*: N/A

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? Yes
 (Example: Hazard Mitigation Grant Program)
 *:

Explain the Source, Timing and Amount of Federal Funds:

\$608,000 in loan from USDA.

Federal Funding Contact: Jessica Bailey
 First Name Last Name

Federal Funding Contact Number: 701-213-7580

Federal Funding Email: Jessica.Bailey2@usda.gov

Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

Study Completion*: 03/2022

Design Completion*: 12/2024

Bid*: 12/2024

Construction Start*: 5/2025

Construction Completion*: 10/2025

Explain Additional Timeline**Issues*:**

Loan funding approval was dictating when we could bid the project. Additional delays with funding may affecting bidding.

Consulting Engineer*: GEOFF B SLICK
Engineer Telephone Number*: 701-746-8087
Engineer Email*: Geoffrey.slick@ae2s.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Brian Reilly 10/21/2024
First Name Last Name Date

Address*: 14768 ND-17
Address Line 1
Address Line 2
Grafton North Dakota 58237-0000
City State Zip Code

Telephone Number*: 701-352-3915

Sponsor Email*: Breilly@polarcomm.com

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.*: Yes

Authorized Individual*: Brian Reilly 10/21/2024
 First Name Last Name Date

Title/Position/Authority*: Manager

Documentation - Copy - 2024

Documentation

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

CLICK HERE to see examples.

Project Specific Map Service to Adams-Walsh_Updated.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: Scan0084.pdf

Cover Letter: Cover Letter to SWC.pdf

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: sfn_61801_delineation_of_cost 33.xlsx

Type of Request: Construction

Signed Plans and Specifications For Bidding:

WRWD - NRWD Interconnect Facility Expansion Combined Process and Electrical.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 24.xlsx

[CLICK HERE for SFN 62417 Basic Asset Inventory Tool and Current Version.](#)

Asset Inventory Assessment: BAIA Letter.docx

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: PER 092722 V2.pdf

Photos of Problem/Issue:

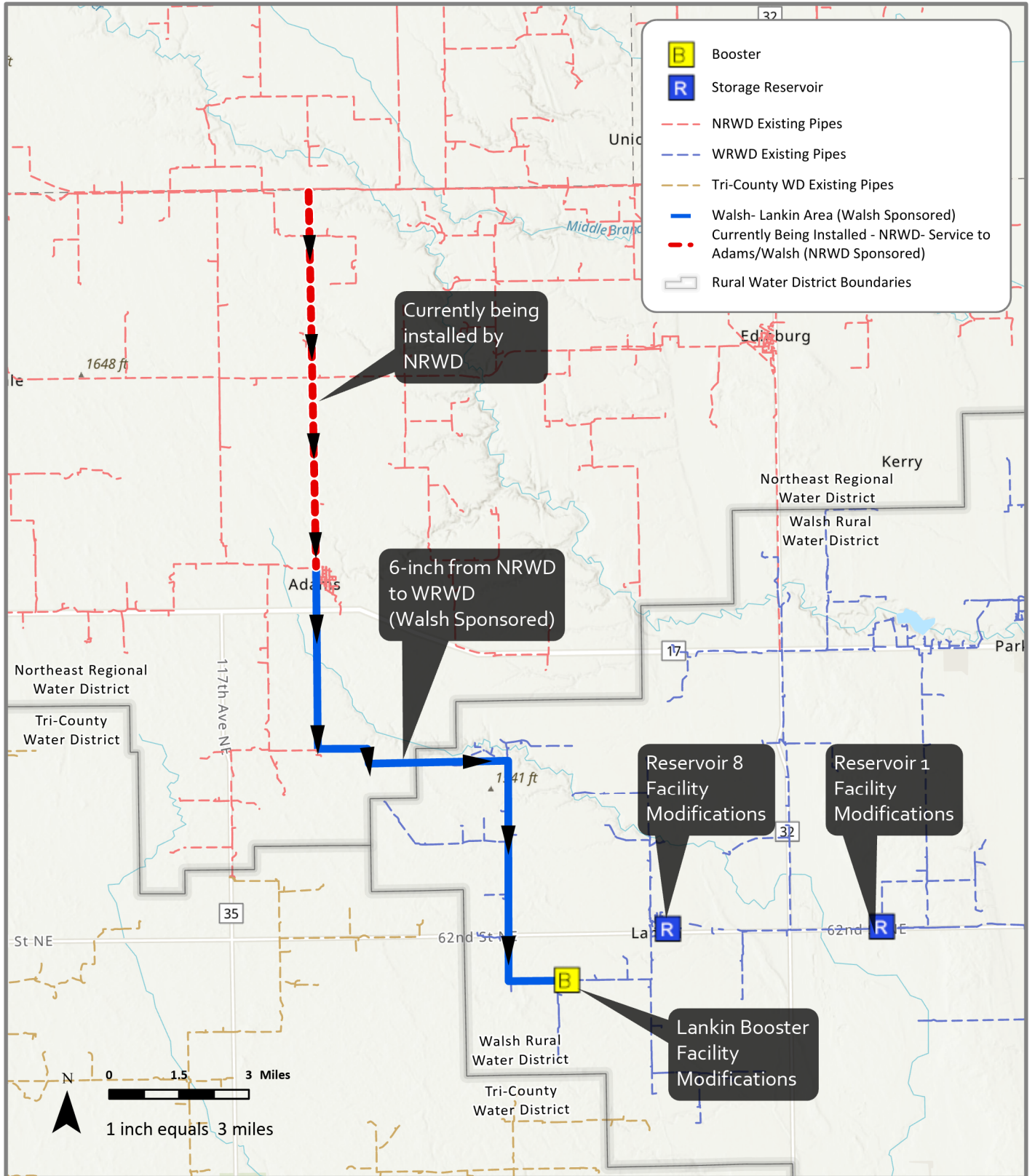
GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s):

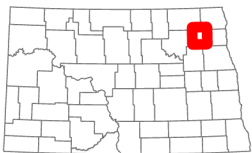
Sources

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

Source	If Other, Specify Funding 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
Other	USDA		\$0.00	\$608,000.00	\$0.00	\$608,000.00	Loan	40.00	4.00
Department of Water Resources Cost Share Pre-Construction		Already Approved	\$161,500.00	\$0.00	\$0.00	\$161,500.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Already Approved	\$2,013,500.00	\$0.00	\$0.00	\$2,013,500.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$261,933.00 \$250,536.00	\$0.00	\$261,933.00	Grant	0.00	0.00
Other	Local	Current Request	\$0.00	\$204,311.00	\$0.00	\$204,311.00		0.00	0.00
			\$2,175,000.00	\$1,074,244.00	\$0.00	\$3,249,244.00			



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 HARN StatePlane North Dakota North FIPS 3301 Feet Intl | Edited by: Irengstorf | C:\Data\Projects\Nasuni\W\Walsh RWD\P00125-2017-003 Walsh RWD Budgeted Services\GIS\WalshRWD\WalshArcPro.aprx



Locator Map Not to Scale

SERVICE TO ADAMS/WALSH

WALSH RURAL WATER DISTRICT
Walsh County, ND



Date: 6/3/2022



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

DWR Date Received : October 23, 2024

Project:	WRWD: Interconnect to NRWD
Sponsor:	Walsh Rural Water District
Contact:	Brian Reilly
Phone:	701-352-3915
Engineer:	Geoff Slick, AE2S
Phone:	701-746-8087

Total Cost :	\$ 3,249,244	Date:	October 21, 2024
Ineligible Cost :	\$ 15,196		
Eligible Cost :	\$ 3,234,048	Cost-Share \$	
Local Cost :	\$ 823,708		\$ 2,425,536
		Preconstruction :	\$ 150,000
		Construction :	\$ 2,275,536

Project Type:	Rural Water Supply	Cost-share %	75%
----------------------	--------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	3.3%	Mobilization	1	LS	93,000.00	\$ 93,000	75%	\$ 69,750
2	0.0%	Bonding	0		-	\$ -	75%	\$ -
3	0.0%	Insurance	0		-	\$ -	75%	\$ -
4	0.3%	Water Main 2 in	900	LF	8.00	\$ 7,200	75%	\$ 5,400
5	39.1%	Water Main 6 in	68000	LF	16.00	\$ 1,088,000	75%	\$ 816,000
6	0.6%	Boring - Poly	800	LF	20.00	\$ 16,000	75%	\$ 12,000
7	14.0%	Boring - Poly	9750	LF	40.00	\$ 390,000	75%	\$ 292,500
8	2.7%	Boring - Cased	1	LS	75,000.00	\$ 75,000	75%	\$ 56,250
9	0.1%	Fittings	1	EA	1,800.00	\$ 1,800	75%	\$ 1,350
10	2.1%	Detailed Tie-In	14	EA	4,083.33	\$ 57,167	75%	\$ 42,875
11	0.1%	Gate Valve	2	EA	1,800.00	\$ 3,600	75%	\$ 2,700
12	0.1%	Gate Valve	1	EA	3,500.00	\$ 3,500	75%	\$ 2,625
13	0.4%	Curb Stop	4	EA	2,625.00	\$ 10,500	75%	\$ 7,875
14	2.7%	Gravel - Bedding	5000	LF	15.00	\$ 75,000	75%	\$ 56,250
15	0.9%	Pressure Relief Valve	1	EA	25,000.00	\$ 25,000	75%	\$ 18,750
16	0.5%	Seeding	25	NA	600.00	\$ 15,000	75%	\$ 11,250
17	0.1%	Gravel	100	TON	35.00	\$ 3,500	75%	\$ 2,625
18	1.2%	Restoration	68900	LF	0.50	\$ 34,450	75%	\$ 25,838
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	3.2%	I & C - Complete	1	LS	90,000.00	\$ 90,000	75%	\$ 67,500
25	8.2%	Facility Process - Complete	1	LS	229,061.67	\$ 229,062	75%	\$ 171,796
26	11.2%	Electrical Process - Complete	1	LS	312,981.01	\$ 312,981	75%	\$ 234,736
		Construction Sub-Total				\$ 2,530,759	75%	\$ 1,898,070
	10.0%	Contingency				\$ 253,076	75%	\$ 189,807
	85.7%	Construction Total				\$ 2,783,835	75%	\$ 2,087,876
Preconstruction Costs								
27	6.4%	Final Design - Complete	1		178,552.00	\$ 178,552	75%	\$ 133,914
28	0.2%	Easement Assistance - Complete	1		6,644.00	\$ 6,644	75%	\$ 4,983
29	0.0%				-	\$ -	75%	\$ -
30	0.5%	Final Design	1		14,804.00	\$ 14,804	75%	\$ 11,103
31	0.0%	Bidding / Negotiations	1		-	\$ -	75%	\$ -
	6.2%	Preconstruction Total				\$ 200,000	75%	\$ 150,000
Construction Engineering Costs								
32	1.3%	Project Inspection - Complete	1	LS	35,688.00	\$ 35,688	75%	\$ 26,766
33	5.4%	Project Inspection	1	LS	150,000.00	\$ 150,000	75%	\$ 112,500
34	0.5%	Archeological Study - Complete	1		14,525.00	\$ 14,525	75%	\$ 10,894
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	6.2%	Construction Engineering Total				\$ 200,213	75%	\$ 150,160
Other Eligible Costs								
37	1.5%	Crop Reimbursement	1	NA	50,000.00	\$ 50,000	75%	\$ 37,500
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	1.5%	Other Eligible Total				\$ 50,000	75%	\$ 37,500
In-eligible Costs								
42	0.3%	Other Preconstruction Engineering	1		10,000.00	\$ 10,000	0%	\$ -
43	0.2%	Other Preconstruction Engineering	1		5,196.00	\$ 5,196	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.5%	Other Ineligible Total				\$ 15,196	0%	\$ -
100.0%		Total				\$ 3,249,244		
		Eligible Total				\$ 3,234,048	75%	\$ 2,425,536
		Federal or State Funds That Supplant Costs				\$ -		
		Eligible Cost Total				\$ 3,234,048	75%	\$ 2,425,536

* 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: Walsh Rural Water District (WRWD)
Project Title: WRWD: Interconnect with Northeast Regional Water Dist. (NRWD) **Date:** November 1, 2024

Explanation of Alternatives:

Do nothing - The do nothing alternative will not address low water pressure, lack of capacity, and loss of service during storms, breaks, etc. Interconnect with NRWD - Will interconnect NRWD with WRWD.
 Improve Existing System - This alternative will build a new pump station west of Lankin, generator at Lankin, increase pipeline diameter west of Lankin, and pipeline to WRWD.

Inputs:

New Connections Served	1	Current CIF Balance	NA
Future Connections Served	0	Annual CIF Contribution	NA
Current Connections Served	1400	Cash Funding Target (Percentage %) New Assets	NA
Net Connections (New + Current)	1401	Cash Funding Target (Percentage %) Existing Assets	NA
		Annual CIF Contribution suggested for the Project	NA

	Do Nothing	Interconnect with NRWD - Preferred	Improve Existing System, New Lankin Booster and Pipeline
Construction Cost	\$0	\$3,249,300	\$2,980,500
Annual O & M	\$0	\$2,500	\$15,000

Details:

Several public information meetings for Lankin area residents were held with residents in attendance. Also, a presentation at the Walsh RWD annual meeting out-lining the scope and need for the project was conducted. A life cycle cost analysis was also completed and presented to the board, prior to DWR submittal for long term viability reasons and to ensure the board was moving in the lowest life cycle cost direction.

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

	Do Nothing	Interconnect with NRWD - Preferred	Improve Existing System, New Lankin Booster and Pipeline
Present Value			
Capital Costs	\$0	\$3,206,000	\$2,940,000
O&M	\$0	\$65,000	\$384,000
Repair, Rehab, Replacement	\$0	\$957,000	\$937,000
Salvage Value	\$0	\$75,000	\$57,000
Total PVC	\$0	\$4,153,000	\$4,204,000
PV Cost Per User	\$0	\$2,964	\$3,001

Current Water Rate (Cost Per 5000g)	\$93		
Comparable Water Rate	\$75		
Net Connections (New + Current)	1,401	1,401	1,401
Cost-Share Percent	75%	75%	75%
Local Share	\$0	\$801,500	\$735,000
Other Funding	\$0	\$0	\$0
Total Local	\$0	\$801,500	\$735,000
Payment Per User With Cost-Share	\$0.00	\$2.89	\$2.65
Local Share	\$0	\$3,206,000	\$2,940,000
Other Funding	\$0	\$0	\$0
Total Local	\$0	\$3,206,000	\$2,940,000
Payment Per User Without Cost-Share	\$0.00	\$11.58	\$10.62

Explanation of Results:

The net present value of the preferred alternative of Interconnection with NRWD is \$4,153,000, which is \$51,000 less than the Improve Existing System alternative. The present value cost per user of the preferred alternative is \$2,964 which equates to \$2.89 per user per month with SWC cost-share participation, and \$11.58 without SWC participation.

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.

WALSH RURAL WATER DISTRICT

P. O. Box 309



Grafton, North Dakota 58237



October 21, 2024

Andrea Travnicsek, Ph.D
Secretary, State Water Commission
1200 Memorial Highway
Bismarck ND 58504

Re: Walsh Rural Water District – Connection to Northeast Regional Water District

Dear Director Travnicsek:

WRWD is applying for a North Dakota State Water Commission (ND SWC) Cost Share application for construction dollars for the Connection to NRWD Project. The project will include a pipeline from the NRWD system to the WRWD Lankin Booster Station. The project is currently anticipating to bid in December, but are currently waiting for the USDA to give us the green light to bid to comply for the local share of the pipeline project. We already have secured some level of funding from the ND SWC for construction dollars for the project, but the funds were approved in 2022. The project was delayed due to the extensive process of trying to secure the USDA loan dollars.

The application would be for an increase in construction dollars and we have submitted the engineers estimate for the project, but ultimately the request would be determined based on project prices at the time of bid. In order to be proactive we wanted to ensure we met all timelines for the December meeting. This is a very important project for WRWD and we look forward to collaborating with the ND SWC to get this complete.

Thank you for your continued cooperation regarding the above referenced project. If you have any questions, please feel free to contact me at (701) 352-3915.

Sincerely,

Brian Reilly
Walsh Rural Water District System Manager

c: Geoff Slick, Project Manager

**MEETING OF THE BOARD OF DIRECTORS
OF
WALSH RURAL WATER DISTRICT
October 17, 2024**

A meeting of the Board of Directors of Walsh Rural Water District was held at 8:30AM at the Walsh Rural Water Office, Grafton ND on October 17, 2024. Board Members present Keith Nilson, Roger Gorder, Tork Kilichowski, Jim Tallackson, Allan Zidon. Also present were Brian Reilly, Janice Elshaug, Geoffrey Slick.


President Nilson called for any additions or corrections to the Minutes. There being none, he declared the Minutes stand approved as read in notice.

Brian Reilly reviewed the September Financial Statement and Check written 27808 through 27851 with the Board of Directors.

Geoffrey reviewed Lankin Water Supply and presented USDA Loan Resolution in the amount of \$608,000.00. Roger Gorder motioned to approve. Seconded by Jim Tallackson. President Nilson called for roll call all 5 Yeas, 0 Nays, 2 Absent. Motion Approved. Geoffrey asked the board to make a request for additional funds from the SWC for the pipeline due to price increases over the past two years. Jim Tallackson motioned to approve the request to the SWC for additional funds. Second by Tork Kilichowski. Motion carried.

There being no further business to come forward, President Nilson adjourned the Meeting.

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: Loan Request — Bottineau County Water Resource District
 South Landa Drain – Preconstruction and Construction Loan
DATE: November 25, 2024

Background & Description

Bottineau County Water Resource District (Sponsor) is requesting a loan in the amount of \$1,700,000 from the Water Infrastructure Revolving Loan Fund (WIRLF) for their South Landa Drain (Project). Due to the passage of HB 1431 during the 2021 Legislative Assembly, the State Water Commission (SWC) is tasked with review of loan requests from the WIRLF as required by North Dakota Century Code § 6-09-49.2. If the SWC approves the eligible Project for a loan from the WIRLF, the Bank of North Dakota (BND) will formally review the loan request in accordance with BND loan policy.

The SWC Secretary approved \$72,000 in preconstruction cost-share funding on July 7, 2022, at 45% of eligible costs. The SWC approved \$1,306,294, in construction cost-share funding for 45% of eligible costs on February 13, 2023. Construction began in October 2023 and is expected to be completed in June 2025. The Sponsor anticipates that only \$970,000 of the construction funding will be utilized due to ineligible costs and construction costs were less than expected. The requested loan will assist the Sponsor in funding their local share of preconstruction and construction costs.

Supplemental Information

Water Development Plan (Priority)	2023 (Moderate)
WIRLF Balance as of November 5, 2024	\$52,000,000
Requested Amount	\$1,700,000
Loan Terms	15 years at 2%
Assessment Vote Results	88%

Project Funding Summary

	Preconstruction Project Cost	Construction Project Cost	Total	Approved Cost-Share 45%	Recommend
Project Costs	\$650,000	\$2,006,870	\$2,656,870	\$72,000 (7/7/22) \$1,306,294 (2/13/2023)	\$1,700,000 (Loan Request)

I recommend approval of this request from the Bottineau County Water Resource District to apply for a loan in the amount of \$1,700,000, at an interest rate of 2 percent and a term of 15 years, from the Water Infrastructure Revolving Loan Fund through the Bank of North Dakota for the South Landa Drain project. This approval is contingent on the availability of funds.

AT:bn/af/2148

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Kylee Merkel, Bank of North Dakota

SUBJECT: Water Infrastructure Revolving Loan Fund Request
Bottineau County Water Resource District

DATE: November 5, 2024

The Bottineau County Water Resource District (District) is requesting a \$1,700,000, with a 15-year repayment term, from the Water Infrastructure Revolving Loan Fund. Proceeds of the loan will be used for the local share of their South Landa project, which will provide improved conveyance and reduce inundation to adjacent cropland and roadways. The table below shows the estimated sources and uses of funding for the project.

Sources			Uses		
WIRLF Loan	\$1,700,000	63.7%	Construction	\$1,967,520	73.7%
Cost-Share	\$970,000	36.3%	Legal & Admin	\$650,000	24.3%
			Contingency	\$52,480	2.0%
Total	\$2,670,000	100.0%	Total	\$2,670,000	100.0%

The District will issue an Improvement Warrant, to be repaid with special assessment collections, to evidence the debt. The District has completed the improvement district proceedings and the improvement district has been created in accordance with North Dakota Century Code. The improvement warrant will be a contingent general obligation of the County, backed by the statutory requirement that the County advance the anticipated deficiency from the General Fund, or levy a general property tax, should the collection of special assessments be insufficient to pay the debt service on the loan.

This correspondence should not be considered an approval of a loan. Following the recommendation of a loan amount from the Water Infrastructure Revolving Loan Fund by the State Water Commission, the Bank of North Dakota (BND) will proceed with formally reviewing and approving the loan in accordance with BND loan policy.

The Water Infrastructure Revolving Loan Fund currently has cash on hand of \$8.5 million and \$100 million available from a line of credit. There are currently \$56.5 million of remaining loan commitments. There is currently \$52 million of capacity available for new loan commitments.



1084293 - South Landa Drain - Preconstruction and Construction Loan

Application Details

Funding Opportunity:	1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date:	Oct 29, 2024 1:50 PM
Funding Opportunity Due Date:	Jun 30, 2025 3:00 PM	Initially Submitted By:	Clifford Issendorf
Program Area:	Funding for Infrastructure in ND - FIND	Last Submit Date:	Last
Status:	Submitted	Last Submitted By:	
Stage:	Final Application		

Contact Information

Primary Contact Information

Active User*: Yes

Type: External User

Name: Salutation Clifford
First Name
Middle Name Issendorf
Last Name

Title:
Bottineau County WRD Chairman

Email*: bcwrd@outlook.com

Address*: PO Box 268

Organization Information

Status*: Approved

Name*: Bottineau County WRD

Organization Type*: County Government

Tax Id:

Organization Website:

Address*: PO Box 268

	Bottineau North Dakota	Bottineau North Dakota	
	City State/Province	City State/Province	
58318		58318-____	
Postal Code/Zip		Postal Code/Zip	
Phone*:	701-400-5853 Ext.	Phone*:	701-400-5853 Ext.
	Phone		###-###-####
	###-###-####	Fax:	###-###-####
Fax:	###-###-####	Vendor ID:	
Comments:		PeopleSoft Supplier ID:	
		Comments:	
		Location Code:	

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: South Landa Drain

Sponsor(s)*: Bottineau County WRD

County*: Bottineau

City*: Landa

Description of Request*: New

If Study, What Type: Other

If Project/Program, What Type: Rural Flood Control

Jurisdictions/Stakeholders Involved*:
Bottineau County Water Resource District

Describe the Problem*:

This application is for the Water Infrastructure Revolving Loan Fund.

The project provides improved conveyance to reduce inundation to adjacent crop land and roadways.

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

The project is within the floodplain of old glacier lake Souris. The area is extremely flat gradient which results in a significant area of overland flooding. Spring snow melt and large rain events delay planting, crop losses, delayed harvesting as a result of standing water.

For this project,

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

What is the Current Estimated Population?* 60

For this project,

What is the Benefited Population?* 60

Have Assessment Districts Been Formed?* Yes

Date Formed: 05/16/2022

Have Land or Easements Been Acquired?* Ongoing

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):

USACE 404 permit

Have You Been approved for any Federal Permits?: Yes

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

09/22/2023

Have You Applied for any State Permits?*: Yes

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

Surface Drain Permit No. 6047

Have You Been Approved for any State Permits?: Yes

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

Surface Drain Permit No. 6047 was approved on 10-17-2022

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*: N/A

Design Completion*: 04/2023

Bid*: 05/2023

Construction Start*: 10/2023

Construction Completion*: 06/2025

Explain Additional Timeline

Issues*:

None

This application is for the ND Water Infrastructure Revolving Loan Fund.

Consulting Engineer*: Apex Engineering Group

Engineer Telephone 701-323-3950

Number*:

Engineer Email*: jennifer.malloy@apexenggroup.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Clifford Issendorf 10/29/2024
First Name Last Name Date

Address*: PO Box 268
Address Line 1
Address Line 2

Bottineau North Dakota 58318-0000
City State Zip Code

Telephone Number*: 701-228-4070

Sponsor Email*: issbros@srt.com

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.*:

Yes

Authorized Individual*:

Clifford Issendorf 10/29/2024
 First Name Last Name Date

Title/Position/Authority*:

Chairman

Documentation

Documentation

Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.*:

No

CLICK HERE to see examples.

