

**State Water Commission Meeting**  
**#238 Lewis and Clark Room, Bank of North Dakota**  
**1200 Memorial Hwy., Bismarck, ND**  
**Thursday, February 13, 2025 – 1:00 p.m. CT**

**Microsoft Teams**

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**AGENDA**

- 1:00 – 1:01     A. Roll Call/Pledge of Allegiance
- 1:01 – 1:04     B. **Confirmation of ND Department of Water Resources Director**
- 1:04 – 1:05     C. **Consideration of Agenda**
- 1:05 – 1:07     D. Disclosure of Potential Conflicts of Interest (**Matt Sagsveen**)(**no attachment**)
- 1:07 – 1:10     E. Consideration of Minutes
  - 1. **Draft Minutes for the December 13, 2024, SWC Meeting**
  - 2. **Draft Minutes for the January 23, 2025, Pre-Commission Meeting**
- 1:10 – 1:15     F. Financials (**Chris Kadrmas**)
- 1:15 – 1:20     G. SWC Secretary Update (**no attachment**)
- 1:20 – 1:30     H. **Petition to adjust WRB boundaries under NDCC § 61-16-06.1 - Bottineau County Water Resource District and the Oak Creek Water Resource District** (**Pat Fridgen**)
- 1:30 – 1:35     I. Drainage Cost-Share Increase Request (**Pat Fridgen**)
- 1:35 – 1:45     J. Southwest Pipeline Project (SWPP) (**Justin Froseth**)
  - 1. **Replacement of Capital Projects Policy Approval**

**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 Haase recommends approval of the following items:

- |             |  |  |                         |
|-------------|--|--|-------------------------|
| 1:45 – 1:50 | K. Flood Control ( <b>Abigail Franklund</b> )                  |  |                         |
|             | 1. <b>City of Grand Forks</b>                                  | <b>South End Interior Flood Planning-Ph. 2</b> | <b>\$179,062     CI</b> |
|             | L. Water Supply (Municipal/Regional) ( <b>Julie Prescott</b> ) |  |                         |
|             | 1. <b>City of Bowman</b>                                       | <b>New Water Storage Reservoir</b>             | <b>\$132,000     PC</b> |
|             | 2. <b>City of Medora</b>                                       | <b>New Water Storage</b>                       | <b>\$63,000     PC</b>  |
|             | M. Water Supply (Rural) ( <b>Julie Prescott</b> )              |  |                         |
|             | 1. <b>All Seasons WUD</b>                                      | <b>Bottineau County Expansion</b>              | <b>\$180,000     PC</b> |
|             | 2. <b>South Central RWD</b>                                    | <b>Service to Napoleon</b>                     | <b>\$289,500     PC</b> |

**AGENDA**

1:50 – 1:55	N. General Water (Abigail Franklund)				
	<b>1. Logan County</b>	<b>Irrigation District Feasibility Study</b>	<b>\$150,000</b>	<b>PC</b>	
1:55 – 2:10	O. Water Supply (Municipal/Regional) (Julie Prescott)				
	<b>1. City of Beach</b>	<b>Street and Utility Improvements</b>	<b>\$3,160,110</b>	<b>C</b>	
	<b>2. City of New Town</b>	<b>Utility Improvements Phase 2</b>	<b>\$2,766,523</b>	<b>C</b>	
	<b>3. WAWSA</b>	<b>MCWRD Phase 2 Transmission Line</b>	<b>\$3,343,802</b>	<b>CI</b>	
2:10 – 2:20	P. Water Supply (Rural) (Julie Prescott)				
	<b>1. Ft Berthold Rural Water</b>	<b>4Bears WTP, Intake, and Raw Water Line</b>	<b>\$3,750,000</b>	<b>C</b>	
	<b>2. Greater Ramsey WD</b>	<b>2024 User Expansion</b>	<b><del>\$7,476,752</del></b>	<b>C</b>	
			<b>\$7,183,572</b>		
2:20 – 2:45 (5 min each)	Q. 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)				
2:45 – 2:50	R. Legal Updates (Presentation if time allows) (Matt Sagsveen)				
2:50 – 3:00	S. <b>SWPP – Intake, Contract 1-2A Summary</b> (Justin Froseth)				
3:00 – 3:20	T. Executive Session—NDCC 44-04-19.1(9) for Attorney Consultation (Matt Sagsveen)				
	<b>1. SWPP – Intake, Contract 1-2A</b>				
	U. Adjourn				

**BOLD ITEMS REQUIRE SWC ACTION**

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



## MINUTES

### North Dakota State Water Commission Bismarck, North Dakota December 13, 2024

The ND State Water Commission (Commission or SWC) held a meeting at the Bismarck Hotel and Conference Center, 800 S 3<sup>rd</sup> Street, Bismarck, ND, and via phone conference on December 13, 2024. Lt. Governor Miller called the meeting to order at 9:33 AM. A quorum was present. The board opened the meeting by reciting the Pledge of Allegiance.

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

Governor Doug Burgum  
Lt. Governor Miller, Acting Chairman  
Doug Goehring, Commissioner, ND Agriculture Commissioner  
Michael Anderson, Lower Red River Basin  
Jeff Frith, Devils Lake Basin  
James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins  
Connie Ova, James River Basin (online)  
Jay Volk, Lower Missouri River Basin (online)  
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 Travnicsek, 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 106 people present online and in person.

#### **Consideration of Agenda**

Commissioner Zimmerman moved to approve the December 13, 2024, meeting agenda as presented. The motion was seconded by Commissioner Walker and passed by unanimous vote.

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

Commissioner Anderson moved to approve the October 10, 2024, State Water Commission meeting minutes as written. The motion was seconded by Commissioner Frith and passed by unanimous vote.

Commissioner Frith moved to approve the November 14, 2024, Pre-Commission meeting minutes as written. The motion was seconded by Commissioner Walker and passed by unanimous vote.

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

Commissioner Odermann disclosed a conflict of interest with the Southwest Pipeline Project. Commissioner Anderson disclosed a conflict of interest with the East Central Rural Water District.

### **Governor Burgum's Welcoming Remarks**

Governor Burgum expressed his gratitude for the State Water Commissioners and Ag Commissioner Doug Goehring for all the work they have done and due to North Dakota's strong economy, water projects have been completed in every county across the state making North Dakota ranked number one in the country for their road and water infrastructure. Burgum noted it isn't all about spending, but also reducing the burden on the citizens and the Burgum Administration has done so by providing record tax cuts on real property and income tax. Governor Burgum thanked Lieutenant Governor Miller for doing a fantastic job as both the Chief Operating Officer and chairing the State Water Commission. Governor Burgum also thanked Secretary Travnicek and her team at the Department of Water Resources for being dedicated, knowledgeable, and interacting not just at the local level, but also at the federal and international levels. Due to the team effort and smart financial management, Governor Burgum added the future is bright for the State of North Dakota and bright for the future of water.

### **Certificates of Appreciation**

#### **In Appreciation to Lieutenant Governor Tammy Miller Resolution No. 2024-12-547**

**WHEREAS**, Tammy Miller was sworn in as the 39th Lieutenant Governor of North Dakota on January 3, 2023, and has since demonstrated exemplary leadership and commitment to the state and its people; and

**WHEREAS**, Lieutenant Governor Miller served with distinction as the acting Chair of the North Dakota State Water Commission on behalf of Governor Doug Burgum, taking on vital responsibilities and exhibiting her commitment to public service, professionalism, and problem solving of challenging water management and development issues; and

**WHEREAS**, under her leadership during the 2023-2025 budget cycle, the State Water Commission allocated over \$440 million in funding for critical water supply, flood protection, and general water management projects, advancing the sustainable use and development of North Dakota's water resources for people, agriculture, industry, and the environment; and

**WHEREAS**, her dedication to the water community has reinforced North Dakota's long-standing commitment to the development, maintenance, and sustainability of its water infrastructure, leaving a lasting impact on the state's economic growth, public health, and quality of life; and

**NOW, THEREFORE, BE IT RESOLVED** that on December 13, 2024, we express our profound gratitude and appreciation to Lieutenant Governor Tammy Miller for her exemplary service and leadership while chairing the North Dakota State Water Commission; and

**BE IT FURTHER RESOLVED** that the State Water Commissioners and Department of Water Resources team members wish Lieutenant Governor Miller and her husband Craig the best of health and happiness in the future.

**FOR THE NORTH DAKOTA STATE WATER COMMISSION AND DEPARTMENT OF WATER RESOURCES:**

/s/Andrea Travnicek, Ph.D., Director-Secretary

**In Appreciation to Governor Doug Burgum  
Resolution No. 2024-12-546**

**WHEREAS**, Governor Doug Burgum became the 33rd Governor of North Dakota on December 15, 2016, and since that time has served as Chairman of the North Dakota State Water Commission, demonstrating visionary leadership and unwavering support to advance critical water infrastructure across the state; and  
**WHEREAS**, during Governor Burgum's tenure, the State Water Commission has overseen an extraordinary state commitment of more than \$2.1 billion in state funding for water projects - a testament to North Dakota's dedication to ensuring resiliency for its citizens to water supply shortages and devastating flood impacts; and  
**WHEREAS**, Governor Burgum has been instrumental in securing \$1.1 billion in funding for essential water supply projects, ensuring the delivery of clean and reliable water to communities, rural areas, industries, and agriculture across the state; and  
**WHEREAS**, his leadership has been pivotal in directing over \$1 billion toward comprehensive flood protection and general water management initiatives that improve safety and safeguard lives, property, and economic stability; and  
**WHEREAS**, Governor Burgum was instrumental in efforts to update the Water Commission's Cost-Share Program policies, and was a strong supporter of legislation allowing for state cost-share partnerships with Tribal Nations, as well as modernization of Northwest Area Water Supply and Western Area Water Supply governance models through a more contemporary approach; and  
**NOW, THEREFORE, BE IT RESOLVED** that on December 13, 2024, we express our profound gratitude and appreciation to Governor Doug Burgum for his exemplary service and leadership as Chair of the North Dakota State Water Commission; and  
**BE IT FURTHER RESOLVED** that the State Water Commissioners and Department of Water Resources team members extend our heartfelt gratitude to Doug and Kathryn Burgum for their dedication and service to the people of North Dakota as Governor and First Lady, and we wish them the best of health and happiness in the future.  
**FOR THE NORTH DAKOTA STATE WATER COMMISSION AND DEPARTMENT OF WATER RESOURCES:**

/s/Andrea Travnicek, Ph.D., Director-Secretary

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission approve Resolution No. 2024-12-547 for Lieutenant Governor Tammy Miller and Resolution No. 2024-12-546 for Governor Doug Burgum.**

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

**Commission Secretary Update**

Andrea Travnicek, Ph.D., Secretary, discussed the one-pager on the bucket layout for the executive budget in the amount of \$580 million, with \$480 related to the Resource Trust Fund and the remaining from a line of credit. Travnicek also went through the agency's optional requests. Travnicek thanked everyone for a great water week and all the great conversations.

### **Financial Report**

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

The oil extraction tax deposits total \$333,802,665 estimated through November 2024 for the 2023-25 biennium, which is \$24,615,494 over the projected biennium revenue of \$309,187,171 through November 2024. Transfers in the amount of \$24,615,494 from the Resources Trust Fund to the Water Projects Stabilization Fund have occurred through November 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.

Kadrmass also noted that discretionary funding in the amount of \$905,041 was used for the purchase of land adjacent to the Southwest Pipeline Project's Supplementary Raw Water Intake site. The purchase was authorized during the October SWC meeting's Executive Session.

### **Water Development Plan/Dashboard & Funding Recommendations**

Cory Drevecky, Water Resource Planner, stated the North Dakota Century Code (N.D.C.C.) mandates a biennial water development plan organized on a river basin perspective. The plan must include an inventory of future water projects to guide budgeting and planning. Early in 2024, notices were sent to a broad range of stakeholders, including Tribal Nations, rural water managers, water resource districts, counties, cities, and other eligible parties directing them to submit proposed water development plans. There were over 600 proposals submitted, and after review 545 were included in the preliminary inventory totaling \$2.5 billion in total needs and \$1.4 billion in potential state cost-share. The updated information is available online on the water development plan dashboard. With the release of the Governor's Executive Budget on December 4, 2024, project and purpose funding recommendations will be included in the 2025 Water Development Plan Executive Summary.

There were no questions, the following motion was made:

**Moved by Commissioner Anderson and seconded by Commissioner Odermann the Commission endorse the 2025-2027 project and purpose funding Executive recommendations as outlined in the 2025 Water Development Plan Executive Summary.**

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

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

#### **Southwest Water Treatment Plant (SWTP) Expansion**

Justin Froseth, SWPP Project Manager, stated the SWPP Contract 3-2H is for the construction of the 12 million gallons per day SWTP expansion that is designed to serve

the growing needs of the SWPP served by the water treatment plant located in Dickinson. Bids for this contract were opened on November 19, 2024. Four (4) bid packages were received. No bids were received for Bid Schedule I – General Construction, one (1) for Bid Schedule II – Mechanical Construction, two (2) for Bid Schedule III – Electrical Construction, and one (1) for Bid Schedule IV – Combined Single Bid.

Based on BW/AECOM's review of the bids received, all bids appear to be in accordance with the Invitation for Construction Bids and the Bid Documents. The only complete project bid and the apparent low bidder was received from Rice Lake West, Inc.-Golden, CO. The base bid with alternates was in the amount of \$86,407,500. The Engineer's Estimate was in the amount of \$91,145,000.

Bid Alternate M-1 is for the replacement of existing acid room HVAC ductwork. The bid amount for M-1 is \$85,000 and will be reimbursed to the SWC by the Southwest Water Authority (SWA) from the Replacement and Extraordinary Maintenance (REM) funds. Capital assets funding needed for the award of this contract is \$90.61 million, which includes 5% contingency added to the Combined Construction Contract Base Bid in the amount of \$83,482,600, Bid Alternate G-1 for lime feed system in the amount of \$2,764,900 and Bid Alternate E-1 for larger generator in the amount of \$50,000 for a total of \$86,297,500. Bid Alternate G-2 in the amount of \$25,000 for replacement of existing acid room door hardware is not included in the award.

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

**Moved by Commissioner Goehring and seconded by Commissioner Walker the 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 and also allocate \$90.61 million to the SWPP from funds appropriated for Capital Assets in the 2023-2025 biennium. The award of SWPP Contract 3-2H will be dependent upon legal review of the contract documents.**

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

#### **Request for Reimbursement from 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 Drive 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.

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

**Moved by Commission Goehring and seconded by Commissioner Zimmerman the 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 described above.**

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

### **2025 Capital Repayment Rate, REM Rate, and SWA Budget**

Froseth stated the Capital Repayment portion of the SWPP water rate collected is currently returned to the Resources Trust Fund 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) effective September 1 as the basis for determining the Capital Repayment rate. The September 1 CPI adjustment resulted in a 2.53 percent increase in the Capital Repayment rate for 2025. The oil industry rate for 2025 will remain unchanged from the 2024 rate.

SWPP's REM fund provides for extraordinary maintenance expenses and replacement expenses for capital projects. Based on the sustainability analysis completed by DWR in consultation with SWA in 2022, annual REM rate increases are needed to provide for 100 percent of extraordinary maintenance expenses and a portion of the replacement expenses for capital projects. The REM rate was increased 8.5 percent. The estimated beginning balance in REM fund for 2025 is \$26.36 million with an estimated income of \$2.73 million and estimated expenses of \$5.60 million, leaving an estimated year-end balance of \$23.48 million.

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

**Moved by Commission Goehring and seconded by Commissioner Frith the Commission establish the 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.**

**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)**

#### **Water Rate 2025**

Travis Johnson, NAWS Project Manager, stated the NAWS water service agreements require an annual review and adjustment of water rates which will go into effect January 1.

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 10 connections to North Prairie Regional Water, which are included in Minot's contract. NAWS has nine (9) 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.

The 2025 NAWS water rate for the City of Minot is increasing from \$0.61 per 1,000-gallons to \$0.72 per 1,000-gallons. The NAWS water rate for contract customers is increasing from \$4.20 per 1,000 gallons to \$5.48 per 1,000-gallons. The 2025 REM rate for the City of Rugby will be \$0.45 per 1,000 gallons.

The NAWS Authority at their November 21, 2024, meeting approved the 2025 Interim Water Rate. There were no questions, and the following motion was made:

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission to approve the 2025 Interim NAWS water rate.**

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

#### **Reimbursement from REM Funds 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 \$35,058.77. Materials for the repair were used from project inventory and restocked with new order. The NAWS REM account balance as of November 24, 2024, is \$3.417 million.

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

**Moved by Commissioner Frith and seconded by Commissioner Walker the Commission to approve the 30-inch ductile iron pipeline repair is an eligible Replacement and Extraordinary Maintenance (REM) project and approve reimbursement of \$35,058.77 from the NAWS REM fund.**

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

**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 but recommended allocating an amount from the water rate revenue. DWR also recommends adding a section into NDCC regarding easements across public lands, 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, and including powers and duties of the NAWS Authority as a new section in NDCC 61-24.6.

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

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission to 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.**

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

**Consent Agenda**

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

<b>General Water</b>		
DWR	Groundwater Flow Models for Water Availability	\$631,032
 <b>Water Supply (Municipal/Regional)</b>		
City of Mandan	2025 Street Rehabilitation	\$232,658
City of Valley City	Northwest Standpipe	\$210,000
City of West Fargo	Westwood Addition Water Main Replacement	\$110,001
 <b>Water Supply (Rural)</b>		
McLean Sheridan RWD	System Improvements Phase 2	\$226,360

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

**Moved by Commissioner Walker and seconded by Commissioner Anderson 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**

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

#### **Bottineau Co WRD: South Landa Drain Loan (SWC Project No. 2148)**

**\$1,700,000**

The Bottineau County Water Resource District 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. The SWC Secretary approved \$72,000 in preconstruction cost-share funding on July 7, 2022, at 45-percent of eligible costs. The SWC approved \$1,036,294 in construction cost-share funding at 45-percent of eligible costs on February 13, 2023. Construction began in October 2023 and is expected to be completed in June 2025. Bottineau County WRD 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 Bottineau County WRD in funding their local share of preconstruction and construction costs.

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 Goehring and seconded by Commissioner Anderson the Commission approve the 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 two (2) percent and a term of 15 years, from the WIRLF through the Bank of North Dakota for the South Landa Drain project. This approval is contingent on available funding.**

**Commissioners Anderson, Frith, Odermann, Ova, Walker, Zimmerman, Goehring, and Lt. Governor Miller voted aye. 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 Mandan: Memorial Highway Water Main (SWC Project No. 2050MAN)**

**\$2,613,245**

The City of Mandan is requesting construction cost-share for their Memorial Highway Improvements project. The project is replacement of approximately one (1) mile of aging asbestos cement watermain along Memorial Highway between 32<sup>nd</sup> Avenue SE and 46<sup>th</sup> 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 the paving costs.

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 Goehring and seconded by Commissioner Odermann the Commission approve the 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-percent of eligible costs, with total cost-share not to exceed \$2,961,845. This approval is contingent on available funding.**

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

**GDCD: Eastern ND Alternative Water Supply Loan \$1,500,000  
(SWC Project No. 325)**

The Garrison Diversion Conservancy District is requesting a loan in the amount of \$1,500,000 from the WIRLF. The loan will be used at the district's 25-percent local share for the planning and design of the Eastern North Dakota Alternate Water Supply (ENDAWS) project. Federal Municipal, Rural, and Industrial (MR&I) funds totaling \$4,500,000 from fiscal years 2023 and 2024 have been approved for the project.

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

**Moved by Commissioner Goehring and seconded by Commissioner Frith the Commission approve the request from the Garrison Diversion Conservancy District to apply for a loan in the amount of \$1,500,000 from the WIRLF through the Bank of North Dakota for the ENDAWS project. This approval is contingent on available funding.**

**Commissioners Anderson, Frith, Odermann, Ova, 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 projects.

**East Central RWD: Hillsboro Aquifer Pump Test \$0  
(SWC Project No. 2050EAS)**

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 (3) 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.

This project does not meet requirements of the Water Commission's cost-share policy for rural water supply projects as aquifer testing is not considered a cost-share eligible item. There were no questions, and the following motion was made:

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission deny the request from East Central Rural**

**Water District for state cost-share participation in the Hillsboro Aquifer Pump Test.**

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

**East Central RWD: Hillsboro Area Supply, Transmission, & Distribution \$1,057,500 (SWC Project No. 2050EAS)**

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.

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

**Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission approve the request from the 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.**

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

**East Central RWD: Hillsboro Water Treatment Plant \$1,012,500 (SWC Project No. 2050EAS)**

East Central Rural Water District is requesting preconstruction cost-share for their Hillsboro 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.

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

**Moved by Commissioner Frith and seconded by Commissioner Goehring the Commission approve the request from the East Central Rural Water District for state cost-share participation in the Hillsboro Water Treatment Plant Expansion project at 56-percent of eligible costs due to the availability of Department of Environmental Quality's State**

**Revolving Fund Emerging Contaminants funding, with the total not to exceed \$1,012,500. This approval is contingent on available funding.**

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

**Turtle Mountain PUC: Highway 3 Corridor Improvements Phase I      \$3,120,800  
(SWC Project No. 2050TUR)**

The Turtle Mountain Public Utilities Commission (TMPUC) is requesting construction cost-share for their Highway 3 Corridor Improvements Phase I project. The project is expansion of services to add seven (7) users at the International Peace Gardens and U.S. Customs Border Station and an additional 25 residential users. The project includes installation of approximately 12 miles of new water main along U.S. Highway 3, N.D. Highway 43, 104<sup>th</sup> Street NE, and 10<sup>th</sup> Street NE—along with a new booster station. The TMPUC anticipates receiving grant funding through the USDA Rural Development Native American Set-Aside program to offset costs of the project.

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

**Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission approve the request from the Turtle Mountain Public Utilities Commission for state cost-share participation in the Highway 3 Corridor Improvements Phase I project at 75-percent of eligible costs, not to exceed \$3,120,800. This approval is contingent on available funding.**

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

**South Central Rural Water: U of Mary Water Storage Reservoir Scope Change \$0  
(SWC Project No. 2050SOU)**

Southeast Water Users District is requesting a change of scope concerning preconstruction cost-share previously approved by the Commission. On April 11, 2024, the Commission approved funding at 75-percent 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 been since 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 and no commission action is needed at this time.

### **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

### **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 January 2025, and overall expenditures towards the SWPP Supplementary Intake project. With \$2.57 million expended to date and with the projection of needing an additional \$99,000 through January, no additional funds are projected to be required.