Project Specific Map

2_Landa Project Location 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

South Landa Drain Estimated Project Cost.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?*: No

Other Applicable Document(s): Yes

Other Applicable Document: Loan cover letter.pdf

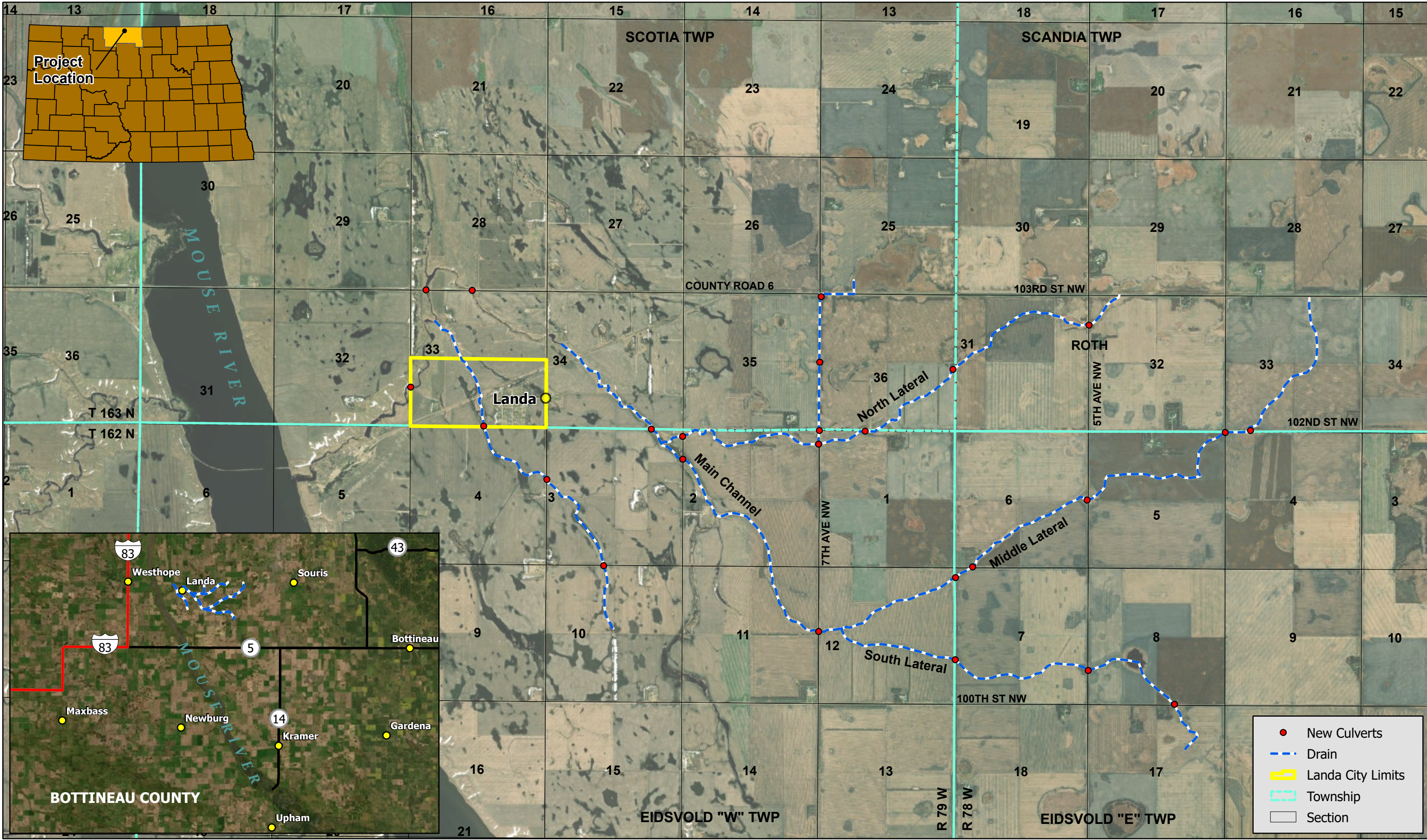
Other Applicable Document:

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 Year 1 to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
BND Infrastructure Revolving Loan Fund		Current Request	\$1,700,000.00	\$0.00	\$0.00	\$1,700,000.00	Loan	15.00	2.00
			\$1,700,000.00	\$0.00	\$0.00	\$1,700,000.00			



- New Culverts
- - - Drain
- Landa City Limits
- Township
- Section



Estimated Project Cost

South Landa Drain

Bottineau County Water Resource District

Apex Project Number : 11.137.0096

				Estimated Project Cost	
Item No.	Description	Quantity	Unit	Unit Cost	Total Cost
1	Bond	1	LS	\$ 20,000.00	\$ 20,000.00
2	Mobilization	1	LS	\$ 60,000.00	\$ 60,000.00
3	Stripping	127,000	CY	\$ 2.00	\$ 254,000.00
4	Channel Excavation	180,000	CY	\$ 2.15	\$ 387,000.00
5	Spoil Leveling	180,000	CY	\$ 1.50	\$ 270,000.00
6	Seeding	130	AC	\$ 500.00	\$ 65,000.00
7	Surface Aggregate	1,650	TON	\$ 15.00	\$ 24,750.00
8	Hot Bit. Pavement	135	TON	\$ 200.00	\$ 27,000.00
9	30" CSP	177	LF	\$ 120.00	\$ 21,240.00
10	36" CSP	685	LF	\$ 130.00	\$ 89,050.00
11	42" CSP	960	LF	\$ 150.00	\$ 144,000.00
12	48" CSP	450	LF	\$ 160.00	\$ 72,000.00
13	54" CSP	80	LF	\$ 200.00	\$ 16,000.00
14	60" CSP	94	LF	\$ 220.00	\$ 20,680.00
15	42"x29" CSP Arch	180	EA	\$ 150.00	\$ 27,000.00
16	48" Jack and Bore	218	LF	\$ 1,100.00	\$ 239,800.00
Change Orders and Utility Relocations					\$ 230,000.00
Subtotal					\$ 1,967,520.00
Construction Contingencies (2%)					\$ 39,350.40
Construction Total					\$ 2,006,870.40
Engineering, Legal, Permitting, Administration, Easement Acquisitions					\$ 650,000.00
Total Estimated Cost					\$ 2,656,870.40
Estimated SWC Cost-share					\$ 970,000.00
					\$ 1,686,870.40

BOTTINEAU COUNTY WATER RESOURCE DISTRICT

October 29, 2024

ND Department of Water Resources
ATTN: Cost-Share Program
1200 Memorial Highway
Bismarck, ND 58504-5262

RE: South Landa Drain Revolving Loan Fund Request

To whom it may concern,

The Bottineau County Water Resource District (BCWRD) and a local landowner committee began working on the development of a legal drain, known locally as South Landa Drain in 2012. The proposed South Landa Drain is east of Landa, ND. South Landa Drain consists of four designated areas, locally called Main Channel, North Lateral, Middle Lateral, South Lateral, North Lateral B, and SW Channel, and totals approximately 20 miles of channel improvements.

The BCWRD is nearing substantial completion of the South Landa Drain. The SWC approved the construction cost-share in February 2023, and the project began in the Fall of 2023.

This WebGrants application requests a \$1,700,000 loan from the Water Infrastructure Revolving Loan Fund. The loan would be a 15-year term loan at a 2 percent interest rate through the Bank of North Dakota.


If you have questions regarding the project, please contact me at 701-228-4070. On behalf of the landowners within the assessment district and the BCWRD, thank you for considering the revolving loan fund request.

Sincerely,



Clifford Issendorf, Chairman
Bottineau County Water Resource District

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – City of Mandan
 Memorial Highway Improvements
DATE: November 25, 2024

Background & Description

The City of Mandan is requesting construction cost-share for their Memorial Highway Improvements Project – Construction (Project). The Project is replacement of approximately one mile of aging asbestos cement watermain along Memorial Highway between 32nd Avenue SE and 46th Avenue SE. The Project will be constructed in conjunction with the North Dakota Department of Transportation’s Memorial Highway reconstruction project and is part of combined sanitary sewer, storm sewer, lift station, paving, and lighting infrastructure improvements, which are not cost-share eligible, except for a portion of paving costs. The Project is located in Morton County.

Supplemental Information

Water Development Plan (Priority/Page)	Low / 47
New / Future / Current Service Users	0 / 0 / 9,418
Present Value Cost / User (Preferred Alternative)	\$2,091
Rate / 5,000-Gallons	\$37.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Missouri River, Mandan	

Schedule

Task	Dates
Study	Jun. 2023
Design	Oct. 2024
Bid	Dec. 20, 2024
Construction	May 2025
Completion	Oct. 2027

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$193,647	\$2,415,127	\$2,608,774		
Eligible Cost	\$407,021	\$4,529,387	\$4,936,408		
Total	\$600,668	\$6,944,514	\$7,545,182		
Cost-Share 60%	\$244,213	\$2,717,632	\$2,961,845	\$348,600 (4/13/23)	\$2,613,245

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of Mandan for state cost-share participation in the Memorial Highway Improvements project in the amount of \$2,613,245, or 60% of eligible costs, with total cost-share not to exceed \$2,961,845. This approval is contingent on available funding.

AT:jsp:/2050MAN

Water Development Plan: Yes (2023)

Plan Priority: Low

1084246 - Memorial Highway Improvements Project - Construction Request

Application Details

Funding Opportunity: 1084196-October 2024 - June 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: Oct 29, 2024 8:36 PM
Initially Submitted By: Abby Ritz
Last Submit Date: Nov 5, 2024 4:28 PM
Last Submitted By: Abby Ritz

Contact Information

Primary Contact Information

Active User*: Yes
Type: External User
Name: Salutation Abby Middle Name Ritz
 First Name Last Name
Title:
Email*: abby.ritz@ae2s.com
Address*: 1815 Schafer Street, Suite 301
 AE2S
 Bismarck North Dakota 58501
 City State/Province Postal Code/Zip
Phone*: 701-221-0530 Ext.
 Phone
 ###-###-####
Fax: ###-###-####
Comments:

Organization Information

Status*: Approved
Name*: City of Mandan
Organization Type*: Political Subdivision
Tax Id:
Organization Website:
Address*: 205 2nd Avenue NW
 Mandan North Dakota 58554-3125
 City State/Province Postal Code/Zip
Phone*: (701) 667-3215 Ext.
 ###-###-####
Fax: ###-###-####
Vendor ID:
PeopleSoft Supplier ID:
Comments:
 DUNS 058261421
Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: Memorial Highway Reconstruction Project
Sponsor(s)*: City of Mandan
County*: Morton
City*: Mandan
Description of Request*: Updated (previously submitted)
If Study, What Type:
If Project/Program, What Type: Municipal Water Supply
Jurisdictions/Stakeholders Involved*:
 City of Mandan, North Dakota of Transportation
Describe the Problem*:

The existing water infrastructure was mainly installed in 1975 with modifications and extensions added later. The location of the water main relative to sewer pipes and other franchise utilities has been an issue for ongoing maintenance as all utilities are in an approximate 12-foot wide area on the south side of the highway right-of-way. The existing distribution mains along the highway corridor consist of 8" and 12" asbestos cement pipe. Due to the age and material, this section has increased potential for main breaks.

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

The east phase of the proposed project will include watermain replacement along half the memorial highway corridor from approximately 32nd Ave to 46th Ave as shown in the project map, including:

- Upsize the existing 12-inch water main pipe to a 16-inch water main pipe to provide redundancy of service to the southeast (Lakewood) and southwest portions of Mandan.
- Full replacement of all AC pipe and appurtenances in the project corridor.
- Locate the new watermain in a more accessible location, under the reconstructed highway and away from the other utilities.

The west half of the project will be constructed as part of the second phase of the overall project.

For this project,

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

What is the Current Estimated Population?*: 24206

For this project,

What is the Benefited Population?*: 12103

Have Assessment Districts Been Formed?*: Yes

Date Formed: 10/01/2024

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?*: Yes

If Yes, Describe the Condition and Last Improvements Made to Any Underground Infrastructure.:

The existing water infrastructure was mainly installed in 1975 with modifications and extensions added later.

Have You Applied For Any Federal Permits?*: No

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*: 06/2023

Design Completion*: 10/2024

Bid*: 11/2024

Construction Start*: 05/2025

Construction Completion*: 10/2027

Explain Additional Timeline Issues*:

No issues anticipated.

Consulting Engineer*: Jasper Klein

Engineer Telephone Number*: 701-221-0530

Engineer Email*: jasper.klein@AE2S.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Jarek Wigness 10/25/2024
First Name Last Name Date

Address*: 205 Second Ave NW
Address Line 1
Address Line 2
Mandan North Dakota 58554-0000
City State Zip Code

Telephone Number*: 701-667-3227

Sponsor Email*: jarek.wigness@cityofmandan.com

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.*: Yes

Authorized Individual*: Jarek Wigness 10/25/2024
First Name Last Name Date

Title/Position/Authority*: City Engineer

Documentation**Documentation**

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

CLICK HERE to see examples.

Project Specific Map Mandan Memorial Highway Project Location Map - East Half.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

Attach1-BudgetSheet 7.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: Mandan Memorial Highway Meeting Minutes.docx

Cover Letter: Mandan Memorial Highway Cover Letter - Signed.pdf

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: Mandan Memorial Highway sfn_61801_delineation_of_cost 24.11.05.xlsx

Type of Request: Construction

Signed Plans and Specifications For Bidding: Mandan Memorial Highway Plans and Specs - Cover.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: Mandan Memorial Highway life_cycle_cost_analysis_worksheet 24.11.05.xlsx

CLICK HERE for SFN 62417 Basic Asset Inventory Tool and Current Version.

Asset Inventory Assessment: Mandan Memorial Highway sfn_62417_basic_asset_inventory_tool_MandanREV1.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:

GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s): No

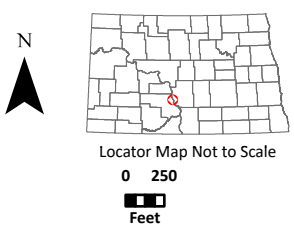
Sources

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	State Fiscal Year 2	Beyond Current	Total Cost Type	Term	Interest Rate
			July to June	July to June	Biennium			
Drinking Water State Revolving Fund			\$0.00	\$162,808.00	\$1,811,755.00	\$1,974,563.00	0.00	0.00
Department of Water Resources Cost Share Pre-Construction		Already Approved	\$0.00	\$35,000.00	\$313,600.00	\$348,600.00	0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$0.00	\$2,613,245.00	\$2,613,245.00	0.00	0.00
Clean Water State Revolving Fund			\$0.00	\$193,647.00	\$2,415,127.00	\$2,608,774.00	0.00	0.00
			\$0.00	\$391,455.00	\$7,153,727.00	\$7,545,182.00		



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 | Edited by: CNelson | W:\H\HDR\12154-2018-002\GIS\General Mandan.aprx



**MEMORIAL HIGHWAY
 PROJECT CORRIDOR**
 Mandan | Morton County, ND



Date: 11/5/2024





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

DWR Date Received :

Project:	Memorial Highway Improvements Project - East
Sponsor:	City of Mandan
Contact:	Jarek Wigness, City Engineer
Phone:	701-667-3227
Engineer:	Jasper Klein, AE2S
Phone:	701-221-0530

Total Cost :	\$ 7,545,182	Date:	November 5, 2024
Ineligible Cost :	\$ 2,608,774		
Eligible Cost :	\$ 4,936,408	Cost-Share \$	\$ 2,961,845
Local Cost :	\$ 4,583,337	Preconstruction :	\$ 244,213
		Construction :	\$ 2,717,632

Project Type:	Cost-share %
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	4.0%	Mobilization	1	LS	165,000.00	\$ 165,000	60%	\$ 99,000
2	0.0%	Bonding				\$ -	60%	\$ -
3	0.0%	Insurance				\$ -	60%	\$ -
4	1.2%	Gate - Remove	25	EA	2,000.00	\$ 50,000	60%	\$ 30,000
5	11.3%	Fittings	25	LBS	18,703.00	\$ 467,575	60%	\$ 280,545
6	3.4%	Gate Valve	37	EA	3,750.00	\$ 138,750	60%	\$ 83,250
7	3.5%	Gate Valve	24	EA	6,000.00	\$ 144,000	60%	\$ 86,400
8	0.6%	Gate Valve	2	EA	12,000.00	\$ 24,000	60%	\$ 14,400
9	7.0%	Gate Valve	12	EA	24,000.00	\$ 288,000	60%	\$ 172,800
10	3.9%	Hydrant	18	EA	9,000.00	\$ 162,000	60%	\$ 97,200
11	0.5%	Hydrant - Remove	11	EA	2,000.00	\$ 22,000	60%	\$ 13,200
12	1.2%	Water Service Line	918	LF	55.00	\$ 50,490	60%	\$ 30,294
13	1.6%	Temporary Pumping	1	LS	65,000.00	\$ 65,000	60%	\$ 39,000
14	5.7%	Water Main 6 in	1802	LF	130.00	\$ 234,260	60%	\$ 140,556
15	4.9%	Water Main 8 in	1354	LF	150.00	\$ 203,100	60%	\$ 121,860
16	0.8%	Water Main 12 in	172	LF	200.00	\$ 34,400	60%	\$ 20,640
17	29.7%	Water Main 16 in	5107	LF	240.00	\$ 1,225,680	60%	\$ 735,408
18	2.3%	Curb Stop	45	EA	2,100.00	\$ 94,500	60%	\$ 56,700
19	2.7%	Water Service Line	2500	EA	45.00	\$ 112,500	60%	\$ 67,500
20	0.2%	Connection to Existing Line	2	EA	3,500.00	\$ 7,000	60%	\$ 4,200
21	0.1%	Connection to Existing Line	1	EA	4,750.00	\$ 4,750	60%	\$ 2,850
22	0.5%	Connection to Existing Line	4	EA	5,500.00	\$ 22,000	60%	\$ 13,200
23	0.1%	Gate - Remove	6	EA	850.00	\$ 5,100	60%	\$ 3,060
24	4.1%	Remove ACP Watermain	1875	LF	90.00	\$ 168,750	60%	\$ 101,250
25	0.9%	Polystyrene Insulation Board	700	CF	55.00	\$ 38,500	60%	\$ 23,100
26	0.5%	Flowable Fill	135	CY	150.00	\$ 20,250	60%	\$ 12,150
		Construction Sub-Total				\$ 3,747,605	60%	\$ 2,248,563
	10.0%	Contingency				\$ 374,761	60%	\$ 224,856
	54.6%	Construction Total				\$ 4,122,366	60%	\$ 2,473,419
Preconstruction Costs								
27	9.9%	Final Design	1	NA	407,021.00	\$ 407,021	60%	\$ 244,213
28	0.0%		0		-	\$ -	60%	\$ -
29	0.0%		0		-	\$ -	60%	\$ -
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	5.4%	Preconstruction Total				\$ 407,021	60%	\$ 244,213
Construction Engineering Costs								
32	9.9%	Project Inspection	1	NA	407,021.00	\$ 407,021	60%	\$ 244,213
33	0.0%		0		-	\$ -	60%	\$ -
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	5.4%	Construction Engineering Total				\$ 407,021	60%	\$ 244,213
Other Eligible Costs								
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%	Other Eligible Total				\$ -	60%	\$ -
In-eligible Costs								
42	1.1%	Mobilization, Bonding, Insurance	1	LS	80,000.00	\$ 80,000	0%	\$ -
43	28.4%	Other Construction	1	LS	2,141,480.00	\$ 2,141,480	0%	\$ -
44	2.6%	Other Preconstruction Engineering	1	LS	193,647.00	\$ 193,647	0%	\$ -
45	2.6%	Other Construction Engineering	1	LS	193,647.00	\$ 193,647	0%	\$ -
	34.6%	Other Ineligible Total				\$ 2,608,774	0%	\$ -
100.0%		Total				\$ 7,545,182		
		Eligible Total				\$ 4,936,408	60%	\$ 2,961,845
		Federal or State Funds That Supplant Costs				\$ -		
		Eligible Cost Total				\$ 4,936,408	60%	\$ 2,961,845

* 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 Mandan
Project Title: Memorial Highway Improvements Project
Date: November 5, 2024

Explanation of Alternatives:

Do nothing - This alternative will not replace the old watermain in conjunction with the NDDOT Reconstruction Project. This would leave old, deteriorated watermain in the ground, below new streets. This does not address the aged water infrastructure and results in higher costs when the city eventually replaces the mains.

Watermain Improvements Concurrent w/ NDDOT Project (Preferred) - Replace the old 12-inch asbestos cement pipe watermain, upsizing to 16-inch ductile iron and PVC. The project will be completed in conjunction with the NDDOT's Urban Reconstruction Project, resulting in significant savings for the city.

Inputs:

New Connections Served	0	Current CIF Balance	\$0
Future Connections Served	0	Annual CIF Contribution	\$0
Current Connections Served	9418	Cash Funding Target (Percentage %) New Assets	35%
Net Connections (New + Current)	9418	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$8,995

	Watermain	Do nothing	
Construction Cost	\$7,345,400	\$0	
Annual O & M	\$0	\$0	

Details:

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Watermain	Do nothing	
Capital Costs	\$7,345,000	\$0	
O&M	\$0	\$0	
Repair, Rehab, Replacement	\$855,000	\$0	
Salvage Value	\$137,000	\$0	
Total PVC	\$8,063,000	\$0	
PV Cost Per User	\$856	\$0	

Current Water Rate (Cost Per 5000g)	\$37		
Comparable Water Rate	\$47		
Net Connections (New + Current)	9,418	9,418	
Cost-Share Percent	60%	60%	
Local Share	\$2,938,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$2,938,000	\$0	
Payment Per User With Cost-Share	\$1.58	\$0.00	
Local Share	\$7,345,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$7,345,000	\$0	
Payment Per User Without Cost-Share	\$3.95	\$0.00	

Explanation of Results:

The sponsor preferred project is the "Watermain Improvements Concurrent w/ NDDOT Project" option. The present value cost of the preferred alternative is \$8,063,000 and the presented alternative for comparison is "Do nothing" at a present value cost of \$0. The present value cost per user for the preferred alternative is \$856. The monthly user cost of the local share with DWR 60% cost-share participation is \$1.58 per month and \$3.95 without DWR participation.

ND Dept. of Commerce Population & Trends	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2020		
	18,351	22,857	2.5%	451

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.



CITY OF
MANDAN
WHERE THE WEST BEGINS

Administration

October 29, 2024
Department of Water Resources
Governor Doug Burgum
1200 Memorial Highway
Bismarck ND 58504

**Re: SWC Project No. 2050-MAN
Mandan Memorial Highway Improvements Project
Construction Cost-Share Request**

Governor Burgum:

The City of Mandan is pleased to submit the Memorial Highway Improvements Project construction cost-share request for consideration at the upcoming December 13, 2024 State Water Commission meeting.

This project involves the removal and replacement of old asbestos cement watermain, which has been prone to frequent main breaks. This initiative will not only install new watermain in a more accessible location for future maintenance but also significantly benefits the city by saving money and reducing the duration of road construction for residents. By coordinating this reconstruction with the North Dakota Department of Transportation's upcoming highway project, we can ensure a more efficient and cost-effective solution that minimizes disruption and enhances the overall infrastructure for the City of Mandan.

We appreciate your considering Mandan's construction cost-share request and the opportunity to present a project that promises to significantly improve our city's water system. We look forward to working with the North Dakota Department of Water Resources on potential funding assistance for this important project.

Sincerely,

City of Mandan

Jim Neubauer
City Administrator

Cc: Jasper Klein, PE, AE2S

The Mandan City Commission met in regular session at 5:30 PM on November 5, 2024 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA Commissioner Braun moved and Commissioner Sjoberg seconded to approve agenda as presented. Roll Call vote: Aye 4, Nay 0 None, Absent Dennis Rohr. The motion passed.

E. MINUTES

1. *Consider approval of the minutes from the Oct. 15, 2024 Board of City Commissioners regular meeting.* Commissioner Braun moved and Commissioner Heinsohn seconded to approve minutes as presented. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

F. PUBLIC HEARING

1. *Consider a request for a minor plat to be named Kendalls Addition, and Annexation Ordinance 1457 for Lots 4A and 4B, Block 1, Keidel Estates First Addition.* Planner Stromme presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the minor plat for Kendalls Addition. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

2. *Public Hearing for Street Improvement District 239 - Memorial Highway.* Engineer Wigness presented the item. Insufficient protests to prevent the project from moving forward. Mayor Froelich opened the public hearing and invited the public to come forward to comment. Scott Berger, Dwayne Wahl, Bill Stork, Randy Rhone, Maria Higgins, Annette Behm-Caldwell, Kasie Haibeck, and Cody Stern spoke to oppose the special assessments. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Sjoberg moved, and Commissioner Braun seconded to approve the resolution determining the insufficiency of protest for Street Improvement District 239. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

G. BIDS

1. *Consider Old Red Trail Shared Use Path Mill & Overlay bids.* Engineer Wigness presented the item. Commissioner Braun moved and Commissioner Sjoberg seconded to approve to award the bid to Strata Corporation, as presented. Roll Call vote: Aye 4, Nay 0 None, Absent Dennis Rohr. The motion passed.

H. CONSENT AGENDA

1. *Consider appointing a member of the Civil Service Commission.*
 2. *Consider proclaiming Nov. 30, 2024 as "Small Business Saturday" in the city of Mandan.*
 3. *Consider State Water Commission Cost Share Amendment request for Memorial Highway.*
 4. *Consider approval of Urban Grant Program application.*
 5. *Consider Final Plat for Mandan Industrial Park 14th Addition.*
 6. *Consider a request for a final plat for Biwer Subdivision.*
 7. *Consider application for local raffle permit application for Mandan Backboard Boosters Girls Basketball Club.*
 8. *Consider Gaming Site Authorization for Mystic Athletic Club at Ten Spot Lanes.*
 9. *Consider acceptance of ND Dept of Emergency Services State Homeland Security Grant.*
- Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve consent agenda items 1-9. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider Engineering Service Agreement to complete the design of 8th Ave NW and 27th Street.* Engineer Wigness presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve Task Order 8 with Moore Engineering for Design Engineering Services for Mandan Urban Roads Project – 8th Ave NW Phase II. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.
2. *Consider Cost Participation and Maintenance Agreement for Memorial Highway Project.* Engineer Wigness presented the item with three suggested motions. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve to enter into the cost participation and maintenance agreement as presented. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.
Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the \$3M of American Rescue Plan Act (ARPA) funds for water and sanitary sewer. Roll Call vote: Aye 4, Nay 0 None, Absent Dennis Rohr. The motion passed.
Commissioner Heinsohn moved and Commissioner Sjoberg seconded the \$600,000 in ARPA funds that will be committed to the capital for Water & Sewer Utility Fund infrastructure improvements included in the City's Capital Improvement Program. Roll Call vote: Aye 4, Nay 0 None, Absent Dennis Rohr. The motion passed.
3. *Helbling Land LLP Application for Property Tax Exemption for Improvements to Commercial & Residential Buildings North Dakota Century Code 57-02.2.* Assessor Markley presented the item. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the Application for Property Tax Exemption for Improvements at 408 5th Ave SE. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *Consider Resolution of Governing Body for State Revolving Fund loan applications.* Engineer Wigness presented the item. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the presented Resolution related to SRF loan applications. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

2. *Second consideration of Ordinance 1455 for Mandan Industrial Park 14th Addition.* Planner Stromme presented the item. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the second and final consideration for Mandan Industrial Park 14th Addition. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

3. *Second consideration of Ordinance 1456, an Exclusion/De-Annexation for Biwer Subdivision.* Planner Stromme presented the item. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the second and final consideration of Ordinance No. 1456 for Biwer Subdivision. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

4. *Consider resolution determining insufficiency of protest for Street Improvement District 239 - Memorial Highway.*

5. *First Consideration of Keidel Estates Annexation Ordinance 1457.* Planner Stromme presented the item. Commissioner Braun moved and Commissioner Sjoberg seconded to approve the first consideration of Ordinance 1457. Roll Call vote: Aye 4, Nay 0 None, Absent Commissioner Rohr. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

November 19, 2024 at 5:30 p.m..

December 3, 2024 at 5:30 p.m..

December 17, 2024 at 5:30 p.m..

N. ADJOURN There being no other business to come before the Board, Commissioner Braun moved and Commissioner Sjoberg seconded to adjourn at 07:20 PM. Roll Call vote: Aye 4, Nay 0, Absent 1 Dennis Rohr. The motion received unanimous approval of all the members present.

/s/James Neubauer


James Neubauer
City Administrator

/s/James Froelich

James Froelich
President, Board of City Commissioners

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: State Water Supply – Garrison Diversion Conservancy District
 Eastern North Dakota Alternate Water Supply
 Water Infrastructure Revolving Loan

DATE: November 25, 2024

Background & Description

The Garrison Diversion Conservancy District is requesting a loan in the amount of \$1,500,000 from the Water Infrastructure Revolving Loan Fund (WIRLF). The loan will be used as the District’s 25% local share for the planning and design of the Eastern North Dakota Alternate Water Supply project. Federal Municipal, Rural, and Industrial funds totaling \$4,500,000 from Fiscal Years 2023 and 2024 have been approved for the project. WIRLF loans are administered by the Bank of North Dakota (BND).

As required by House Bill 1431, passed by the 2021 North Dakota State Legislature, the Commission is responsible for reviewing WIRLF loan requests. Upon approval by the Commission, BND will proceed with a formal review of the District’s loan request in accordance with BND policy.

Supplemental Information

Water Development Plan/Priority	23-25/High
WIRLF Balance as of November 4, 2024	\$52 million
Requested Amount	\$1,500,000
Loan Terms	40 years at 2% interest

I recommend approval of this request from the Garrison Diversion Conservancy District to apply for a loan in the amount of \$1,500,000 from the Water Infrastructure Revolving Loan Fund through the Bank of North Dakota for the Eastern North Dakota Alternate Water Supply Project. This approval is contingent on the availability of funds.

AT:jsp/325

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Kylee Merkel, Bank of North Dakota

SUBJECT: Water Infrastructure Revolving Loan Fund Request
Garrison Diversion Conservancy District

DATE: November 4, 2024

The Garrison Diversion Conservancy District (District) is requesting a \$1,500,000, with a 40-year repayment term, from the Water Infrastructure Revolving Loan Fund. Proceeds of the loan will be used for a portion of the 25% local share of the Eastern North Dakota Alternate Water Supply (ENDAWS) project. The current request is to match \$4,500,000 of federal MR&I funds approved for the project. The table below shows the estimated sources and uses of funding for the current portion of the project.

Sources			Uses		
WIRLF Loan	\$1,500,000	25.0%	Planning & Design	\$6,000,000	100.0%
MR&I Funding	\$4,500,000	75.0%			
Total	\$6,000,000	100%	Total	\$6,000,000	100%

The Cities of Fargo and Grand Forks intend to execute a Financing Resolution stating they will reimburse the district for the required debt service over the requested loan term. Based on the financing resolution, the project has demonstrated debt service capacity for the amount being requested.

This correspondence should not be considered an approval of a loan. Following the recommendation of a loan amount from the Water Infrastructure Revolving Loan Fund by the State Water Commission, the Bank of North Dakota (BND) will proceed with formally reviewing and approving the loan in accordance with BND loan policy.

The Water Infrastructure Revolving Loan Fund currently has cash on hand of \$8.5 million and \$100 million available from a line of credit. There are currently \$56.5 million of remaining loan commitments. There is currently \$52 million of capacity available for new loan commitments.



Water Development Plan: Yes (2023)
Plan Priority: High

1084271 - Red River Valley Water Supply Project - ENDAWS Local Cost Share

Application Details

Funding Opportunity:	1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date:	Oct 29, 2024 4:10 PM
Funding Opportunity Due Date:	Jun 30, 2025 3:00 PM	Initially Submitted By:	Merri Mooridian
Program Area:	Funding for Infrastructure in ND - FIND	Last Submit Date:	Last
Status:	Submitted	Submitted By:	
Stage:	Final Application		

Contact Information

Primary Contact Information

Active User*: Yes

Type: External User

Name: Salutation Merri
First Name

Middle Name Mooridian
Last Name

Title:

Email*: merrim@gdcd.org

Address*: PO Box 140

Organization Information

Status*: Approved

Name*: Garrison Diversion Conservancy District

Organization Political Subdivision

Type*:

Tax Id: 456004929

Organization Website: http://www.garrisondiv.org

Address*: 401 Hwy 281 NE

	Carrington North Dakota		Carrington North Dakota
	City State/Province		City State/Province
58421		58421-0140	
Postal Code/Zip		Postal Code/Zip	
Phone*:	(701) 320-1904 Ext.	Phone*:	(701) 650-6194 Ext.
	Phone		###-###-####
	###-###-####	Fax:	(701) 652-3195
Fax:	###-###-####		###-###-####
Comments:		Vendor ID:	
		PeopleSoft	
		Supplier ID:	
		Comments:	
		Location	
		Code:	

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: RRVWSP - ENDAWS Local Cost Share

Sponsor(s)*: Garrison Diversion Conservancy District

County*: Foster

City*: Carrington

Description of Request*: New

If Study, What Type:

If Project/Program, What Type: Rural Water Supply

Jurisdictions/Stakeholders Involved*:

Agassiz Water UD, Barnes Rural WD, Carrington, Cooperstown, Dakota Rural WD, Devils Lake, East Central Rural WD, Fargo, Forman, Grafton, Grand Forks, Hannaford, Hillsboro, Langdon, Larimore,

Lisbon, Mayville, McLean Sheridan Rural Water, Northeast Regional WD, Park River, Richland County, Southeast Water UD, Jamestown, Tri-County WD, Tuttle, Valley City, Wahpeton, Walsh Rural WD.

Lake Agassiz Water Authority represents the local systems (users) in the Red River Valley Water Supply Project.

Describe the Problem*:

There is a lack of water supplies in the Red River Valley during a drought. A drought similar to the "dirty thirties" in the Red River Valley would have a negative economic impact of \$33.6 billion.

Studies show a severe drought, similar to that of the 1930s, will likely repeat by the year 2050. In this event, and in less severe droughts, water supplies in the Red River Valley would be insufficient to meet basic needs.

In addition, current water demands for industrial development exceed the current supply.

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

The Eastern North Dakota Alternate Water Supply (ENDAWS) portion of the RRVWSP was approved by the Department of Interior in a Record of Decision on January 15, 2021. The Record of Decision allows the use of federal funds and facilities for ENDAWS components. A cooperative agreement with the Bureau of Reclamation allows federal funding for the engineering and design of ENDAWS components.

The RRVWSP is designed to bring Missouri River water, provide treatment and utilize a combination of pumping and gravity to convey water to a discharge structure on the Sheyenne River. Lake Ashtabula will be used as a regulating reservoir for downstream users. The project uses infrastructure throughout the project area to create an efficient method to convey water to hundreds of thousands of residents in ND.

This request is for a \$1,500,000 loan from the Water Infrastructure Revolving Loan Fund and will be used as the 25% local cost-share to match the approved FY23 & FY24 MR&I funding of \$4,500,000.

For this project,

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

What is the Current Estimated Population?* 376269

For this project,

What is the Benefited Population?* 376269

**Have Assessment Districts
Been Formed?***: N/A

**Have Land or Easements
Been Acquired?***: Ongoing

**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):**

Environmental Impact Statement completed and a Record of Decision was signed on January 15, 2021.
US Fish and Wildlife Service Special Use Permit

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

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

Environmental Impact Statement completed and a Record of Decision was signed on January 15, 2021.
US Fish and Wildlife Service Special Use Permit for construction activities with USFWS grassland and wetland easements.

**Have You Applied for any
State Permits?***: Yes

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

NDPDES Permit

**Have You Been Approved for
any State Permits?***: Yes

If Yes or Ongoing, Please Explain

(include type/number):

NDPDES Permit - DEQ received August 2020 - permit No. ND0026964

Have You Applied for any Local Permits?* No

Do You Expect Any Obstacles to Implementation Yes

(i.e. Problems with Land Acquisition, Permits, Funding, Local Opposition, Environmental Concerns, etc.)?*

If Yes, Please Explain:

There are no foreseen obstacles in the engineering and design of ENDAWS components. For future construction, land acquisition for the ENDAWS portion is at 80% secured.

Have You Received, or Do You Anticipate Receiving Federal Funding? Yes

(Example: Hazard Mitigation Grant Program)

*:

Explain the Source, Timing and Amount of Federal Funds:

ENDAWS MR&I funding approved by the ND SWC and Garrison Diversion - FY23 - \$1.5M, FY24 - \$3M, for a total of \$4.5M

There is a possibility additional MR&I funds in the amount of \$454 million may be available if Congress passes a bill (S.4996) authorizing additional MR&I funding. If additional MR&I funds are not authorized, then the funding request will be from state funding.

The ENDAWS spend schedule anticipates funding needs through the year to 2030.

Federal Funding Contact: Mary Mooridian
First Name Last Name

Federal Funding Contact Number: 701-652-3194
Federal Funding Email: merrim@gdcd.org

Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

Study Completion*: Complete
Design Completion*: Ongoing
Bid*: 1/1/2026
Construction Start*: 3/1/2026
Construction Completion*: 12/1/2033

Explain Additional Timeline Issues*:

N/A

Consulting Engineer*: Paul Boersma, Black & Veatch
Engineer Telephone Number*: 414-455-1606
Engineer Email*: BoersmaPM@BV.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Duane DeKrey 10/28/2024
First Name Last Name Date

Address*: PO Box 140
Address Line 1
Address Line 2
 Carrington North Dakota 58421-0140
City State Zip Code

Telephone Number*: 701-652-3194

Sponsor Email*: duaned@gdcd.org

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.*:

Yes

Authorized Individual*: Duane DeKrey 10/28/2024
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
 Must Include Project Location in State Using an Inset Map and Distance/Direction to Nearest Community

ENDAWS PROJECT MAP.pdf

*:

Are You Seeking SRF or IRLF Funding?*

Yes

Engineer's Estimate of Probable Cost ENDAWS FUNDING NEEDS 10.28.24.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?*: No

Other Applicable Document(s): Yes

Other Applicable Document: GDCD Cover Letter 1.5M WIRLF Request.pdf

Other Applicable Document: Federal MRI Funding Update - GDCD Minutes 10-10-24.pdf

Other Applicable Document:

Sources

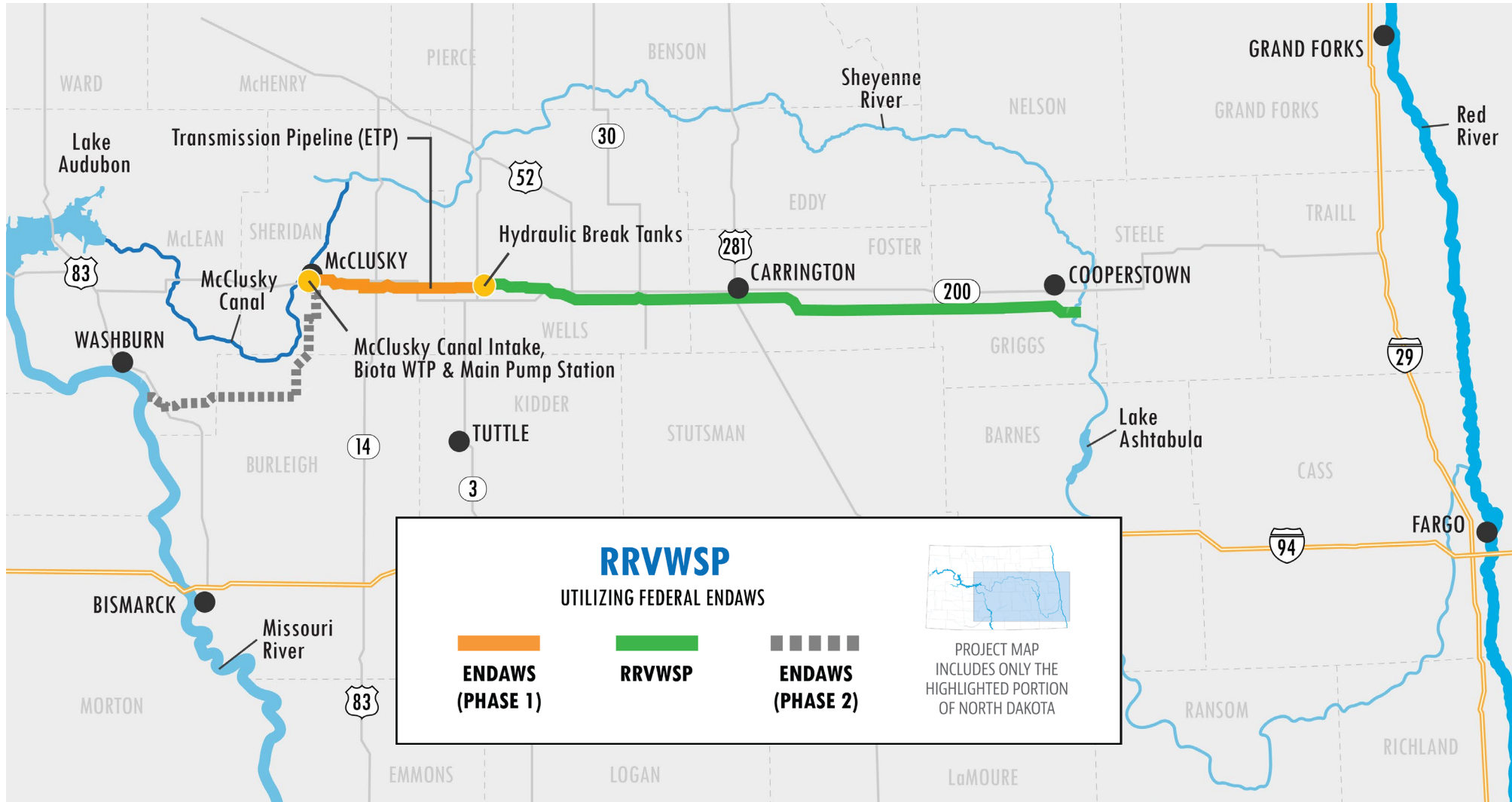
Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)

Source	If Other, Specify Funding Source	Status	State Fiscal Year 1 to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Water Infrastructure Revolving Loan Fund		Current Request	\$1,500,000.00	\$0.00	\$139,440,000.00	\$140,940,000.00	Loan	40.00	2.00
Other	Possible future MR&I	Future Request	\$0.00	\$0.00	\$449,930,000.00	\$449,930,000.00	Grant	0.00	0.00
Other	Federal MR&I		\$4,500,000.00	\$0.00	\$0.00	\$4,500,000.00	Grant	0.00	0.00

Funds

			\$6,000,000.00	\$0.00	\$589,370,000.00	\$595,370,000.00			

ENDAWS PROJECT FEATURES





ENDAWS FUNDING NEEDS

TOTAL BY YEAR OF COMMITMENT (NOMINAL DOLLARS)

YEAR OF COMMITMENT	FUNDING AMOUNT (\$M)	FEDERAL REQUEST (75%)	ENDAWS PROJECT FEATURES
2024	\$6.00	\$4.50	ENDAWS Planning & Design
2025	\$123.53	\$92.64	Pipeline and Biota WTP Design, Initial Pipeline Construction
2026	\$177.04	\$132.78	Remainder Pipeline Contract Construction
2027	\$9.72	\$7.29	McClusky Intake and PS Design, Hydraulic Break Tanks Design
2028	\$195.21*	\$154.31*	Biota WTP Construction* (Includes 100% of increase in cost for UV Treatment)
2029	\$0.00	\$0.00	
2030	\$83.88	\$62.91	McClusky Intake and PS Construction, Hydraulic Break Tanks Construction
TOTAL	\$595.37	\$454.43	



GARRISON DIVERSION
CONSERVANCY DISTRICT
P.O. Box 140
CARRINGTON, N.D. 58421
(701) 652-3194
gdcd@gdcd.org
www.garrisondiversion.org

October 28, 2024

Governor Doug Burgum
North Dakota State Water Commission Chairman
1200 Memorial Highway
Bismarck, ND 58504

Dear Governor Burgum:

Please accept Garrison Diversion Conservancy District's (Garrison Diversion) request for a \$1.5 million loan through the Water Infrastructure Revolving Loan Fund (WIRLF) for the Eastern North Dakota Alternate Water Supply Project (ENDAWS), a component of the Red River Valley Water Supply Project (RRVWSP).

The loan will be used for the 25 percent local cost-share to match the \$4.5 million in MR&I funds approved for ENDAWS by Garrison Diversion and the State Water Commission, allowing ENDAWS design to continue moving forward.

The application and required submittals are attached.

Thank you for your consideration.

Sincerely,

Duane DeKrey
General Manager

**GARRISON DIVERSION CONSERVANCY DISTRICT
BOARD OF DIRECTORS**

**Garrison Diversion Conservancy District
Carrington, North Dakota**

October 10 & 11, 2024

A meeting of the Garrison Diversion Conservancy District Board of Directors was held on October 10 & 11, 2024, at the Garrison Diversion Conservancy District in Carrington, North Dakota. The meeting was called to order by Chairman Walter at 1:30 p.m. on October 10.

MEMBERS PRESENT

Chairman Alan Walter
Vice Chairman Jay Anderson
Second Vice Chairman Greg Bischoff
Director Dave Anderson
Director Nikki Boote
Director Richard Cayko
Director Mark Cook
Director Steve Forde (by video conference)
Director David Johnson (by video conference)
Director Geneva Kaiser
Director Larry Kassian
Director Bruce Klein
Director Kelly Klosterman
Director Margo Knorr (by video conference)
Director Ward Koeser
Director Jeff LeDoux
Director Steve Metzger
Director Bill Ongstad
Director Brian Orn
Director Jim Pellman
Director Kenny Rogers
Director Jason Siegert (by video conference)
Director Mike Tweed
Director Ken Vein
Director Donald Zimbleman
Secretary Duane DeKrey

MEMBERS ABSENT

Director Kyle Blanchfield
Director Cliff Hanretty
Director Brandon Krueger

(PORTION OF THE GDCD BOARD MINUTES FROM OCTOBER 10 REGARDING LOCAL MATCH FOR ENDAWS)

Federal MR&I Funding Update

Fiscal Year 2023/Fiscal Year 2024 Funding

Ms. Mooridian stated Fiscal Year 2023 MR&I funding includes \$1.5 million for ENDAWS. For Fiscal Year 2024 MR&I funding, the Executive Committee and the SWC approved \$3 million for ENDAWS. Consistent with the current MR&I requirements, a 25 percent local match is required, which is \$1.5 million. This would provide a total of \$6 million to work on more design for ENDAWS features through the current cooperative agreement with Reclamation, allowing the purchase of easements and work on facility design. No construction can be done through this cooperative agreement.

Local Match Requirement


Ms. Mooridian said the portion missing is the \$1.5 million local cost share. The match dollars are beyond what was approved in the Series D financial total, which was \$60 million. The financing team has been in conversations with the Bank of North Dakota (BND), and they have indicated there is an additional \$1.5 million available in the Water Infrastructure Revolving Loan Fund (WIRLF).

Ms. Mooridian reported the LAWA Board and Garrison Diversion's Red River Valley and Executive Committees approved moving forward with a small Series E Interim Finance Agreement to match the MR&I funding.

Ms. Mooridian commented the mayors of Fargo and Grand Forks stated their cities will back the Series E loan. Legal counsel is currently working on a draft agreement, which will go to Garrison Diversion's and the BND's bond attorneys and follow the same process as Series D2.

Ms. Mooridian added a letter will be submitted to the SWC asking for the additional \$1.5 million. As with all WIRLF funds, the SWC must also approve this. The request is due by October 29 and will be heard at the SWC Pre-Commission meeting on November 14 and the SWC meeting on December 13.

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – East Central Rural Water District
 Hillsboro Aquifer Pump Test
DATE: November 25, 2024

Background & Description

The East Central Rural Water District is requesting preconstruction cost-share for their Hillsboro Aquifer Pump Test (Project). The Project is installation of a test well and three observation wells within the Hillsboro Aquifer for the purpose of conducting a 100-hour test to determine aquifer drawdown and suitability for water permitting purposes. The Project is located in Traill County.

Supplemental Information

Water Development Plan / Priority	2023/Low
New / Future / Current Service Users	1/0/3,618
Present Value Cost / User (Preferred Alternative)	\$44
Rate / 5,000-Gallons	\$121.05
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Page, Galesburg, Hillsboro Aquifer	

Schedule

Task	Dates
Study	May 2025
Design	N/A
Bid	N/A
Construction	N/A
Completion	N/A

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$78,615	\$0	\$78,615		
Eligible Costs	\$0	\$0	\$0		
Total	\$78,615	\$0	\$78,615		
Cost-Share 75% (requested)	\$58,961	\$0	\$58,961		\$0

This project does not meet requirements of the Water Commission’s cost-share policy as aquifer testing is not considered a cost-share eligible item. Therefore, I recommend denial of the request from East Central Rural Water District for state cost-share participation in the Hillsboro Aquifer Pump Test.

AT:jsp/2050EAS

1084272 - ECRWD: Hillsboro Aquifer Pump Test

Application Details

Funding Opportunity:	1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date:	Oct 28, 2024 11:09 AM
Funding Opportunity Due Date:	Jun 30, 2025 3:00 PM	Initially Submitted By:	Geoff Slick
Program Area:	Funding for Infrastructure in ND - FIND	Last Submit Date:	Last
Status:	Submitted	Submitted By:	
Stage:	Final Application		

Contact Information

Primary Contact Information

Active User*:	Yes
Type:	External User
Name:	Mr. Geoff
	Salutation First Name
Middle Name	Slick
	Last Name
Title:	Rural Water Practice Leader
Email*:	Geoffrey.slick@ae2s.com
Address*:	6250 Driftwood Dr

Organization Information

Status*:	Approved
Name*:	East Central Regional Water District
Organization Type*:	Political Subdivision
Tax Id:	
Organization Website:	
Address*:	1401 7th Ave NE

	Grand Forks North Dakota		Thompson North Dakota
	City State/Province		City State/Province
58201		58278-0000	
Postal Code/Zip		Postal Code/Zip	
Phone*:	701-213-7580 Ext.	Phone*:	(701) 599-2963 Ext.
	Phone		###-###-####
	###-###-####	Fax:	###-###-####
Fax:	###-###-####	Vendor ID:	
Comments:		PeopleSoft Supplier ID:	
		Comments:	
		Location Code:	

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: ECRWD: Hillsboro Aquifer Pump Test

Sponsor(s)*: East Central Regional Water District

County*: Trail

City*: Hillsboro

Description of Request*: New

If Study, What Type: Water Supply

If Project/Program, What Type:

Jurisdictions/Stakeholders Involved*:

East Central Regional Water District
 North Dakota State Water Commission Appropriations Division

Describe the Problem*:

ECRWD has applied for multiple water permits in the Hillsboro Aquifer west of Hillsboro ND. The ND

SWC appropriations team recently concluded test drilling and initial water sampling within the Hillsboro Aquifer. The next step in the permitting process would include conducting 100-hour pump test within the Hillsboro Aquifer. the associated pump test would include three 2-inch sampling wells to be located at intervals selected by ND SWC appropriations team away from the pumping well. The ND SWC appropriations team would include their monitoring equipment within those three sample wells to determine drawdown within the aquifer at a certain pumping rate.

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

ECRWD would hire a well driller to install a test well and conduct a 100-hour test on the well. They would also hire the well driller to install 3-2-inch sample wells near the pumping wells. The data gained from the pumping test would provide the ND SWC appropriations team valuable information for determining if additional water permits could be approved for ECRWD within the Hillsboro Aquifer.

For this project,

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

What is the Current Estimated Population?* 15000

For this project,

What is the Benefited Population?* 15000

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?* Yes

If Yes or Ongoing, Please Explain

(include type/number):

North Dakota Water Well Permits

Have You Been Approved for any State Permits?: Ongoing

If Yes or Ongoing, Please Explain

(include type/number):

Currently in the pending review status

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*: May 2025

Design Completion*: NA

Bid*: NA

Construction Start*: NA

Construction Completion*: NA

Explain Additional Timeline Issues*:

NA

Consulting Engineer*: Geoff Slick
Engineer Telephone Number*: 701-213-7580
Engineer Email*: Geoffrey.slick@ae2s.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Neil Breidenbach 10/25/2024
 First Name Last Name Date

Address*: 1401 7th Ave NE
 Address Line 1
 Address Line 2
 Thompson North Dakota 58278-0000
 City State Zip Code

Telephone Number*: 701-599-2963

Sponsor Email*: Neil@ecrwd.com

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.*:

Yes

Authorized Individual*: Neil Breidenbach 10/25/2024
 First Name Last Name Date

Title/Position/Authority*: Manager

Documentation

Documentation

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

CLICK HERE to see examples.

Project Specific Map Hillsboro Wellfield Pump Test.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes:

Minutes will be sent Tuesday Morning after Monday board meeting.pdf

Cover Letter: Signed Cover Letter.pdf

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: sfn_61801_delineation_of_cost 34.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:

GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s):

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	Year 2 July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Pre-		Current Request	\$0.00	\$120,000.00	\$0.00	\$120,000.00	Grant	0.00	0.00

Construction

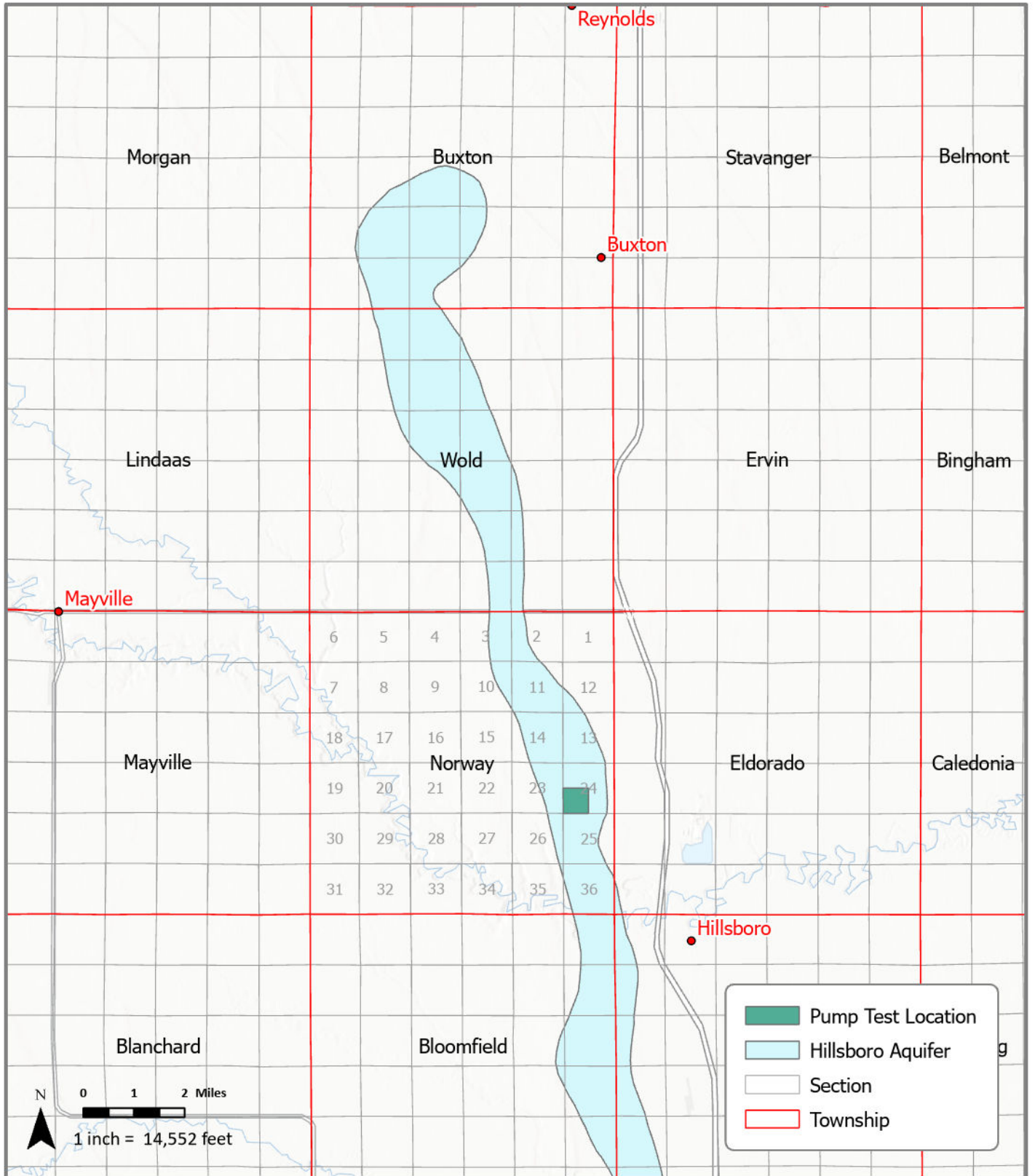
Other	Local	Current Request	\$0.00	\$40,000.00	\$0.00	\$40,000.00	0.00	0.00
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			\$0.00	\$160,000.00	\$0.00	\$160,000.00		
--	--	--	---------------	---------------------	---------------	---------------------	--	--

\$58,961

\$78,615

revised 11/20/24



Information depicted may include data unverified by ECRWD. Any reliance upon such data is at the user's own risk. ECRWD does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 2011 Contiguous USA Albers | Edited by: cclauson | W:\E\ECRWD\14494-2024-005\GIS\ECRWD Hillsboro WTP Expansion Supply - Mapping and Analysis.aprx | Hillsboro Wellfield Pump Test



Locator Map Not to Scale

HILLSBORO WELLFIELD PUMP TEST LOCATION

EAST CENTRAL REGIONAL WATER DISTRICT
 Thompson, ND

East Central Regional
 Water District

Date: 10/25/2024



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

DWR Date Received : October 28, 2024

\$78,615

Project:	ECRWD: Hillsboro Aquifer Pump Test
Sponsor:	East Central Regional Water District
Contact:	Neil Breidenbach, Manager
Phone:	701-599-2963
Engineer:	Geoff Slick
Phone:	701-213-7580

Total Cost:	\$ 160,000
Ineligible Cost:	\$ -
Eligible Cost:	\$ 160,000
Local Cost:	\$ 40,000

Date: October 24, 2024

Cost-Share \$	\$ 120,000	\$58,961
Preconstruction:	\$ 120,000	
Construction:	\$ -	

Project Type:	Rural Water Supply	Cost-share %	75%
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Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	#DIV/0!	Mobilization	1	LS	-	\$ -	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%	\$ -
		Construction Sub-Total				\$ -	75%	\$ -
	0.0%	Contingency				\$ -	75%	\$ -
	0.0%	Construction Total				\$ -	75%	\$ -
Preconstruction Costs								
27	#DIV/0!	Installation of Test Well, Sample Wells and 100-Hour Pump Test	1	LS	145,000.00	\$ 145,000	75%	\$ 108,750
28	#DIV/0!	Other Preconstruction Engineering	1	LS	15,000.00	\$ 15,000	75%	\$ 11,250
29	#DIV/0!		0		-	\$ -	75%	\$ -
30	#DIV/0!		0		-	\$ -	75%	\$ -
31	#DIV/0!		0		-	\$ -	75%	\$ -
100.0%		Preconstruction Total				\$ 160,000	75%	\$ 120,000
Construction Engineering Costs								
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%		Construction Engineering Total				\$ -	75%	\$ -
Other Eligible Costs								
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%		Other Eligible Total				\$ -	75%	\$ -
In-eligible Costs								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
0.0%		Other Ineligible Total				\$ -	0%	\$ -
100.0%		Total				\$ 160,000		
		Eligible Total				\$ 160,000	75%	\$ 120,000
\$78,615 revised 11/20/24								
		Federal or State Funds That Supplant Costs				\$ -		
		Eligible Cost Total				\$ 160,000	75%	\$ 120,000

\$58,961

* 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.