### **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

Connie Ova, James River Basin (online)

April Walker, Upper Red River Basin

Jason Zimmerman, Mouse River Basin

Others Present:

Dr. Andrea Travnicsek, DWR Director and Commission Secretary

John Paczkowski, DWR State Engineer

Matthew Sagsveen, General Counsel, Attorney General's Office

Elizabeth Mayans, Attorney General's Office

Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director

Justin Froseth, Southwest Pipeline Project Manager

Chris Kadrmaz, DWR Administration Division Director

Abby Ebach, DWR Director of Public Policy

Shana Brost, Administrative Officer

Ben Gehrig, DWR Data & Technology Services

Mark Becker, Fabyanske, Westra, Hart & Thomson, P.A. (online)

**Moved by Commissioner Goehring and seconded by Commissioner Zimmerman that under the provision of NDCC § 44-04-19.1(9), the Commission proceed into Executive Session on December 13, 2024, at 11:24 AM for the purpose of attorney consultation relating to the Southwest Pipeline Project/Fowler Intake—Contract 1-2A.**

**Commissioners Anderson, Frith, Odermann, Ova, 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 11:39 AM.

There being no further business to come before the Commission, Lt. Governor Miller adjourned the December 13, 2024, meeting at 11:42 AM. The next State Water Commission meeting will be held on February 13, 2025, at 1:00 PM CT at the Bank of North Dakota, Lewis & Clark Room #238, 1200 Memorial Highway, Bismarck, North Dakota.

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Tammy Miller, Lieutenant Governor  
Acting Chairman, State Water Commission

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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				RESOURCES		TRANSFERS TO <sup>2</sup>	
	REVENUE	ENERGY CONS. <sup>1</sup> ALLOCATION	RENEWABLE <sup>1</sup> ALLOCATION	TRUST FUND ALLOCATION	REVENUE	ENERGY CONS. <sup>1</sup>	TRANSFERS TO <sup>1</sup> RENEWABLE	TRUST FUND NET DEPOSIT	TRUST FUND NET DEPOSIT	WATER PROJECTS	STABILIZATION FUND	
AUGUST, 2023	\$19,607,811	\$88,039	\$588,234	\$18,921,538	\$17,438,367	\$87,192	\$523,151	\$16,828,025	\$0	\$0		
SEPTEMBER, 2023	20,261,405	101,307	607,842	19,552,256	19,897,352	99,487	596,921	19,200,945	0	0		
OCTOBER, 2023	20,261,405	101,307	607,842	19,552,256	22,030,025	110,150	660,901	21,258,974	0	0		
NOVEMBER, 2023	19,607,811	98,039	589,234	18,921,538	25,681,608	128,408	770,448	24,782,752	5,308,920	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	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	4,466,615		
FEBRUARY, 2024	20,261,405	101,307		20,160,098	19,707,741	98,539		19,609,202	(553,664)	(553,664)		
MARCH, 2024	20,261,405	101,307		20,160,098	17,937,246	89,686		17,847,560	(2,324,159)	(2,324,159)		
APRIL, 2024	18,300,624	91,503		18,209,121	19,221,776	96,109		19,125,667	921,152	921,152		
MAY, 2024	20,261,405	101,307		20,160,098	22,520,865	112,604		22,408,260	2,259,460	2,259,460		
JUNE, 2024	19,607,811	98,039		19,509,772	22,609,462	113,047		22,496,414	3,001,651	3,001,651		
JULY, 2024	20,261,405	101,307		20,160,098	20,403,558	20,620		20,382,938	142,153	142,153		
AUGUST, 2024	17,366,918	7,192		17,359,726	19,772,137			19,772,137	2,405,219	2,405,219		
SEPTEMBER, 2024	17,945,816			17,945,816	20,157,498			20,157,498	2,211,682	2,211,682		
OCTOBER, 2024	17,945,816			17,945,816	20,051,630			20,051,630	2,105,814	2,105,814		
NOVEMBER, 2024	17,366,918			17,366,918	17,541,906			17,541,906	174,988	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	\$24,615,494		

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

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

# RESOURCES TRUST FUNDED REVENUE

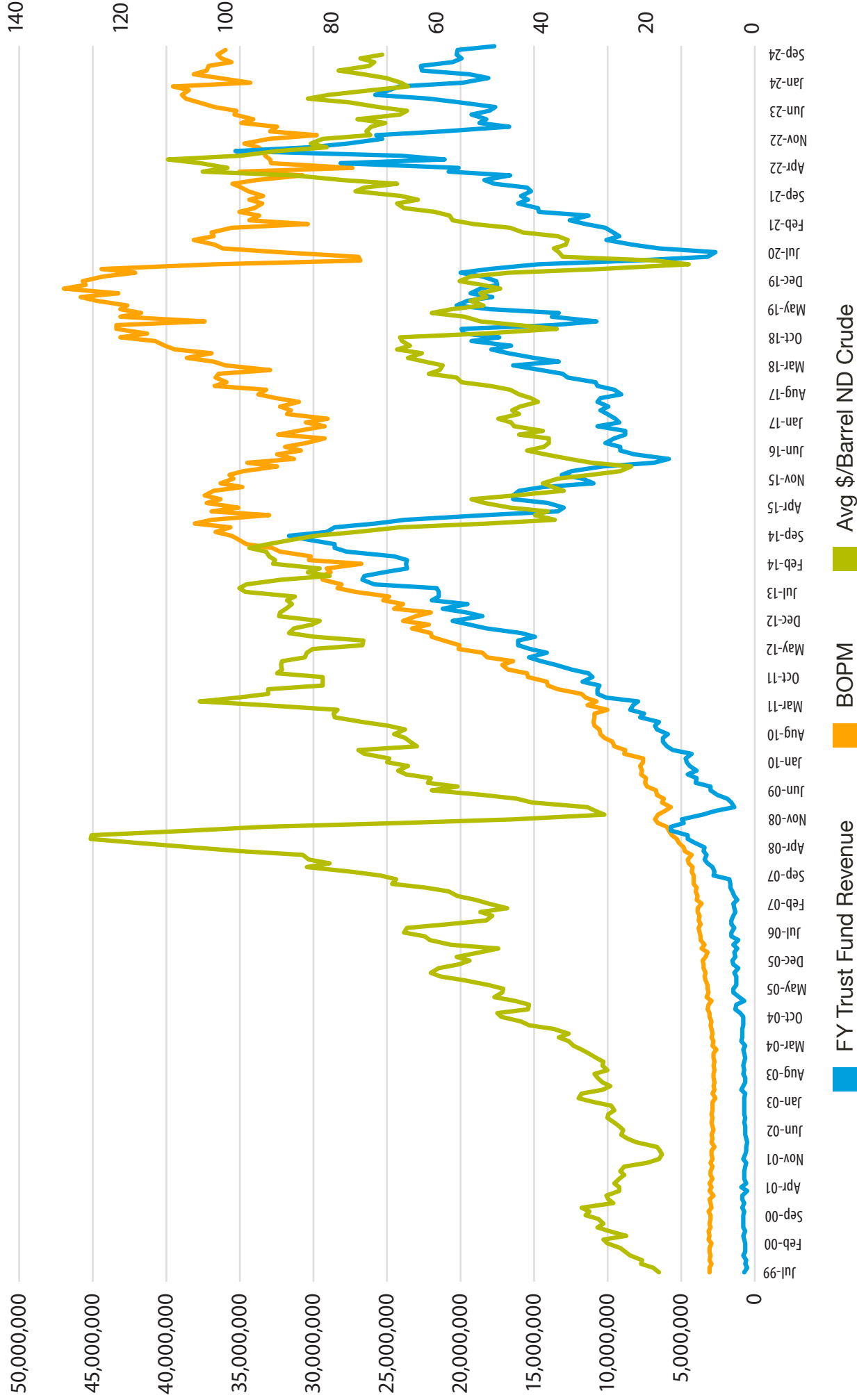
NORTH  
**Dakota**

Be Legendary.

Water Resources

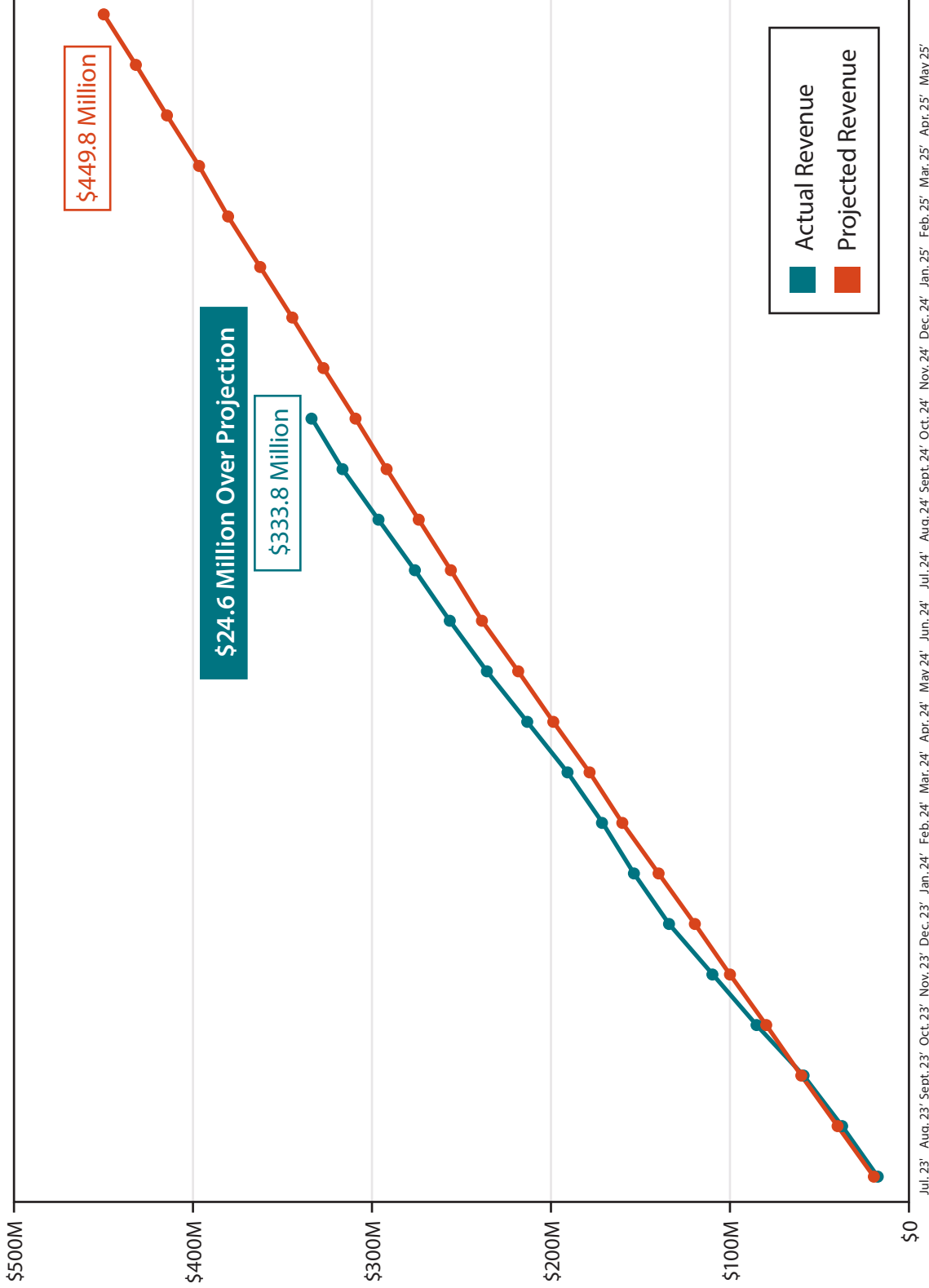
## JULY 2004-SEPTEMBER 2024

### NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE



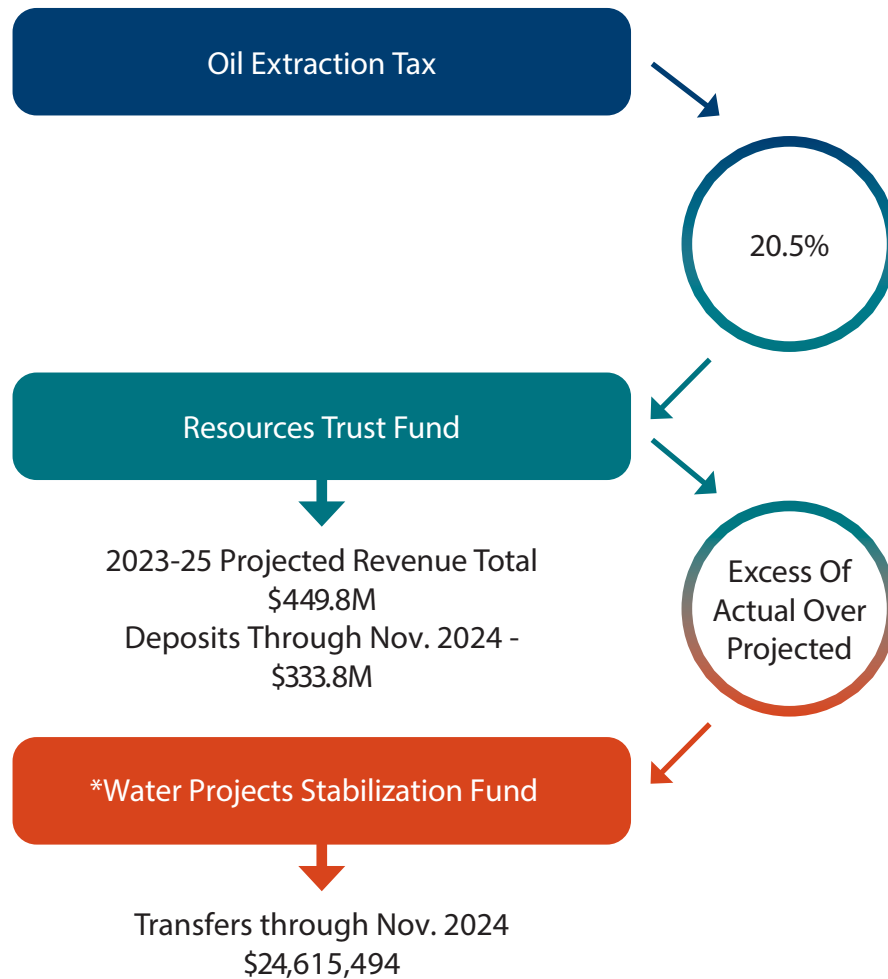
# RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | November 2024



Jul. 23' Aug. 23' Sept. 23' Oct. 23' Nov. 23' Dec. 23' Jan. 24' Feb. 24' Mar. 24' Apr. 24' May 24' Jun. 24' Jul. 24' Aug. 24' Sept. 24' Oct. 24' Nov. 24' Dec. 24' Jan. 25' Feb. 25' Mar. 25' Apr. 25' May 25'

# RESOURCES TRUST FUND REVENUE

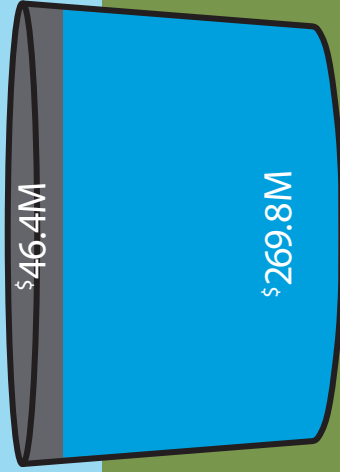


\*Authorized in Sections 5-7 of Senate Bill 2020 during the November special session.

# 2023-25 PURPOSE FUNDING

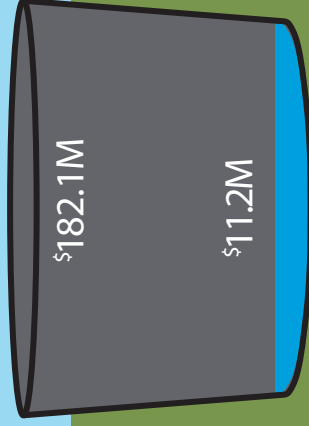
JULY 2023-NOVEMBER 2024

\$316.2M



Water Supply

\$193.4M



\* Capital Assets

\$115.7M



Flood Control Projects

\$52M



Rural Water

\$10.25M



General Water

\$9M



Discretionary Funds

APPROVED

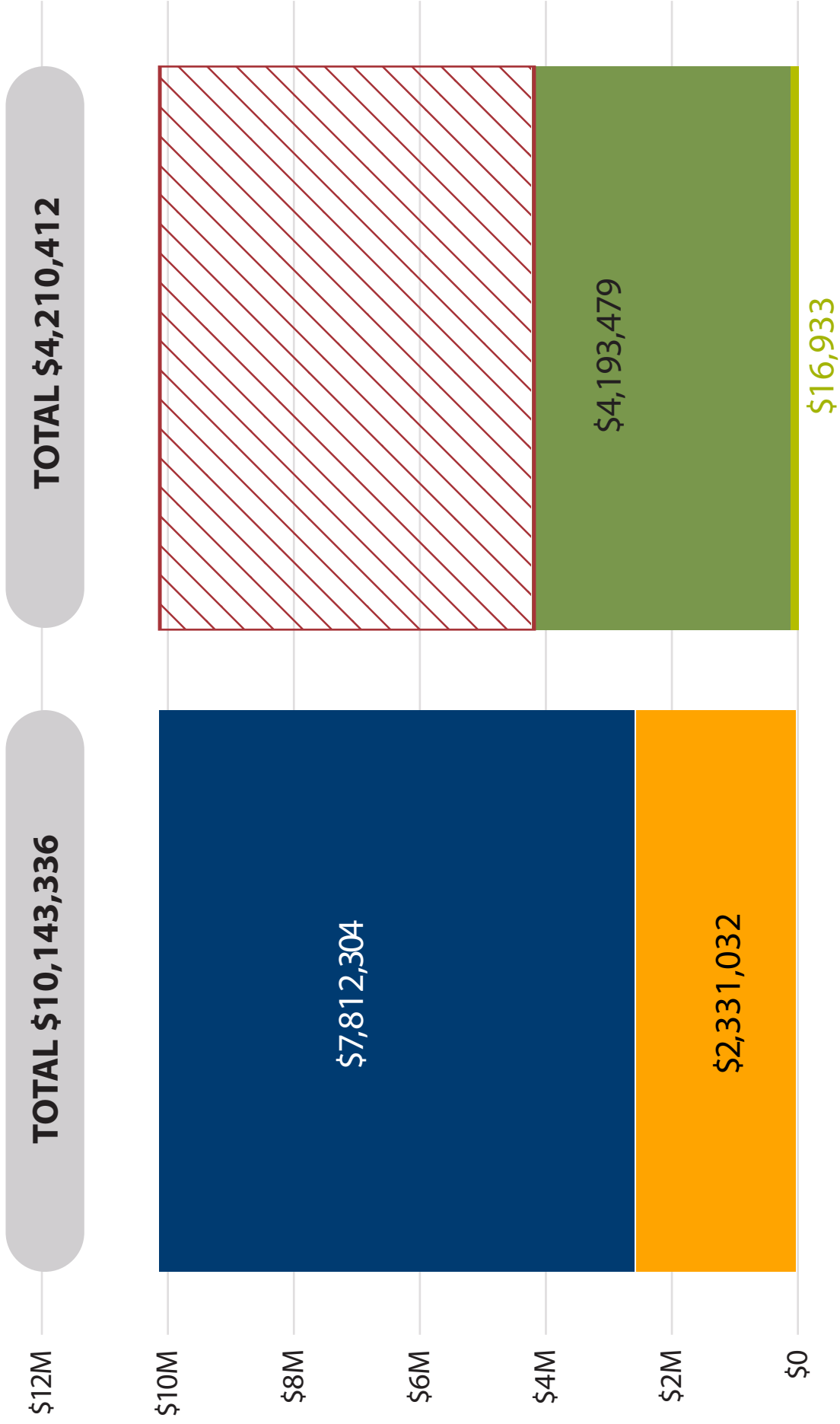
UNOBLIGATED

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

# 2023-25 PURPOSE FUNDING

## JULY 2023-NOVEMBER 2024

GENERAL WATER



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

# 2023-25 PURPOSE FUNDING

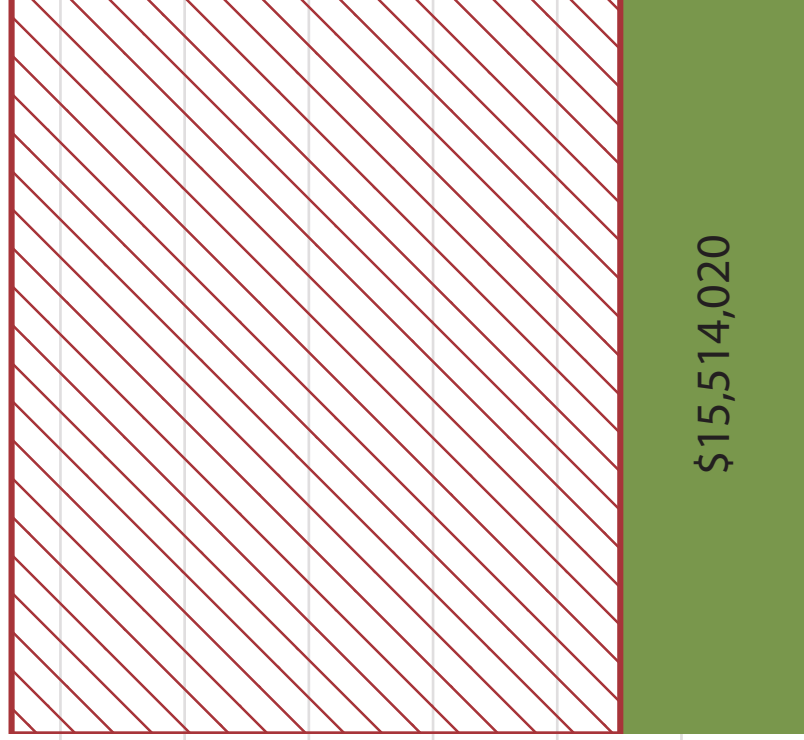
## JULY 2023-NOVEMBER 2024

RURAL WATER

**TOTAL \$68,606,741**



**TOTAL \$15,526,897**



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

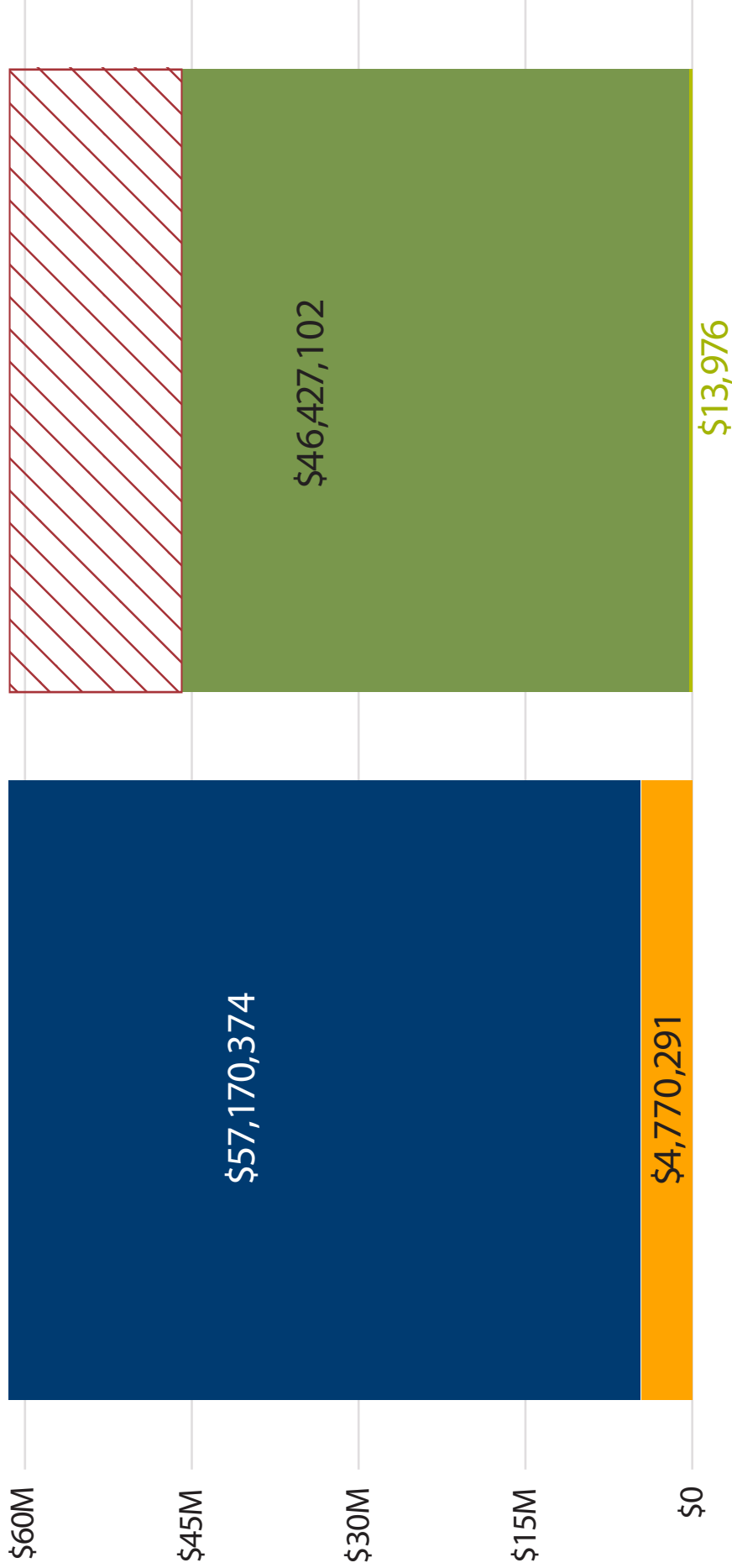
# 2023-25 PURPOSE FUNDING

## JULY 2023-NOVEMBER 2024

WATER SUPPLY

**TOTAL \$61,940,665**

**TOTAL \$46,441,078**



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



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

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

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

<b>Water Supply</b>		Unobligated Appropriation	\$ 46,427,102	\$ 13,976
		<b>Cost-Share</b>		
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	
<b>Current Requests</b>		\$	4,770,291	\$ -
Estimated Unobligated Appropriation =		\$	41,656,811	\$ 13,976