November 20, 2024

Andrea Travnicek, Ph.D
Secretary, State Water Commission
1200 Memorial Highway
Bismarck ND 58504

Re: East Central Regional Water District Project – Hillsboro Aquifer Pump Test

Dear Director Travnicek:

Thank you for reviewing our funding application request for the Hillsboro Aquifer Pump Test at the November 11th precommission meeting. After hearing the discussion by staff and commissioners ECRWD wanted to provide full context and details making sure all parties at the best information possible for providing a recommendation.

ECRWD currently is working towards obtaining water permits from the Hillsboro Aquifer. ECRWD has several water permit requests into the ND SWC that are under pending review. The ND SWC appropriations team have received and reviewed the ECRWD applications. To determine if the ECRWD water permit requests can be approved the ND SWC appropriations team have to do their due diligence reviewing aquifer properties. The appropriations team recently concluded their test drilling within in the Hillsboro Aquifer. The test drilling was initiated by the ND SWC to better determine Hillsboro Aquifer raw water quality, existing water levels and general lithology.

The next step in the permitting project requires the applicant (ECRWD) to perform a pumping test from a well sized to meet the desired pumping rate as requested by ECRWD's permit application. In ECRWD case nearly 1000 GPM.

To perform this test ECRWD must install (1) 12-inch well and (3) 2-inch-observation wells at ECRWD preferred future wellfield. ECRWD has chosen a location northwest of Hillsboro, that looks promising from a water quality/quantity standpoint. The location also corresponds with an area that the ND SWC recently test drilled.

It is ECRWD intent that they would install a (1) 12-inch well, (3) 2-inch observation wells and then perform a 100-hour pump test. The ND SWC would install their monitoring equipment to determine how the aquifer handles and rebounds from the roughly ~1000 GPM pumping rate for 100 hours. The ND SWC appropriations team would then review the data and review ECRWD requests for water permitting to determine if ECRWD would be granted a water permit(s) within the Hillsboro Aquifer.

If/when the permits are granted, ECRWD would develop a wellfield at the location they test pumped. The wellfield would include, adding a pump and a pitless unit to the 12-inch well (converting the well that was used for test pumping to ECRWD primary Hillsboro aquifer well) as well as adding additional 12-inch wells in the same area to fully build out the ECRWD Hillsboro aquifer wellfield. ECRWD already has a lease agreement with the landowner for the location of the wells. ECRWD would have a

99-year lease agreement with the landowner for the 12-inch test well as well as all future production wells.

ECRWD would like the commissioners to consider funding all or some of the request for the **Hillsboro Aquifer Pump Test**, understanding the 12-inch well used for the 100-hour test pump would be repurposed to a production well for ECRWD.

Also, after conversations with ND SWC appropriations team and local well drillers following the precommission meeting, the size of the well/cost of the request was also reduced see below for a breakdown of project costs broke out by line item. Thank you for your continued support on this very important project.

November 14, 2024

East Central Regional Water District
Po Box 287
Thompson, ND 58278

Neil

Following is the cost estimate to install a 12" well approximately 112 ft. deep and to also install 3 - 2" observation wells.

Nysveen 12" Well

Mobilization	Lump sum	3,500.00
Drill 18" hole	112 ft. @ \$115.00	12,880.00
Furnish & Install 12" steel casing	92 ft. @ \$112.00	10,304.00
Furnish & Install 12" S.S. screen	20 ft. @ \$375.00	7,500.00
Furnish & Install pack sand	85 bags @ \$25.00	2,125.00
Develop well	20 hrs. @ \$375.00	7,500.00
Grout to State code	Lump sum	1,500.00
Test pumping	100 hrs. @ \$195.00	19,500.00

3 - 2" PVC Observation Wells

Drill 6 1/2" holes	336 ft. @ \$25.00	8,400.00
Furnish & Install 2" PVC casing	306 ft. @ \$11.00	3,366.00
Furnish & Install 2" PVC screen	30 ft. @ \$18.00	540.00
Furnish & Install pack sand	30 bags @ \$25.00	750.00
Grout to state code	Lump sum	750.00

Total \$78,615.00

Sincerely,



Neil Breidenbach
East Central Regional Water District System Manager



East Central Regional Water District

PO Box 287
1401 7th Avenue NE
Thompson, ND 58278

Neil Breidenbach
System Manager

Phone: 701-599-2963
Fax: 701-599-2056
Website: www.ecrwd.com

October 24, 2024

Andrea Travnicek, Ph.D
Secretary, State Water Commission
1200 Memorial Highway

Re: East Central Regional Water District – Hillsboro Area Wellfield Test Pumping

Dear Director Travnicek:

ECRWD is applying for a North Dakota State Water Commission (ND SWC) Cost Share application for preconstruction dollars for the Hillsboro Aquifer Wellfield Expansion Project. The project will include engineering assistance/bidding and installation of test wells for a 100 hour test pump(s). ECRWD will work together closely with the ND SWC water appropriations team to provide them with the infrastructure they need for monitoring of the test wells to help them gather the necessary data they need to provide permitting recommendations for the Hillsboro Aquifer. This is a very important project for ECRWD and we look forward to collaborating with the ND SWC to get this complete.

Thank you for your continued cooperation regarding the above referenced project. If you have any questions, please feel free to contact me at (701) 599-2963.

Sincerely,

A handwritten signature in blue ink that reads "Neil Breidenbach".

Neil Breidenbach
East Central Regional Water District System Manager

c: Geoff Slick, Project Manager

East Central Regional Water District Board Meeting

Date: Oct 28, 2024

Location: Thompson

Attendance:

Kory Sondreal- President	Present
Michael Anderson-Vice President	Present
Jason Lovas- Secretary/Treasurer	Present
Mike Elliott	Present
Jim Schmaltz	Present
Travis Hegg	Not Present
Jeremy Cunningham	Present

Also present were Geoff Slick with AE2S Engineering and Manager Neil Breidenbach.

Noting a quorum, President Kory called the meeting to order at 7:05 P.M.

Agenda: Motion to approve as presented made by Jim, seconded by Jeremy, discussion, motion passed.

Sept 10, 2024, meeting minutes: Motion to approve as presented made by Jim, seconded by Jeremy, discussion, motion passed.

Geoff's report: WTP update. Start-up expected in the next two weeks. Invoices: Sun Electric #24 (Sept) \$101,993.26; Sun Electric #25 (Oct) \$77,587.00; AE2S #97878 (Sept) \$27,077.55; AE2S #98414 (Oct) \$26,033.25; CL Linfoot #7 \$8,803.80; AGC #13 \$116,954.39: Total of \$358,449.25. Motion to pay above invoices made by Michael Anderson, seconded by Mike Elliot, discussion, motion carried.

Change orders AGC #2 New substantial complete Date: 12/6/2024, New final completion date 1/15/2025, motion made by Mike Elliot, seconded by Jason, discussion, motion carried

Sun Electric #7 New Substantial completion date 12/6/2024 motion made by Jim, seconded by Jeremy, discussion, motion passed

CL Linfoot: #2 New substantial completion date 10/31/2024 Final Completion #1 11/30/2024 Final completion date-heat exchanger-proposed 8-12 weeks out. Motion made by Jeremy, seconded by Jim, discussion, motion carried.

ECRWD phase 6 update. Invoice AE2S#98410 for \$4,861.50, motion to pay invoice made by Jason, seconded by Mike Elliot, discussion, motion carried.

Task Order #5 Hillsboro WTP preliminary Engineering submitted to SWC. High level discussion regarding expansion for Herberg Dairy needs. Motion to hire Metcalf for Archaeological Consultants Environmental walk- motion made by Jason, seconded by Jeremy, discussion, motion carried.

Hillsboro Aquifer- Motion to apply for ND SWC cost share for 100 hr pump test, sample wells, and associated engineering, motion made by Jason, seconded by Jim discussion, motion carried.

Financials- The board reviewed the financial reports.

Legislator Meeting for Ridgeline: Neil showed a slide for the board's reference.

City of Grand Forks 1926B Lawsuit (Trial date scheduled for 5/26/26, expected to last 2 weeks).

BCBS quote for 2025- Neil will ask for more quotes.

Request needed for the wellfield by Hillsboro

New CD Rates

Boring cost for new project- The board gave Neil permission for the district to go forward with the proposed water route.

Updates on all projects-

Discard equipment in the front yard- Neil will dispose of old equipment that the district has been trying to sell.


Report on meeting this morning with Steve Burian & Red River Valley Water- Neil gave an update

Old business-none

New business

Adjournment- moved to adjourn made by Jim, seconded by Jason. The meeting adjourned at 9:21 P.M.

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – East Central Rural Water District
 Hillsboro Area – Supply, Transmission and Distribution
DATE: November 25, 2024

Background & Description

The East Central Rural Water District is requesting preconstruction cost-share for their Hillsboro Area Supply Transmission and Distribution (Project). The Project is 22 new wells and improvements to the existing transfer station located southwest of Mayville, 19 miles of raw water pipeline between the transfer station and the Hillsboro Water Treatment Plant, 12 miles of concentrate pipeline between the water treatment plant and the Red River, and 20 miles of distribution pipeline between the water treatment plant and a connection for a planned large-scale dairy. The Project is located in Traill County.

Supplemental Information

Water Development Plan / Priority	2023/Low
New / Future / Current Service Users	1/0/3,618
Present Value Cost / User (Preferred Alternative)	\$10,492
Rate / 5,000-Gallons	\$102
Comparable Rate / 5,000-Gallons	\$76
Water Source – Page, Galesburg, Hillsboro Aquifer	

Schedule

Task	Dates
Study	Nov. 2024
Design	May 2025
Bid	Jun. 2025
Construction	Aug. 2025
Completion	Sept. 2026

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$0	\$0		
Eligible Costs	\$1,535,000	\$19,621,065	\$21,156,065		
Total	\$1,535,000	\$19,621,065	\$21,156,065		
Cost-Share 75% (Requested)	\$1,151,250	\$14,715,799	\$15,867,049	\$93,750 (4/11/24)	\$1,057,500

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from East Central Rural Water District for state cost-share participation in the Hillsboro Area Supply, Transmission and Distribution project in the amount of \$1,057,500, or 75 percent of eligible costs, with the total not to exceed \$1,151,250. This approval is contingent on available funding.

AT:jsp:ln:/2050EAS

1084132 - ECRWD: Hillsboro Area - Supply, Transmission & Distribution

Application Details

Funding Opportunity: 1083251-June 2024 - October 2024 Infrastructure Request
Funding Opportunity Due Date: Oct 21, 2024 8:00 AM
Program Area: Funding for Infrastructure in ND - FIND
Status: Under Review
Stage: Final Application

Initial Submit Date: Oct 10, 2024 11:29 AM
Initially Submitted By: Geoff Slick
Last Submit Date: Oct 29, 2024 4:13 PM
Last Submitted By: Geoff Slick

Contact Information

Primary Contact Information

Active User*: Yes
Type: External User
Name: Mr. Geoff Slick
Salutation First Name Middle Name Last Name
Title: Rural Water Practice Leader
Email*: Geoffrey.slick@ae2s.com
Address*: 6250 Driftwood Dr

Grand Forks North Dakota 58201
City State/Province Postal Code/Zip
Phone*: 701-213-7580 Ext.
Phone

Fax: ### ### #####
Comments:

Organization Information

Status*: Approved
Name*: East Central Regional Water District
Organization Type*: Political Subdivision
Tax Id:
Organization Website:
Address*: 1401 7th Ave NE

Thompson North Dakota 58278-0000
City State/Province Postal Code/Zip

Phone*: (701) 599-2963 Ext.
#####

Fax: ### ### #####

Vendor ID:

PeopleSoft Supplier ID:

Comments:

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: ECRWD: Hillsboro Area - Supply, Transmission & Distribution

Sponsor(s)*: East Central Regional Water District

County*: Trail

City*: Hillsboro

Description of Request*: Updated (previously submitted)

If Study, What Type:

If Project/Program, What Type: Rural Water Supply

Jurisdictions/Stakeholders Involved*:

East Central Regional Water District (ECRWD) and City of Hillsboro

Describe the Problem*:

In the Summer of 2024 Herberg Dairy sent a request to ECRWD for a 625 gpm water service in Section 34 of Herberg Township, 10-miles SE of Hillsboro.

Currently, ECRWD does not have adequate supply, treatment, and distribution infrastructure to supply the large user as well as the existing demands. Additional infrastructure such as wells, raw water pumping, raw water pipelines, treatment capacity and large distribution piping is required.

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

The solution includes at least 2-wells in the Page aquifer, at least 20 (50 gpm) wells in the Galesburg aquifer, additional pumping capacity at the transfer station, a raw water pipeline from the transfer station to the new wtp, 10-inch concentrate removal pipeline and ~20-inch pipeline to the Dairy. ECRWD will also explore obtaining additional water within the Hillsboro Aquifer if they receive water permits from the ND SWC.

For this project,

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

What is the Current Estimated Population?* 15000

For this project,

What is the Benefited Population?* 15000

Have Assessment Districts Been Formed?* N/A

Have Land or Easements Been Acquired?* Ongoing

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?*: 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*: November 2024

Design Completion*: May 2024

Bid*: June 2024

Construction Start*: July 2024

Construction Completion*: November 2025

Explain Additional Timeline Issues*:

Funding and delays obtaining certain products would result in the biggest change in timeline.

Consulting Engineer*: Geoff Slick

Engineer Telephone Number*: 701-213-7580

Engineer Email*: Geoffrey.slick@ae2s.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Neil Breidenbach 10/10/2024
First Name Last Name Date

Address*: 1401 7th Ave NE
Address Line 1
Address Line 2

Thompson North Dakota 58278-0000
City State Zip Code

Telephone Number*: 701-599-2963

Sponsor Email*: Neil@ecrwd.com

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.*:

Yes

Authorized Individual*: Neil Breidenbach 10/10/2024
First Name Last Name Date

Title/Position/Authority*: Manager

Documentation

Documentation

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

[CLICK HERE](#) to see examples.

Project Specific Map [Map for SWC 2.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 [20241014161123768.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

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

Delineation of Costs SFN 61801: [sfn_61801_delineation_of_cost 31 - Supply Transmission and Dist.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: [Hillsboro -life_cycle_cost_analysis_worksheet 23 2 Supply Trans and Dist.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: Yes

Feasibility/Engineering Study Material: [ECRWD - Traill Water Supply PER Draft.pdf](#)

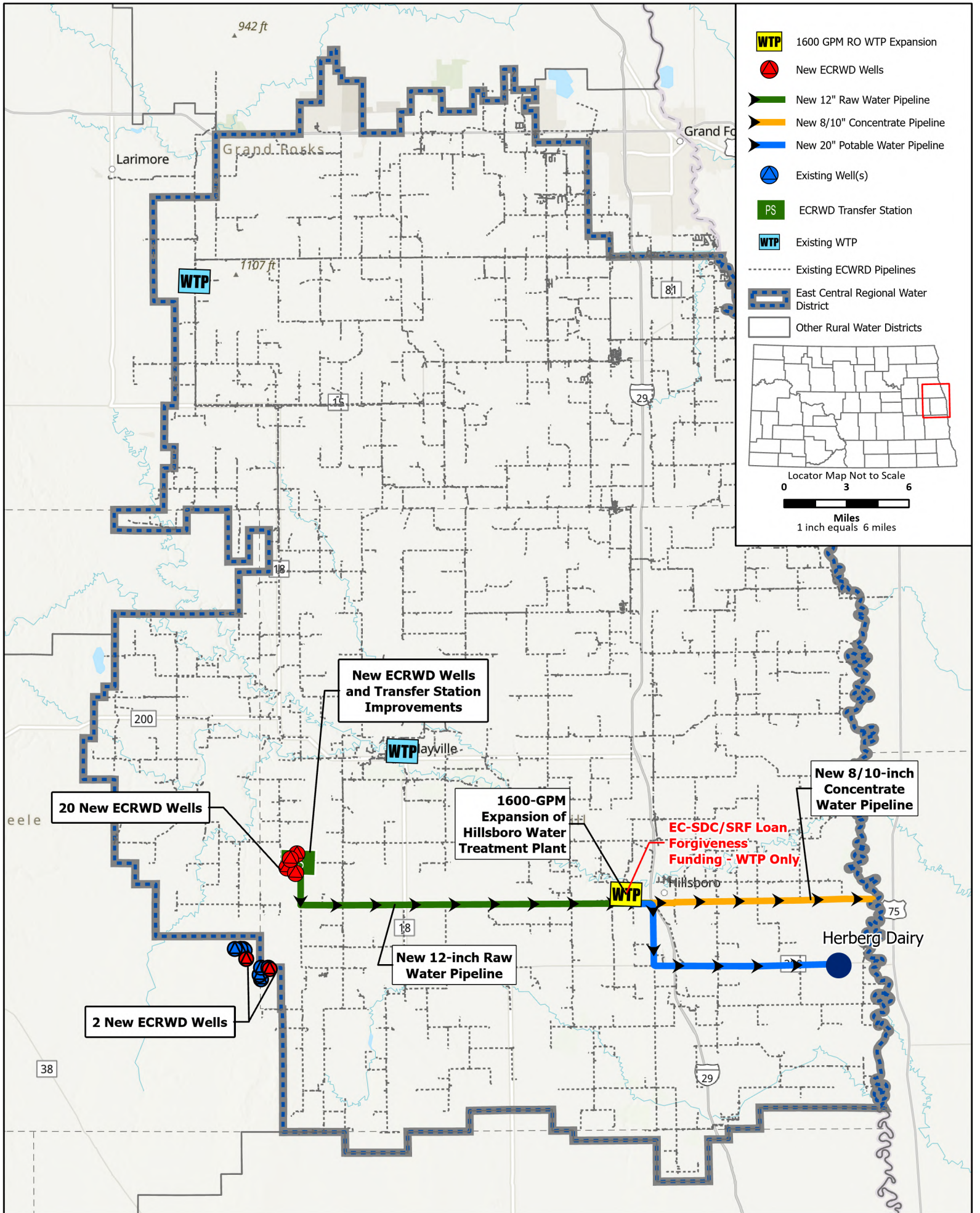
Photos of Problem/Issue:

Other Applicable Document(s):

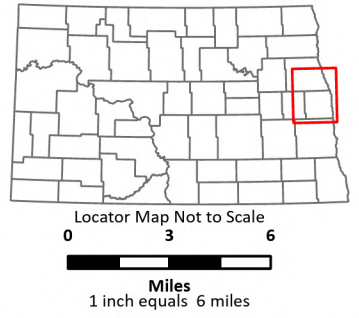
Sources

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
			Approved: \$93,750.00		Current Request: \$1,057,500.00				
Department of Water Resources Cost Share Pre-Construction		Current Request	\$0.00	\$1,151,250.00	\$0.00	\$1,151,250.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$7,000,000.00	\$7,715,779.00	\$14,715,779.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Current Request	\$0.00	\$383,750.00	\$2,745,576.00	\$3,129,326.00	Loan	30.00	2.00
BND Infrastructure Revolving Loan Fund		Current Request	\$0.00	\$2,159,690.00	\$0.00	\$2,159,690.00	Loan	30.00	2.00
			\$0.00	\$10,694,690.00	\$10,461,355.00	\$21,156,045.00			



- WTP 1600 GPM RO WTP Expansion
- New ECRWD Wells
- New 12" Raw Water Pipeline
- New 8/10" Concentrate Pipeline
- New 20" Potable Water Pipeline
- Existing Well(s)
- PS ECRWD Transfer Station
- WTP Existing WTP
- Existing ECWRD Pipelines
- East Central Regional Water District
- Other Rural Water Districts



New ECRWD Wells and Transfer Station Improvements

20 New ECRWD Wells

1600-GPM Expansion of Hillsboro Water Treatment Plant

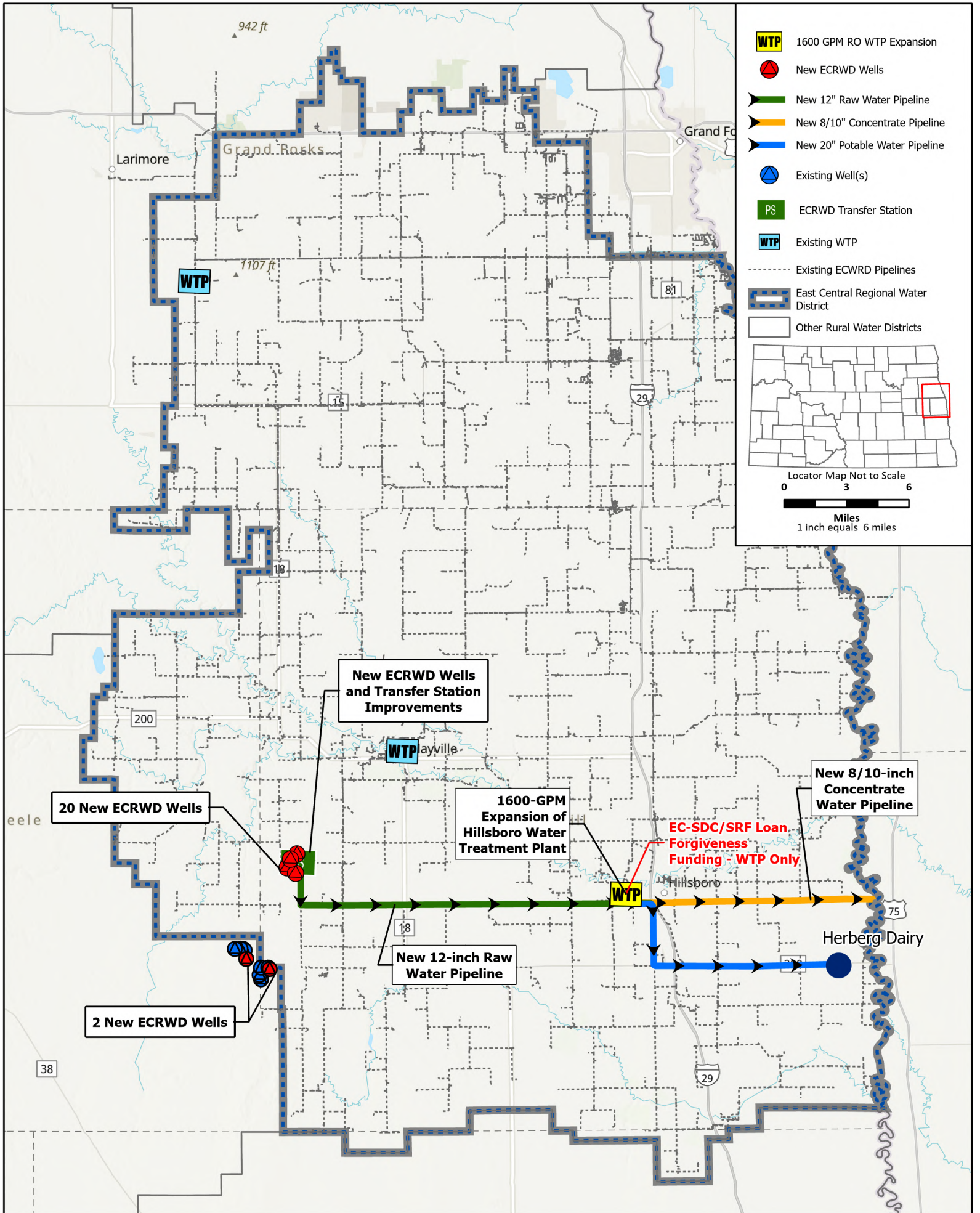
New 8/10-inch Concentrate Water Pipeline

EC-SDC/SRF Loan Forgiveness Funding - WTP Only

New 12-inch Raw Water Pipeline

2 New ECRWD Wells

Herberg Dairy





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

DWR Date Received : October 29, 2024

Project:	ECRWD: Hillsboro Area WTP Expansion: Supply and Transmission
Sponsor:	East Central Regional Water District
Contact:	Neil Breidenbach, Manager
Phone:	701-599-2963
Engineer:	Geoff Slick, AE2S
Phone:	701-746-8087

Total Cost :	\$ 21,156,065	Date:	October 4, 2024
Ineligible Cost :	\$ -		
Eligible Cost :	\$ 21,156,065	Cost-Share \$	\$ 15,867,049
Local Cost :	\$ 5,289,016	Previously Approved :	\$ 93,750
		Preconstruction :	\$ 1,057,500
		Construction :	\$ 14,715,799

Project Type:	Rural Water Supply	Cost-share %	75%
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Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	3.6%	Mobilization	1	LS	679,000.00	\$ 679,000	75%	\$ 509,250
2	0.0%	Bonding			-	\$ -	75%	\$ -
3	0.0%	Insurance			-	\$ -	75%	\$ -
4	1.6%	Water Main 12 in & Associated Appurten	4000	LF	73.13	\$ 292,500	75%	\$ 219,375
5	2.2%	300 GPM Well, Electrical, Process	2	EA	205,500.00	\$ 411,000	75%	\$ 308,250
6	0.0%				-	\$ -	75%	\$ -
7	1.0%	Water Main 6 in & Associated Appurtena	4400	LF	42.60	\$ 187,442	75%	\$ 140,582
8	1.7%	Water Main 12 in & Associated Appurter	4100	LF	76.88	\$ 315,208	75%	\$ 236,406
9	10.6%	50 GPM Well, Electrical, Process	20	EA	99,325.00	\$ 1,986,500	75%	\$ 1,489,875
10	1.3%	Process Pipes, Values, Fittings	1	EA	250,000.00	\$ 250,000	75%	\$ 187,500
11	1.3%	Electrical	1	EA	250,000.00	\$ 250,000	75%	\$ 187,500
12	0.0%				-	\$ -	75%	\$ -
13	19.5%	Water Main 12 in & Associated Appurter	99800	LF	36.43	\$ 3,635,750	75%	\$ 2,726,813
14	0.0%				-	\$ -	75%	\$ -
15	10.2%	Water Main 10 in & Associated Appurter	64500	LF	29.44	\$ 1,898,750	75%	\$ 1,424,063
16	0.0%				-	\$ -	75%	\$ -
17	36.2%	Water Main 20 in & Associated Appurter	76200	LF	88.75	\$ 6,763,000	75%	\$ 5,072,250
18	0.0%				-	\$ -	75%	\$ -
19	1.6%	I&C System Services	1	LS	300,000.00	\$ 300,000	75%	\$ 225,000
20	0.0%				-	\$ -	75%	\$ -
21	0.0%				-	\$ -	75%	\$ -
22	0.0%				-	\$ -	75%	\$ -
23	0.0%				-	\$ -	75%	\$ -
24	0.0%				-	\$ -	75%	\$ -
25	0.0%				-	\$ -	75%	\$ -
26	0.0%				-	\$ -	75%	\$ -
		Construction Sub-Total				\$ 16,969,150	75%	\$ 12,726,863
	10.0%	Contingency				\$ 1,696,915	75%	\$ 1,272,686
	88.2%	Construction Total				\$ 18,666,065	75%	\$ 13,999,549
Preconstruction Costs								
27	6.4%	Final Design - Supply, Transmission, & I	1	LS	1,190,000.00	\$ 1,190,000	75%	\$ 892,500
28	0.3%	Bidding / Negotiations - Supply, Transmi	1	LS	60,000.00	\$ 60,000	75%	\$ 45,000
29	0.0%				-	\$ -	75%	\$ -
30	0.9%	Easement Assistance	1	LS	160,000.00	\$ 160,000	75%	\$ 120,000
31	0.7%	Preliminary Design - Already Approved	1	LS	125,000.00	\$ 125,000	75%	\$ 93,750
	7.3%	Preconstruction Total				\$ 1,535,000	75%	\$ 1,151,250
Construction Engineering Costs								
32	3.8%	Project Inspection - Supply, Transmissio	1	LS	700,000.00	\$ 700,000	75%	\$ 525,000
33	0.0%				-	\$ -	75%	\$ -
34	0.0%				-	\$ -	75%	\$ -
35	0.0%				-	\$ -	75%	\$ -
36	0.0%				-	\$ -	75%	\$ -
	3.3%	Construction Engineering Total				\$ 700,000	75%	\$ 525,000
Other Eligible Costs								
37	1.2%	Crop Damage Reimbursement	1		255,000.00	\$ 255,000	75%	\$ 191,250
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	1.2%	Other Eligible Total				\$ 255,000	75%	\$ 191,250
In-eligible Costs								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	Other Ineligible Total				\$ -	0%	\$ -
100.0%		Total				\$ 21,156,065		
		Eligible Total				\$ 21,156,065	75%	\$ 15,867,049
Federal or State Funds That Supplant Costs								
						\$ -		
		Eligible Cost Total				\$ 21,156,065	75%	\$ 15,867,049

* 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: East Central Regional Water District
Project Title: ECRWD: Hillsboro Area - Supply, Transmission and Distribution
Date: November 5, 2024

Explanation of Alternatives:

Supply, Transmission and Distribution Page/Galesburg Aquifer (Preferred) - Add 2 wells in the Page Aquifer, 20 wells in the Galesburg Aquifer, update the transfer station and raw water pipeline from the transfer station to Hillsboro WTP, add a concentrate removal pipeline to the Red River and 20-inch pipeline to Herberg Dairy.
 WTP Expansion - Hillsboro Aquifer Expansion - Add 8 wells within the Hillsboro Aquifer, 12-miles of raw water transmission pipeline, concentrate removal pipeline to the Red River and 20-inch pipeline to Herberg Dairy.
 Purchase 1,600 GPM From Fargo - 24-inch HDPE pipeline from Fargo to Hillsboro WTP Pump Station near the City of Fargo for raw water.
 Do Nothing - No additional water, no system redundancy, reduced efficiency.