<b>Rural Water</b>		Unobligated Appropriation	\$ 15,514,020	\$ 12,877
		<b>Cost-Share</b>		
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	
<b>Current Requests</b>		\$	5,659,696	\$ -
Estimated Unobligated Appropriation =		\$	9,854,324	\$ 12,877

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

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

<b>2023-2025 Unobligated Appropriation 11-26-24</b>	<b>Carryover Turnback 06-30-23</b>
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<b>Capital Assets</b>		Unobligated Appropriation	\$ 182,120,000	\$ 4,171,797
<b>SWPP</b>		<b>Cost-Share</b>		
1	Water Treatment Plant Expansion		\$ 90,700,000	
2				
		<b>Current Requests</b>	\$ 90,700,000	
<b>NAWS</b>				
1				
2				
		<b>Current Requests</b>	\$ -	
		<b>Capital Assets Current Requests</b>	\$ 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
<b>Current Requests</b>	\$ 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
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>					
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%				
<b>RURAL WATER SUPPLY:</b>					
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%				
<b>FLOOD CONTROL:</b>					
FARGO	0	0	0	0	0
MOUSE RIVER	9,425,991	76,100,000	85,525,991	85,525,991	0
MOUSE RIVER HB1431 BOND PROCEEDS	64,354,625	0	64,354,625	64,354,625	0
VALLEY CITY	10,072,490	0	10,072,490	10,072,490	0
LISBON	259,160	0	259,160	259,160	0
OTHER FLOOD CONTROL	8,933,841	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%				
<b>GENERAL WATER:</b>					
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%				
<b>SUBTOTAL</b>	<b>289,368,732</b>	<b>494,150,000</b>	<b>783,518,732</b>	<b>687,880,098</b>	<b>95,638,634</b>
<b>CAPITAL ASSETS:</b>					
SWPP CAPITAL ASSETS	19,928,592	0	19,928,592	19,928,592	0
NAWS CAPITAL ASSETS	36,181,771	11,080,000	47,261,771	47,261,771	0
DEVILS LAKE OUTLET		200,000	200,000	200,000	0
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%				
<b>DISCRETIONARY FUNDING:</b>					
DISCRETIONARY FUNDING PROJECTS	2,096,564	231,139	2,327,703	2,327,703	0
UNOBLIGATED DISCRETIONARY FUNDS	3,506,441	8,768,861	12,275,302		12,275,302
Total	5,603,005	9,000,000	14,603,005	2,327,703	12,275,302
% OBLIGATED	3%				
<b>BASINWIDE PLAN IMPLEMENTATION:</b>					
BASINWIDE PLAN IMPLEMENTATION	773,787	0	773,787	773,787	0
UNOBLIGATED BASINWIDE PLAN IMPLEMENTATION FUNDS	0	0	0		0
Total	773,787	0	773,787	773,787	0
% OBLIGATED	0%				
<b>STATE FISCAL RECOVERY FUND:</b>					
STATE FISCAL RECOVERY FUNDS - SB 2345	10,972,317	0	10,972,317	10,972,317	0
UNOBLIGATED STATE FISCAL RECOVERY FUNDS	0	0	0		0
Total	10,972,317	0	10,972,317	10,972,317	0
% OBLIGATED	0%				
<b>TOTAL</b>	<b>367,000,000</b>	<b>696,550,000</b>	<b>1,063,550,001</b>	<b>769,344,268</b>	<b>294,205,732</b>

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

**Nov-24**

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>			
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
<b>TOTAL</b>	<b>388,350,492</b>	<b>123,754,469</b>	<b>264,596,023</b>
<b>RURAL WATER SUPPLY:</b>			
RURAL WATER SUPPLY	91,797,764	43,882,449	47,915,315
<b>FLOOD CONTROL:</b>			
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
<b>TOTAL</b>	<b>190,061,409</b>	<b>44,016,634</b>	<b>146,044,775</b>
<b>GENERAL WATER:</b>			
GENERAL WATER	17,670,433	6,882,980	10,787,453
<b>SUBTOTAL</b>	<b>687,880,098</b>	<b>218,536,532</b>	<b>469,343,566</b>
<b>CAPITAL ASSETS:</b>			
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
<b>TOTAL</b>	<b>67,390,363</b>	<b>16,218,124</b>	<b>51,172,239</b>
<b>DISCRETIONARY FUNDING:</b>			
DISCRETIONARY FUNDING PROJECTS	2,327,703	63,000	2,264,703
<b>BASINWIDE PLAN IMPLEMENTATION:</b>			
BASINWIDE PLAN IMPLEMENTATION	773,787	263,829	509,958
<b>STATE FISCAL RECOVERY FUNDS SB2345</b>			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	8,159,814	2,812,502
<b>TOTALS</b>	<b>769,344,268</b>	<b>243,241,299</b>	<b>526,102,969</b>

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
<b>TOTAL</b>	<b>\$1,526</b>	<b>\$700</b>	<b>\$1,313</b>	<b>\$3,539</b>

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

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

**MINUTES**

**North Dakota State Water Commission  
Pre-Commission Meeting  
January 23, 2025**

The North Dakota State Water Commission (Commission or SWC) held a Pre-Commission meeting via Teams and in-person on January 23, 2025. 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  
 April Walker, Upper Red River Basin (online)  
 Jason Zimmerman, Mouse River Basin (online)

**COMMITTEE MEMBERS ABSENT:**

Connie Ova, James River Basin

**OTHERS PRESENT:**

Reice Haase, Director ND Department of Water Resources (DWR), Commission Secretary  
 John Paczkowski, ND State Engineer (DWR)  
 DWR staff  
 Approximately 65 members of the public present online.

**Commission Secretary Update**

Reice Haase, DWR Director, Commission Secretary, stated he was newly appointed by Governor Armstrong as the next Director of the Department of Water Resources and thanked Dr. Andrea Travnicek for her service to the state of North Dakota and wished her the best of luck as she moves on to her next endeavor. Haase gave a little background that he is a North Dakota native and has worked half of his career in private sector to include environmental consulting work primarily for oil and gas and energy clients; and the other half in the public sector. He served in former Governor Burgum's administration as his policy advisor and was the deputy of the Industrial Commission for the last two (2) years. Haase stated he looks forward to working with everyone.

Haase also gave a brief legislative update, noting DWR is currently tracking 104 bills and is heavily involved in DWR's budget bill House Bill (HB) 1020. The next hearing is scheduled for January 28<sup>th</sup>. This biennium the Executive Budget is recommending a total of \$580 million for the cost-share program split between the buckets, along with seven (7) FTEs.

**Southwest Pipeline Project (SWPP)****Request for Review of Procedures for Capital Replacement Projects**

Justin Froseth, SWPP Project Manager, stated the Southwest Water Authority (SWA) requested review and clarification of the procedures necessary to move forward with the replacement of Capital Projects in alignment with the SWC's motion from August 2022. To ensure the project aligns with the SWC approved use of the Replacement and Extraordinary Maintenance (REM) fund for a portion of replacement of Capital Projects, SWA is seeking guidance on the appropriate channels or procedures to obtain project approval and to confirm eligibility for Capital Assets funding for replacement, and define any additional requirements for compliance

with the SWC's directives. It was noted that after internal discussion, a recommendation will be provided at the February SWC meeting.

### **Drainage Cost-Share Increase Request**

Pat Fridgen, DWR Planning and Education Division Director, discussed a formal written request from the Water Resource Districts Association (WRDA) to increase the cost-share percentage for conveyance projects from the current 45-percent to 75-percent. The letter from the WRDA states the current cost-share percentage puts a significant burden on local private landowners to support infrastructure that provides both private and public benefit. The WRDA believes increasing the cost-share to 75-percent would enable water boards to maintain and improve important pieces of infrastructure. SWC will discuss again after the legislative session, until it is known how much funding will be available for different types of projects and if there is any legislation that may impact the cost-share policy.

### **Flood Control Projects**

Abigail Franklund, DWR Cost-Share Program Manager, presented the following flood control project to be presented at the February Commission meeting:

- **City of Grand Forks: South End Interior Flood Protection Ph. 2 - \$179,062**  
The project sponsor requested a cost-share at 60 percent reimbursement for the increase in preconstruction costs and scope expansion. After a brief discussion, the request will be on the **consent agenda**.

### **General Water Projects**

Franklund presented the following general water project to be presented at the February Commission meeting:

- **Logan County: Irrigation District Feasibility Study - \$150,000**  
The project sponsor requested a cost-share at 75 percent reimbursement for preconstruction costs. After a brief discussion, the request will be on the regular agenda.

### **Water Supply**

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

- **City of Bowman: New Water Storage Reservoir - \$132,000**  
The project sponsor requested a cost-share at 60 percent reimbursement for preconstruction costs. After a brief discussion, the request will be on the **consent agenda**.
- **City of Beach: 2025 Watermain Improvement Project - \$3,160,110**  
The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. There were no questions, and the request will be on the regular agenda.
- **City of New Town: Utility Improvements – Ph. 2 - \$2,766,523**  
The project sponsor requested a cost-share at 60 percent reimbursement for construction costs. There were no questions, and the request will be on the regular agenda.

- **City of Medora: New Water Storage Reservoir - \$63,000**  
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**.
- **WAWSA: McKenzie Co. Water Resource District Ph. 2 Transmission Line - \$3,343,802**  
The project sponsor requested a cost-share at 50 percent reimbursement for the increase in construction costs. There were no questions, and the request will be on the regular agenda.
- **All Seasons Water Users District: Bottineau County Expansion - \$180,000**  
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 **consent agenda**.
- **South Central Regional Water District: Service to Napoleon - \$289,500**  
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 **consent agenda**.
- **Fort Berthold Rural Water: Four Bears Water Treatment Plant - \$3,750,000**  
The project sponsor requested a cost-share at 75 percent reimbursement for construction costs. After a brief discussion, the request will be on the regular agenda.
- **Greater Ramsey Water District: 2024 User Expansion - \$7,476,752**  
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.

Haase publicly thanked and shared gratitude to previous Director Travnicsek. Haase stated when the Department was first organized in 2021, former Governor Burgum appointed Travnicsek as the first ever Director. Haase noted he has only been on the job for two (2) weeks, but it is clear that Travnicsek laid a strong foundation for the department and is going to leave a lasting legacy for the state of North Dakota.

Dr. Travnicsek added she was excited for Haase to be appointed as Director of DWR and excited for his leadership with both the department and commission. Travnicsek stated it has been great to be a part of this team for the last three and one-half (3.5) years. She will be making her way back to Washington, D.C. She added it's been a good ride and asked everyone to keep in touch.

There being no further items of discussion, the meeting adjourned at 2:05 PM.

Respectfully submitted,

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Shana L. Brost, Executive Assistant



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

**TO:** Lt. Governor Michelle Strinden & North Dakota Water Commission Members  
**FROM:** Reice Haase, Director-Secretary   
**SUBJECT:** Financial Updates  
**DATE:** February 13, 2025

### Glossary

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

### 2023–2025 Resources Trust Fund

Oil extraction tax deposits total \$369,648,722 estimated through January 2025 for the 2023-25 biennium. This is \$25,148,817 over the projected biennium revenue of \$344,499,905 through January 2025. 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 \$25,148,817 through January 2025.

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 February 2025 requests identified on pages 12-13.

### Project Summary Reports

The January 2025 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 January 29, 2025. The blue shows the total approved which ties to the blue on page 14, the teal green shows the unpaid approvals, and the lime green shows the expenditures.

## **Glossary of Terms**

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

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

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

**Original-**Legislative authorization to expend.

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

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

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

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

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

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

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

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

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

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

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

**Expenditure-**Payment or funds spent.

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

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

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

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

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

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

OIL EXTRACTION REVENUE  
FOR THE 2023 - 2025 BIENNIUM

MONTH / YEAR	PROJECTED				ACTUAL				
	REVENUE	ENERGY CONS. <sup>1</sup> ALLOCATION	RENEWABLE <sup>1</sup> ALLOCATION	RESOURCES TRUST FUND ALLOCATION	REVENUE	TRANSFERS TO <sup>1</sup> ENERGY CONS.	TRANSFERS TO <sup>1</sup> RENEWABLE	RESOURCES TRUST FUND NET DEPOSIT	TRANSFERS TO <sup>2</sup> WATER PROJECTS STABILIZATION FUND
AUGUST, 2023	\$19,607,811	\$98,039	\$588,234	\$18,921,538	\$17,438,367	\$87,192	\$523,151	\$16,828,025	\$0
SEPTEMBER, 2023	20,261,405	101,307	607,842	19,552,256	19,897,352	99,487	596,921	19,200,945	0
OCTOBER, 2023	20,261,405	101,307	607,842	19,552,256	22,030,025	110,150	660,901	21,258,974	0
NOVEMBER, 2023	19,607,811	98,039	588,234	18,921,538	25,681,608	128,408	770,448	24,782,752	5,308,920
DECEMBER, 2023	20,261,405	101,307	607,842	19,552,256	24,757,068	123,785	448,579	24,184,704	4,495,663
JANUARY, 2024	19,607,811	98,039	6	19,509,766	24,074,426	120,372		23,954,054	4,466,615
FEBRUARY, 2024	20,261,405	101,307		20,160,098	19,707,741	98,539		19,609,202	(553,664)
MARCH, 2024	20,261,405	101,307		20,160,098	17,937,246	89,686		17,847,560	(2,324,159)
APRIL, 2024	18,300,624	91,503		18,209,121	19,221,776	96,109		19,125,667	921,152
MAY, 2024	20,261,405	101,307		20,160,098	22,520,865	112,604		22,408,260	2,259,460
JUNE, 2024	19,607,811	98,039		19,509,772	22,609,462	113,047		22,496,414	3,001,651
JULY, 2024	20,261,405	101,307		20,160,098	20,403,558	20,620		20,382,938	142,153
AUGUST, 2024	17,366,918	7,192		17,359,726	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	17,606,797			17,606,797	(339,019)
JANUARY, 2025	17,366,918			17,366,918	18,239,260			18,239,260	872,342
FEBRUARY, 2025	17,945,816			17,945,816					
MARCH, 2025	17,945,816			17,945,816					
APRIL, 2025	16,209,124			16,209,124					
MAY, 2025	17,945,816			17,945,816					
JUNE, 2025	17,366,918			17,366,918					
JULY 2025-JUNE REVENUE	17,945,816			17,945,816					
<b>TOTALS</b>	<b>\$449,859,211</b>	<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$445,659,211</b>	<b>\$369,648,722</b>	<b>\$1,200,000</b>	<b>\$3,000,000</b>	<b>\$365,448,722</b>	<b>\$25,148,817</b>

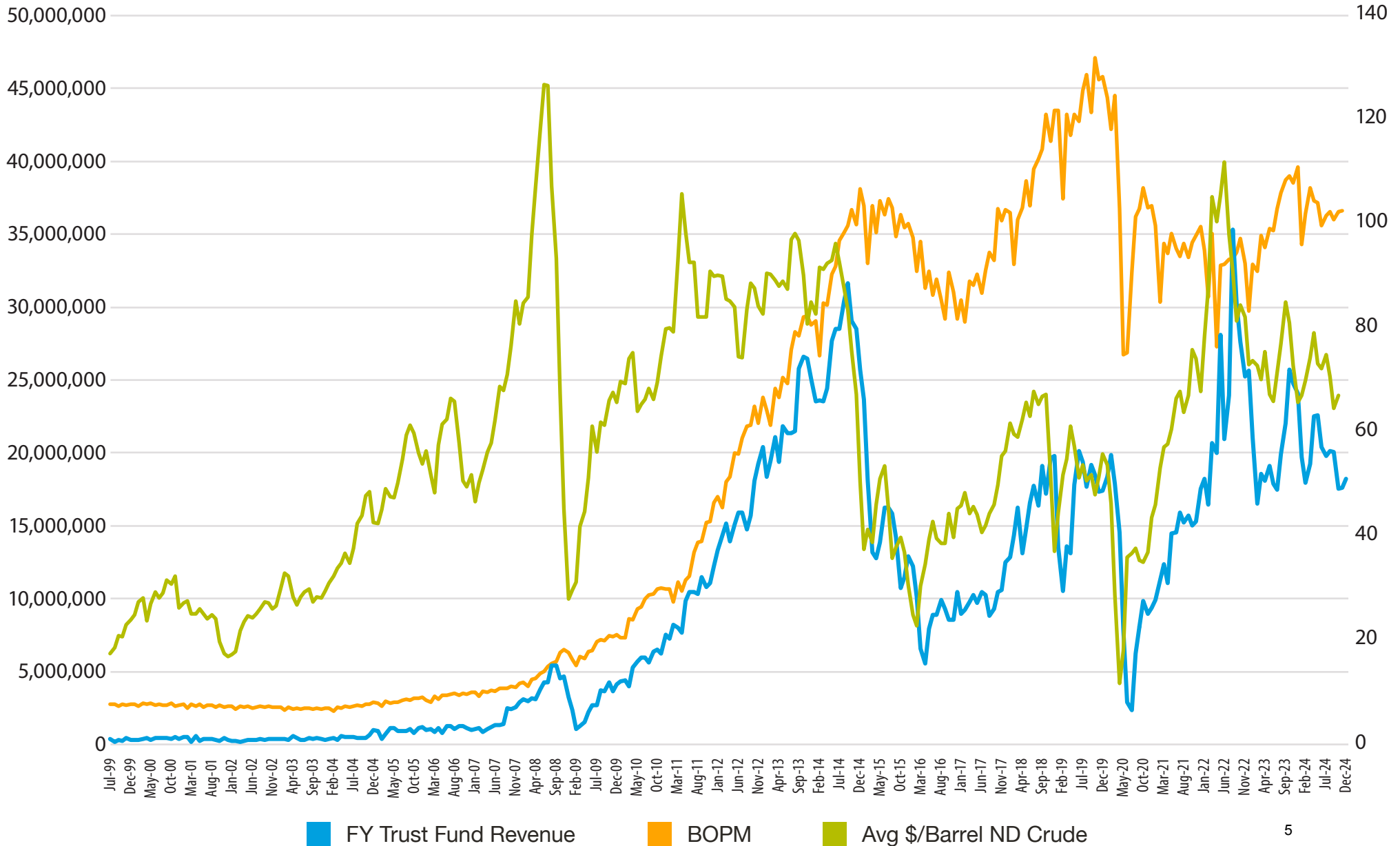
<sup>1</sup> Transfers to the renewable energy development fund and the energy conservation grant fund are established in North Dakota Century Code Section 57-51.1-07.