Inputs:

New Connections Served	1	Current CIF Balance	
Future Connections Served	1	Annual CIF Contribution	
Current Connections Served	3618	Cash Funding Target (Percentage %) New Assets	
Net Connections (New + Current)	3619	Cash Funding Target (Percentage %) Existing Assets	
		Annual CIF Contribution suggested for the Project	

	Supply, Transmission and Distribution Page/Galesburg Aquifer (Preferred)	WTP Expansion - Hillsboro Aquifer Expansion	Purchase 1600 GPM From Fargo	Do Nothing
Construction Cost	\$21,156,200	\$20,158,900	\$58,167,500	\$0
Annual O & M	\$650,000	\$812,500	\$162,500	\$0

Details:

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LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

	Supply, Transmission and Distribution Page/Galesburg Aquifer (Preferred)	WTP Expansion - Hillsboro Aquifer Expansion	Purchase 1600 GPM From Fargo	Do Nothing
Present Value				
Capital Costs	\$20,322,000	\$19,365,000	\$57,389,000	\$0
O&M	\$15,536,000	\$19,414,000	\$4,184,000	\$0
Repair, Rehab, Replacement	\$2,117,000	\$2,942,000	\$6,355,000	\$0
Salvage Value	\$5,000	\$0	\$794,000	\$0
Total PVC	\$37,970,000	\$41,721,000	\$67,134,000	\$0
PV Cost Per User	\$10,492	\$11,528	\$18,550	\$0

Current Water Rate (Cost Per 5000g)	\$102			
Comparable Water Rate	\$76			
Net Connections (New + Current)	3,619	3,619	3,619	3,619
Cost-Share Percent	75%	75%	75%	75%
Local Share	\$5,080,500	\$4,841,250	\$14,347,250	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$5,080,500	\$4,841,250	\$14,347,250	\$0
Payment Per User With Cost-Share	\$7.10	\$6.77	\$20.06	\$0.00
Local Share	\$20,322,000	\$19,365,000	\$57,389,000	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$20,322,000	\$19,365,000	\$57,389,000	\$0
Payment Per User Without Cost-Share	\$28.41	\$27.07	\$80.22	\$0.00

Explanation of Results:

The sponsor preferred project is the "Supply, Transmission and Distribution Page/Galesburg Aquifer" option. The present value cost of the preferred alternative is \$37,970,000 and the presented alternative for comparison is "Purchase 1,600 GPM From Fargo" at a present value cost of \$67,134,000. The present value cost per user for the preferred alternative is \$10,492. The monthly user cost of the local share with DWR 60% cost-share participation is \$7.10 per month and \$28.41 without DWR participation.

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.

October 16, 2024

Andrea Travnicek, Ph.D
Secretary, State Water Commission
1200 Memorial Highway
Bismarck ND 58504

Re: East Central Regional Water District – Hillsboro Area Expansion

Dear Director Travnicek:

ECRWD is applying for a North Dakota State Water Commission (ND SWC) Cost Share application for preconstruction dollars for the Hillsboro Area WTP Supply and Treatment Expansion Project. The project will include design, bidding, easement acquisition, BAIA creation and environmental for wells, raw water transmission, WTP expansion, concentrate disposal and distribution pipelines. This is a very important project for ECRWD and we look forward to collaborating with the ND SWC to get this complete.

Thank you for your continued cooperation regarding the above referenced project. If you have any questions, please feel free to contact me at (701) 599-2963.

Sincerely,



Neil Breidenbach
East Central Regional Water District System Manager

c: Geoff Slick, Project Manager

East Central Regional Water District
Special Board Meeting – October 15, 2024
Conference Call Meeting

Attendance

Kory Sondreal – President	Present
Michael Anderson – Vice President	Present
Mike Elliott	Present
Jim Schmaltz	Present
Jeremy Cunningham	Present
Travis Hegg	Present
Jason Lovas	Absent
Neil Breidenbach – Manager	Present

President Kory Sondreal called the meeting to order at 7:00 PM.


Travis Hegg made a motion for ECRWD to submit a preconstruction application to the SWC for design, bidding, archaeological, easement assistance and BAIA for the Hillsboro Area Project, which includes supply, raw water transmission, WTP expansion, concentrate pipeline, and distribution pipeline to Herberg Dairy. Jeremy Cunningham seconded the motion. Motion carried.

Jim Schmaltz made a motion to adjourn. The meeting adjourned at 7:07 PM.

Recording Secretary,
Neil Breidenbach

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: State Water Supply – East Central Rural Water District
 Hillsboro Area – Water Treatment Plant Expansion
DATE: November 25, 2024

Background & Description

The East Central Rural Water District is requesting preconstruction cost-share for their Hillsboro Area Water Treatment Plant Expansion (Project). The Project is expansion of the Hillsboro Water Treatment Plant in order to meet current contracted demand, including for a large volume future user, and will include iron and manganese filtration and reverse osmosis systems. The expansion portion of the water treatment plant will be owned by the District in agreement with the City of Hillsboro. A total of \$11,145,550 in Drinking Water State Revolving Fund Emerging Contaminants loan forgiveness and grant funding has been approved for this expansion. The Project is located in Traill County.

Supplemental Information

Water Development Plan / Priority	2023/Low
New / Future / Current Service Users	1/0/3,618
Present Value Cost / User (Preferred Alternative)	\$16,857
Rate / 5,000-Gallons	\$102.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Page, Galesburg, Hillsboro Aquifer	

Schedule

Task	Dates
Study	Nov. 2024
Design	Oct. 2025
Bid	Dec. 2025
Construction	Apr. 2026
Completion	May 2028

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$0	\$0		
Eligible Costs	\$1,800,000	\$32,200,000	\$34,000,000		
Total	\$1,800,000	\$32,200,000	\$34,000,000		
DEQ Grant	\$450,000	\$10,695,550	\$11,145,550	SRF Emerging Contaminants	
Cost-Share 56%	\$1,012,500	\$16,128,338	\$17,140,838		\$1,012,500

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of the request from East Central Rural Water District for state cost-share participation in the Hillsboro Area Water Treatment Plant Expansion project at 56 percent of eligible costs due to the availability of Department of Environmental Quality State Revolving Fund Emerging Contaminants funding, with the total not to exceed \$1,012,500. This approval is contingent on available funding.

AT:jsp:ln:/2050EAS

1084310 - ECRWD: Hillsboro Area - WTP Expansion

Application Details

Funding Opportunity: 1084196-October 2024 - June 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: Oct 29, 2024 3:51 PM
Initially Submitted By: Geoff Slick
Last Submit Date:
Last Submitted By:

Contact Information

Primary Contact Information

Active User*: Yes
Type: External User
Name: Mr. Geoff Slick
Salutation First Name Middle Name Last Name
Title: Rural Water Practice Leader
Email*: Geoffrey.slick@ae2s.com
Address*: 6250 Driftwood Dr

Grand Forks North Dakota 58201
City State/Province Postal Code/Zip

Phone*: 701-213-7580 Ext.
Phone

Fax: ### ### ####

Comments:

Organization Information

Status*: Approved
Name*: East Central Regional Water District
Organization Type*: Political Subdivision
Tax Id:
Organization Website:
Address*: 1401 7th Ave NE

Thompson North Dakota 58278-0000
City State/Province Postal Code/Zip

Phone*: (701) 599-2963 Ext.
#####

Fax: ### ### #####

Vendor ID:

PeopleSoft Supplier ID:

Comments:

Location Code:

Infrastructure Funding Request

Infrastructure Funding Request

Project, Program, or Study Name*: ECRWD: Hillsboro Area - WTP Expansion

Sponsor(s)*: East Central Regional Water District

County*: Trail

City*: Hillsboro

Description of Request*: New

If Study, What Type:

If Project/Program, What Type: Rural Water Supply

Jurisdictions/Stakeholders Involved*:

East Central Regional Water District (ECRWD) and City of Hillsboro

Describe the Problem*:

In the Summer of 2024 Herberg Dairy sent a request to ECRWD for a 625 gpm finished water service in Section 34 of Herberg Township, 10-miles SE of Hillsboro. Currently ECRWDs WTP capacity availability exceeds their contracted share of water capacity from the Hillsboro WTP. The Hillsboro WTP also is nearing total water treatment capacity during peak season. Currently, ECRWD does not have treatment infrastructure to supply the large user as well as the existing demands.

Provide Project Details, Objectives and

Solutions to Address Problem*:

The solution includes expanding of the existing WTP at Hillsboro by 1000 GPM (firm capacity) Iron/Manganese removal followed by 800 GPM RO WTP Expansion. The proposed WTP would be located on the existing Hillsboro WTP site allow both Hillsboro and ECRWD to work together in their future water needs.

For this project,

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

What is the Current Estimated Population?* 15000

For this project,

What is the Benefited Population?* 15000

Have Assessment Districts Been Formed?* N/A

Have Land or Easements Been Acquired?* Ongoing

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?*: 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? Yes
(Example: Hazard Mitigation Grant Program)

*:

Explain the Source, Timing and Amount of Federal Funds:

ECRWD has received EC-SDC dollars for the WTP Expansion portion of the project only.
 Current dollars allocated to ECRWD
 EC-SDC -\$8,305,550
 DWSRF -\$2,840,000

It is ECRWD intent that those dollars would be applied for Final Design, Bidding and Construction phases related to the WTP expansion.

Federal Funding Contact: Bryan Schmitt
First Name Last Name

Federal Funding Contact Number: 701-328-5299

Federal Funding Email: brSchmitt@ND.gov

Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

Study Completion*: November 2024

Design Completion*: October 2025

Bid*: December 2025

Construction Start*: April 2026

Construction Completion*: May 2028

Explain Additional Timeline Issues*:

Funding and delays obtaining certain products would result in the biggest change in timeline.

Consulting Engineer*: Geoff Slick

Engineer Telephone Number*: 701-213-7580

Engineer Email*: Geoffrey.slick@ae2s.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Neil Breidenbach 10/10/2024
First Name Last Name Date

Address*: 1401 7th Ave NE
Address Line 1
Address Line 2

Thompson North Dakota 58278-0000
City State Zip Code

Telephone Number*: 701-599-2963

Sponsor Email*: Neil@ecrwd.com

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.*: Yes

Authorized Individual*: Neil Breidenbach 10/10/2024
First Name Last Name Date

Title/Position/Authority*: Manager

Documentation

Documentation

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

[CLICK HERE](#) to see examples.

Project Specific Map [Map for SWC 2.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 [sfn_61801_delineation_of_cost 31 - WTP.xlsx](#)

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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: [Minutes.pdf](#)

Cover Letter: [Cover Letter.pdf](#)

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: [sfn_61801_delineation_of_cost 31 - WTP.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: [Hillsboro -life_cycle_cost_analysis_worksheet 23 2 WTP.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: Yes

Feasibility/Engineering Study Material: [ECRWD - Traill Water Supply PER.pdf](#)

Photos of Problem/Issue:

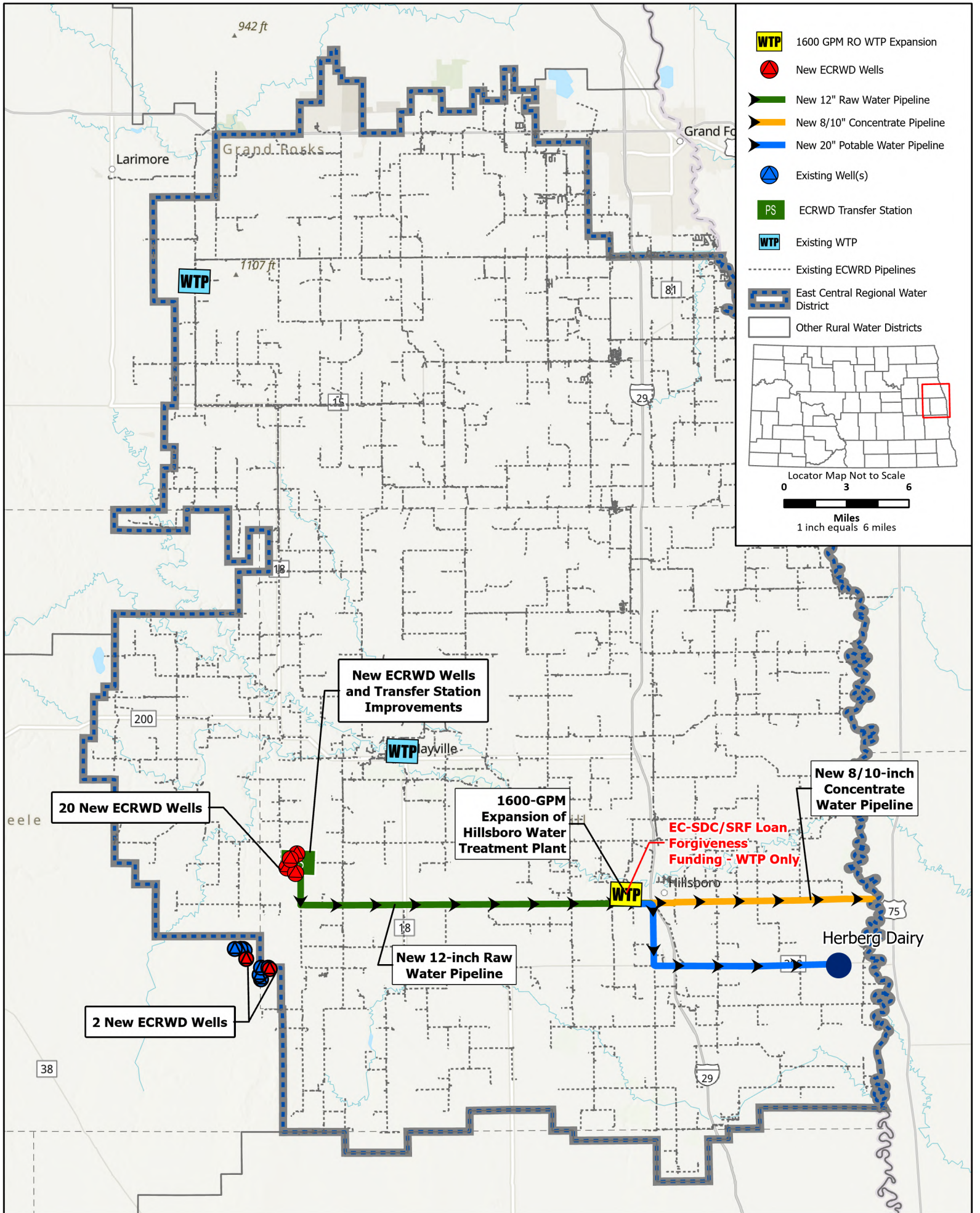
GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s):

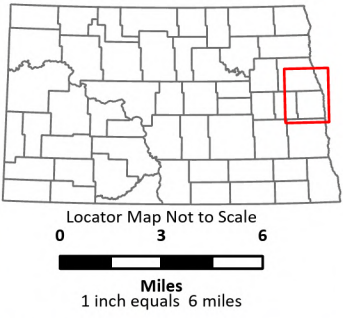
Sources

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		Current Request	\$0.00	\$1,012,500.00	\$0.00	\$1,012,500.00	Grant	0.00	0.00
Other	EC-SDC/SRF Loan Forgiveness - Preconstruction	Current Request	\$0.00	\$450,000.00	\$0.00	\$450,000.00	Grant	0.00	0.00
Other	EC-SDC	Future Request	\$0.00	\$0.00	\$10,695,550.00	\$10,695,550.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Current Request	\$0.00	\$337,500.00	\$5,376,112.00	\$5,713,612.00	Loan	30.00	2.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$0.00	\$16,128,338.00	\$16,128,338.00		0.00	0.00
			\$0.00	\$1,800,000.00	\$32,200,000.00	\$34,000,000.00			



- WTP 1600 GPM RO WTP Expansion
- New ECRWD Wells
- New 12" Raw Water Pipeline
- New 8/10" Concentrate Pipeline
- New 20" Potable Water Pipeline
- Existing Well(s)
- PS ECRWD Transfer Station
- WTP Existing WTP
- Existing ECWRD Pipelines
- East Central Regional Water District
- Other Rural Water Districts



20 New ECRWD Wells

2 New ECRWD Wells

New ECRWD Wells and Transfer Station Improvements

1600-GPM Expansion of Hillsboro Water Treatment Plant

New 12-inch Raw Water Pipeline

EC-SDC/SRF Loan Forgiveness Funding - WTP Only

New 8/10-inch Concentrate Water Pipeline

Herberg Dairy

Larimore

Grand Forks

Grand Forks

Playville

Hillsboro

942 ft

1107 ft

38

200

15

81

29

18

18

75

29



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

DWR Date Received : October 29, 2024

Project:	ECRWD: Hillsboro Area WTP Expansion: Treatment
Sponsor:	East Central Regional Water District
Contact:	Neil Breidenbach, Manager
Phone:	701-599-2963
Engineer:	Geoff Slick, AE2S
Phone:	701-746-8087

Total Cost :	\$ 34,000,000	Date:	October 4, 2024
Ineligible Cost :	\$ 11,145,550	Cost-Share \$	
Eligible Cost :	\$ 22,854,450	Cost-Share \$	After Other Grants Apply
Local Cost :	\$ 16,859,162	\$ 17,140,838	\$ 17,140,838
	Preconstruction :	\$ 1,350,000	\$ 1,012,500
	Construction :	\$ 24,150,000	\$ 16,128,338

Project Type:	Cost-share %
Rural Water Supply	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	4.3%	Mobilization	1	LS	1,302,200.00	\$ 1,302,200	75%	\$ 976,650
2	0.0%	Bonding	1	LS	-	\$ -	75%	\$ -
3	0.0%	Insurance	1	LS	-	\$ -	75%	\$ -
4	23.9%	Process Equipment	1	LS	7,270,954.00	\$ 7,270,954	75%	\$ 5,453,216
5	23.5%	Electrical	1	LS	7,171,537.00	\$ 7,171,537	75%	\$ 5,378,653
6	19.7%	Concrete	1	LS	6,000,615.00	\$ 6,000,615	75%	\$ 4,500,461
7	1.2%	Masonry	1	LS	377,995.00	\$ 377,995	75%	\$ 283,496
8	4.5%	Metals	1	LS	1,376,836.00	\$ 1,376,836	75%	\$ 1,032,627
9	0.3%	Wood, Plastics and Composites	1	LS	85,908.00	\$ 85,908	75%	\$ 64,431
10	3.3%	Thermal and Moisture Protection	1	LS	1,006,397.00	\$ 1,006,397	75%	\$ 754,798
11	0.9%	Openings	1	LS	265,742.00	\$ 265,742	75%	\$ 199,307
12	3.3%	Finishes	1	LS	997,994.00	\$ 997,994	75%	\$ 748,496
13	0.0%	Specialties	1	LS	12,600.00	\$ 12,600	75%	\$ 9,450
14	0.4%	Fire Suppression	1	LS	117,040.00	\$ 117,040	75%	\$ 87,780
15	0.9%	Plumbing	1	LS	286,360.00	\$ 286,360	75%	\$ 214,770
16	1.3%	HVAC	1	LS	397,704.00	\$ 397,704	75%	\$ 298,278
17	1.2%	Earthwork	1	LS	354,912.00	\$ 354,912	75%	\$ 266,184
18	1.1%	Exterior Improvements	1	LS	321,409.00	\$ 321,409	75%	\$ 241,057
19	1.1%	Instrumentation and Controls	1	LS	350,000.00	\$ 350,000	75%	\$ 262,500
20	0.0%					\$ -	75%	\$ -
21	0.0%					\$ -	75%	\$ -
22	0.0%					\$ -	75%	\$ -
23	0.0%					\$ -	75%	\$ -
24	0.0%					\$ -	75%	\$ -
25	0.0%					\$ -	75%	\$ -
26	0.0%					\$ -	75%	\$ -
		Construction Sub-Total				\$ 27,696,203	75%	\$ 20,772,152
		Contingency				\$ 2,769,620	75%	\$ 2,077,215
	89.6%	Construction Total				\$ 30,465,823	75%	\$ 22,849,367
Preconstruction Costs								
27	5.7%	Final Design - WTP	1	LS	1,750,000.00	\$ 1,750,000	75%	\$ 1,312,500
28	0.2%	Bidding / Negotiations - WTP	1	LS	50,000.00	\$ 50,000	75%	\$ 37,500
29	0.0%					\$ -	75%	\$ -
30	0.0%					\$ -	75%	\$ -
31	0.0%					\$ -	75%	\$ -
	5.3%	Preconstruction Total				\$ 1,800,000	75%	\$ 1,350,000
Construction Engineering Costs								
32	5.7%	Project Inspection - WTP	1	LS	1,734,177.00	\$ 1,734,177	75%	\$ 1,300,633
33	0.0%		0			\$ -	75%	\$ -
34	0.0%					\$ -	75%	\$ -
35	0.0%					\$ -	75%	\$ -
36	0.0%					\$ -	75%	\$ -
	5.1%	Construction Engineering Total				\$ 1,734,177	75%	\$ 1,300,633
Other Eligible Costs								
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%	Other Eligible Total				\$ -	75%	\$ -
In-eligible Costs								
42	0.0%		0			\$ -	0%	\$ -
43	0.0%		0			\$ -	0%	\$ -
44	0.0%		0			\$ -	0%	\$ -
45	0.0%		0			\$ -	0%	\$ -
	0.0%	Other Ineligible Total				\$ -	0%	\$ -
100.0%		Total				\$ 34,000,000		
		Eligible Total				\$ 34,000,000	75%	\$ 25,500,000
Federal or State Funds That Supplant Costs								
						\$ 11,145,550		
		Eligible Cost Total				\$ 22,854,450	75%	\$ 17,140,838

* 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: East Central Regional Water District
Project Title: ECRWD: Hillsboro Area WTP Expansion

Date: November 5, 2024

Explanation of Alternatives:

Hillsboro Area WTP Expansion Page/Galesburg Aquifer (Preferred) - 1000 GPM (Firm capacity) Iron/Manganese RO WTP Expansion
 Hillsboro Area WTP Expansion Hillsboro Aquifer Expansion – 1000 GPM (Firm capacity) Iron/Manganese RO, Blower/Detention Basin WTP Expansion
 Purchase 2000 GPM From Fargo - 20-inch HDPE pipeline from City of Fargo to Hillsboro WTP. Build a pump station near the City of Fargo.
 Do Nothing - No additional capacity for services

Inputs:

New Connections Served	1
Future Connections Served	1
Current Connections Served	3618
Net Connections (New + Current)	3619

Current CIF Balance	
Annual CIF Contribution	
Cash Funding Target (Percentage %) New Assets	
Cash Funding Target (Percentage %) Existing Assets	
Annual CIF Contribution suggested for the Project	

Preconstruction

	Expansion Page/Galesburg Aquifer (Preferred)	Hillsboro Area WTP Expansion Hillsboro Aquifer Expansion	Purchase 2000 GPM From Fargo	Do Nothing
Construction Cost	\$34,000,000	\$34,906,900	\$55,137,500	\$0
Annual O & M	\$650,000	\$812,500	\$975,000	\$0

Details:

--

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Hillsboro Area WTP Expansion Page/Galesburg Aquifer	Hillsboro Area WTP Expansion Hillsboro Aquifer Expansion	Purchase 2000 GPM From Fargo	Do Nothing
Capital Costs	\$32,660,000	\$33,531,000	\$54,400,000	\$0
O&M	\$15,536,000	\$19,414,000	\$25,123,000	\$0
Repair, Rehab, Replacement	\$15,540,000	\$16,256,000	\$6,355,000	\$0
Salvage Value	\$2,731,000	\$2,789,000	\$794,000	\$0
Total PVC	\$61,005,000	\$66,412,000	\$85,084,000	\$0
PV Cost Per User	\$16,857	\$18,351	\$23,510	\$0

Current Water Rate (Cost Per 5000g)	\$102			
Comparable Water Rate	\$47			
Net Connections (New + Current)	3,619	3,619	3,619	3,619
Cost-Share Percent	75%	75%	75%	75%
Local Share	\$8,165,000	\$8,382,750	\$13,600,000	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$8,165,000	\$8,382,750	\$13,600,000	\$0
Payment Per User With Cost-Share	\$11.41	\$11.72	\$19.01	\$0.00
Local Share	\$32,660,000	\$33,531,000	\$54,400,000	\$0
Other Funding	\$0	\$0	\$0	\$0
Total Local	\$32,660,000	\$33,531,000	\$54,400,000	\$0
Payment Per User Without Cost-Share	\$45.65	\$46.87	\$76.04	\$0.00

Explanation of Results:

The sponsor preferred project is the "Hillsboro Area WTP Expansion Page/Galesburg Aquifer" option. The present value cost of the preferred alternative is \$61,005,000 and the presented alternative for comparison is "Hillsboro Area WTP Expansion Hillsboro Aquifer Expansion" at a present value cost of \$66,412,000. The present value cost per user for the preferred alternative is \$16,857. The monthly user cost of the local share with DWR 75% cost-share participation is \$11.41 per month and \$45.65 without DWR participation.

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.