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

# RESOURCES TRUST FUNDED REVENUE

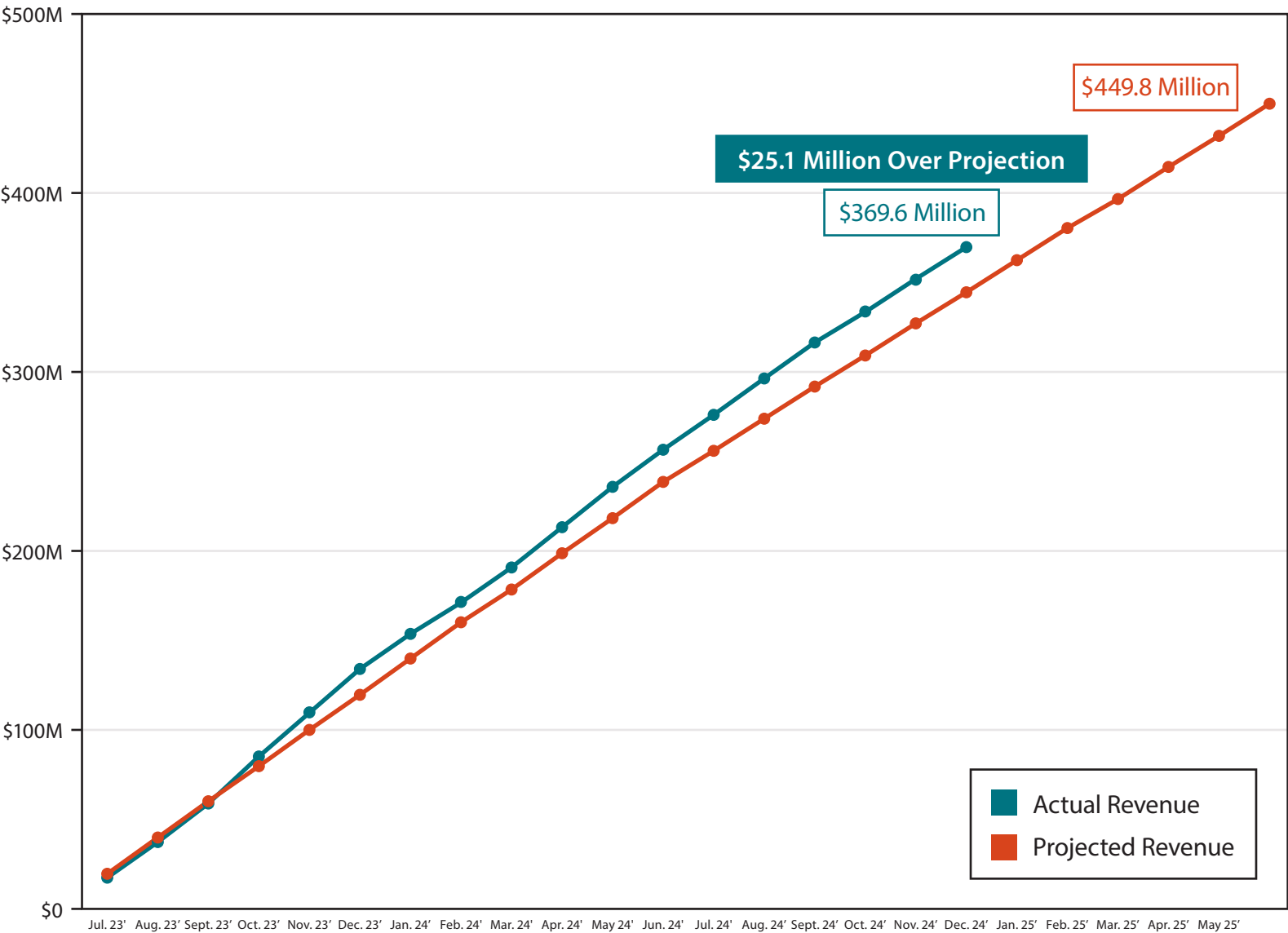
## JULY 2004-DECEMBER 2024

NORTH DAKOTA OIL PRODUCTION & RESOURCES TRUST FUND REVENUE

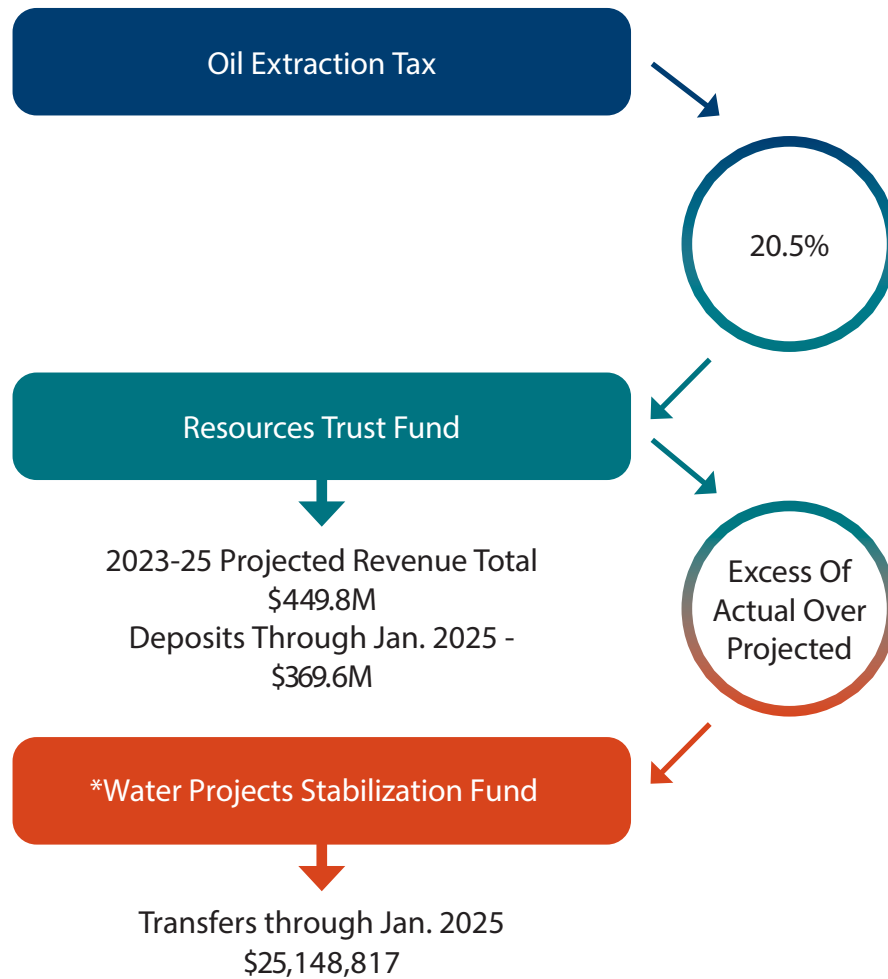


# RESOURCES TRUST FUND REVENUE

2023-2025 (Cumulative) | January 2025



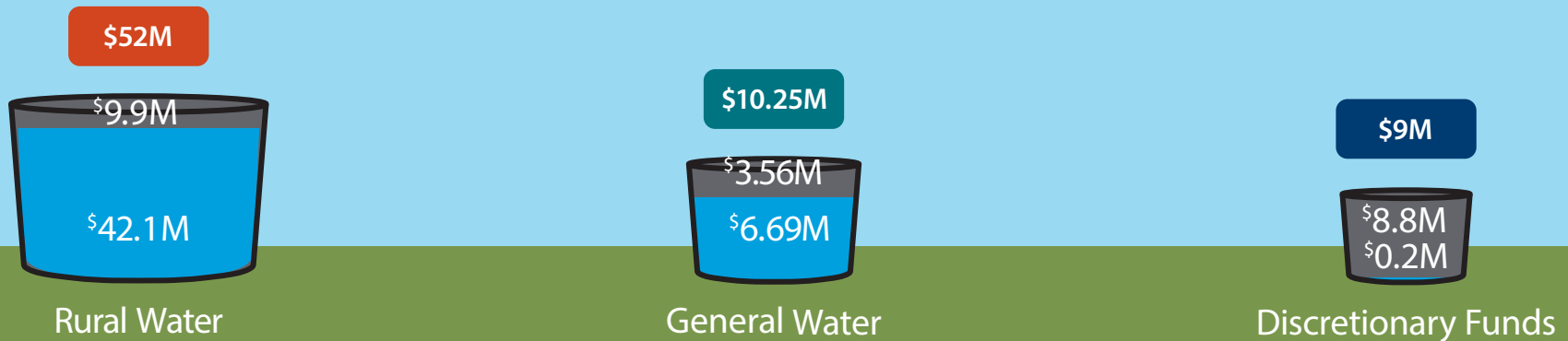
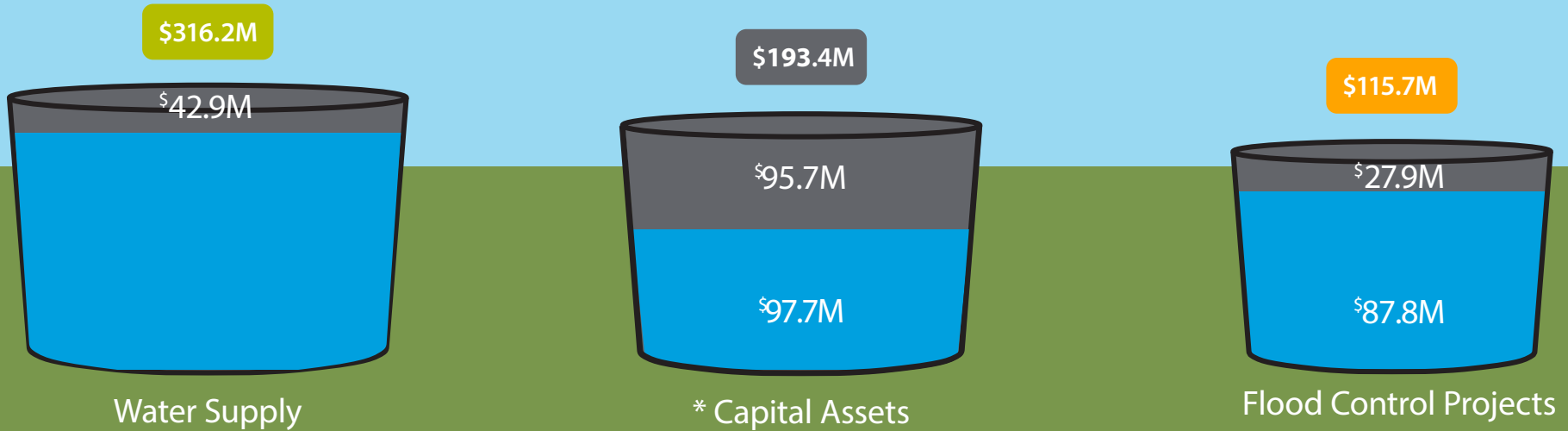
# RESOURCES TRUST FUND REVENUE



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

# 2023-25 PURPOSE FUNDING

JULY 2023-JANUARY 2025



APPROVED

UNOBLIGATED

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



# 2023-25 PURPOSE FUNDING

## JULY 2023-JANUARY 2025

### GENERAL WATER

\$12M

**TOTAL \$7,962,304**

**TOTAL \$4,283,383**

\$10M

\$8M

\$6M

\$4M

\$2M

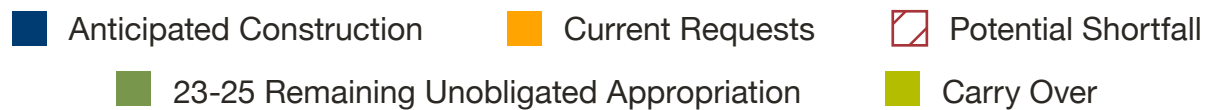
\$0

\$7,812,304

\$3,562,447

\$150,000

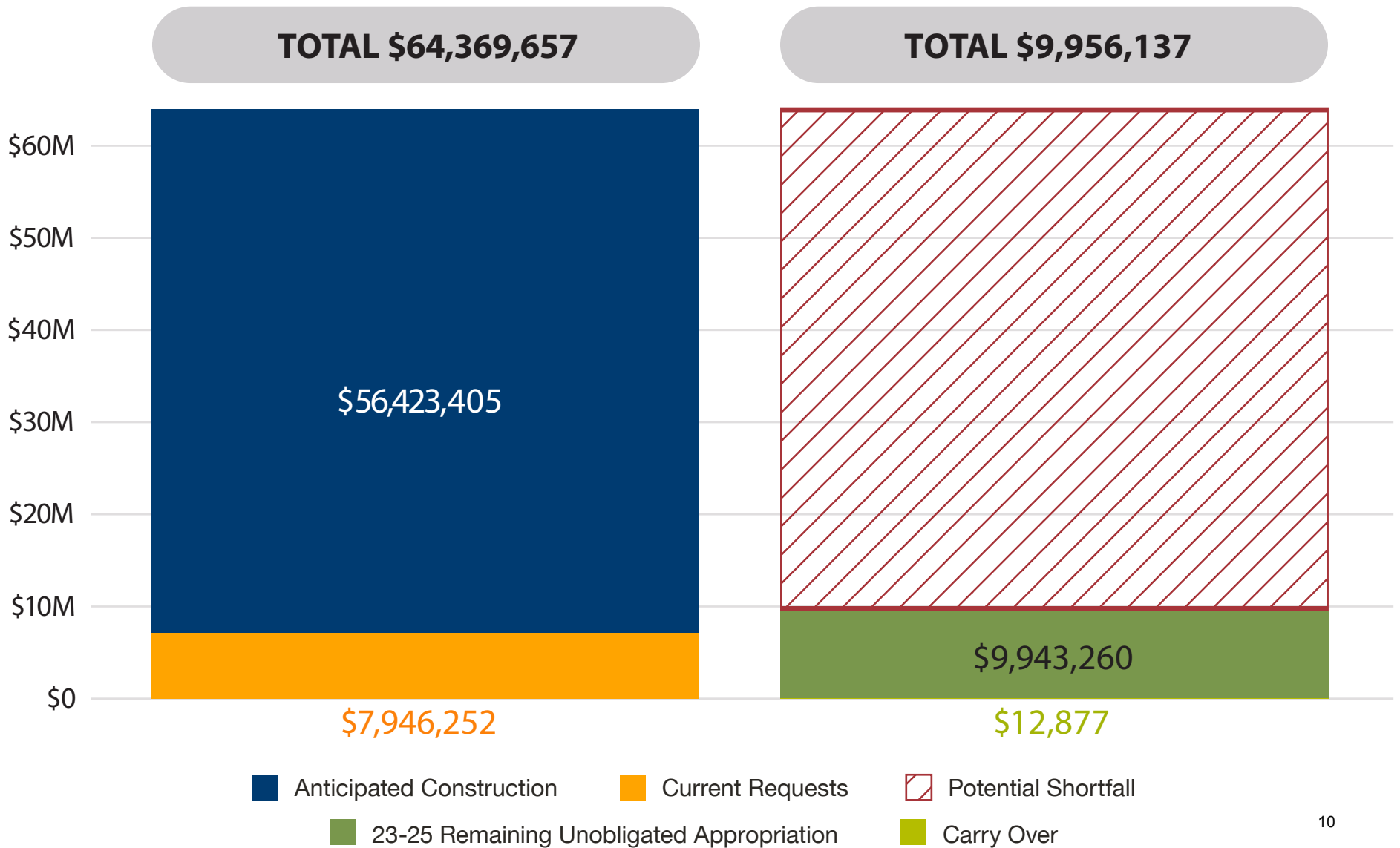
\$720,936



# 2023-25 PURPOSE FUNDING

## JULY 2023-JANUARY 2025

RURAL WATER



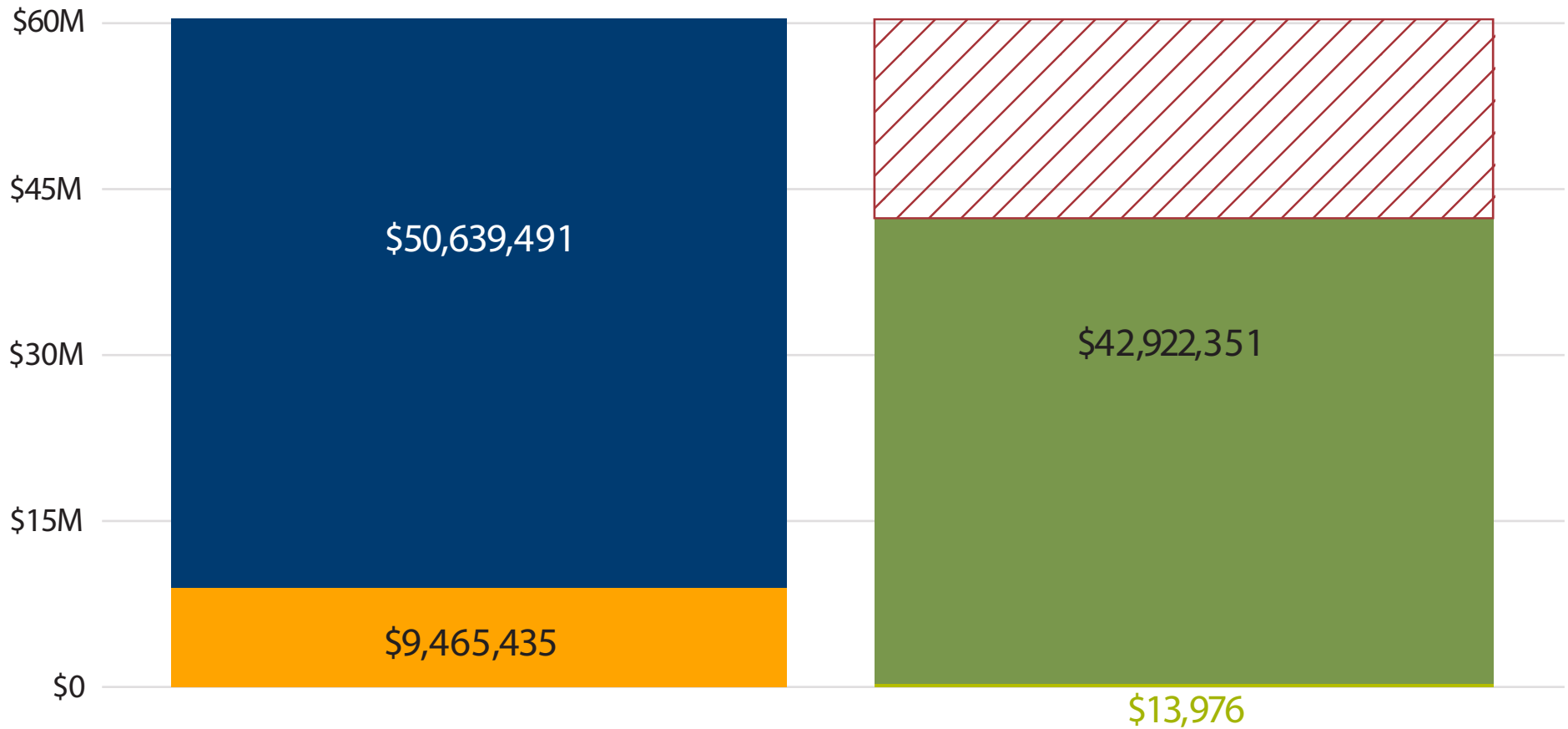
# 2023-25 PURPOSE FUNDING

## JULY 2023-JANUARY 2025

### WATER SUPPLY

**TOTAL \$60,104,926**

**TOTAL \$42,936,327**



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

**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for February 13, 2025**

<b>2023-2025 Unobligated Appropriation 01-29-25</b>	<b>Carryover Turnback 06-30-23</b>
---	--

		Unobligated Appropriation	\$ 27,949,081	\$ 1,527,682
		<b>Cost-Share</b>		
Cost Increase	1	Grand Forks: South End Interior Flood Master Planning-Ph.2		\$ 179,062
			<b>Current Requests</b>	\$ 179,062
			Estimated Unobligated Appropriation =	\$ 1,348,620

		Unobligated Appropriation	\$ 3,562,447	\$ 720,936
		<b>Cost-Share</b>		
Pre/Construction	1	Logan County: Irrigation District Feasibility Study		\$ 150,000
			<b>Current Requests</b>	\$ 150,000
			Estimated Unobligated Appropriation =	\$ 570,936

		Unobligated Appropriation	\$ 42,922,351	\$ 13,976
		<b>Cost-Share</b>		
Pre/Construction Construction Construction Intent Cost Increase	1	City of Bowman: New Water Storage Reservoir	\$ 132,000	
	2	City of Beach: Street and Utility Improvements	\$ 3,160,110	
	3	City of New Town: Utility Improvements Phase 2	\$ 2,766,523	
	4	City of Medora: New Water Storage	\$ 63,000	
	5	WAWSA: MCWRD Phase 2 Transmission Line	\$ 3,343,802	
		<b>Current Requests</b>	\$ 9,465,435	\$ -
		Estimated Unobligated Appropriation =	\$ 33,456,916	\$ 13,976

		Unobligated Appropriation	\$ 9,943,260	\$ 12,877
		<b>Cost-Share</b>		
Pre/Construction Pre/Construction Construction	1	All Seasons WUD: Bottineau County Expansion	\$ 180,000	
	2	South Central RWD: Service to Napoleon	\$ 289,500	
	3	Greater Ramsey WD: 2024 User Expansion	\$ 7,476,752	
		<b>Current Requests</b>	\$ 7,946,252	\$ -
		Estimated Unobligated Appropriation =	\$ 1,997,008	\$ 12,877

		Unobligated Appropriation	\$ 8,768,861	\$ 2,601,400
		<b>Cost-Share</b>		
Construction	1	Fort Berthold Rural Water: 4 Bears WTP, Intake, and Raw Water Line	\$ 1,148,600	\$ 2,601,400
			<b>Current Requests</b>	\$ 2,601,400
			Estimated Unobligated Appropriation =	\$ 7,620,261

**PURPOSE FUNDING SUMMARY  
State Water Commission Cost-Share  
for February 13, 2025**

<b>2023-2025 Unobligated Appropriation 01-29-25</b>	<b>Carryover Turnback 06-30-23</b>
---	--

<b>Capital Assets</b>		Unobligated Appropriation	\$ 95,681,797	\$ -
<b>SWPP</b>		<b>Cost-Share</b>		
1				
2				
		<b>Current Requests</b>	\$ -	
<b>NAWS</b>				
1				
2				
		<b>Current Requests</b>	\$ -	
		<b>Capital Assets Current Requests</b>	\$ -	
		Less line of credit	\$ 100,000,000	
		Anticipated Unobligated Appropriation Capital Assets =	\$ (4,318,203)	

2023-2025 Unobligated Appropriation for Purpose and Capital Assets	\$ 188,827,797	\$ 4,876,870
<b>Current Requests</b>	\$ 18,560,287	\$ 2,930,462
2023-2025 Anticipated Unobligated Appropriation =	\$ 170,267,510	

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

January 29, 2025


	2021-2023 CARRYOVER	2023-2025 APPROPRIATION	TOTAL	SWC/Secretary APPROVED	UNOBLIGATED APPROPRIATION
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>					
MUNICIPAL WATER SUPPLY	53,007,838	84,713,944	137,721,782	137,721,782	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	42,922,351	42,936,327		42,936,327
Total	118,591,570	316,200,000	434,791,570	391,855,243	42,936,327
% OBLIGATED			86%		
<b>RURAL WATER SUPPLY:</b>					
RURAL WATER SUPPLY	55,311,784	42,056,740	97,368,524	97,368,524	0
UNOBLIGATED RURAL WATER SUPPLY	12,877	9,943,260	9,956,137		9,956,137
Total	55,324,661	52,000,000	107,324,661	97,368,524	9,956,137
% OBLIGATED			81%		
<b>FLOOD CONTROL:</b>					
FARGO	0	0	0	0	0
MOUSE RIVER	9,425,991	76,100,000	85,525,991	85,525,991	0
MOUSE RIVER HB1431 BOND PROCEEDS	64,354,625	0	64,354,625	64,354,625	0
VALLEY CITY	10,072,490	0	10,072,490	10,072,490	0
LISBON	259,160	0	259,160	259,160	0
OTHER FLOOD CONTROL	8,933,841	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	9,190,294	323,897	9,514,191	9,514,191	0
UNOBLIGATED FLOOD CONTROL	1,527,682	27,949,081	29,476,763		29,476,763
Total	103,821,656	115,700,000	219,521,656	190,044,894	29,476,763
% OBLIGATED			76%		
<b>GENERAL WATER:</b>					
GENERAL WATER	10,909,909	6,687,553	17,597,462	17,597,462	0
UNOBLIGATED GENERAL WATER	720,936	3,562,447	4,283,383		4,283,383
Total	11,630,845	10,250,000	21,880,845	17,597,462	4,283,383
% OBLIGATED			65%		
<b>SUBTOTAL</b>	<b>289,368,732</b>	<b>494,150,000</b>	<b>783,518,732</b>	<b>696,866,123</b>	<b>86,652,609</b>
<b>CAPITAL ASSETS:</b>					
SWPP CAPITAL ASSETS	24,100,389	86,438,203	110,538,592	110,538,592	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	0
UNOBLIGATED CAPITAL ASSETS	0	95,681,797	95,681,797		95,681,797
Total	60,282,160	193,400,000	253,682,160	158,000,363	95,681,797
% OBLIGATED			51%		
<b>DISCRETIONARY FUNDING:</b>					
DISCRETIONARY FUNDING PROJECTS	3,001,605	231,139	3,232,744	3,232,744	0
UNOBLIGATED DISCRETIONARY FUNDS	2,601,400	8,768,861	11,370,261		11,370,261
Total	5,603,005	9,000,000	14,603,005	3,232,744	11,370,261
% OBLIGATED			3%		
<b>BASINWIDE PLAN IMPLEMENTATION:</b>					
BASINWIDE PLAN IMPLEMENTATION	773,787	0	773,787	773,787	0
UNOBLIGATED BASINWIDE PLAN IMPLEMENTATION FUNDS	0	0	0		0
Total	773,787	0	773,787	773,787	0
% OBLIGATED			0%		
<b>STATE FISCAL RECOVERY FUND:</b>					
STATE FISCAL RECOVERY FUNDS - SB 2345	10,972,317	0	10,972,317	10,972,317	0
UNOBLIGATED STATE FISCAL RECOVERY FUNDS	0	0	0		0
Total	10,972,317	0	10,972,317	10,972,317	0
% OBLIGATED			0%		
<b>TOTAL</b>	<b>367,000,000</b>	<b>696,550,000</b>	<b>1,063,550,001</b>	<b>869,845,333</b>	<b>193,704,667</b>

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

*Jan-25*

	SWC/Secretary APPROVED	EXPENDITURES	UNPAID APPROVALS
<b>MUNICIPAL &amp; REGIONAL WATER SUPPLY:</b>			
MUNICIPAL WATER SUPPLY	137,721,782	50,755,040	86,966,742
RED RIVER VALLEY	218,269,022	82,044,830	136,224,192
OTHER REGIONAL WATER SUPPLY	35,864,439	17,111,349	18,753,091
<b>TOTAL</b>	<b>391,855,243</b>	<b>149,911,218</b>	<b>241,944,025</b>
<b>RURAL WATER SUPPLY:</b>			
RURAL WATER SUPPLY	97,368,524	51,639,704	45,728,820
<b>FLOOD CONTROL:</b>			
FARGO	0	0	0
MOUSE RIVER	85,525,991	3,972,431	81,553,560
MOUSE RIVER HB1431	64,354,625	36,333,075	28,021,550
VALLEY CITY	10,072,490	187,679	9,884,811
LISBON	259,160	4,500	254,660
OTHER FLOOD CONTROL	10,510,863	3,237,360	7,273,503
PROPERTY ACQUISITIONS	9,807,573	57,573	9,750,000
WATER CONVEYANCE	9,514,191	5,309,398	4,204,793
<b>TOTAL</b>	<b>190,044,894</b>	<b>49,102,016</b>	<b>140,942,877</b>
<b>GENERAL WATER:</b>			
GENERAL WATER	17,597,462	8,719,882	8,877,580
<b>SUBTOTAL</b>	<b>696,866,123</b>	<b>259,372,820</b>	<b>437,493,303</b>
<b>CAPITAL ASSETS:</b>			
SWPP CAPITAL ASSETS	110,538,592	6,066,779	104,471,813
NAWS CAPITAL ASSETS	47,261,771	10,744,371	36,517,401
DEVILS LAKE OUTLET	200,000	41,266	158,734
<b>TOTAL</b>	<b>158,000,363</b>	<b>16,852,415</b>	<b>141,147,948</b>
<b>DISCRETIONARY FUNDING:</b>			
DISCRETIONARY FUNDING PROJECTS	3,232,744	1,199,180	2,033,564
<b>BASINWIDE PLAN IMPLEMENTATION:</b>			
BASINWIDE PLAN IMPLEMENTATION	773,787	285,627	488,160
<b>STATE FISCAL RECOVERY FUNDS SB2345</b>			
STATE FISCAL RECOVERY FUND PROJECTS	10,972,317	8,788,231	2,184,086
<b>TOTALS</b>	<b>869,845,333</b>	<b>286,498,274</b>	<b>583,347,059</b>

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

**TO:** Lieutenant Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** Petition To Adjust Boundaries of Bottineau County Water Resource District (WRD) and Oak Creek WRD  
**DATE:** February 3, 2025

The State Water Commission (SWC) and Department of Water Resources (DWR) received a January 22, 2025, letter and petition (attached) requesting an adjustment to the boundaries of Bottineau County Water Resource District (WRD) and Oak Creek WRD. North Dakota Century Code (N.D.C.C.) section 61-16-06.1 (attached) provides requirements and a process for such petitions. In addition, N.D.C.C. section 61-16-06.1(3) requires the DWR to "make, or cause to be made, an investigation of the need for consolidation of the petitioning districts and shall submit a report of the findings to the State Water Commission." This memorandum serves both as the results of DWR's investigation and report to the SWC.

The fundamental reason for the boundary modification petition is to make the WRD boundaries more reflective of watershed boundaries in the area. Since the boundaries were originally established decades ago, additional engineering and surveying efforts provide for more accurate district delineations. Existing boundaries have resulted in two water conveyance projects spanning the boundaries of each of the petitioning districts (see maps attached to petition). Therefore, the petitioning boards believe the modified boundaries will improve the efficiency and effectiveness of water management in the region.

The following is a summary of requirements provided for in N.D.C.C. section 61-16-06.1, and DWR's determinations regarding Bottineau County WRD and Oak Creek WRD's fulfillment of those requirements.

- 1.) Both WRD's must file with the SWC a petition signed by a majority of the members of the board of each of the districts or fifty percent or more of the landowners within each of the districts.

DWR Determination: All five members of the Bottineau County WRD, and all three members of the Oak Creek WRD unanimously approved/signed the petition. The DWR has determined this requirement has been met.

- 2.) The petition must be accompanied by a certified copy of the resolution of the governing boards authorizing signing of the petition.



DWR Determination: Copies of the signed resolutions from the Bottineau County WRD and Oak Creek WRD are provided with the petition. The DWR has determined this requirement has been met.

- 3.) The petition must contain a detailed plan for the disposition of the property, assets, and liabilities of each of the districts. This plan must be as equitable as practicable to every landowner within the districts and must fully protect creditors and the holders of improvement warrants of the petitioning districts. The plan may provide for a continuance of assessments upon properties in the petitioning districts to retire outstanding obligations, or for the assumption of outstanding obligations and the spreading of assessments for the payment of the outstanding obligations over properties in the newly created district.

DWR Determination: According to the petitioning boards, there will be no disposition of property, assets, or liabilities of the Bottineau County WRD or the Oak Creek WRD affected by the petition. The only creditors or holders of improvement warrants within the parcels affected by the petition will not be affected if the petition is granted because those creditors or holders of improvement warrants are through the Bottineau County WRD acting with jurisdiction over the Oak Creek WRD through existing joint powers agreements. Assessments will continue for the affected parcels in the same manner, unaffected by the petition. If approved, the petition will direct the mill levy against affected parcels to the Bottineau County WRD, whereas, the current mill levy for the affected parcels is directed to the Oak Creek WRD. The DWR has determined this requirement has been met.

As a result of DWR's investigation of the petition submitted by the Bottineau County WRD and Oak Creek WRD, it is determined that all petition requirements as outlined in N.D.C.C. section 61-16-06.1 have been met.

The next step is for the State Water Commission to direct the DWR to set a date, time, and location for a public hearing related to this request. Once the hearing is complete and all comments reviewed, the DWR will return to the State Water Commission to recommend either granting or denying the petition of the WRD boundary adjustment.

**Therefore, I recommend the State Water Commission accept the results of this report and investigation and direct the Department of Water Resources to set a date, time, and location within one of the petitioning district boundaries for a public hearing related to this request as required by N.D.C.C. section 61-16-06.1(2).**

RH:pf/PS/WRD/BOT & OAK

**CHAPTER 61-16**  
**CREATION OF WATER RESOURCE DISTRICTS - BOARDS**

**61-16-01. Definitions.**

Repealed by S.L. 1981, ch. 632, § 11.

**61-16-02. Petition for establishment of water conservation and flood control district - Hearing thereon and investigation - District when created.**

Repealed by S.L. 1973, ch. 500, § 13.

**61-16-03. Bond to accompany petition for district - When - Exception.**

Repealed by S.L. 1973, ch. 500, § 13.

**61-16-04. Resolution of governing body of public corporation filed with commission.**

Repealed by S.L. 1973, ch. 500, § 13.

**61-16-05. Water resource districts - Area to be included.**

All land in North Dakota shall be within a water resource district.

**61-16-06. Order creating water resource district.**

A certified copy of the order creating a water resource district shall be filed with the county auditor of each county within the district. A like copy of the order shall be filed with the secretary of state. The secretary of state shall issue to the state water commission a certificate, bearing the seal of the state, of the due organization of the district, and shall file a copy of the certificate and the commission's order creating the district. The secretary of state's certificate, or a copy authenticated by the secretary of state, shall be prima facie evidence of the organization of the district. This new district shall be, and is hereby declared to be, a governmental agency, and a body politic and corporate with the authority to exercise the powers specified in this chapter, or which may be reasonably implied to exercise such powers. The commission's order shall specify the name or number by which a district shall be known.

**61-16-06.1. Consolidation of water resource districts**

1. Any two or more water resource districts may be consolidated into a single district, or existing districts may be adjusted to reflect watershed boundaries, as determined by the department of water resources, by filing with the state water commission a petition signed by a majority of the members of the board of each of the districts or fifty percent or more of the landowners within each of the districts.  
When the petition is filed by the district boards, it must be accompanied by a certified copy of the resolution of the governing boards authorizing the signing of the petition. The petition must contain a detailed plan for the disposition of the property, assets, and liabilities of each of the districts. This plan must be as equitable as practicable to every landowner within the districts and must fully protect creditors and the holders of improvement warrants of the petitioning districts. The plan may provide for a continuance of assessments upon properties in the petitioning districts to retire outstanding obligations, or for the assumption of outstanding obligations and the spreading of assessments for the payment of the outstanding obligations over properties in the newly created district. The state water commission may not approve the petition unless the petition fully meets the requirements of this section.
2. The state water commission shall fix a time and place for a public hearing on a petition filed under this section at a site convenient and accessible for a majority of the affected individuals. At least fifteen days prior to the date of hearing, the commission shall publish notice of the hearing in at least one newspaper of general circulation in each of the districts being consolidated or adjusted. Additional notice of the hearing may be given in a manner prescribed by the state water commission.

3. Prior to the hearing, the department of water resources shall make, or cause to be made, an investigation of the need for consolidation of the petitioning districts and shall submit a report of the findings to the state water commission. This report must be presented at the petition hearing. If the state water commission finds it is not feasible, desirable, or practical to consolidate the petitioning districts, the commission shall deny the petition and state the reasons for denial. If the state water commission finds problems of flood control, watershed development or improvement, drainage, water supply, or other reasons make consolidation or boundary adjustment and establishment of the proposed water resource district desirable, the commission shall grant the petition and create the district. Upon creation of the new water resource district, the state water commission shall dissolve the included districts or make necessary boundary adjustments to existing districts.

**61-16-07. Water resource board - Appointment and number.**

When a water resource district has been created, and the state water commission has filed notice with the county auditor of a county where the district or a part thereof is situated, a water resource board shall be appointed within ninety days, as provided herein. If the district's boundaries are confined to one county, the board of county commissioners shall appoint a water resource board consisting of three or five managers. When a district includes two counties, the water resource board shall consist of five managers, three appointed by the board of county commissioners of the county having the larger aggregate taxable valuation of property, and two appointed by the board of county commissioners of the other county. If a district includes three counties, the water resource board shall consist of five managers, one appointed by the board of county commissioners having the lowest aggregate taxable valuation of property in the district, and two appointed by the board of county commissioners of each of the other two counties. If a district includes four or six counties, the water resource board shall consist of two members from the county having the largest aggregate taxable valuation of property in the district, and one manager from each of the other counties. If a district includes five or seven counties, the water resource board shall consist of one manager from each county. Appointments to the water resource board shall be made by the boards of county commissioners of the respective counties.

**61-16-08. Eligibility for appointment to board - Term of office - Removal - Filling vacancies - Compensation of managers.**

1. When a water resource district has been created, any resident landowner in the district, except a county commissioner, is eligible, subject to the provisions of this section, for appointment to the water resource board. After June 30, 1985, when the term of office of a district manager has expired, the manager's successor shall hold office for three years from the first day of January next following the date of the successor's appointment. The term of office of a manager does not terminate until the successor in office is appointed and qualified. In case the office of any district manager becomes vacant, the manager appointed to fill the vacancy shall serve the unexpired term of the manager whose office became vacant. Within three months after the start of an individual's term as a district manager, the individual shall attend a course on water management, and each district manager shall attend a course on water management every three years during the manager's term.
2. While performing duties as a member of a water resource board, each member is entitled to receive compensation of at least seventy-five dollars per day but not more than the rate set for a member of the legislative assembly under section 54-03-20, an allowance for meals at the same rates and under the same conditions as provided by law for state officials and employees, and reimbursement of lodging and other necessary travel expenses at the same rate and under the same conditions as provided by law for state officials and employees. A request for an allowance or reimbursement must be evidenced by a subvoucher or receipt as provided by section 21-05-01.



January 22, 2025

Direct Dial: 320-656-3522  
Kvanbruggen@RinkeNoonan.com

North Dakota State Water Commission  
c/o Mr. Reice Haase, Director, Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND 58504-5262

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**Re: Petition to Adjust Boundaries:  
Bottineau County Water Resource District & Oak Creek Water Resource District  
Our File No. 25341-0077**

Dear Members of the North Dakota State Water Commission:

Rinke Noonan Law Firm serves as general counsel to the Bottineau County Water Resource District. I am writing to submit and enclose a petition on behalf of the Bottineau County Water Resource District and the Oak Creek Water Resource District, requesting the adjustment of the boundaries of said districts under the provisions of North Dakota Century Code, section 61-16-06.1.

The petition, signed by all members of the Board of Managers of both districts, outlines the rationale for the boundary adjustment, which is being requested to more accurately reflect the current needs and characteristics of the water management areas within these districts. The Board of Managers of both districts believes that this adjustment will more accurately reflect watershed boundaries and will improve the efficiency and effectiveness of water resource management in the region.

The enclosed petition includes all necessary documentation and supporting information required for review. We kindly ask that the State Water Commission, with the aid of the Department of Water Resources, consider this petition for approval and any necessary actions for implementation.

If you have any questions, or require additional information, please do not hesitate to contact the following individuals:

1. Clifford Issendorf, Chair of the Bottineau County Water Resource District, 641 – 88<sup>th</sup> Street NW, Newburg, ND 58762, issbros@srt.com, 701-228-4070;

Suite 300 US Bank Plaza  
1015 W. St. Germain St.  
P.O. Box 1497  
St. Cloud, MN 56302  
320.251.6700

[www.rinkenoonan.com](http://www.rinkenoonan.com)

2. Dan Bullinger, Chair of the Oak Creek Water Resource District; 1115 Burnetts Road, Bottineau, ND 58318, dbullinger@hotmail.com, 701-228-8344;
3. Professional Engineer Jennifer Malloy, Apex Engineering, for the Bottineau County Water Resource District, 600 South 2<sup>nd</sup> Street, Suite 145, Bismarck, ND 58504, jennifer.malloy@apexenggroup.com, 701-323-3950; and
4. Attorney Kale Van Bruggen, Rinke Noonan, Ltd. Attorney & Secretary for the Bottineau County Water Resource District; 1015 W. St. Germain St., Suite 300, P.O. Box 1497, St. Cloud, MN 56302, kvanbruggen@rinkenoonan.com, 320-656-3522.

Sincerely,

/s/ Kale R. Van Bruggen

Kale R. Van Bruggen  
KRV/cmt

Enclosure

cc: Board of Managers, Bottineau County Water Resource District (via email w/encls.)  
Board of Managers, Oak Creek Water Resource District (via email w/encls.)  
Jennifer Malloy, P.E., Apex Engineering (via email w/encls.)  
Matt Lindsay, Water Resource Engineer Manager (via email w/encls.)

STATE OF NORTH DAKOTA  
DEPARTMENT OF WATER RESOURCES  
BEFORE THE STATE WATER COMMISSION

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In the Matter of the  
Bottineau County Water Resource District  
and the Oak Creek Water Resource District  
Boundary Adjustment

**JOINT PETITION FOR  
BOUNDARY CHANGE**

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Pursuant to North Dakota Century Code, section 61-16-06.1, the Board of Managers for the Bottineau County Water Resource District, and the Board of Managers for the Oak Creek Water Resource District, Petition the North Dakota State Water Commission, for an adjustment to their respective jurisdictional boundaries to better reflect watershed boundaries. For their Joint Petition for Boundary Change (“Petition”), the undersigned Petitioners hereby state and allege the following:

[¶1.] Pursuant to ND Century Code section 61-16.06-1, Petitioners hereby request that the North Dakota State Water Commission adjust the boundaries of the Bottineau County Water Resource District (the “BCWRD”) and the Oak Creek Water Resource District (the “OCWRD”) to better reflect watershed boundaries as described herein.

[¶2.] The undersigned Petitioners represent a majority of the members of the BCWRD and a majority of the members of the OCWRD. The 5 Managers on the BCWRD Board, and the 3 Managers on the OCWRD, have unanimously approved this Petition.

[¶3.] Attached hereto as **EXHIBIT A**<sup>1</sup> is a map showing the current jurisdictional boundaries of the BCWRD and the OCWRD within Bottineau County, North Dakota.

[¶4.] In 1973, the North Dakota Legislature mandated that all land in North Dakota shall be within a water resource district. Prior to that time, ND Century Code section 61-16-05 provided that “the area to be included in a water . . . district shall embrace the territory described in the petition,” and then authorized the State Water Commission to “consider, and include within the boundaries of the district, the watershed and drainage areas which will be benefited by the construction and maintenance of works therein for water conservation, flood control, or drainage as the case may be.”

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<sup>1</sup> A map showing the current jurisdictional boundaries of the water resource districts within Bottineau County is maintained on the Bottineau County website at:

[https://www.bottineauco.com/\\_files/ugd/5ce0a9\\_3944925a022848e280437aa1b98c3626.pdf](https://www.bottineauco.com/_files/ugd/5ce0a9_3944925a022848e280437aa1b98c3626.pdf).

[¶5.] The order creating the boundary for the OCWRD followed what was believed to be the watershed boundary at that time. Since that time, extensive engineering, surveying, and topographic work has been conducted by the BCWRD with the cooperation and under formal Joint Powers Agreements with the OCWRD to provide accurate assessment district boundaries for several assessment drain projects, two of which span the jurisdictional boundaries of the BCWRD and the OCWRD.

[¶6.] As depicted on **EXHIBIT B** attached hereto, the Stone Creek Lateral Assessment Drain (also known locally as the Elysian Township Drain or Elysian Drain) and the White Spur Assessment Drain and their respective assessment districts span the jurisdictional boundaries between the BCWRD and the OCWRD. Additional engineering, surveying, and topographic work is soon to be initiated for a new, proposed assessment drain in this region known locally as the Gardena Lateral. The Gardena Lateral, if established, will flow into the Stone Creek Lateral.

[¶7.] As a result of this extensive engineering, surveying, and topographic work over the years, it has become apparent to the BCWRD and the OCWRD that the existing jurisdictional boundaries for the BCWRD and the OCWRD do not follow the watershed boundary between the two districts.

[¶8.] To construct the White Spur Drain and Stone Creek Lateral, the BCWRD and the OCWRD entered into Joint Powers Agreements whereby the OCWRD authorized the BCWRD to establish, construct, and maintain the assessment drain projects within a portion of the OCWRD jurisdictional boundary, and assess lands within the OCWRD thereby benefited by these projects.

[¶9.] Today, the BCWRD remains responsible for the inspection, operation, maintenance, construction, and water management of the White Spur Drain and Stone Creek Lateral, both of which flow into the Stone Creek Drain. The Stone Creek Drain is inspected, operated, and maintained by the BCWRD, and its watershed and assessment district are wholly within the BCWRD jurisdictional boundary.

[¶10.] This Petition seeks to adjust the boundaries between the BCWRD and the OCWRD to reflect what is better known and understood today as the watershed boundary between the Stone Creek Drain and Oak Creek. The parcels affected by the boundary change proposed in this Petition are within the assessment districts of the White Spur Drain or Stone Creek Lateral, which flow into the Stone Creek Drain, or otherwise flow across lands within the BCWRD to the Stone Creek Drain watershed.

[¶11.] Despite their flow into the Stone Creek Drain and across lands within the BCWRD, these parcels are presently within the jurisdictional boundaries of the OCWRD. This means that revenue generated for the annual mill levy approved by the OCWRD for these parcels is directed to the OCWRD, despite the parcels within the watershed of the Stone Creek Lateral or White Spur Drain and the Stone Creek Drain being managed by the BCWRD.

[¶12.] This Petition requests that upon completion of the required procedures in ND Century Code, section 61-16-06.1, the State Water Commission issue an order granting the Petition and make the necessary boundary adjustments to the BCWRD and OCWRD as depicted on **EXHIBIT C** attached hereto. Exhibit C depicts the existing boundary line between the OCWRD and the BCWRD, and the proposed boundary change between the OCWRD and the BCWRD.

[¶13.] As depicted in Exhibit C, certain parcels that are presently within the OCWRD jurisdictional boundary will be affected by this Petition as those parcels are proposed to be within the BCWRD jurisdictional boundary if this Petition is granted. The following parcels are affected by this Petition:

- a. Township 161 North, Range 76 West (Oak Valley Township): Sections 22, 27, & 34
- b. Township 160 North, Range 76 West (Oak Creek Township): Sections 4, 5, 6, 7, 8, 9, Part of 15, 16, 17, 18, 19, 20, 21, Part of 22, Part of 28, 29, 30, and Part of 32.
- c. Township 160 North, Range 77 West (Elysian Township): Sections 1, 2, Part of 9, Part of 10, 11, 12, 13, Part of 14, Part of 15, and Part of 24

[¶14.] Additional information regarding the engineering, surveying, and topographic data supporting this Petition can be obtained from the BCWRD's Professional Engineer, Jennifer Malloy, of Apex Engineering ((701) 323-3967; [jennifer.malloy@apexenggroup.com](mailto:jennifer.malloy@apexenggroup.com)).

[¶15.] A certified copy of the resolution of the BCWRD authorizing the members of the BCWRD to sign this Joint Petition is attached as **EXHIBIT D** hereto.

[¶16.] A certified copy of the resolution of the OCWRD authorizing the members of the OCWRD to sign this Joint Petition is attached as **EXHIBIT E** hereto.

[¶17.] ND Century Code, section 61-16-06.1 requires the Petition to provide a detailed plan for the disposition of the property, assets, and liabilities of each of the districts. This plan must be as equitable as practicable to every landowner within the districts and must fully protect creditors and the holders of improvement warrants of the petitioning districts. The plan may provide for a continuance of assessments upon properties in the petitioning districts to retire outstanding obligations, or for the assumption of outstanding obligations and the spreading of assessments for the payment of the outstanding obligations over properties in the newly created district. The state water commission may not approve the petition unless the petition fully meets the requirements of this section.