October 16, 2024

Andrea Travnicek, Ph.D
Secretary, State Water Commission
1200 Memorial Highway
Bismarck ND 58504

Re: East Central Regional Water District – Hillsboro Area Expansion

Dear Director Travnicek:

ECRWD is applying for a North Dakota State Water Commission (ND SWC) Cost Share application for preconstruction dollars for the Hillsboro Area WTP Supply and Treatment Expansion Project. The project will include design, bidding, easement acquisition, BAIA creation and environmental for wells, raw water transmission, WTP expansion, concentrate disposal and distribution pipelines. This is a very important project for ECRWD and we look forward to collaborating with the ND SWC to get this complete.

Thank you for your continued cooperation regarding the above referenced project. If you have any questions, please feel free to contact me at (701) 599-2963.

Sincerely,



Neil Breidenbach
East Central Regional Water District System Manager

c: Geoff Slick, Project Manager

East Central Regional Water District
Special Board Meeting – October 15, 2024
Conference Call Meeting

Attendance

Kory Sondreal – President	Present
Michael Anderson – Vice President	Present
Mike Elliott	Present
Jim Schmaltz	Present
Jeremy Cunningham	Present
Travis Hegg	Present
Jason Lovas	Absent
Neil Breidenbach – Manager	Present


President Kory Sondreal called the meeting to order at 7:00 PM.

Travis Hegg made a motion for ECRWD to submit a preconstruction application to the SWC for design, bidding, archaeological, easement assistance and BAIA for the Hillsboro Area Project, which includes supply, raw water transmission, WTP expansion, concentrate pipeline, and distribution pipeline to Herberg Dairy. Jeremy Cunningham seconded the motion. Motion carried.

Jim Schmaltz made a motion to adjourn. The meeting adjourned at 7:07 PM.

Recording Secretary,
Neil Breidenbach

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – Turtle Mountain Band of Chippewa
 Highway 3 Corridor Improvements Phase I
DATE: November 25, 2024

Background & Description

The Turtle Mountain Band of Chippewa is requesting construction cost-share for their Highway 3 Corridor Improvements (Project). The Project is expansion of services to add 7 users at the International Peace Gardens and US Customs Border Station and an additional 25 residential users. The Project includes installation of approximately 12 miles of new water main along US Highway 3, ND Highway 43, 104th Street NE, and 10th Street NE and a new booster station. The sponsor anticipates receiving grant funding through USDA Rural Development Native American Set-Aside program to offset costs of the Project. The Project is located in Rolette County.

Supplemental Information

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	40 / 350 / 1,200
Present Value Cost / User (Preferred Alternative)	\$8,127
Rate / 5,000-Gallons	\$26.50
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Shell Valley Aquifer, TMPUC	

Schedule

Task	Dates
Study	Mar. 2024
Design	Oct. 2024
Bid	Dec. 3, 2024
Construction	Apr. 2025
Completion	Aug. 2026

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$1,119,271	\$1,119,271		
USDA-RD grant	\$0	\$2,880,729	\$2,880,729	USDA-RD Set-Aside Grant	
Eligible Cost	\$0	\$4,150,401	\$4,150,401		
Total	\$0	\$8,150,401	\$8,150,401		
Cost-Share 75%	\$0	\$3,112,801	\$3,112,801		\$3,112,801

This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from Turtle Mountain Band of Chippewa for state cost-share participation in the Highway 3 Corridor Improvements Phase I project at 75 percent of eligible costs, not to exceed \$3,112,801. This approval is contingent on available funding.

AT:jsp:ln/2050TUR

1084241 - Highway 3 Corridor Improvements - Copy

Application Details

Funding Opportunity: 1084196-October 2024 - June 2025 Infrastructure Request	Initial Submit Date: Oct 25, 2024 8:35 AM
Funding Opportunity Due Date: Jun 30, 2025 3:00 PM	Initially Submitted By: Daniel Heitzman
Program Area: Funding for Infrastructure in ND - FIND	Last Submit Date: Nov 4, 2024 8:18 AM
Status: Under Review	Last Submitted By: Daniel Heitzman
Stage: Final Application	

Contact Information

Primary Contact Information

Active User*:	Yes
Type:	External User
Name:	Mr. Daniel Dean <small>Salutation First Name Middle Name</small>
Last Name:	Heitzman
Title:	Project Manager
Email*:	dheitzman@houstoneng.com
Address*:	807 Browning Ave Bismarck North Dakota City State/Province
Postal Code/Zip:	58503

Organization Information

Status*:	Approved
Name*:	Turtle Mountain Band of Chippewa
Organization Type*:	Tribal Government
Tax Id:	EIN #45-0223071
Organization Website:	https://tmchippewa.com
Address*:	Box 900 Belcourt North Dakota City State/Province
Postal Code/Zip:	58316-____
Phone*:	(701) 477-2647 Ext. ###-###-####

Phone*: (701) 391-5046 Ext.
Phone
###-###-####

Fax: (701) 477-0916
###-###-####

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

Vendor ID: 0000002055

Comments:

**PeopleSoft
Supplier ID:**

Comments:

Location Code: ALL

Infrastructure Funding Request

Infrastructure Funding Request

**Project, Program, or Study
Name*:** Highway 3 Corridor Improvements

Sponsor(s)*: Turtle Mountain Public Utilities Commission

County*: Rolette

City*: Belcourt

Description of Request*: New

If Study, What Type:

If Project/Program, What Type: Rural Water Supply

Jurisdictions/Stakeholders

Involved*:

Turtle Mountain Band Of Chippewa
Turtle Mountain Public Utilities
Rolette County
International Peace Gardens
US Customs and Border Protection
USDA Rural Development

Describe the Problem*:

Currently, there is no water transmission or distribution infrastructure in most of the service area covered by Phase I. There are 32 new connections (25 residential and 7 at the International Peace Gardens) immediately along the proposed pipeline corridor that have stated they want service. These residences currently do not have access to water service other than a recently completed filling station near Lake Upsilon.

In addition to the identified 32 connections who will receive direct benefits from this proposed project, there are another approximately 200 potential water users that could be served with the completion of 1 or 2 more water transmission projects of equal size to this project. Approximately, another 145 potential water users have been identified in the Long Lake, Pelican Lake and Hellick Lake area 7 miles from the extents of this project. Approximately 30 homes are located within 6 miles of the water main by moving west to the Rolette County Line on County Road 1

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

Install roughly 12 miles of new water transmission pipeline along US Highway 3, ND Hwy 43, 104th St. NE, and 10th St. NE and 1" HDPE service line to the individual residences. Provide 6" distribution line and individual master meters for the US Border Station and International Peace Gardens. Install a Ground Reservoir and Booster Pump Station on Tribal Trust land near the intersection of Hwy 43 and 36th Ave NE to provide adequate pressure for existing and future water users in the NE quadrant of the Turtle Mountain Water System.

For this project,

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

**What is the Current Estimated
Population?***: 12292

For this project,

**What is the Benefited
Population?***: 1500

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

**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?***: Yes

**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.:**

Typically the county roads are left in better condition than what they were prior to the project. Added gravel surfacing, culvert replacement, and ditch grading improvements will come from local share of project funding.

**Have You Applied For Any
Federal Permits?***: No

**Have You Applied for any State
Permits?***: Yes

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

DOT crossing permits.

Have You Been Approved for any State Permits?: Yes

If Yes or Ongoing, Please Explain

(include type/number):

DOT crossing permits

Have You Applied for any Local Permits?*:: Yes

If Yes or Ongoing, Please Explain

(include type/number):

Rolette County permits to occupy R/W

Have You Been Approved For Any Local Permits?: Yes

If Yes or Ongoing, Please Explain

(include type/number):

Rolette County permits to occupy R/W

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? * Yes

(Example: Hazard Mitigation Grant Program)

*:

Explain the Source, Timing and Amount of Federal Funds:

Anticipate \$4,000,000 funding from USDA Rural Development in FY 25.

Federal Funding Contact: Christy Wiltse
First Name Last Name

Federal Funding Contact Number: 701-852-1754

Federal Funding Email: christy.wiltse@usda.gov

Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

Study Completion*: March 2024
Design Completion*: October 2024
Bid*: November 27, 2024
Construction Start*: April 15, 2024
Construction Completion*: August 1, 2026

Explain Additional Timeline Issues*:

No expected timeline issues

Consulting Engineer*: Dan Heitzman
Engineer Telephone Number*: 701-751-6272
Engineer Email*: dheitzman@houstoneng.com

Certification (Must Be Completed by Project Sponsor)

Submitted by*: Kenneth Azure 10/23/2024
First Name Last Name Date

Address*: PO Box 490
Address Line 1
Address Line 2
Belcourt North Dakota 58316-0000
City State Zip Code

Telephone Number*: 701-477-6159

Sponsor Email*: puckenny@utma.com

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.*: Yes

Authorized Individual*: Kenneth Azure 10/23/2024
First Name Last Name Date

Title/Position/Authority*: Executive Director/ Contracting Officer

Documentation

Documentation

Project in Extraterritorial Jurisdiction? If Yes, Add Boundary to Project Specific Map.*: Yes

CLICK HERE to see examples.

Project Specific Map 1-14 ROW Map 1.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

Attach Minutes (Can Be Draft and Unsigned), and a 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.).

Minutes: TMBC cover letter.pdf

Cover Letter: 1_14_Board_approval.pdf

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: sfn_61801_delineation_of_cost 3.xlsx

Type of Request: Construction

Signed Plans and Specifications For Bidding: 1-14_project_manual.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 6.xlsx

CLICK HERE for **SFN 62417 Basic Asset Inventory Tool and Current Version.**

Asset Inventory Assessment: sfn_62417_basic_asset_inventory_tool 5.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: HWY 3 Ph. I PER Revised Final.pdf

Photos of Problem/Issue:

GIS Files: Please Compress All Files Into One .zip File.

Other Applicable Document(s): Yes

Other Applicable Document: IHS_support_letter_TM HWY 3 WM Ext.pdf

Other Applicable Document: IPG - letter of intent.pdf

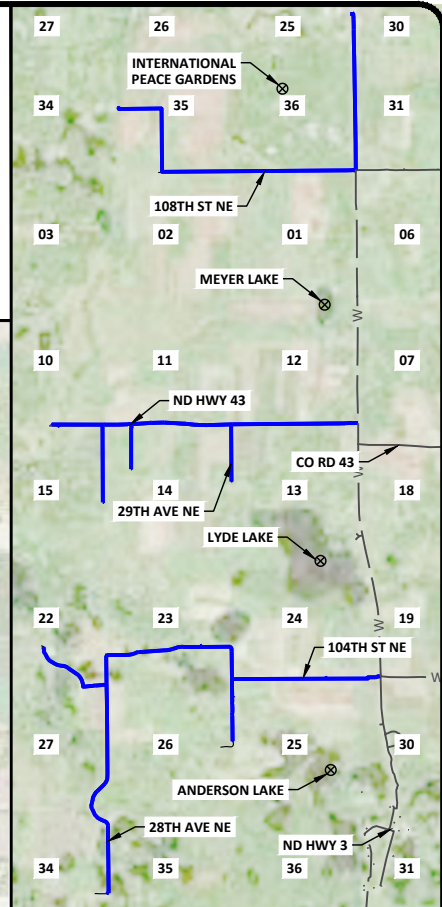
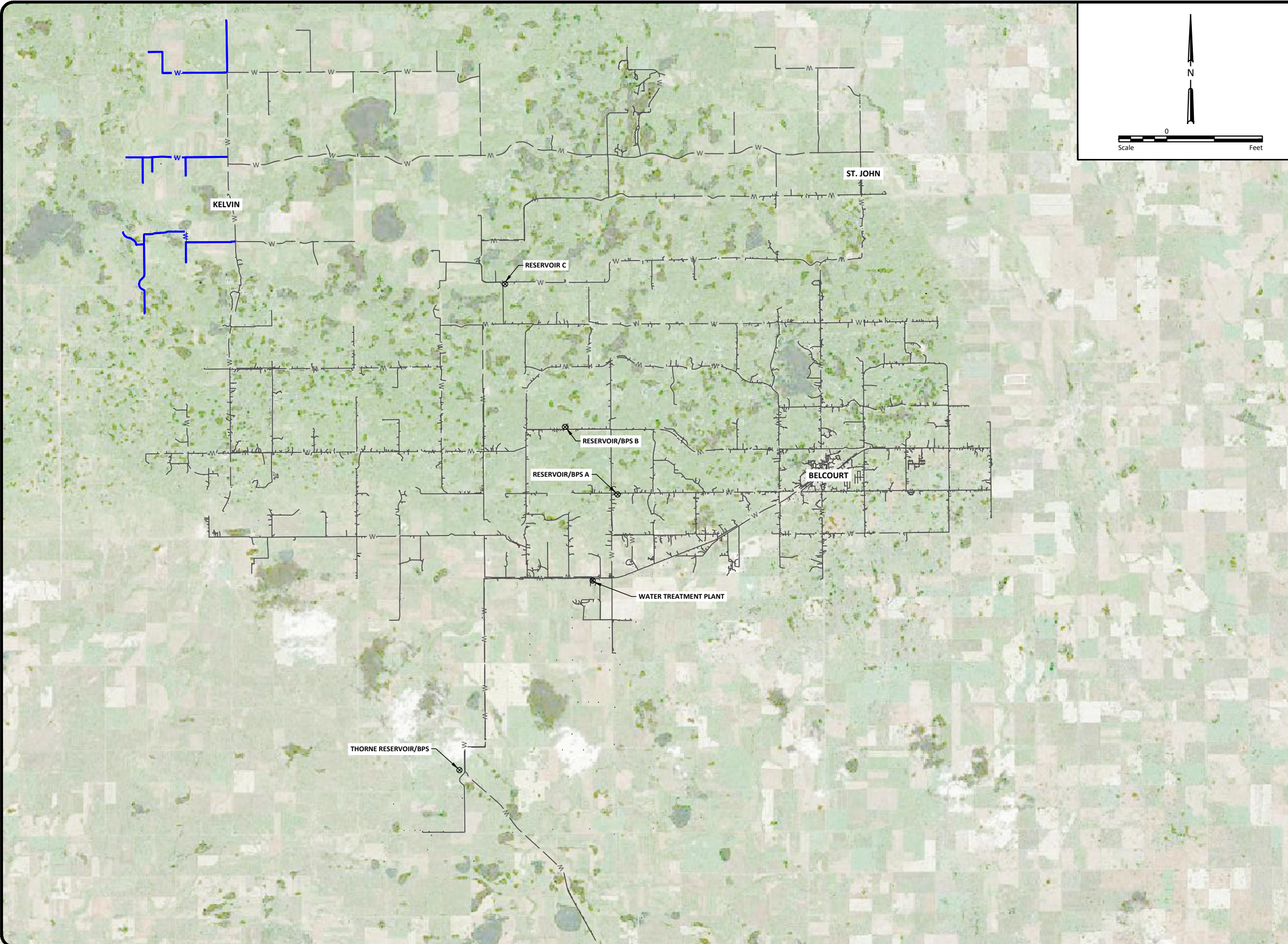
Other Applicable Document: UPOE_letter of intent.docx.pdf

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 Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Other	USDA Rural Development	Already Approved	\$2,000,000.00	\$2,000,000.00	\$0.00	\$4,000,000.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$1,000,000.00	\$2,112,800.00	\$0.00	\$3,112,800.00	Grant	0.00	0.00
Other	Local (TMBC)	Future Request	\$0.00	\$1,037,601.00	\$0.00	\$1,037,601.00	Grant	0.00	0.00

\$3,000,000.00 \$5,150,401.00 \$0.00 \$8,150,401.00



H:\JBN\4300\4340_0064 Highway 3\CAD\Phase 1 Kelvin Area\Plans\Rural water system map.dwg-1-4/11/2024 2:56 PM-(jmitzel)

No.	Revision	Date	By

FIGURE 1-2 TMBC WATER SYSTEM



Drawn by CC, TP	Date 3-5-2024
Checked by CC, DH	Scale AS SHOWN

WATER SYSTEM IMPROVEMENTS - HIGHWAY 3 CORRIDOR PHASE I
 TURTLE MOUNTAIN BAND OF CHIPPEWA
 ROLETTE COUNTY, NORTH DAKOTA

PROJECT NO. 4340-0064



DELINEATION OF COSTS
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES
 PLANNING AND EDUCATION
 SPN 61801 (4/2024)

DWR Date Received :

Project:	Water System Improvements - Hwy 3 Corridor Phase I
Sponsor:	Turtle Mountain Public Utilities Commission
Contact:	Kenneth J. Azure
Phone:	701-278-0554
Engineer:	Dan Heitzman, Houston Engineering Inc.
Phone:	701-751-6272

Total Cost :	\$ 8,150,401	Date:	June 6, 2024
Ineligible Cost :	\$ 4,000,000		
Eligible Cost :	\$ 4,150,401	Cost-Share \$	\$ 3,112,800
Local Cost :	\$ 5,037,601	Preconstruction :	\$ -
		Construction :	\$ 5,273,348

Project Type:	Cost-share %
Rural Water Supply	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
Construction Costs								
1	9.1%	Mobilization	1	LS	640,000.00	\$ 640,000	75%	\$ 480,000
2	1.0%	Bonding	1	LS	67,599.00	\$ 67,599	75%	\$ 50,699
3	1.0%	Insurance	1	LS	67,600.00	\$ 67,600	75%	\$ 50,700
4	18.1%	Water Main 6 in	38583	LF	33.00	\$ 1,273,239	75%	\$ 954,929
5	5.0%	Water Main 4 in	13686	LF	25.50	\$ 348,993	75%	\$ 261,745
6	2.3%	Water Main 2 in	7379	LF	22.00	\$ 162,338	75%	\$ 121,754
7	0.7%	Water Service Line	2000	LF	25.00	\$ 50,000	75%	\$ 37,500
8	2.6%	Boring - Cased	1	LS	185,700.00	\$ 185,700	75%	\$ 139,275
9	14.9%	Boring - Non-Cased	1	LS	1,050,618.75	\$ 1,050,619	75%	\$ 787,964
10	0.8%	Gate Valve	1	LS	54,600.00	\$ 54,600	75%	\$ 40,950
11	4.3%	Connections	1	LS	300,050.00	\$ 300,050	75%	\$ 225,038
12	6.2%	Pipeline Appurtenances	1	LS	436,199.00	\$ 436,199	75%	\$ 327,149
13	0.9%	Site Work	1	LS	60,000.00	\$ 60,000	75%	\$ 45,000
14	21.3%	Pump Station	1	LS	1,500,000.00	\$ 1,500,000	75%	\$ 1,125,000
15	1.8%	Meter - Master	2	EA	65,000.00	\$ 130,000	75%	\$ 97,500
16	0.9%	Seeding	1	LS	65,000.00	\$ 65,000	75%	\$ 48,750
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%	\$ -
		Construction Sub-Total				\$ 6,391,937	75%	\$ 4,793,953
	10.0%	Contingency				\$ 639,194	75%	\$ 479,395
	86.3%	Construction Total				\$ 7,031,130	75%	\$ 5,273,348
Preconstruction Costs								
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%	Preconstruction Total				\$ -	75%	\$ -
Construction Engineering Costs								
32	0.0%		0		-	\$ -	75%	\$ -
33	0.0%		0		-	\$ -	75%	\$ -
34	0.0%		0		-	\$ -	75%	\$ -
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	0.0%	Construction Engineering Total				\$ -	75%	\$ -
Other Eligible Costs								
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%	Other Eligible Total				\$ -	75%	\$ -
In-eligible Costs								
42	3.8%	Administrative	1	LS	307,271.00	\$ 307,271	0%	\$ -
43	3.1%	Legal/Cultural/ROW	1	LS	250,000.00	\$ 250,000	0%	\$ -
44	6.9%	Engineering/CMS	1	LS	562,000.00	\$ 562,000	0%	\$ -
45	0.0%					\$ -	0%	\$ -
	13.7%	Other Ineligible Total				\$ 1,119,271	0%	\$ -
100.0%		Total				\$ 8,150,401		
		Eligible Total				\$ 7,031,130	75%	\$ 5,273,348
Federal or State Funds That Supplant Costs								
						\$ 2,880,729		
		Eligible Cost Total				\$ 4,150,401	75%	\$ 3,112,801

* 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: Rolette County
Project Title: Turtle Mountain Band of Chippewa (TMBC) Water System Improvements - Highway 3 Corridor Phase I

Date: November 4, 2024

Explanation of Alternatives:

Transmission Main to Kelvin Area (Preferred) - Install transmission and distribution lines to unserved areas. Install service lines to unserved residences and businesses. Install required booster pump station needed to increase deficient pressures in an existing distribution line along 108th Street NE and the new line to feed the International Peace Gardens
Transmission Main to Peace Gardens - Install distribution line to the International Peace Gardens and install a required booster pump station needed to increase deficient pressures in an existing distribution line along 108th Street NE and the new line to feed the Peace Gardens
Do Nothing - Do Nothing

Inputs:

Table with 2 columns: Input Category and Value. Includes New Connections Served (40), Future Connections Served (350), Current Connections Served (1200), Net Connections (New + Current) (1240).

Table with 2 columns: Input Category and Value. Includes Current CIF Balance (\$257,000), Annual CIF Contribution (\$25,000), Cash Funding Target (Percentage %) New Assets (20%), Cash Funding Target (Percentage %) Existing Assets (50%), Annual CIF Contribution suggested for the Project (\$45,274).

Table comparing alternatives: Transmission Main to all of Kelvin Area (Preferred), Transmission Main to Peace Gardens, Do Nothing, and Name of Alternative 4. Columns include Construction Cost and Annual O & M.

Details:

Empty rectangular box for details.

LCCA Model Results:

Scenario Analysis - Present Value Life Cycle Cost Summary

Summary table with 5 columns: Category, Kelvin Area, Peace Gardens, Do Nothing, and Name of Alternative 4. Rows include Present Value, Capital Costs, O&M, Repair, Rehab, Replacement, Salvage Value, Total PVC, and PV Cost Per User.

Table showing water rates and cost-share participation. Includes Current Water Rate (\$27), Comparable Water Rate (\$76), Net Connections (1,240), Cost-Share Percent (75%), and breakdown of State Share, Federal Funding, and Total Local.

Value above do not represent eligible and non-eligible cost participation

Explanation of Results:

The sponsor preferred project is the "Transmission Main to Kelvin Area" option. The present value cost of the preferred alternative is \$10,078,000 and \$5,370,000 for the "Transmission Main to Peace Gardens" alternative for comparison. The present value cost per user for the preferred alternative is \$8,127. The monthly user cost of the local share with DWR 75% cost-share participation is \$5.26 per month and \$21.05 without DWR participation.

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.



Public Utilities Commission

P.O. BOX 490 - BELCOURT, NORTH DAKOTA 58316 - OFFICE 477-6159 -FAX 477-8292

October 14, 2024

Andrea Travnicek, Ph.D.
Director - Department of Water Resources
1200 Memorial Highway
Bismarck, ND 58505-0850

Subject: Highway 3 Corridor Phase 1 Cost Share

Dear Andrea,

This memorandum is written on behalf of the Turtle Mountain Public Utilities Commission (TMPUC) for the completion of their Cost Share application to the ND Department of Water Resources (DWR) for “Highway 3 Corridor Phase 1” watermain expansion project. The purpose of this letter is to acknowledge TMPUC’s intent to request funds from the Cost Share program and to discuss the health and sanitary issues that this project will address.

The project addressed in the corresponding Environmental Report consists of extending the TMBC rural water system north and west from where the Highway 43 Phase III project ended. The project includes the installation of 6”, 4”, & 2” watermain, a booster station with underground reservoir, electrical work, 4” meter vaults, 1” water service lines, appurtenances, and system interconnections to the existing water system.

The current water pipeline in the area north of Highway 43 and along 108th Street NE has a well-documented history of water pressure issues, with system pressure routinely falling below 15 psi. Potential for system contamination is created whenever the pressure in the distribution system drops below atmospheric pressure. These conditions occur daily during normal use times on this part of the distribution system and are attributed to the high elevation of the area and the issue of the TMBC Rural Water excessive demand on smaller service lines within the system during daily high use periods.

There are 32 proposed new tribal and non-tribal single family residences and 7 commercial customers including the International Peace Gardens and US Customs Border Station in the project area west of and along Highway 3 that either have low quality wells or cisterns. There are potentially 200+ additional unserved residences to the west that could be served with 1 or 2 more projects. The quality of the individual wells in this area is low with secondary standards of iron, manganese, and total dissolved solids commonly over the recommended limit. In addition, there are wells in this area that violate the primary drinking water standard in terms of arsenic, selenium, and barium. None of the individual wells proposed to be replaced under this project have been tested.

Providing an appropriate level of service for the TMBC water system customers, in addition to expanding the system to stabilize water costs for all existing and future customers, has been a stated goal of TM Public Utilities. Correcting the low-pressure areas within this area and expanding the system for new customers would be another example of TMPUC utilizing an opportunity to increase the quality of service for its existing customers and reducing the cost of maintenance. TMPUC appreciates the ongoing support from the DWR and looks forward to collaborating with them on this critical infrastructure project.

Sincerely,

Turtle Mountain Public Utilities Commission

A handwritten signature in black ink, appearing to read "Kenneth Azure". The signature is written in a cursive style with a large initial "K".

Kenneth J. Azure
Executive Director, Contracting Officer



Jan. 19, 2024

IPG Letter of Intent for Joining Tribal Water

Dan,

The International Peace Garden would like to be considered for addition to the Turtle Mountain Tribal Water System.

This addition, cost-allowing, will better serve the IPG residents, staff and visitors, and other water users on our system including US Customs, Canadian Customs, both Duty Free shops, North American Game Warden Museum and International Music Camp.

The Garden currently treats water from its own wells but the system is very worn and difficult to maintain due to its age.

Sincerely,



Tim Chapman, CEO

American Office
10939 Hwy 281
Dunseith, ND 58329-9445
1-701-263-4390

www.peacegarden.com
Toll Free: 1-888-432-6733
FAX: 1-701-263-3169

Canadian Office
P.O. Box 419
Boissevain, MB R0K 0E0
1-204-534-2510



U.S. General Services Administration

October 3, 2023


Turtle Mountain Public Utilities Commission
1001 Chief Little Shell St.
Belcourt, ND 58316

Dear Turtle Mountain Public Utilities Commission,

This is a request by the United States General Services Administration, Region 8 (GSA), that the Turtle Mountain Public Utility Commission (TMPUC) consider supplying water to the United States Land Port of Entry (LPOE) located at 10947 Highway 281 Dunseith, ND and the United States Land Port of Entry located at 10935 ND-30 Saint John, ND. GSA is interested in exploring the TMPUC rural district water system as a source of its water supply for these two Land Ports of Entry.

Thank you for your consideration and please let me know about the next steps. Do not hesitate to contact me at James.Richards@gsa.gov or 303-236-0423 if you require any further information or clarification.

Sincerely,

DocuSigned by:

7479BC935270464...

Public Buildings Service
Rocky Mountain Region
Acquisition Division (8PQ)
P.O. Box 25546
Building 41
Denver Federal Center
Denver, CO 80225-0546
www.gov.gov/r8
Revised 5/9/2016

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Public Health Service

Indian Health Service
Mobridge Field Office
1921 West Grand Crossing
P.O. Box 159
Mobridge, SD 57601

March 22, 2024

Our Reference: Turtle Mountain Highway 3 Water Main Extension

Kenneth J. Azure, Executive Director / Contracting Officer
Turtle Mountain Public Utilities Commission
P.O. Box 490
Belcourt, ND 58316

M. Azure:

Based off a pressure analysis provided to me and review of your water system, there are several homes that are experiencing low pressure issues in the areas west of Highway 3 and north of Highway 43. Two of the homes analyzed drop below atmospheric pressure which creates a potential for a vacuum that could suck contaminants in from the outside. Also, in this area are several homes that are currently served by cistern systems. IHS has been committed to eliminating cisterns due to the hardships they present. With cisterns, there is a probability of contamination during the hauling and filling process of the cisterns. In addition, keeping up with cisterns during the winter months presents a hardship itself. It is recommended to correct the low-pressure issues and try and eliminate the cistern systems in this area. A proposed project to provide a booster and expand the Turtle Mountain Rural Water System to new homes west of Highway 3 and north of Highway 43 would correct these deficiencies noted.