[¶18.] In this regard, there will be no disposition of property, assets, and liabilities of the BCWRD or the OCWRD affected by this Petition. In addition, the only creditors or holders of improvement warrants within the parcels affected by this Petition will not be affected if the Petition is granted because those creditors or holders of improvement warrants are through the BCWRD acting with jurisdiction over the OCWRD parcels subject to the existing Joint Powers Agreements between the BCWRD and OCWRD. Special assessments will continue the affected parcels in the same manner, unaffected by this Petition. If approved, this Petition will direct the



mill levy against affected parcels to the BCWRD; whereas, the current mill levy for the affected parcels is directed to the OCWRD.

[¶19.] The proposed boundary change will adjust existing jurisdictional boundaries of the BCWRD and the OCWRD to better reflect existing watershed boundaries and enable both districts to better govern existing and future assessment drain projects within the Stone Creek, Stone Creek Lateral, and White Spur, and the Oak Creek watersheds respectively.

[¶20.] This plan is equitable to every landowner within the BCWRD and the OCWRD as they now exist and fully protects creditors and holders of improvement warrants of each district because the OCWRD has no liabilities.

[¶21.] The petitioned adjustments would cause the common jurisdictional boundary to conform more closely to the hydrological boundary, would facilitate watershed-based water resource planning and management, and for these and other reasons would be more consistent with the purposes and requirements of ND Century Code, section 61-16.06-1.

**WHEREFORE**, in accordance with ND Century Code, section 61-16.06.1, Petitioners respectfully Petition the North Dakota Department of Water Resources and State Water Commission to take the following actions:

1. Fix a time and place for a public hearing on this Petition at a site convenient and accessible for a majority of the affected individuals.
2. At least fifteen days prior to the date of the hearing, publish notice of the hearing in at least one newspaper of general circulation in the BCWRD and the OCWRD.
3. Make or cause to be made an investigation of the need for adjusting the boundary between the BCWRD and the OCWRD and present said report at the Petition hearing.
4. Upon completing said report and conducting the Petition Hearing, and based upon the record therein, find that the problems of flood control, watershed development or improvement, drainage, water supply, or other reasons make the boundary adjustment as proposed herein desirable, grant this Petition, and create the new adjusted boundaries for the BCWRD and OCWRD as depicted on Exhibit C.

Respectfully submitted by the undersigned Petitioners, representing a majority of the members of the Bottineau County Water Resource District and the Oak Creek Water Resource District Boards of Managers.

*[Petition Signatures to Follow]*

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS  
SIGNATURE PAGE TO JOINT PETITION FOR BOUNDARY CHANGE BETWEEN THE  
BOTTINEAU COUNTY WATER RESOURCE DISTRICT & OAK CREEK WATER RESOURCE DISTRICT**



Clifford Issendorf, Chair  
641 – 88th Street NW  
Newburg, ND 58762  
issbros@srt.com; (701) 228-4070

Dated: 12/16/2024



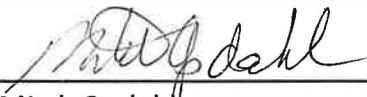
Paxton Engelhard, Vice Chair  
10570 – 5th Avenue NW  
Souris, ND 58783  
engelhardfarms@gmail.com; (701) 263-5665

Dated: ~~12-7-25~~



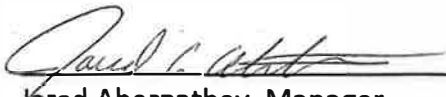
Wayne Drangsholt, Treasurer  
10188 – 35th Avenue NW  
Mohall, ND 58761  
wdrangsholtbcwrd@gmail.com; (701) 833-1839

Dated: 12/16/2024



Mitch Opdahl, Manager  
415 – 1st Avenue East  
Westhope, ND 58793  
opdahl97@gmail.com; (701) 263-1454

Dated: 12/16/2024



Jared Abernathey, Manager  
8340 – 30th Avenue NW  
Lansford, ND 58750  
abernatheybrothers@gmail.com; (701) 818-2323

Dated: 12-31-2024

OAK CREEK COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS  
SIGNATURE PAGE TO JOINT PETITION FOR BOUNDARY CHANGE BETWEEN THE  
BOTTINEAU COUNTY WATER RESOURCE DISTRICT & OAK CREEK WATER RESOURCE DISTRICT



Dan Bullinger, Chair  
1115 Burnetts Road  
Bottineau, ND 58318  
dbullinger@hotmail.com; (701) 228-8344

Dated: 12-2-2024



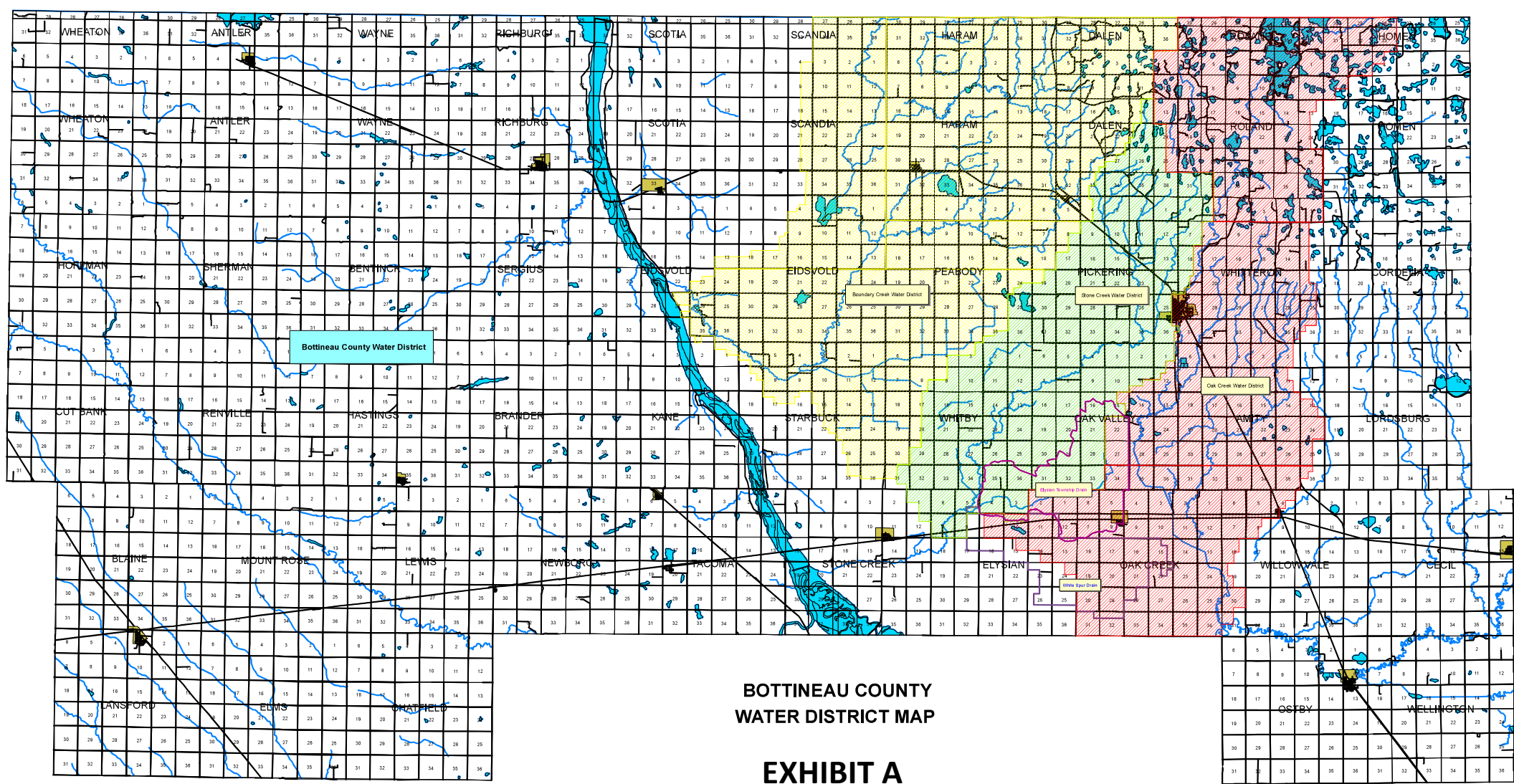
Tim Fedje, Vice Chair  
114 Hahn Bay Road  
Bottineau, ND 58318  
fedje@srt.com; (701) 720-2043

Dated: 12-2-2024



Keith Fulsebakke, Treasurer  
1251 100th Street NE  
Bottineau, ND 58318

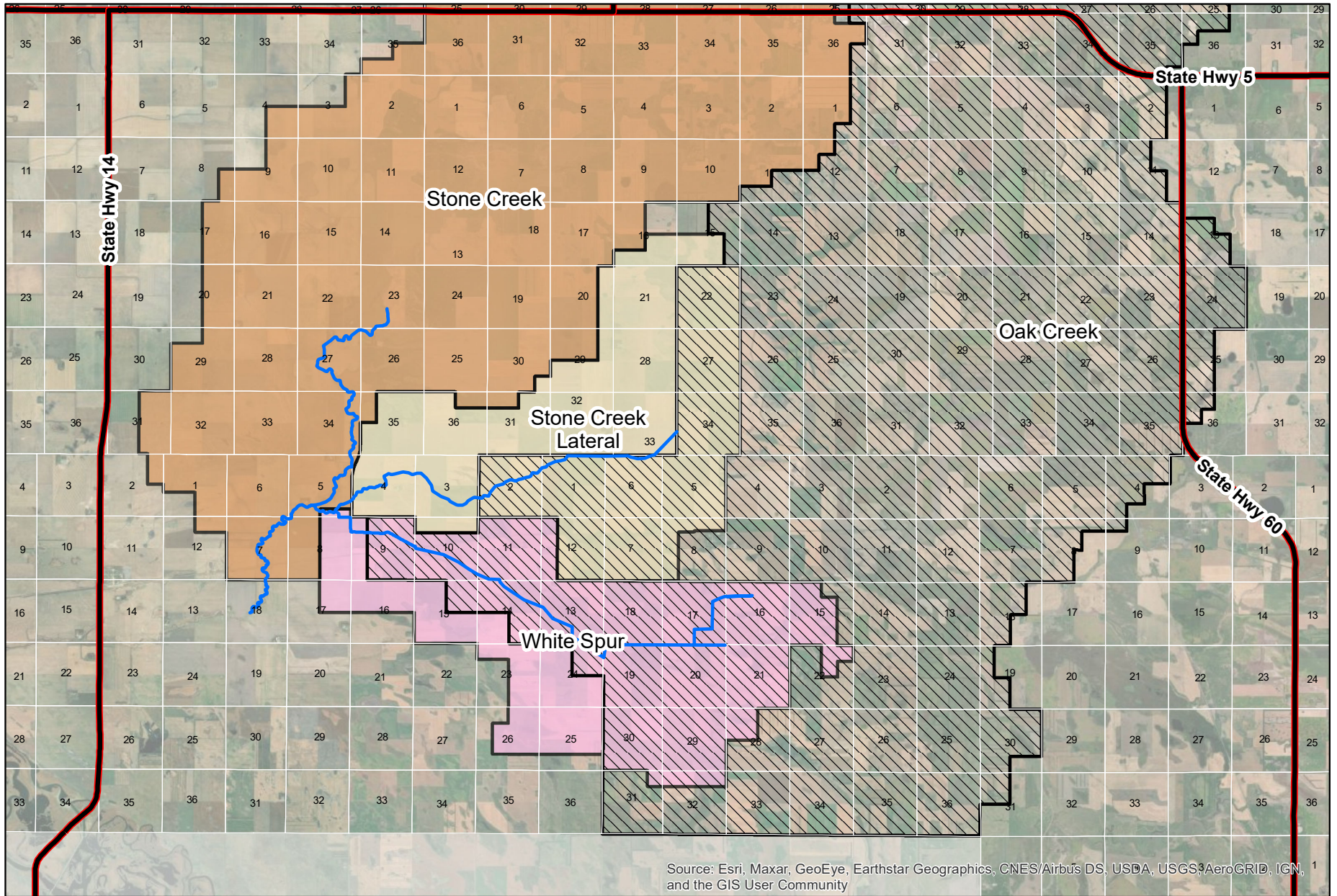
Dated: 12-2-2024



**BOTTINEAU COUNTY  
WATER DISTRICT MAP**

**EXHIBIT A**



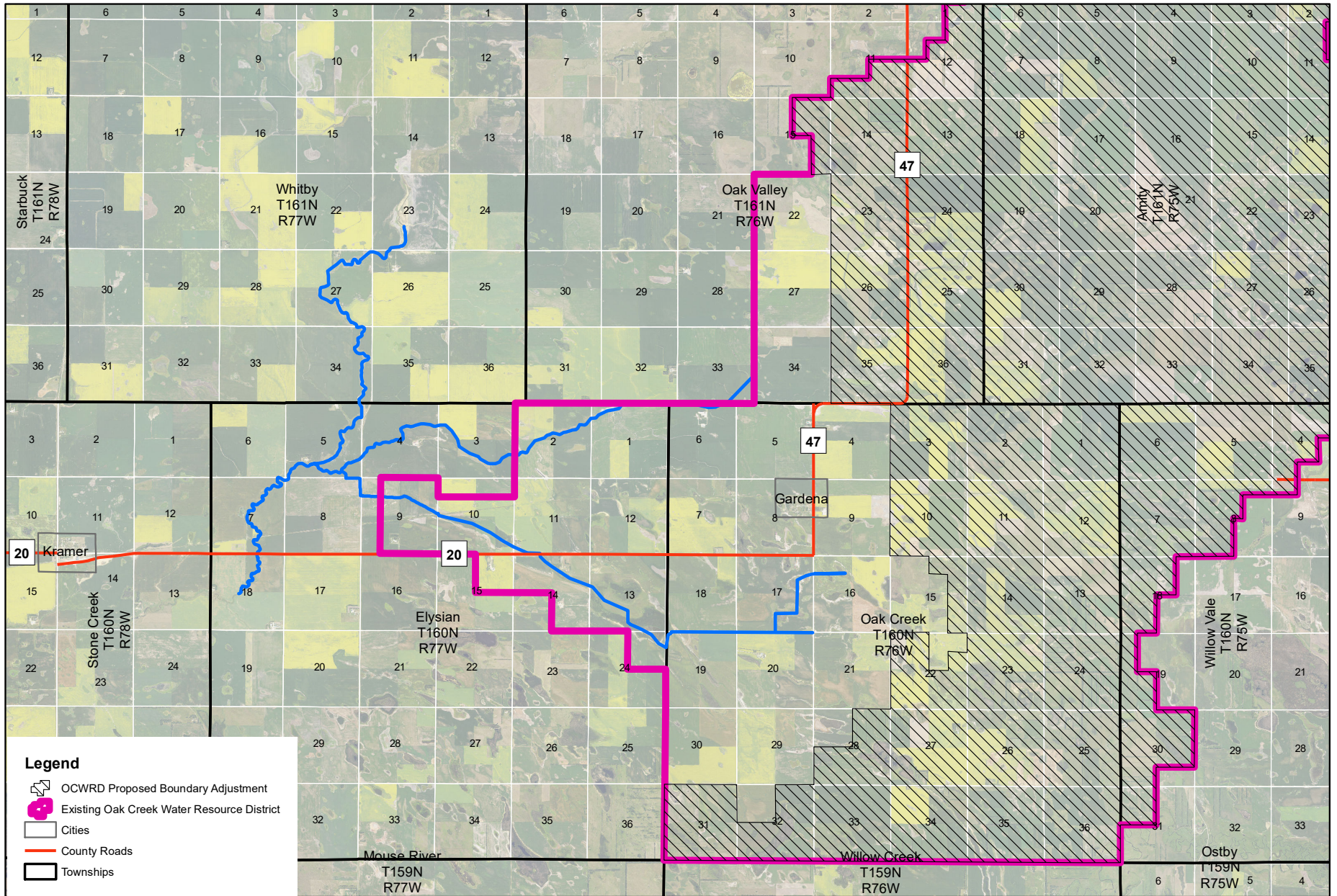


# Existing Oak Creek Water Resource District

## EXHIBIT B







# Oak Creek Boundary Adjustment



**EXHIBIT C**

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT  
BOARD OF MANAGERS  
BOTTINEAU COUNTY, NORTH DAKOTA**

**RESOLUTION AUTHORIZING THE SIGNING OF THE JOINT PETITION FOR BOUNDARY CHANGE**

**WHEREAS**, this Board of Managers is authorized by N.D. Century Code chapter 61-16.1 to file a Joint Petition for Boundary Change with the North Dakota State Water Commission to adjust existing jurisdictional boundaries of the Oak Creek Water Resource District and the Bottineau County Water Resource District to reflect watershed boundaries; and

**WHEREAS**, this Board of Managers has determined that it is reasonable, fair, equitable, and practical, and in the best interests of the Bottineau County Water Resource District and the parcels of property within the District that are in the watershed of the Stone Creek Drain, Stone Creek Drain Lateral, and White Spur Drain, to cooperate with the Oak Creek Water Resource District to petition the State Water Commission to correct the boundaries between our respective water resource districts to better reflect the watershed boundaries, as described and depicted in the Joint Petition.

**NOW, THEREFORE, BE IT RESOLVED** by this Board of Managers as follows:

1. That each member of this Board of Managers is hereby authorized to sign the Joint Petition for the purpose of adjusting the boundaries of this District and the Oak Creek Water Resource District to better reflect existing watershed boundaries.
2. That this Board of Managers hereby agrees to abide by the terms and conditions of said Joint Petition, a copy of which shall be attached to this resolution and filed herewith as a public record of this District with the North Dakota State Water Commission.
3. This Board of Managers further agrees to abide by all reasonable and necessary decisions duly and properly made on its behalf by the governing board in the course of the administration of the Joint Petition.

Adopted at the meeting of the District this 16<sup>th</sup> day of December, 2024.

Signed:   
Name: Clifford Issendorf Chair, Board of Managers

Attest:   
Name: Kale R. Van Bruggen Secretary, Board of Managers



OAK CREEK WATER RESOURCE DISTRICT  
BOARD OF MANAGERS  
BOTTINEAU COUNTY, NORTH DAKOTA

**RESOLUTION AUTHORIZING THE SIGNING OF THE JOINT PETITION FOR BOUNDARY CHANGE**

**WHEREAS**, this Board of Managers is authorized under ND Century Code, section 61-16-06.1 to file a Joint Petition for Boundary Change with North Dakota State Water Commission to adjust existing jurisdictional boundaries of the Oak Creek Water Resource District and the Bottineau County Water Resource District to reflect watershed boundaries; and

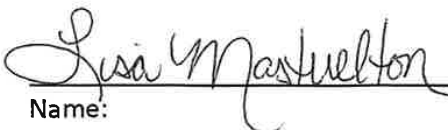
**WHEREAS**, this Board of Managers has determined that it reasonable, fair, equitable, and practical, and in the best interests of the Oak Creek Water Resource District and the parcels of property within the this District that are in the watershed of the Stone Creek Drain, Stone Creek Drain Lateral, and White Spur Drain, to cooperate with the Bottineau County Water Resource District to petition the State Water Commission to correct the boundaries between our respective water resource districts to better reflect the watershed boundaries, as described and depicted in the Joint Petition.

**NOW, THEREFORE, BE IT RESOLVED** by this Board of Managers as follows:

1. That each member of this Board of Managers is hereby authorized to sign the Joint Petition for the purpose of adjusting the boundaries of this District and the Bottineau County Water Resource District to better reflect existing watershed boundaries.
2. That this Board of Managers hereby agrees to abide by the terms and conditions of said Joint Petition, a copy of which shall be attached to this resolution and filed herewith as a public record of this District with the North Dakota State Water Commission.
3. This Board of Managers further agrees to abide by all reasonable and necessary decisions duly and properly made on its behalf by the governing board in the course of the administration of the Joint Petition.

Adopted at the meeting of the District this 2 day of December 2024.

Signed:   
Name: \_\_\_\_\_ Chair, Board of Managers

Attest:   
Name: \_\_\_\_\_ Secretary, Board of Managers



North Dakota  
Water Resource  
Districts Association

JACK P. DWYER, EXECUTIVE SECRETARY  
701-730-5469 (c) • jack@ndwaterlaw.com  
P.O. Box 2254 • Bismarck, North Dakota 58502  
701-223-4615 (o) • staff@ndwater.net

January 3, 2025

State Water Commission  
1200 Memorial Highway  
Bismarck, ND 58504

Governor Armstrong, Commissioner Goehring and State Water Commissioners,

The Water Resource Districts Association (WRDA) is formally requesting an increase in the cost share percentage for conveyance projects from the current 45% to 75%. Further we would ask that the Commission make a final decision on this request by the April 2025 meeting so there is certainty as we move into the 2025 construction season.

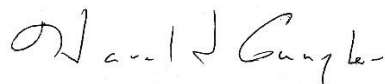
As you are aware, conveyance projects are critical for the effective management and distribution of our water resources. These projects not only play a vital role in flood control but also are critical for agriculture production and protection of infrastructure. However, the financial burden associated with these projects has become increasingly challenging for landowners and water boards to manage.

While we are grateful for the financial support provided by the state for these important projects, the current cost share percentage puts a significant burden on local private landowners to support infrastructure that provide both private and public benefits. By increasing the cost share percentage to 75%, the State Water Commission would provide much-needed financial support, enabling water boards to maintain and improve these important pieces of water infrastructure.

In conjunction with this request, the WRDA is actively working with legislatures during the 2025 session to ensure there are adequate dollars for the 2025-2027 biennium to support these important projects under a higher cost share percentage.


Thank you for your consideration. Please reach out to Jack Dwyer, Executive Secretary, at [jack@ndwaterlaw.com](mailto:jack@ndwaterlaw.com) with any questions.

Sincerely,



Harold Gaugler  
President  
Water Resource Districts Association

MEMORANDUM

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** SWPP – Replacement of Capital Projects Policy  
**DATE:** January 29, 2025

In August 2022, the State Water Commission (SWC) approved the guidance for the Southwest Pipeline Project (SWPP)'s Replacement and Extraordinary Maintenance (REM). This guidance was developed based on the sustainability analysis of the SWPP's REM fund completed by the Department of Water Resources (DWR) staff and the Southwest Water Authority (SWA) staff after a request from SWA to fund 30" ductile iron pipe replacement near City of Taylor due to microbiologically induced corrosion as a capital assets project instead of a typical replacement project funded 100% from the REM fund. The 2022 approved guidance noted that the REM fund will provide for 100 percent of the Extraordinary Maintenance expenses and a portion of the replacement expenses of Capital Projects. The August 2022 discussion also clarified Extraordinary Maintenance and Capital Projects. Extraordinary Maintenance is defined as repair or replacement of portions of facilities or components that extends the overall life of the system or component that are above and beyond regular or normal maintenance. The "replacement" under the extraordinary maintenance category only includes components or portions of facilities. "Capital Projects" include replacement of large-scale assets such as metallic pipelines, water treatment plants, reservoirs, and pump stations.

At the August 2022 SWC meeting, funding for replacement of 30" ductile iron pipe east of Taylor was approved. 75% of the initial estimated project cost was provided using State Fiscal Recovery funds while the remaining 25% was provided from the REM funds. This project was completely managed by SWA with the DWR providing the reimbursement of eligible project costs. The final project costs exceeded the initial approved costs, so the REM funds provided more than 25% of the estimated project costs.

Another metallic line replacement project near City of Dodge is currently under development and SWA through the attached letter is seeking guidance on the process for moving forward with the project. This project is unique as this location is in the plans for raw water main transmission line expansion so the replacement project design could be modified to benefit the expansion project in the future as well. At this time there is no policy or guidance in place for defining when a metallic pipeline replacement project is considered a "Capital Project" and whether SWA/DWR will be responsible for managing the replacement of "Capital Project"

## SWPP – Replacement of Capital Projects Policy

Page 2 of 2

January 29, 2025

project. Policy or guidance for the process of approval if SWA is managing the project also does not exist at this time.

Replacement of large-scale assets such as metallic pipelines, water treatment plants, reservoirs, and pump stations was defined as “Capital Project”. However, the magnitude of a metallic pipeline replacement project is dependent on the length of replacement contemplated. DWR staff recommendation is to consider pipeline replacement projects that exceed the public improvement threshold limit defined in North Dakota Century Ch. 48-01.2, currently at \$200,000 as a “Capital Project”.

With regards to the entity responsible for the management of the replacement of a “Capital Project”, staff recommends replacement of “Capital Projects” be managed by DWR staff as the SWC is the owner of the SWPP and majority of the funding for the replacement would be provided from the Capital Assets funding bucket. DWR has staff with construction administration experience. This also allows for streamlining the accounting of expenditures towards the project. SWA will reimburse the local share of the replacement of the Capital Project from the REM fund.

If SWA is required to manage the replacement of “Capital Project”, staff responsible for operations and maintenance of the project with limited construction administration experience would be required to perform construction administration duties on large construction projects.

**I recommend the State Water Commission approve replacement of pipeline projects that exceed the public improvement threshold limit as Capital Project and approve Department of Water Resources staff managing the replacement of Capital Projects for the Southwest Pipeline Project.**

**I recommend the State Water Commission approve moving forward with the final design of the metallic pipeline project near Dodge.**

RH:JF: /1736-99

Attachment



January 8, 2025

Sindhu S.Pillai-Grinolds, Water Development Director  
Department of Water Resources  
1200 Memorial Hwy  
Bismarck, ND 58504

Request for Review of Procedures for Capital Replacement Projects

Dear Sindhu,

I am writing on behalf of the Southwest Water Authority (SWA) to request a review and clarification of the procedures necessary to move forward with Capital Replacement Projects in alignment with the State Water Commission's motion from August 2022. This motion, following an extensive analysis of the Replacement and Extraordinary Maintenance (REM) Fund, determined that Southwest Pipeline Project's (SWPP) REM fund will provide 100% of the Extraordinary Maintenance expenses and a portion of the replacement expenses for Capital Projects. However, the specific steps required to implement Capital Replacement Projects under this directive remain undefined.

On January 6, 2025, the SWA Board of Directors authorized the design engineering and construction phase services for the replacement of approximately 2,400 feet of Ductile Iron Pipeline on Contract 2-2C near Dodge, ND. This replacement is necessitated by Microbiologically Induced Corrosion and involves a particularly challenging segment of the SWPP Raw Water Line due to extensive groundwater and difficult construction logistics. Before expenses incur under this specific authorization, it is necessary to determine how the project will be funded.

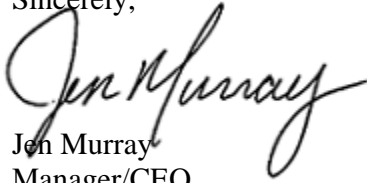
The Raw Water Implementation Plan highlighted the future need for parallel pipelines to achieve the full capacity of 18 MGD at the Southwest Water Treatment Plant. Given the logistical challenges associated with replacing the existing Ductile Iron Pipeline in this area, we believe this mainline replacement should be looked at in conjunction with raw water implementation plan to determine if there is a financial benefit to upgrading this pipeline instead of replacing it. The request is to consider the cost of the upsizing of the main transmission pipeline a capital improvement project which is anticipated to be a value compared to a second parallel pipeline.

To ensure the project aligns with the SWC approved use of the REM fund for a portion of Capital Projects and facilitates future operational efficiency, we seek guidance on the appropriate channels or procedures to:

1. Obtain project approval under the Capital Replacement framework.
2. Confirm eligibility for Capital Assets funding for replacement and the proposed upsized pipeline.
3. Define any additional requirements for compliance with the State Water Commission's directives.

We appreciate your assistance in clarifying the necessary steps to move forward and ensure that SWPP's Capital Replacement Projects are executed effectively and in accordance with SWC guidelines.

Sincerely,


A handwritten signature in black ink, appearing to read "Jen Murray". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jen Murray  
Manager/CEO  
Southwest Water Authority

Copy: Justin Froseth, Southwest Pipeline Project Manager, DWR

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission

**FROM:** Reice Haase, Secretary 

**SUBJECT:** NDSWC Cost-Share Request – City of Grand Forks  
 Grand Forks South End Interior Flood Protection Master Planning- Phase 2 Amendment

**DATE:** January 29, 2025

***Background & Description***

The City of Grand Forks (Sponsor) requests additional cost-share for an amendment to Phase II of the Grand Forks South End Interior Flood Protection Master Planning (Project). Phase I was to update hydrology and hydraulics models, determine flood risk for various conditions, and evaluate alternatives to reduce flood risk. Phase II had focused on whether Legal Drain 4 could be an additional outlet for the city. The Phase II Amendment will focus on further analysis of the English Coulee and Drain 9 watershed. The purpose of the amendment is to progress the project toward final recommendations. The study area is 134 square miles, of which 87% is rural, which results in a modified cost-share of 52% (0.87 x 60%). The Project is at the City of Grand Forks, Grand Forks County, North Dakota.

***Supplemental Information***

Water Development Plan (Priority)	2025 (High)
Benefit-Cost Ratio	NR

(NR) Not Required

***Schedule***

Task	Dates
Study	June 2025
Design	-
Bid	-
Construction	-
Completion	-

***Cost-Share Funding Summary***

	Study	Preconstruction (years 1-10)	Construction (years 1-10)	Total	Approved	Recommend
Noneligible	\$0	\$0	\$0	\$0		
Eligible	\$1,192,360	\$2,500,000	\$28,100,000	\$31,792,360		
Total	\$1,192,360	\$2,500,000	\$28,100,000	\$31,792,360		
Cost-Share 52% (60% x 0.87) Requested	<b>\$620,027</b>				\$296,670 (4/13/23)  \$144,295 (2/8/2024)	<b>\$179,062</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the City of Grand Forks for additional state cost participation in the Grand Forks South End Interior Flood Protection Master Planning project at 52 percent of eligible costs, or \$179,062, with the total not to exceed \$620,027. This approval is contingent on available funding.**

RH:af/0830

Water Development Plan: 2025  
Priority: High

# 1084504 - South End Interior Flood Protection Master Planning - Increase (Phase 2 Amendment)

## Application Details

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<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 30, 2024 10:15 AM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Abby Ritz
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Mr. Edward Liberman  
Salutation First Name Middle Name Last Name

**Title:** Assistant City Engineer

**Email\*:** eliberman@grandforksgov.com

**Address\*:** 255 N. 4th St.

### Organization Information

**Status\*:** Approved

**Name\*:** City of Grand Forks

**Organization Type\*:** Political Subdivision

**Tax Id:** 45-6002085

**Organization Website:** <https://www.grandforksgov.com/>

**Address\*:** 255 North 4th Street

	Grand Forks North Dakota	Grand Forks North Dakota	
	City State/Province	City State/Province	
58206		58203-____	
Postal Code/Zip		Postal Code/Zip	
<b>Phone*:</b>	701-746-2644 Ext.	<b>Phone*:</b>	(701) 738-8746 Ext.
	Phone		###-###-####
	###-###-####	<b>Fax:</b>	###-###-####
<b>Fax:</b>	###-###-####	<b>Vendor ID:</b>	
<b>Comments:</b>		<b>PeopleSoft Supplier ID:</b>	0000003350
		<b>Comments:</b>	
		<b>Location Code:</b>	ALL

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** South End Interior Flood Protection Master Planning

**Sponsor(s)\*:** City of Grand Forks

**County\*:** Grand Forks

**City\*:** Grand Forks

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:** Hydrologic

**If Project/Program, What Type:**

**Jurisdictions/Stakeholders Involved\*:**  
 City of Grand Forks, Grand Forks County

**Describe the Problem\*:**

Following the 1997 flood, USACE, the State of ND, and the City constructed an extensive flood protection system for Grand Forks. Following construction, USACE and FEMA prepared a Letter of Map



Revision to reflect the improvements. Since the LOMR approval, recent analysis shows many of the original assumptions/analysis no longer represent the best available information, potentially putting existing areas at a higher risk or flooding than FEMA mapping currently indicates.

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

This request is to fund Phase 2 of the drainage study to look at English Coulee (EC)/Legal Drain 9 (LD9) watershed areas. The amendment to the study scope is meant to progress the project towards final recommendations by further evaluating the following:

The preliminary analysis on the EC/LD9 is now nearly completed. The preliminary analysis has shown that the EC through town and the LD9 area west of I-29 act independently enough that they will need to be analyzed as two separate systems for mitigation techniques. This was not anticipated in the original task order scopes and is now included in the proposed scope amendment. The next stage will be alternative evaluation and recommendations.

For this project,

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

**What is the Current Estimated Population?\*** 59166

For this project,

**What is the Benefited Population?\*** 59166

**Have Assessment Districts Been Formed?\*** N/A

**Have Land or Easements Been Acquired?\*** N/A

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

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

**Have You Applied For Any Federal Permits?\*** No

**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\***: 06/2025

**Design Completion\***: 00/0000

**Bid\***: 00/0000

**Construction Start\***: 00/0000

**Construction Completion\***: 00/0000

**Explain Additional Timeline Issues\***:

No timeline issues anticipated at this time.

**Consulting Engineer\***: Shawn Gaddie

**Engineer Telephone Number\***: 701-746-8087

**Engineer Email\***: shawn.gaddie@ae2s.com

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

**Submitted by\*:** Edward Liberman 12/19/2024  
First Name Last Name Date

**Address\*:** 255 N 4th Street  
Address Line 1  
Address Line 2  
Grand Forks North Dakota 58206-5200  
City State Zip Code

**Telephone Number\*:** 701-746-2644

**Sponsor Email\*:** eliberman@grandforksgov.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\*:** Edward Liberman 12/19/2024  
First Name Last Name Date

**Title/Position/Authority\*:** Assistant City Engineer

## Documentation

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### *Documentation*

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

CLICK HERE to see examples.

**Project Specific Map** Grand Forks South End - 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?\*** 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:** Grand Forks South End - Draft Meeting Minutes.pdf

**Cover Letter:** Grand Forks South End - 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:** Grand Forks South End - Delineation of Cost 24.12.19.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

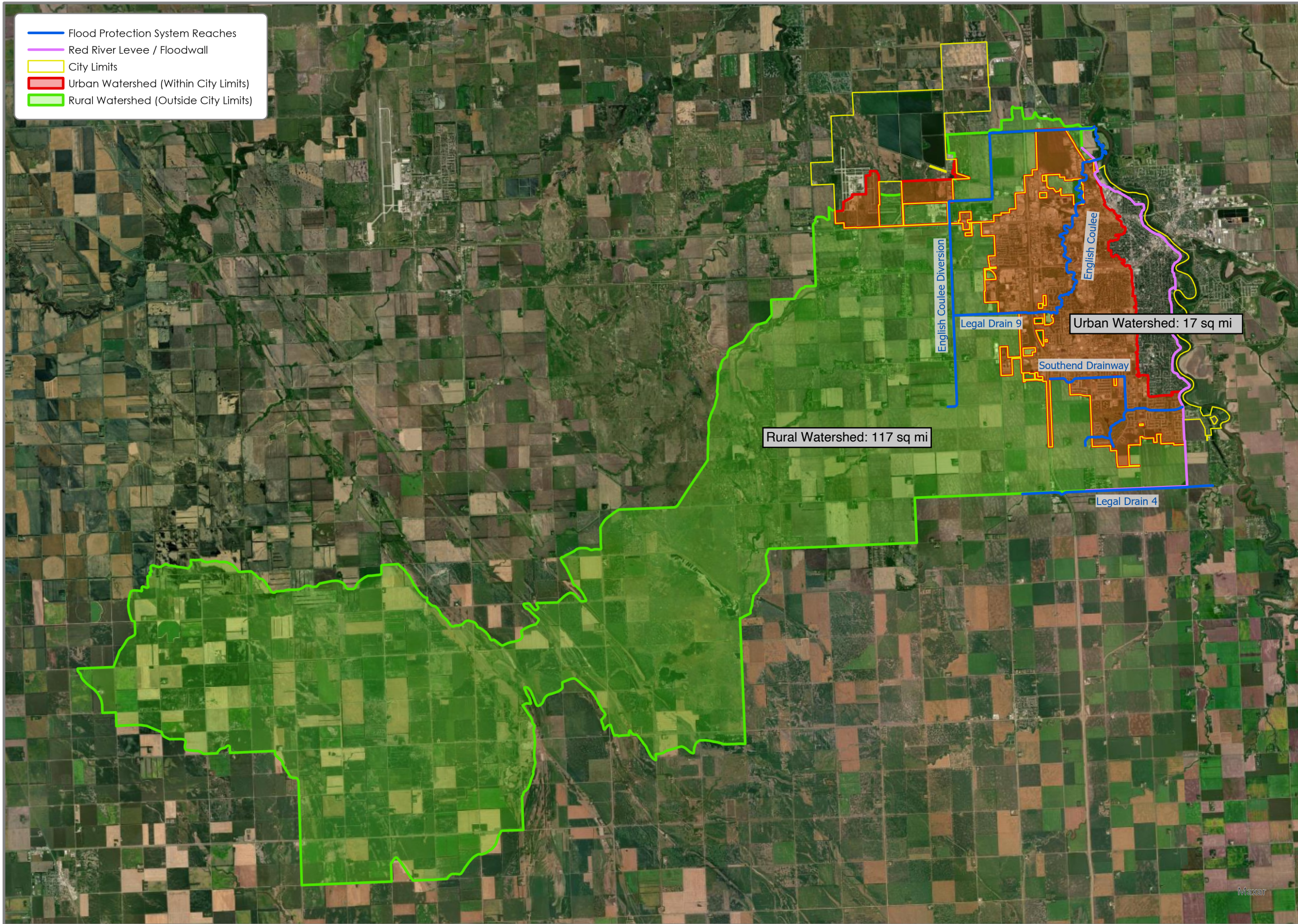
***Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)***

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 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		Already Approved	\$221,243.00	\$221,243.00	\$0.00	\$442,486.00		0.00	0.00
Department of Water Resources		Current Request	\$0.00	\$179,751.00	\$0.00	\$179,751.00		0.00	0.00

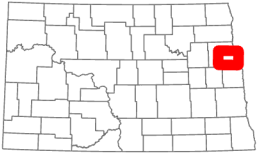
Cost Share  
Pre-  
Construction

Other	Cash Reserves	\$405,524.00	\$164,599.00	\$0.00	\$570,123.00	0.00	0.00
		<b>\$626,767.00</b>	<b>\$565,593.00</b>	<b>\$0.00</b>	<b>\$1,192,360.00</b>		





N  
 11,000  
 Feet  
 1 inch equals 11,000 feet



Locator Map Not to Scale

City of Grand Forks  
 Grand Forks County, ND

Figure 1  
**TOTAL WATERSHED  
 AREA BREAKDOWN**

SOUTH END INTERIOR  
 FLOOD PROTECTION  
 MASTER PLANNING

Date: 2/1/2023



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.  
 Coordinate System: NAD 1983 StatePlane North Dakota North FIPS 3301 Feet | Edited by: CEwards | C:\Users\CEwards\OneDrive - AE2S\Documents\Projects\GF\_SED\_Updates\Figures\_Pro\GF\_SED\_Figures.aprx | Kickoff





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

DWR Date Received : December 30, 2024

<b>Project:</b>	South End Interior Flood Protection Master Planning - Increase
<b>Sponsor:</b>	City of Grand Forks
<b>Contact:</b>	Todd Feland, City Administrator
<b>Phone:</b>	701-787-3735
<b>Engineer:</b>	Shawn Gaddie, AE2S
<b>Phone:</b>	701-746-8087

<b>Total Cost :</b>	\$ 1,192,360	<b>Date:</b>	December 19, 2024
<b>Ineligible Cost :</b>	\$ 155,300		
<b>Eligible Cost :</b>	\$ 1,037,061		
<b>Local Cost :</b>	\$ 570,124		
		<b>Cost-Share \$</b>	\$ 622,236
		<b>Preconstruction :</b>	\$ 622,236
		<b>Construction :</b>	\$ -

<b>Project Type:</b>	Flood Protection	<b>Cost-share %</b>	60%
----------------------	------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	#DIV/0!	Mobilization	1	LS	-	-	60%	\$ -
2	#DIV/0!	Bonding	0		-	-	60%	\$ -
3	#DIV/0!	Insurance	0		-	-	60%	\$ -
4	#DIV/0!		0		-	-	60%	\$ -
5	#DIV/0!		0		-	-	60%	\$ -
6	#DIV/0!		0		-	-	60%	\$ -
7	#DIV/0!		0		-	-	60%	\$ -
8	#DIV/0!		0		-	-	60%	\$ -
9	#DIV/0!		0		-	-	60%	\$ -
10	#DIV/0!		0		-	-	60%	\$ -
11	#DIV/0!		0		-	-	60%	\$ -
12	#DIV/0!		0		-	-	60%	\$ -
13	#DIV/0!		0		-	-	60%	\$ -
14	#DIV/0!		0		-	-	60%	\$ -
15	#DIV/0!		0		-	-	60%	\$ -
16	#DIV/0!		0		-	-	60%	\$ -
17	#DIV/0!		0		-	-	60%	\$ -
18	#DIV/0!		0		-	-	60%	\$ -
19	#DIV/0!		0		-	-	60%	\$ -
20	#DIV/0!		0		-	-	60%	\$ -
21	#DIV/0!		0		-	-	60%	\$ -
22	#DIV/0!		0		-	-	60%	\$ -
23	#DIV/0!		0		-	-	60%	\$ -
24	#DIV/0!		0		-	-	60%	\$ -
25	#DIV/0!		0		-	-	60%	\$ -
26	#DIV/0!		0		-	-	60%	\$ -
		<b>Construction Sub-Total</b>				\$ -	60%	\$ -
	0.0%	<b>Contingency</b>				\$ -	60%	\$ -
	0.0%	<b>Construction Total</b>				\$ -	60%	\$ -
<b>Preconstruction Costs</b>								
27	#DIV/0!	Hydraulic Models - Rural Share (Previous)	1	LS	737,476.00	\$ 737,476	60%	\$ 442,486
28	#DIV/0!	Hydraulic Models - Rural Share	1	LS	299,584.50	\$ 299,585	60%	\$ 179,751
29	#DIV/0!		0		-	-	60%	\$ -
30	#DIV/0!		0		-	-	60%	\$ -
31	#DIV/0!		0		-	-	60%	\$ -
	87.0%	<b>Preconstruction Total</b>				\$ 1,037,061	60%	\$ 622,236
<b>Construction Engineering Costs</b>								
32	#DIV/0!		0		-	-	60%	\$ -
33	#DIV/0!		0		-	-	60%	\$ -
34	#DIV/0!		0		-	-	60%	\$ -
35	#DIV/0!		0		-	-	60%	\$ -
36	#DIV/0!		0		-	-	60%	\$ -
	0.0%	<b>Construction Engineering Total</b>				\$ -	60%	\$ -
<b>Other Eligible Costs</b>								
37	0.0%		0		-	-	60%	\$ -
38	0.0%		0		-	-	60%	\$ -
39	0.0%		0		-	-	60%	\$ -
40	0.0%		0		-	-	60%	\$ -
41	0.0%		0		-	-	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	9.3%	Hydrolic Models - Municipal Share (Previous)	1	LS	110,534.00	\$ 110,534	0%	\$ -
43	3.8%	Hydrolic Models - Municipal Share	1	LS	44,765.50	\$ 44,766	0%	\$ -
44	0.0%		0		-	-	0%	\$ -
45	0.0%		0		-	-	0%	\$ -
	13.0%	<b>Other Ineligible Total</b>				\$ 155,300	0%	\$ -
	100.0%	<b>Total</b>				\$ 1,192,360		
		<b>Eligible Total</b>				\$ 1,037,061	60%	\$ 622,236
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 1,037,061	60%	\$ 622,236

\$1,192,360 new total project cost  
 X 52% modified cost-share  
 \$620,027 cost-share  
 - \$296,670 previously approved 4/13/23  
 - \$144,295 previously approved 2/8/24  
 \$179,062 additional cost-share requested

\* 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.



255 N. 4th St.  
PO Box 5200  
Grand Forks, ND 58206-5200



ENGINEERING  
DEPARTMENT  
(701) 746-2640  
Fax# (701) 787-3744

December 30, 2024

Ms. Andrea Travnicek, Ph.D.  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck ND 58504-5262

**Re: Grand Forks South End Interior Flood Protection Master Planning  
Preconstruction Cost Share Request for Increase and Scope Expansion**

Dear Ms. Travnicek:

The City of Grand Forks appreciates the support and partnership demonstrated by the North Dakota State Water Commission (NDSWC) in addressing flood protection for our growing city. This letter represents an update and an additional request related to our South End Interior Flood Protection Master Planning effort. The NDSWC approved \$296,670.00 in cost-share at its April 13, 2023 meeting and an amendment and cost-share increase of \$144,295 on February 8, 2024.

The primary objectives for the proposed South End Interior Flood Protection Master Plan are unchanged and shared below:

- Update existing and outdated flood protection hydrology and hydraulics models to evaluate potential deficiencies of existing drainage/flood control.
- Determine existing conditions flood risk for a range of runoff severity.
- Evaluate alternatives including operational protocol changes, conveyance improvements (such as culverts, drainage ditches, and pumps), storage improvements, and policy changes that would reduce flood risk to acceptable levels within the flood protection area.
- Select a preferred overall flood protection master plan that balances costs and benefits.

Phase 2 was approved for the South End Drainway and Legal Drain 4 watershed areas in December 2023. This work is now nearing completion and we are happy to report we have ultimately landed on recommendations that provide significant cost-avoidance measures over originally expected planning outcomes. At the onset of the master planning it was believed that improvements could exceed \$40M if secondary outlets were required including the potential to pump South End Drainway flows to Legal Drain 4. This is now not the case and the City is proceeding with more modest existing storage expansions and revised future development standards to work their way out of identified problems in the South End Drainway watershed area.

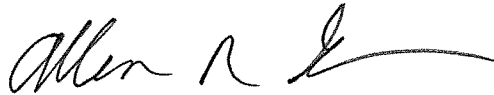
Moving forward with the current request, the City intends to build upon the preliminary analysis completed for the Legal Drain 9 and English Coulee watershed areas. Similar to the South End Drainway watershed, the plan is to proceed toward final master plan recommendations for these watershed areas west of Interstate 29.

Project costs for this amendment are estimated at \$344,350. At a 60% cost-share for flood control projects, full request for this phase is \$206,610. As with the project's previous two requests, we anticipate a ratio based on the urban versus rural watershed areas of the source flooding would be applied to the request as described in section 3.14.i of the current cost share policy. Therefore, the request would be for 87% of \$206,610.00, or \$179,751.00.