If you have any questions, feel free to contact me at (605) 845-7254.

Sincerely,

Cody Wolff, P.E.
Project Engineer
Indian Health Service

Agenda
7/29/24
5:00 PM
TMPUC Conference Room

A.) GENERAL BUSINESS:

- 1.) Call to Order:
- 2.) Opening Prayer:
- 3.) Roll Call:
- 4.) Agenda Approval:
- 5.) Approval of Minutes:

B.) NEW BUSINESS:

- A.) Finance Report (General, MOA and USBOR)/ June 2024:
- B.) Bank statement Review (General, MOA and USBOR)/June 2024:
- C.) Board approval Contract 4-4 Belcourt S&W Phase VI (Areas 9-12):
- D.) Board approval Contract 1-14 Highway 3 Corridor Phase 1 (Kelvin Area):
- E.) Board approval Contract 1-15 Highway 3 Corridor Phase 2(HWY 3 and BIA 8):
- F.) Board approval Contract 1-16 TM Operational improvements PH1-Misc Imps:
- G.) Board approval Contract 1-17 TM Operational improvements PH2 (BIA 3/5/6):
- H.) Board approval Contract 1-18 Raw water Replacement -AI FY 24:
- I.) Board approval Contract 1-19 Highway 5 Water replacement (Betty's to Belcourt):
- J.) Board approval Contract 1-20 Reservoir C East Water Main Replacement:
- K.) Board approval Contract 1-21 Reservoir C West Water Main Replacement:

C.) OLD BUSINESS:

REPORTS:

I.H.S/Updates:

Houston Engineer:

Executive Director:

Board:

D.) ADJOURNMENT:

7/29/24
5:00 p.m.
TMPUC Conference Room

Call to order: Patrick "Terry" Baker called to order the meeting at 5:00 p.m.

Opening Prayer: Kenneth Azure led the Lord's Prayer.

Roll Call: Peter Allard, Wally DeCoteau Sr., Martin Trottier, Travis Davis(on the phone), and Patrick "Terry" Baker.

Approval of Agenda: **Martin Trottier made a motion to approve the agenda, seconded by Wallace DeCoteau Sr.** Votes taken all in favor.

Approval of the Minutes: **Martin Trottier made a motion to approve the minutes for the Regular Meeting 6/17/24/24, seconded by Wallace DeCoteau Sr.** Votes taken all in favor.

New Business:

Finance Report (General, MOA and USBOR) June 2024: **Peter Allard made the motion to approve the Finance Report for June 2024, seconded by Martin Trottier.** Votes taken all in favor.

Bank Statement Review (General, MOA and USBOR) June 2024: **Peter Allard made the motion to approve the Bank Statement Review for June 2024, seconded by Martin Trottier.** Votes taken all in favor.

Board approval Contract 4-4 Belcourt S&W Phase VI (Areas 9-12): **Wallace DeCoteau Sr. made the motion to approve the Contract 4-4 Belcourt S&W Phase VI (Areas 9-12), seconded by Travis Davis.** Votes taken all in favor.

Board approval Contract 1-14 Highway 3 Corridor Phase 1 (Kelvin Area): **Wallace DeCoteau Sr. made the motion to approve the Contract 1-14 Highway 3 Corridor Phase 1 (Kelvin Area), seconded by Travis Davis.** Votes taken all in favor.

Board approval Contract 1-15 Highway 3 Corridor Phase 2(HWY 3 and BIA 8): **Wallace DeCoteau Sr. made the motion to approve the Contract 1-15 Highway 3 Corridor Phase 2(HWY 3 and BIA 8), seconded by Travis Davis.** Votes taken all in favor.

Board approval Contract 1-16 TM Operational improvements PH1-Misc Imps: **Wallace DeCoteau Sr. made the motion to approve the Contract 1-16 TM Operational improvements PH1-Misc Imps, seconded by Travis Davis.** Votes taken all in favor.

Board approval Contract 1-17 TM Operational improvements PH2 (BIA 3/5/6): **Wallace DeCoteau Sr. made the motion to approve the Contract 1-17 TM Operational improvements PH2 (BIA 3/5/6), seconded by Travis Davis.** Votes taken all in favor.

Board approval Contract 1-18 Raw water Replacement -AI FY 24: **Wallace DeCoteau Sr. made the motion to approve the Contract 1-18 Raw water Replacement -AI FY 24, seconded by Travis Davis. Votes taken all in favor.**

Board approval Contract 1-19 Highway 5 Water replacement (Betty's to Belcourt) **Wallace DeCoteau Sr. made the motion to approve the Contract 1-19 Highway 5 Water replacement (Betty's to Belcourt), seconded by Travis Davis. Votes taken all in favor.**

Board approval Contract 1-20 Reservoir C East Water Main Replacement: **Wallace DeCoteau Sr. made the motion to approve the Contract 1-20 Reservoir C East Water Main Replacement, seconded by Travis Davis. Votes taken all in favor.**

Board approval Contract 1-21 Reservoir C West Water Main Replacement: **Wallace DeCoteau Sr. made the motion to approve the Contract 1-21 Reservoir C West Water Main Replacement, seconded by Travis Davis. Votes taken all in favor.**

The board presented Shauna LaVallie a star quit for all her accomplishments working at TMPUC.

Old Business:

Reports

I.H.S./Updates: Not Present

Houston Engineer: Not Present

Executive Director: Up-Date projects

Board:

Adjournment: **Wallace DeCoteau Sr. made the motion to adjourn, seconded by Martin Trottier. Votes taken all in favor. The meeting was adjourned at 5:30 p.m.**



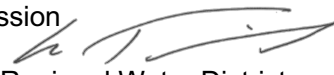
Patrick "Terry" Baker Chairman or Peter Allard



Shauna LaVallie/Office Manager

NORTH
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MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: State Water Supply – South Central Regional Water District
University of Mary Service Area Water Storage Change of Scope
DATE: November 27, 2024

Background & Description

South Central Regional Water District has requested a change of scope concerning preconstruction cost-share previously approved by the Commission. On April 11, 2024, the Commission approved funding at 75% of eligible costs not to exceed \$367,500 for the University of Mary Service Area Water Storage and Transmission Line project. The project includes a pump station, a 250,000-gallon elevated storage tank, and approximately 6,800 feet of water mains.

The District has since been notified by the Federal Aviation Administration that the proposed tower location and height constitute a hazard to air navigation. Therefore, in lieu of the approved project, the District now requests approval to reallocate the portion of cost-share identified for the elevated storage tank toward an underground storage reservoir of the same volume with an associated booster station. All remaining project elements would remain unchanged and there are no identified concerns with the proposal. The cost of this change of scope will not exceed the amount of previously approved cost-share.

Supplemental Information

Water Development Plan/Priority	None
New/Future/Current Service Users	0 / 100 / 171
Present Value Cost / User (Preferred Alternative)	\$41,008
Rate / 5,000-Gallons	\$74.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Missouri River	

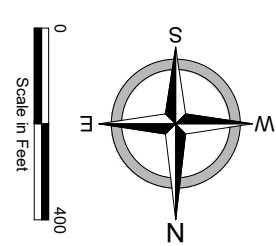
Schedule

Task	Dates
Study	Jan. 2023
Design	SWC Approval Dependent
Construction	Apr. 2025
Completion	Aug. 2026

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved April 11, 2024
Noneligible Costs	\$0	\$12,500	\$12,500	
Eligible Costs	\$490,000	\$6,062,725	\$6,552,725	
Total	\$490,000	\$6,075,225	\$6,565,225	
Cost-Share 75%	\$367,500	\$4,547,044	\$4,914,544	\$367,500

AT:jsp/2050SOU



PRELIMINARY




UNDERGROUND
 SOUTH CENTRAL REGIONAL WATER DISTRICT
 UNIVERSITY OF MARY SERVICE AREA WATER STORAGE RESERVOIR AND WATER MAIN
 BISMARCK, NORTH DAKOTA
SHEET INDEX

DATE:	9.9.24
REV DATE:	---
REV NUM:	---
RECORD:	---
PROJECT No:	23520
MANAGER:	AJT
DESIGNER:	MFG/MSD
DRAFTER:	MSG
REVIEWER:	TLK

C-401

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: Devils Lake Update

DATE: November 18, 2024

Devils Lake Water Surface Elevation

The Devils Lake water surface elevation as of November 15, 2024 is 1449.3 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 latest 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 September 26, 2024, noted that there is a 50% chance that Devils Lake will fall below 1449.6 feet from September 23, 2024 through December 29, 2024. The current lake level is already below 1449.6 ft due to precipitation falling short of the forecasts.

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 6th and was shut down for winterization on October 22nd. The Devils Lake East End Outlet (East Outlet) operation for the 2024 discharge season was started on May 14th and was shut down for winterization on October 18th. The operation of the outlets has been adjusted multiple times from May through October to meet the downstream water quantity and quality requirements as shown in Figure 2.

For the year of 2024, the total discharge volume from the West Outlet was 68,328 acre-feet, and the total discharge volume from the East Outlet was 44,751 acre-feet. The combined total discharge from both outlets was 113,079 acre-feet, which is the highest combined discharge rate since 2019. The total discharge volume from the outlets since it began operation is 1,589,683 ac-ft. DWR remains committed to operating the Devils Lake Outlets and will discharge as much water as possible within the operating constraints.

Engineering Services for the Devils Lake Outlets Operation

For the year of 2024, several projects have been completed for maintaining the continued operations of the West Outlet and East Outlet.

- (1) The Capital Improvement Plan for the West Outlet was completed in April, which has been used as a guide to prioritize future projects at the West Outlet.
- (2) New flow meters at the West Outlet were installed in September to accurately measure the discharge rates.
- (3) The permanent backfill around the East Outlet pipe leakage area and the surrounding electrical repair work is expected to be completed in November.
- (4) Preventative maintenance of switchgears at both outlets which aims to identify and repair potential issues to ensure a smooth operation in the future was completed in November. A comprehensive engineering report including findings, test data, and recommendations is expected soon from the contractor.

There are several ongoing projects for both outlets, which include:

- (1) Onsite inspection of all pumps at both outlets was completed in October. The inspection report is currently under review.
- (2) Investigation of the overflow issue at the Josephine tank is complete and the revised hydraulic analysis report was submitted to DWR in November 2024,. The report includes possible causes and recommendations for mitigating the overflow issue. The report is currently under review, and the possible cause identified in the report is being further investigated in the field.
- (3) East Outlet pump intake area sedimentation removal around pump 1, a 75 cfs pump, was originally scheduled to be completed in November 2024. This will bring the East Outlet back to its full pumping capacity of 350 cfs. The project has been postponed due to the weather and will resume when conditions are suitable.
- (4) Engineering assistance in evaluating the pump priming system at the Round Lake pump station and determining options for replacement or improvement.

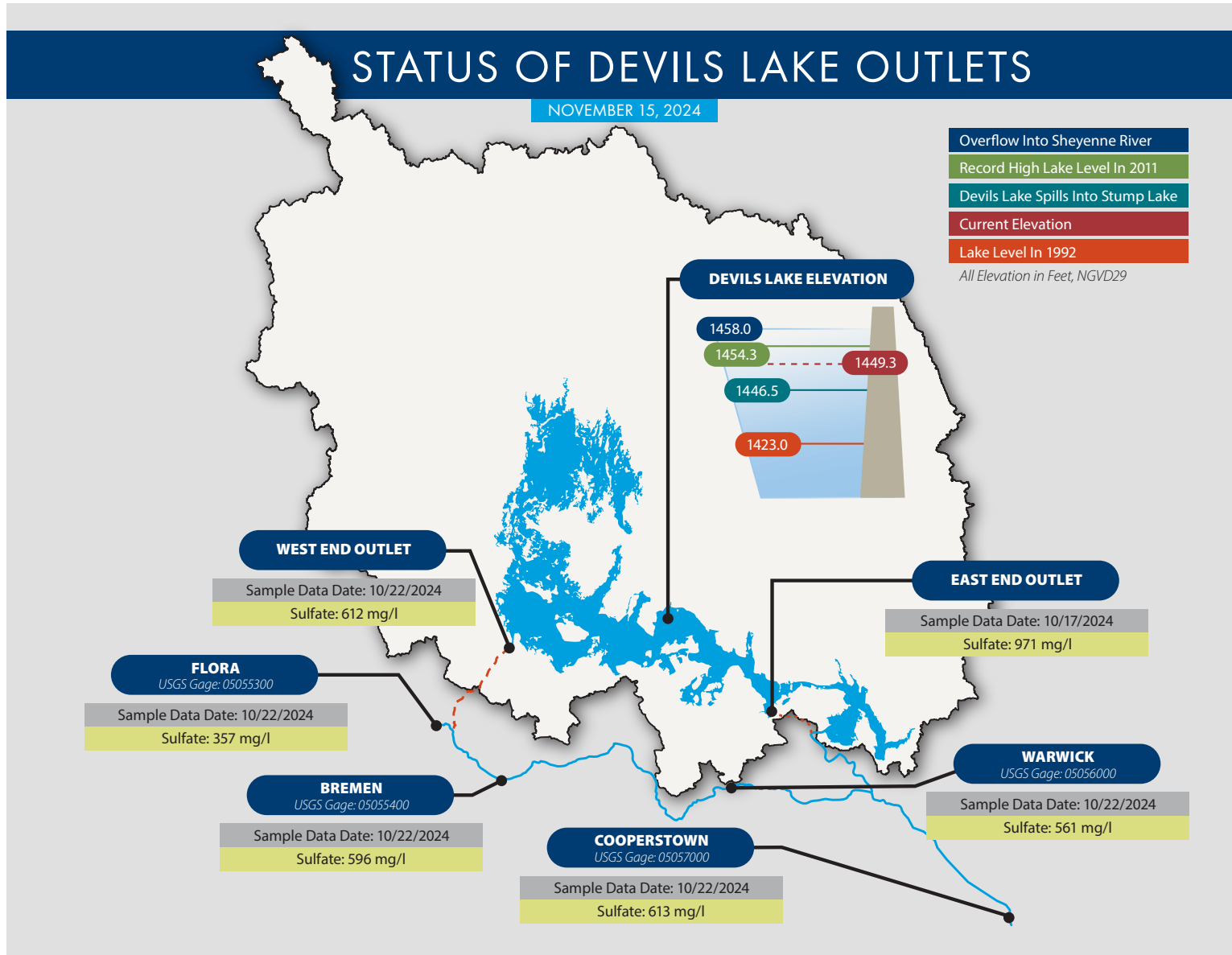


Figure 1: Status of Devils Lake and Downstream Conditions

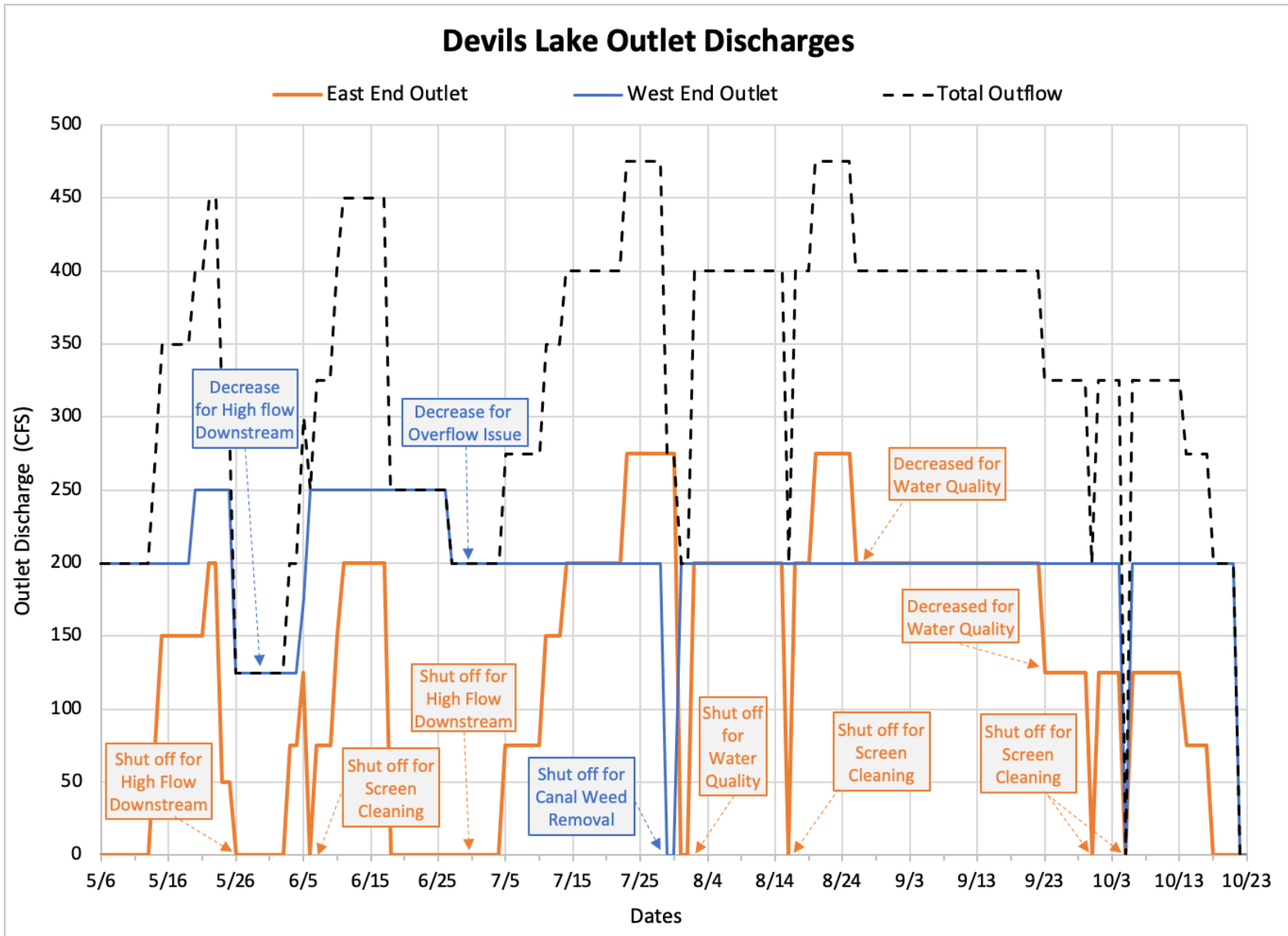



Figure 2: Devils Lake Outlet Operations from May 6, 2024 to October 23, 2024

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: Mouse River Update
DATE: November 19, 2024

Hydrologic Conditions and Reservoir Status

Streamflow of the Souris (Mouse) River in North Dakota continued to decline through the fall and early winter, but remains normal for this time of year according to the United States Geological Survey's National Water Dashboard. The U.S. Drought Monitor (as of November 12th) and North American Drought Monitor (as of September 30th) indicate that most (~70%) of the Souris River Basin in Saskatchewan and North Dakota is experiencing drought conditions ranging from abnormally dry to severe.

Boundary, Rafferty, and Grant Devine Reservoirs are 3.7 feet, 0.7 feet, and 0.5 feet, respectively, below their February 1st Normal Drawdown Levels. Inflows and outflows at these three reservoirs are zero.

Once releases from Grant Devine Dam were terminated (around October 15th), flows at the Sherwood Crossing (Saskatchewan-North Dakota border) decreased to approximately 5 cfs. The minimum flow requirement at the Sherwood Crossing is 4 cfs, provided that this flow would have occurred during pre-dam, or natural, conditions. Lake Darling is 0.1 feet below its February 1st Normal Drawdown Level, and there are currently no releases from Lake Darling Dam.

Releases from J. Clark Salyer National Wildlife Refuge to Manitoba are about 50 cfs. The time frame for the 20 cfs minimum flow requirement ended on October 31st, however, releases have remained above the minimum due to continued moderately elevated inflows to the refuge from the uncontrolled drainage area downstream of Lake Darling.

Reservoir status as of November 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.

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 and International Joint Commission (IJC) are still engaged in communications regarding the recommendation. Based on progress, 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, U.S. Fish & Wildlife Service, 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 Maintenance Curtailment

WSA plans to repair the underdrainage system for the spillway at Rafferty Dam during the August to December 2025 time frame, if conditions allow. It is estimated that the spillway will be inoperable for about 4 to 6 weeks while construction is occurring.

DWR staff has reviewed and commented on WSA's Advanced Notification Document, WSA's water management plan for the maintenance curtailment period, and their consultant's risk assessment. DWR's letter dated October 31, 2024, included comments regarding interpretation of certain aspects of the 1989 international agreement, urging additional drawdown of Rafferty Reservoir to an elevation just below the crest of the spillway as recommended in the risk assessment completed by WSA's consultant, required communication during the maintenance curtailment, and development of Reservoir Regulation Manuals for Rafferty and Grant Devine Dams.

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.

Mouse River Update Memo

Page 3 of 4

November 19, 2024

At their regular November meeting, the SRJB received updates on the construction for the Northeast Tieback Levee (MI-5), which is estimated to be about 88% complete, with substantial completion expected in July 2025. Construction activities started in October for the Eastwood Park/Downtown Minot segment (MI-6) and the Roosevelt Park and Zoo segment (MI-7).

At a special meeting in November, the SRJB approved a Request for Qualification (RFQ) for an Agency Construction Manager for the replacement of Mouse River Park Bridge. The RFQ was also authorized to be advertised. The SRJB is pursuing this alternate procurement method after previous unsuccessful attempts at attracting bidders for this project.

More information about the MREFPP can be accessed at the following link: <https://www.mouseriverplan.com/>.

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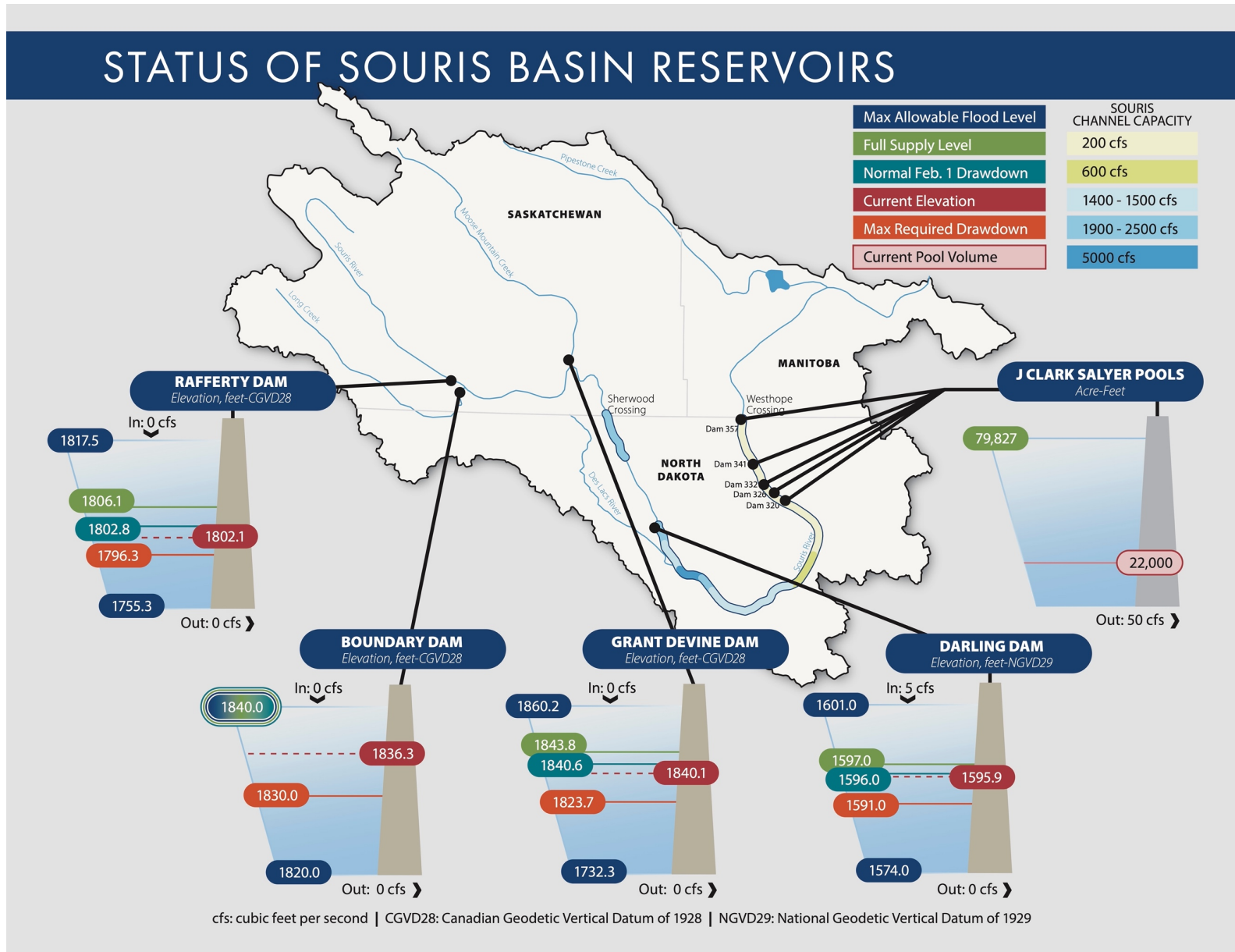



Figure 1: November 18, 2024 Reservoir Status in the Souris River Basin

MEMORANDUM

TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: Missouri River Update
DATE: November 18, 2024

System/Reservoir Status

Table 1 shows that Fort Peck Lake and Lake Oahe’s elevations are approximately 4 feet below their averages for this time of year. Lake Sakakawea’s elevation is approximately 2 feet above its average for this time of year. The U.S. Army Corps of Engineers (USACE) is in the process of lowering 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 16.3 million acre feet (MAF) of flood control storage is available in the system, plus an additional 5 MAF.

Table 1. Current and historical reservoir elevations and total system storage.

	Reservoir Elevation (feet msl)			Total System Storage (MAF) ⁽¹⁾
	Fort Peck	Lake Sakakawea	Lake Oahe	
November 18, 2024	2,226.8	1,837.1	1,596.7	50.8
One-Year Ago	2,229.1	1,840.1	1,598.8	52.7
	November 31st Reservoir Statistics (period of record: 1967-2023)			
Average	2,230.1	1,835.5	1,600.9	53.4
Record High [year]	2,245.3 [1975]	1,846.7 [1972]	1,615.9 [1997]	61.3 [1975]
Record Low [year]	2,199.8 [2004]	1,808.9 [2006]	1,573.6 [2006]	34.6 [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 conditions have worsened in the Missouri River basin since the last State Water Commission update. Drought has intensified across much of North Dakota within the Missouri River basin. Figure 2 shows that drought conditions are expected to persist throughout the northern plains of the Missouri River basin over the 2024-2025 winter.

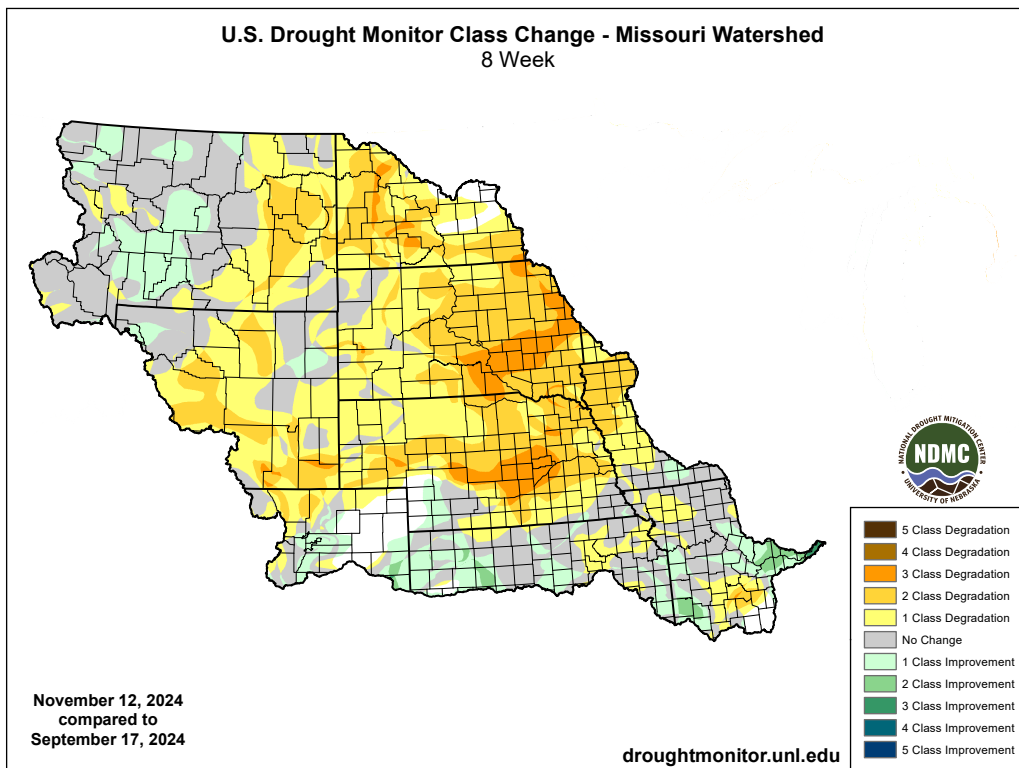


Figure 1. Change in drought conditions in the Missouri River basin from September 17th to November 12th, 2024. Graphic is courtesy of the National Drought Mitigation Center.

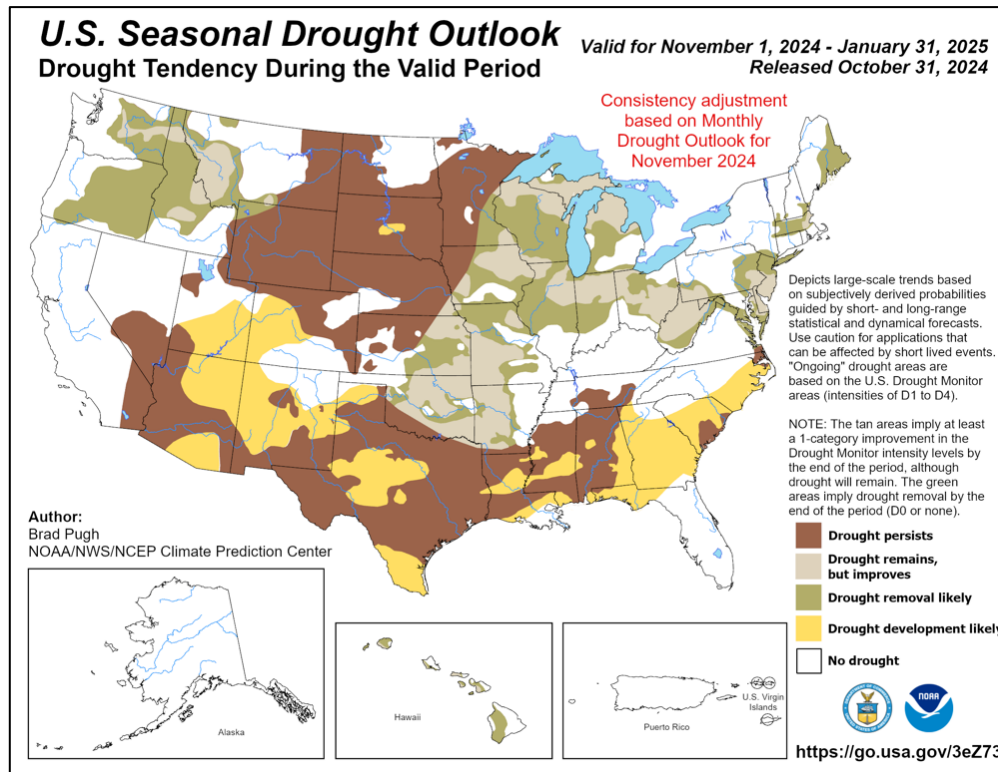


Figure 2. Drought outlook for the 2024-2025 winter. Graphic is courtesy of the National Weather Service's Climate Prediction Center.

Observed runoff for the Missouri River above Sioux City, IA, in October 2024 was 0.5 MAF, the 2nd lowest on record. USACE forecasts that total 2024 runoff for the Missouri River System above Sioux City, IA will be 23.0 MAF, 90% of average. The average annual runoff for the Missouri River basin above Sioux City, IA, is 25.7 MAF. Runoff in 2025 will depend on several factors including basin precipitation and soil moisture. Basin soils are currently dry and will remain that way unless there is precipitation prior to basin soils freezing for the winter or after soils thaw. The National Oceanic and Atmospheric Administration forecasts that La Niña conditions will likely develop between October and December 2024. La Niña conditions can lead to above average mountain snowpack in the northern Rockies, potentially leading to increased runoff in 2025.

Lake Sakakawea currently has an elevation of 1,837.1 ft msl, inflows of 11,000 cfs, and outflows of 14,000 cfs. Lake Sakakawea's elevation is forecasted to decline to about 1,830 ft msl by March 2025 due to evaporation and winter releases for hydropower generation. USACE will set Garrison Dam releases between 16,000-18,000 cfs in the coming weeks so that water levels through Bismarck-Mandan do not exceed 13 feet upon freeze-in of the river. USACE will then increase Garrison releases through the winter once the river ice has stabilized.

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 considered two structural repair options in the preliminary design: a cut-off wall and seepage berms. DWR staff met with USACE on October 23rd to discuss the progress on preliminary design of the structural repair alternatives. The alternatives have now been advanced to a 35% design. However, USACE informed the DWR that they plan to conclude the DSMS process in early 2025 and that their preferred alternative is still the operational measure that could draw down Lake Audubon and impact congressionally authorized uses of the GDU. DWR wrote a letter to USACE in November 2024 highlighting again the performance deficiencies of the Embankment due to USACE design and construction flaws, the need to choose a structural repair for the Embankment to preserve the authorized purposes of the GDU, and to protect North Dakota water supply projects. USACE noted that they will respond to the DWR's letter and meet again with the DWR and Garrison Diversion Conservancy District later this year.

Missouri River Recovery Implementation Committee Plenary Meeting

DWR staff will attend a Missouri River Recovery Implementation Committee (MRRIC) plenary meeting from December 2nd – 5th in Bellevue, NE. MRRIC will discuss human consideration impacts from USACE's implementation of the Bank Stabilization and Navigation Fish and Wildlife Mitigation Project, receive an update on the status of endangered species on the Missouri River, and learn about other actions USACE has taken to meet their Endangered Species Act obligations.

Status of Missouri River Basin Reservoirs in ND

Figure 3 shows the status of federally operated reservoirs in the Missouri River basin as of November 18th, 2024.

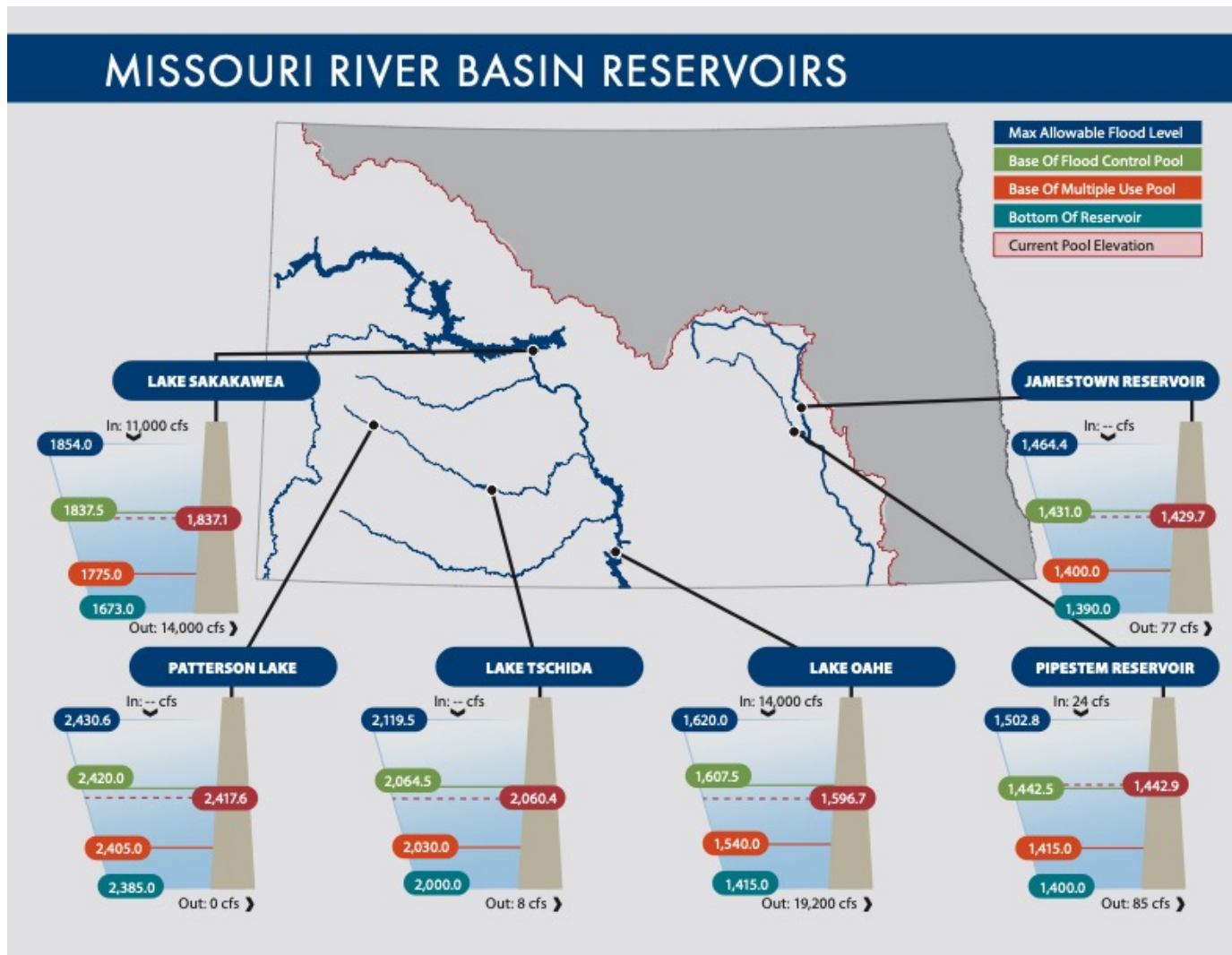



Figure 3. Status of reservoirs in the basin as of November 18th, 2024. Inflows were not available for Patterson Lake, Lake Tschida, and Jamestown Reservoir at the time of data retrieval.

TO: Governor Doug Burgum
Members of the State Water Commission

FROM: Andrea Travnicek, Ph.D., Secretary 

SUBJECT: NAWS – Project Update

DATE: November 25, 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 was not met by any of the equipment procurement contractors. The current expected delivery date for the switchgear and the variable frequency drives, is as late as February 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 Demolition Contract is currently around 99% complete. The current expected completion date for the Demolition Contract is January 7, 2025 based on the most recent schedule shared by the Contractor. A change order based on time and materials for the pipe penetration work on the discharge structure is currently under review for approval pending verification and acceptance of the additional time extension on the contract. A change order for the concrete pad for electrical equipment is included in the Demolition Contract, which will result in the extension of the January 7, 2025 noted above.***

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. ***The most recent updated schedule from the Contractor which was provided on November 21st shows the startup and commissioning of all equipment except the generator on the Construction Contract to occur from June 13th to July 10th and final installation of the backup generator extending to September 4th, 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. ***Discussions are ongoing with PKG Contracting for extending the contract completion dates on both the Demolition and Construction contracts.***

Contract 2-1E

Contract 2-1E includes the discharge pipeline that connects the Snake Creek Pumping Plant to the NAWS raw water transmission pipeline. The scope of work involves construction of approximately 2,100 feet of 36" ductile iron pipe. 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 additional time and cost to the Engineer due to the delay in approvals from the USACE for work start date and due to design changes.*** Their request was reviewed and rejected by the Engineer due to reference to the incorrect articles of the contract documents. ***The contractor submitted a revised request which has been reviewed and approved. Change Order #1, which incorporates the request, has been executed and forwarded on to GDCD and BOR for concurrence. Installation of all pipeline and backfill is complete. The Contractor has demobilized from the site until delivery of the flowmeter, associated components, and fittings needed for installation in the isolation vault. Completion was expected shortly after the flowmeter arrives in late November and can be installed. Contractor had planned on mobilizing to site November 18th to resume work, but that has now been pushed back two weeks to December 2nd due to a delay in the arrival of the flowmeter and the Thanksgiving holiday. Discussions are ongoing with the contractor regarding final completion dates on this contract.***

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 was accepted. DWR had 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 originally submitted on July 12, 2024 to the USACE. USACE deemed the original application incomplete and revised submittal was completed on October 1, 2024. The completeness review of the second submittal was completed by the USACE and it was determined that the application is complete on November 7, 2024.*** USACE had 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 has made the payment and 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. ***Based on that timeline, the permit and the real estate instruments are expected in early May, 2025.***

The overall operations of the Snake Creek Pumping Plant will improve with this design. Reclamation and Garrison Diversion Conservancy District (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 were held regarding potential cost share participation from the USACE. Current discussions indicate USACE does not have funding to provide cost share participation for this project.***

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 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 pumped 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 was sent to the contractor regarding this issue. ***The Contractor's proposed fix for remedying the defect has been reviewed and accepted, and the Contractor is proceeding with the repair.*** 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. ***The General Contract's Substantial Completion Date is extended to December 2, 2024 via Change Order 6. The most recent schedule received from the Contractor notes achieving Substantial Completion by January 31, 2025. Change Order #7 which extends the builder's risk insurance has been processed. Change Orders #5, #6 and #7 have been sent to GDCD and BOR for concurrence.*** Total estimated project cost is \$64 million.

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
General	7	\$ 1,233,300.92	\$ 39,060,500.92	3.3%
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%

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 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 South Prairie Reservoir and Hydraulic Control Structure have achieved final completion and the DWR is awaiting final O&M manuals for the facility in order to issue final payment and grant final acceptance.* Total estimated project cost is \$16.7 million.

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 drafted a proposal to reroute the damaged conduits above ground and provided a cost. That proposal was accepted and has been incorporated into a Change Order which is currently under review. Two additional warranty items have been identified which include: a leak in a roof drain pipe which has been repaired and a pipe break on a facility water line on November 7th that flooded the sludge pump bay, submerging the pumps and associated components. The Contractor has removed and refurbished the affected pump motors and is working to repair and restore any other affected components.* Estimated total project cost is \$34 million. Ten change orders totaling \$3,230,395.75 have been added to this contract 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. 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. Total project cost is estimated at \$12.8 million.

The reservoir is substantially complete. Work on the booster pump station is progressing and pump station is approximately 80% complete. A proposal has been received to add a propane leak sensor, a tank level sensor, and telemetry so tank levels can be monitored remotely by SCADA.

Photo: Bottineau Reservoir in November, 2024



NAWS – Project Update

Page 6 of 6

November 25, 2024

SA 98 Construction of NAWS Pressure Reducing Station and Isolation Vault Improvements:

We have received the contract documents from the contractor. Contract documents have been executed and the Notice to Proceed has been issued.

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 has started including the credit in the monthly reimbursement request to City of Minot.***

AT:TGJ/237-4

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TO: Governor Doug Burgum
 Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary 
SUBJECT: SWPP – Project Update
DATE: November 27, 2024

Updates from last Commission meeting memo are shown in bold italics.

Contract 1-2A Supplementary Raw Water Intake:

Updates on expenditures will be provided through separate agenda item. Department of Water Resources (DWR) staff was successful in purchasing the 177-acre parcel near the Supplementary Raw Water Intake location through public auction. The intent of the land purchase is to facilitate successful completion of the intake project. Updates from the mediation session held November 13th and 14th 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.

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's contract amount from 150 gallons per minute (gpm) to 225 gpm as well as a second point of connection, DWR staff 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.

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.

At the October 2024 SWC meeting, moving forward with developing bid ready documents for the design with the next nominal pipe size above identified needs with 25 percent additional capacity design was approved. Since the October meeting, BW/AECOM was requested to provide a phasing analysis for completing construction of the West Zone capacity expansion. This is a necessary step to determine the implementation plan for building out the infrastructure needed in the West Zone with budget constraints. While the 2023-2025 budget included \$17.6 million for West Zone expansion, the preliminary cost estimate of the design selected for developing bid ready documents is \$40.4 million resulting in a \$23 million shortfall. The phasing analysis will help prioritize projects based on budget availability.

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 returned a decision memo and an amendment to previously issued permit to cover the parallel piping planned for construction on USFS lands. The amendment to the permit was issued based on preliminary pipeline alignments. USFS has been notified of the plan approved by the SWC at the October SWC meeting. When pipeline alignments are finalized USFS will issue another amendment to the permit.*

Prong 2 -Strategic Hydraulic Improvements:

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.

SWPP – Project Update

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November 27, 2024

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	5	\$ 204,745.84	\$ 5,309,256.34	4.0%

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 2024 SWC meeting that approved proceeding with final design of the hydraulic improvement project in the north New England Service Area, a Specific Authorization (SA) for completing the bid ready documents for this project has been executed with BW/AECOM.

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 October 2024, in the Burt-Hebron service area there are 763 signups with 276 around Lake Tschida and 487 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. A map showing the different sub areas is attached. 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.

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 next step in design is to move forward with developing bid ready documents for the expansion in the Hebron Rural area. The Hebron Rural area was determined to be the most feasible and also fits within the budgeted amount for this biennium.***

In order to move forward with developing bid ready documents, the SWA established the December 31, 2024 as the final design cutoff date for Hebron Rural area. To inform the public about the final design cutoff date and to make progress in the final design, SWA scheduled three public meetings during the week of November 4th. One was at Lake Tschida and the other two were at Hebron. The purpose of the meetings was to provide basic project information of the project, to express the importance of timely signups in order to guide the final design, and to answer questions. The meetings were very well attended with over 100

people between the three meetings. SWA received eighteen additional signups in the two weeks after the public meetings and many more signup packets were requested for potential customer's consideration.

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.

SWA has requested reimbursement from the REM funds and the remaining of approved SFRF funds. A separate memo is included in this agenda packet for the REM reimbursement request which includes request for this project.

Assessment and evaluation of metallic pipeline to determine the extent of MIC is continuing. Evaluation includes exploratory excavation to confirm presence or absence of MIC at locations where MIC are suspected to be likely. SWA hired BEK to conduct these exploratory excavations at ten locations, about ten miles southwest of Dodge, during the weeks of October 28th and November 4th. The excavation revealed MIC consistent with what has been observed before. With this information, SWA in coordination with DWR staff will develop another metallic pipe replacement project.

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.

The bid documents for the construction contracts for expansion were advertised starting in early October. Bids for the project were opened on November 19th. A separate memo discussing bid results and recommendation to award is included.

SWPP – Project Update

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November 27, 2024

Existing Intake Capacity Expansion:

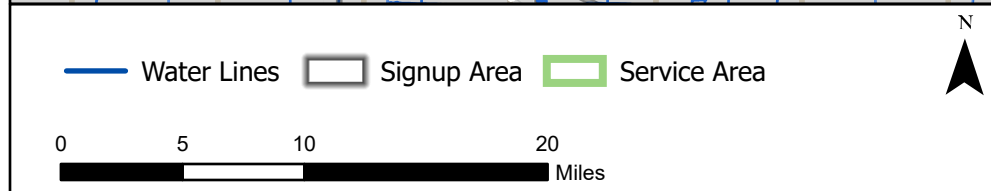
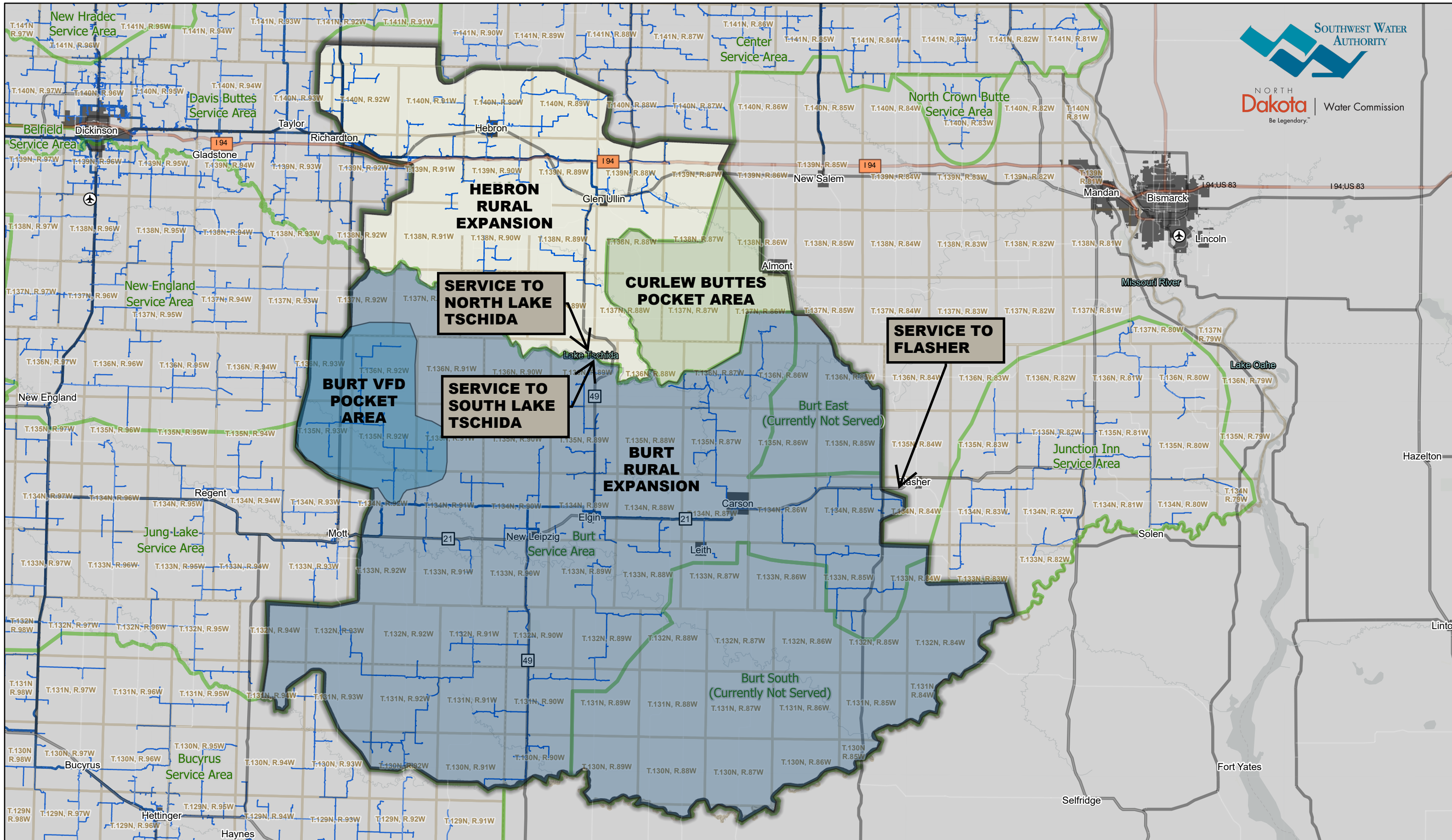
Following the SWC approval of an amendment to the water service agreement with Basin Electric Power Cooperative (Basin) that increased intake capacity allocation from the Basin intake, DWR staff has been working on developing an SA with BW/AECOM for completing the bid ready documents to achieve the increased intake capacity.

Red Trail Energy Water Service Contract:

Red Trail Energy, LLC has an executed raw water service agreement for 480 gallons per minute capacity from SWPP. DWR and SWA were notified of the asset purchase agreement whereby Red Trail Energy, LLC has agreed to sell its assets including the water service agreement to RTE, Gevo, Inc., Richardton CCS LLC, and Net-Zero Richardton, LLC. The transaction is expected to be closed in the first quarter of 2025. Red Trail Energy, LLC has requested consent to the transaction and assignment of the Agreement to Net-Zero Richardton, LLC. An amendment to the water service agreement to memorialize the assignment is under development and will be executed by the Secretary after language is approved by Red Trail Energy, LLC and SWA.

AT:JF:/1736-99

Attachment



Southwest Pipeline Project

BURT, HEBRON EXPANSION

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: November 29, 2024 (for December 12, 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. **The parties filed additional briefing after oral arguments were held. The Trial has been postponed to January 29-31.**

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.

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: November 29, 2024 (for December 12, 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: Case was dismissed without prejudice.

Case: Wagner Construction, Inc. and HDDS, LLC v. NDSWC (05-2024-CV-00143)
Date Filed: October 17, 2024
Court: North Dakota State District Court, Bottineau County
Judge: Judge Benson
Attorney: John Markert, Matthew Sagsveen
**Opposing
Counsel:** Matthew Collins (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 SWC answered the Complaint on November 6. No additional actions have been taken as of the date of this memo.

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. **No additional updates.**

MHA Litigation – The Dept. of Interior has issued a new M-opinion (its 4th) 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. MHA filed a Motion for Judgment on the Pleadings as to its Crossclaim against the State (10/17/2024). The State’s response is due on December 2.**


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. No additional updates.**

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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: November 27, 2024

This memo includes the project history, summary of claim related expenses, projection of claim related expenses through January 2025, 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
October of 2024	\$40,000
Total	\$ 2,710,000

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 January 2025 are included in Table 2 and Table 3. With about \$2.57 million expended to date (Table 2) and with the projection of needing an additional \$0.099 million through January (Table 3), no additional funds are projected to be required.

Table 2: Expenses paid or invoiced to date related to the claim

Firm/Company	Claim Related Expenses included in October Memo	October through November Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 594,319.46	\$ 37,519.90
Bennett Trenchless Engineers, LLP	\$ 209,172.85	
Dr. Richard Finno	\$ 100,184.38	
Woods Aitken LLP	\$ 33,444.11	\$ 5,250.97
Braun Intertec (Geotechnical Program)	\$ 730,565.07	
BW/AECOM	\$ 728,867.10	\$ 13,243.36
Dakota Appraisal Ltd	\$ 17,500.00	
Spectrum Forensics, LLC	\$ 75,000.00	
Stress Engineering	\$ 22,077.40	
	\$ 2,511,130.37	\$ 56,000.00
Total paid to date (rounded to nearest \$1,000)		\$ 2,567,000.00

Table 3: Additional estimated expenses through end of January 2025

Firm/Company	Projected Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 70,000
Bennet Trenchess Engineers	\$ -
Dr.Finno	\$ -
Woods Aitken LLP	\$ 13,745
Braun Intertec	\$ -
BW/AECOM	\$ 15,000
Spectrum Forensincs	\$ -
Estimated additional expenses through January of 2025	\$ 98,745

Expenses Invoiced/paid	\$	2,567,000.00
Total estimated through January of 2025	\$	2,665,745.00
Prior Authorization	\$	2,710,000.00
Additional authorization requested		0

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	\$	25,585,738.00
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	**
Total		\$ 21,530,018.87		

*Total Payments prior to First Microtunneling failure

**Total Payments prior to HDD Failure

Table 6: SWPP Contract 1-2A Total Costs Summary

Description	Dates of Expenditure	Amount Spent to Date
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	\$2,567,000
Total		\$27,733,000

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