The City of Grand Forks is truly appreciative of the support provided by the NDSWC and the North Dakota Department of Water Resources in the past. Thank you for your consideration of this cost share request. We look forward to working with you to provide updated and continued flood protection for Grand Forks and the surrounding areas.

If you have any questions, please do not hesitate to contact me at 701-739-3979 or Shawn Gaddie with Advanced Engineering and Environmental Services, Inc. at 701-866-3639.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen R. Grasser", with a long horizontal flourish extending to the right.

Allen R. Grasser, PE  
City Engineer

CC: Shawn Gaddie, AE2S, Grand Forks, ND

December 16, 2024

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF GRAND FORKS, NORTH DAKOTA  
December 16, 2024**

The city council of the city of Grand Forks, North Dakota met in Council Chambers on Monday, December 16, 2024, 5:30 p.m. with Mayor Bochenski presiding. Present at roll call were Council Members Weigel, Osowski, Berg, Lunski, Fridolfs, Sande and Vein - 7; absent: Council Members None.

Pledge of Allegiance was led by Mayor and City Council.

Mayor Bochenski commented on various items: City of Grand Forks was awarded the Main Street Initiative Award related to economic development particularly due to the efforts that have taken place downtown and Police Department Awards Ceremony was held last week and recognized deserving individuals for their service, including Police Canine Riot who will be retiring on December 31, 2024 after 8 years of service.

**PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES**

1) Held a public hearing, with no comments received, on adoption of Ordinance 4902, amending City Code Section 10-0206 relating to the sale of unclaimed motor vehicles. Motion by Council Member Osowski, second by Council Member Weigel to approve. Motion carried unanimously.

2) Held a public hearing, with no comments received, on adoption of Ordinance No. 4898 amending City Code Sections 18-0208(9), 18-0209(9), 18-0210(9), 18-0211(9) and 18-0213(9) relating to R-1, R-2, R03, R-4 and R-M setbacks. Motion by Council Member Fridolfs and Lunski to approve. Motion carried unanimously.

3) Held a public hearing, with no comments received, on adoption of Ordinance No. 4899 amending City Code Section 18-0305(4) relating to residential accessory buildings. Motion by Council Member Osowski, second by Council Member Sande to approve. Motion carried unanimously.

4) Held a public hearing, with no comments received, on adoption of Ordinance No. 4900 dedicating rights-of-way on the plat of Lan King Addition, located at 2500-2600 N Washington St, and final approval of the plat. Motion by Council Member Osowski, second by Council Member Berg to approve. Motion carried unanimously.

5) Held a public hearing, with no comments received, on adoption of Ordinance No. 4901 amending the zoning map, rezoning from A-1 Agricultural Preservation to I-2 Heavy Industrial, for Lots 1 & 2, Block 1, Lawn King Addition, located at 2500-2600 N Washington St. Motion by Council Member Fridolfs, second by Council Member Osowski to approve. Motion carried unanimously.

6) Held a public hearing, with no comments or protests received, on adoption of a resolution declaring an insufficiency of protest relating to a Resolution of Necessity for Project No. 8333, District No. 226, Street Lighting for 4<sup>th</sup> Ave S (Cottonwood St to S 3<sup>rd</sup> St) and Lincoln Dr (Belmont Rd to Floodwall). Motion by Council Member Osowski, second by Council Member Sande to adopt the resolution. Motion passed unanimously.

**ACTION ITEMS CONSENT AGENDA**

Council Member Osowski moved and Council Member Berg seconded to approve the following items on consent agenda, with the motion passing unanimously.

December 16, 2024

- 1) Approved an extension of time to June 30, 2025 to transfer or begin operating the Class 4 Alcoholic Beverage License held by BGF, Inc, previously doing business as Vinyl Taco.
- 2) Approved an extension of time to June 30, 2025 to transfer or begin operating the Class 4 Alcoholic Beverage License held by GM Grand Forks, LLC, previously doing business as Crooked Pint and Ale House.
- 3) Approved appointment to the Planning and Zoning Commission of Derek Holt and reappointment of Andrew Budke for five year terms, expiring December 16, 2029.
- 4) Approved reappointment of Monica Musich to a three year term, expiring December 31, 2027 on the Convention and Visitors Bureau.
- 5) Approved Budget Amendments for various matters:
  - a. Defined Benefit Pension Plan: Additional \$200,000 contribution to the plan funded from sales tax collections that were higher than budgeted amount.
  - b. Public Health Department Grant, Ryan White Grant: \$81,664 to equalize City and State Budget Years for 2024 and 2025
  - c. Water Works Department: Project 8812, Advanced Metering Infrastructure System and Meter Replacement, \$980,000 due to project timing and will result in less expenditures in 2025.
  - d. Police Department: Overtime \$110,989.31 for reimbursed overtime from security services at Franklin on 4<sup>th</sup> construction site.
  - e. Municipal Infrastructure (Prairie Dog) Funds: \$2,500,000, due to timing of receipt of funds anticipated in 2025, but received in 2024.
- 6) Adopt resolution awarding the contract for Project No. 8833, District No. 226, to Sun Electric Inc in the amount of \$230,975.
- 7) Approved pre-purchase of materials for Project No. 8809, Upgrade of Lift Stations 24 & 27 from Electric Pump LLC in the amount of \$107,990.00. Items to be purchased are a vertical dry installed pump and corresponding variable frequency drive.
- 8) Adopted resolution awarding the contract for Project No. 8265.2, District No. 598.0, to Taggart Contracting, Inc. in the amount of \$3,934,233.
- 9) Approved a six month extension to June 30, 2025 for the Letter of Intent relating to Industrial Water Supply and Discharge Permitting for the Northern Plains Nitrogen LLP project.
- 10) Received an update on the Red River Valley Water Supply Project including the Assurance Policy and Approved the following Agreements: Memorandum of Commitment, Interim Financing Agreement Series D Small Systems Amendment, and Interim Financing Agreement Series E, all subject to final review and approval of the City Attorney.
- 11) Gave preliminary approval of the plat of Danks Fourth Resubdivision, located at 1600 S 42<sup>nd</sup> St., subject to the conditions shown on or attached to the review copy.
- 12) Introduced and gave preliminary approval of an ordinance amending the Cable Services Regulatory Ordinance and Midcontinent Communications Franchise Agreement Amendment.

#### ACTION ITEMS PULLED FOR DISCUSSION

1) Considered a budget amendment related to collections of lodging tax estimated to be in the amount of \$150,000 to \$200,000, more than budgeted amount included in the 2024 city budget and transfer of funds to the Convention and Visitors Bureau. The strong collections point to a continued rebound from the COVID impact and are back to a level as seen in 2014. This amount is still within the amount budgeted by the CVB, who prepares their budget later in the year than the timeline required for City budget preparation, therefore providing a better prediction of collections. Julie Rygg, Executive Director of CVB, provided information on uses of the lodging tax that they receive and planned uses for 2025, including adding back a staff member that was cut with the decrease in collections due to COVID impacts. This staff person would be utilized in marketing for the new Altru Sports Complex and specifically to assist groups with drawing tournaments and events to the Complex. This work would be in cooperation with the Park District

December 16, 2024

and the various user groups for the facility. Discussion on other potential use of some of the funds for capital items, which would be allowed under the stipulated uses, including toward the Greenway project was discussed.

Council Member Osowski moved to retain 0.5% of the lodging tax and use it toward the local match for the Greenway capital improvement project. Council Member Weigel seconded the motion. Discussion continued on the proposal, that youth sports is a large industry and can have economic impact for the community, many youth sports groups are staffed by volunteers and don't have the time or expertise to work on bids for hosting events in the community; timing for a shift in usage of funds could be something to discuss further, but should have more discussion so that both the city and CVB could plan for changes in revenue; and for future years, CVB will work with Finance Department on budgeting and projections. Upon call for the question, the motion failed 1-6, with only Council Member Osowski voting in the affirmative.

Council Member Sande moved and Council Member Lunski seconded to approve the budget amendment as presented. Motion carried 6-1, with Council Member Osowski dissenting.

2) Considered a Task Order Amendment 2 with AE2S in the amount of \$344,350 for Project No. 8567.01, South End Interior Flood Protection Master Plan, with Al Grasser, City Engineer, providing information to City Council on the project and scope change due to information relating to functioning of South End Drainway, English Coulee/Legal Drain 9, and Legal Drain 4, Department of Water Resources Policy and submitting the application to the State Water Commission cost sharing, and also requested approval of any necessary budget amendments. Staff is proposing to request 50% state reimbursement on the project. Council Member Osowski moved and Council Member Fridolfs seconded to approve. Motion carried unanimously.

#### INFORMATIONAL ITEMS

The following informational items were presented to City Council for their review: Statement of Changes in Cash Balances as of October 31, 2024; Investment Portfolio Management Summary as of November 30, 2024; and 2025 Salary Plan Addendum.

#### APPROVE BILL LISTING AND ENGINEERS ESTIMATE

Vendor list 24-24, dated December 16, 2024, in the amount of \$1,945,164.11 and Engineers Estimates dated December 16, 2024 in the amount of \$674,470.57 was presented. It was moved by Council Member Osowski and seconded by Council Member Lunski to approve. Motion passed unanimously.

#### APPROVE MINUTES

Minutes from the December 2, 2024, City Council meeting was presented. It was moved by Council Member Osowski and seconded by Council Member Weigel to approve. Motion passed unanimously.

#### CITIZEN COMMENTS – GENERAL

Dennis Denault, 1319 University Avenue addressed the City Council.

#### MAYOR AND COUNCIL MEMBER COMMENTS

Council Member Berg commented on recent experience with PSAP and Fire Department to an event and the support and response was great.

December 16, 2024

Council Member Sande commented on traffic flow after the recent event held at the Fargodome, which were similar to some that have happened in our community.

Council Members and the Mayor expressed comments of appreciation to staff and wished all a Merry Christmas.

ADJOURNMENT

Motion by Council Member Lunski and second by Council Member Weigel to adjourn the meeting at 6:20 p.m. Motion passed unanimously.

Respectfully submitted,


Maureen Storstad  
City Auditor

Approved:

Brandon Bochenski, Mayor

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

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – City of Bowman  
 New Water Storage Reservoir  
**DATE:** January 30, 2025

**Background & Description**

The City of Bowman is requesting preconstruction cost-share for their New Water Storage Reservoir (Project). The Project is removal and replacement of Bowman’s existing 300,000-gallon and 500,000-gallon aging underground storage reservoirs with one new 600,000-gallon underground storage reservoir. Peak daily demand is 690,000 gallons. The Project is located in Bowman County.

**Supplemental Information**

Water Development Plan / Priority	None
New / Future / Current Service Users	0 / 0 / 870
Present Value Cost / User (Preferred Alternative)	\$4,267
Rate / 5,000-Gallons	\$35.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Fox Hills Aquifer	

**Schedule**

Task	Dates
Study	Apr. 2024
Design	Mar. 2025
Bid	Apr. 2025
Construction	Jun. 2025
Completion	Dec. 2025

**Cost-Share Funding Summary**

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$220,000	\$2,696,128	\$2,916,128		
Total	\$220,000	\$2,696,128	\$2,916,128		
Cost-Share 60%	<b>\$132,000</b>	\$1,617,677	\$1,749,677		<b>\$132,000</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request by the City of Bowman for state cost-share participation in the New Water Storage Reservoir project at 60 percent of eligible costs, not to exceed \$132,000. This approval is contingent on available funding.**

RH:jsp:ln/2050BWM

Water Development Plan: No (2023)

# 1084244 - City of Bowman - New Water Storage Reservoir

## Application Details

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**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:** Nov 13, 2024 11:56 AM  
**Initially Submitted By:** Peggy Allen  
**Last Submit Date:** Nov 26, 2024 2:33 PM  
**Last Submitted By:** Shannon Hewson

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Mr. Shannon Hewson  
Salutation First Name Middle Name Last Name  
**Title:** Project Engineer  
**Email\*:** [shannonh@broszengineering.com](mailto:shannonh@broszengineering.com)  
**Address\*:** 109 S. Main Box 357  
  
Bowman North Dakota 58623  
City State/Province Postal Code/Zip  
**Phone\*:** 701-523-3340 Ext.   
Phone  
### ### #####  
**Fax:** ### ### #####  
**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** City of Bowman  
**Organization Type\*:** Municipal Government  
**Tax Id:** 45-6002040  
**Organization Website:**  
**Address\*:** PO Box 12



Bowman North Dakota 58623-0012  
City State/Province Postal Code/Zip

**Phone\*:** 701-523-3309 Ext.  
### ###

**Fax:** 701-523-5716  
### ###

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

---

### **Infrastructure Funding Request**

**Project, Program, or Study Name\*:** New Water Storage Reservoir

**Sponsor(s)\*:** City of Bowman

**County\*:** Bowman

**City\*:** Bowman

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**

City of Bowman

**Describe the Problem\*:**

The City of Bowman's municipal water system is supplied by two (2) concrete storage tanks. The east storage tank is a 300,000 gallon buried concrete tank constructed in 1947, the west storage tank is a 500,000 gallon buried concrete tank was constructed in 1979. The City would like to remove the existing tanks and install a new 600,000 gallon tank. Both tanks were inspected by KLM Engineering, Inc. in 2017 which revealed the deterioration that has taken place over the years. The report states that the interior is in poor condition, there are numerous cracks with efflorescence deposits and numerous areas of spalled concrete. The presence of efflorescence indicates an exterior intrusion of water. The recommendation is to remove the existing water tanks from service and install a new tank to replace them.

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

The City is proposing to replace the two existing tanks with a new 600,000 gallon tank.

For this project,

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

**What is the Current Estimated Population?\*** 870

For this project,

**What is the Benefited Population?\*** 870

**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\***: 4/25/2024

**Design Completion\***: 3/15/2025

**Bid\***: 4/15/2025

**Construction Start\***: 6/1/2025

**Construction Completion\***: 12/1/2025

**Explain Additional Timeline Issues\***:  
None

**Consulting Engineer\***: Brosz Engineering, Inc.

**Engineer Telephone Number\***: 701-523-3340

**Engineer Email\***: [shannonh@broszengineering.com](mailto:shannonh@broszengineering.com)

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

**Submitted by\***: Peggy Allen 11/13/2024  
First Name Last Name Date

**Address\***: PO Box 12  
Address Line 1  
Address Line 2  
Bowman North Dakota 58623-0037  
City State Zip Code

**Telephone Number\***: 701-523-3309

**Sponsor Email\***: [pallen@cityofbowman.com](mailto:pallen@cityofbowman.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

Peggy Allen 11/13/2024  
First Name Last Name Date

Financial Auditor

**Authorized Individual\*:**

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

## Documentation

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### Documentation

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

[CLICK HERE](#) to see examples.

#### Project Specific Map

[Water Storage Tank Improvements 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

[sfn\\_61801\\_delineation\\_of\\_cost - Bowman New Water Storage Reservoir.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:** [110624.docx](#)

**Cover Letter:** [City Letter of Request for Funding 11.06.2024.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 - Bowman New Water Storage Reservoir.xlsx](#)

**Type of Request:** Preconstruction

**Water Supply Projects?:** Yes

[CLICK HERE](#) for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.

**Life Cycle Cost Analysis:** [life\\_cycle\\_cost\\_analysis\\_worksheet - Bowman New Water Storage Reservoir.xlsx](#)

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

**Asset Inventory Assessment:** [Basic Asset Inventory Tool - Bowman Water.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: [2024\\_Bowman\\_Tank\\_PER\\_Final\\_4.25.2024.pdf](#)

Photos of Problem/Issue: [Bowman MN3621 Summary Report Final.pdf](#)

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

Other Applicable Document(s): Yes

Other Applicable Document: [Bowman MN3622 Summary Report Final.pdf](#)

Other Applicable Document: [Average and Peak Daily Flow.xlsx](#)

Other Applicable Document:

## Sources




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

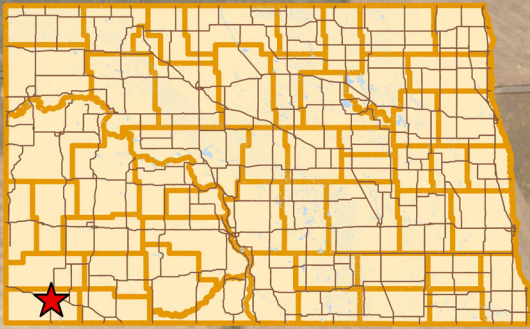
Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Pre-Construction		Current Request	\$132,000.00	\$0.00	\$0.00	\$132,000.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$1,617,677.00	\$0.00	\$1,617,677.00	Grant	0.00	0.00
Drinking Water State Revolving Fund		Future Request	\$0.00	\$1,078,451.00	\$0.00	\$1,078,451.00	Loan	20.00	2.00
Other	City of Bowman	Already Approved	\$88,000.00	\$0.00	\$0.00	\$88,000.00		0.00	0.00
			<b>\$220,000.00</b>	<b>\$2,696,128.00</b>	<b>\$0.00</b>	<b>\$2,916,128.00</b>			



**Water Storage Tank Improvements**

**Legend**

-  Bowman City Limits
-  Half Mile ETA
-  One Mile ETA

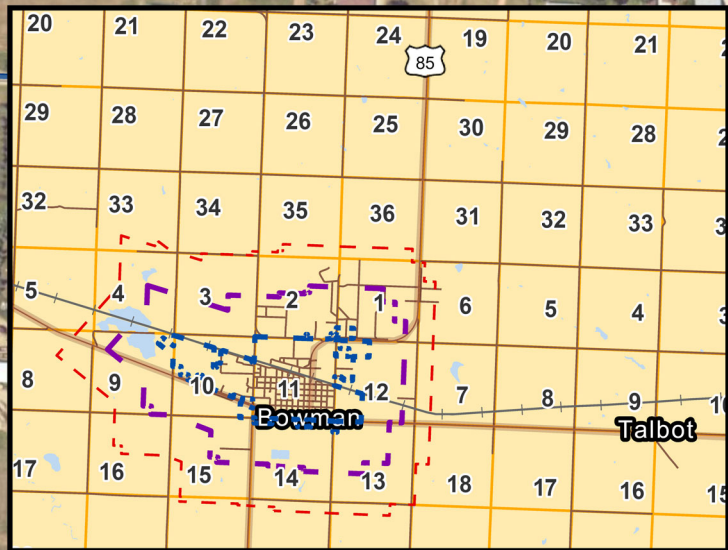


Proposed Water Storage Tank Improvement

1st Ave NW

6th St NE

US Highway 85





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

DWR Date Received : November 13, 2024

<b>Project:</b>	New Water Storage Reservoir
<b>Sponsor:</b>	City of Bowman
<b>Contact:</b>	Peggy Allen, Auditor
<b>Phone:</b>	701-523-3309
<b>Engineer:</b>	Shannon Hewson, Brosz Engineering Inc.
<b>Phone:</b>	701-523-3340

<b>Total Cost :</b>	\$ 2,916,128	<b>Date:</b>	October 10, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 2,916,128	<b>Cost-Share \$</b>	\$ 1,749,677
<b>Local Cost :</b>	\$ 1,166,451	<b>Preconstruction :</b>	\$ 132,000
		<b>Construction :</b>	\$ 1,617,677

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	7.0%	Mobilization	1	LS	171,250.00	\$ 171,250	60%	\$ 102,750
2	0.6%	Bonding	1	LS	15,000.00	\$ 15,000	60%	\$ 9,000
3	0.6%	Insurance	1	LS	15,000.00	\$ 15,000	60%	\$ 9,000
4	2.1%	Erosion Control	1	LS	50,000.00	\$ 50,000	60%	\$ 30,000
5	5.0%	Earthwork	1	LS	122,000.00	\$ 122,000	60%	\$ 73,200
6	66.0%	Reservoir and Storage - Concrete	1	LS	1,605,750.00	\$ 1,605,750	60%	\$ 963,450
7	2.0%	Water Main 10 in	400	LF	120.00	\$ 48,000	60%	\$ 28,800
8	0.3%	Gate Valve	2	EA	4,000.00	\$ 8,000	60%	\$ 4,800
9	0.5%	Pipeline Appurtenances	7	EA	1,575.00	\$ 11,025	60%	\$ 6,615
10	3.1%	Demolition	1	LS	75,000.00	\$ 75,000	60%	\$ 45,000
11	3.3%	Analytical Equipment	1	LS	80,000.00	\$ 80,000	60%	\$ 48,000
12	0.4%	Traffic Control	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
13	0.0%		0		-	\$ -	60%	\$ -
14	0.0%		0		-	\$ -	60%	\$ -
15	0.0%		0		-	\$ -	60%	\$ -
16	0.0%		0		-	\$ -	60%	\$ -
17	0.0%		0		-	\$ -	60%	\$ -
18	0.0%		0		-	\$ -	60%	\$ -
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 2,211,025	60%	\$ 1,326,615
	10.0%	<b>Contingency</b>				\$ 221,103	60%	\$ 132,662
	83.4%	<b>Construction Total</b>				\$ 2,432,128	60%	\$ 1,459,277
<b>Preconstruction Costs</b>								
27	0.8%	Geotechnical Investigations	1	LS	20,000.00	\$ 20,000	60%	\$ 12,000
28	4.1%	Preliminary Design	1	LS	100,000.00	\$ 100,000	60%	\$ 60,000
29	3.3%	Final Design	1	LS	80,000.00	\$ 80,000	60%	\$ 48,000
30	0.8%	Bidding / Negotiations	1	LS	20,000.00	\$ 20,000	60%	\$ 12,000
31	0.0%					\$ -	60%	\$ -
	7.5%	<b>Preconstruction Total</b>				\$ 220,000	60%	\$ 132,000
<b>Construction Engineering Costs</b>								
32	3.3%	Construction Contract Management	1	LS	80,000.00	\$ 80,000	60%	\$ 48,000
33	5.8%	Project Inspection	1	LS	140,000.00	\$ 140,000	60%	\$ 84,000
34	1.8%	Other Construction Engineering	1	LS	44,000.00	\$ 44,000	60%	\$ 26,400
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	9.1%	<b>Construction Engineering Total</b>				\$ 264,000	60%	\$ 158,400
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 2,916,128		
		<b>Eligible Total</b>				\$ 2,916,128	60%	\$ 1,749,677
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 2,916,128	60%	\$ 1,749,677

\* 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 Bowman      **Date:** December 16, 2024  
**Project Title:** New Water Storage Reservoir

**Explanation of Alternatives:**

No Build - No Action  
 New Water Storage Reservoir - Replace two existing 300,000 & 500,000-gallon reservoirs with new 600,000-gallon reservoir.  
 500,000 Tank Rehabilitation - Rehabilitation of existing 500,000 and put 300,000 out of service.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$100,000
Future Connections Served	0	Annual CIF Contribution	\$20,000
Current Connections Served	870	Cash Funding Target (Percentage %) New Assets	35%
Net Connections (New + Current)	870	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$21,416

	No Build	New Water Storage Reservoir	500,000 Tank Rehabilitation
Construction Cost	\$0	\$2,916,100	\$1,725,000
Annual O & M	\$200,000	\$5,000	\$100,000

**Details:**

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	No Build	New Water Storage Reservoir	500,000 Tank Rehabilitation
Capital Costs	\$0	\$2,916,000	\$1,725,000
O&M	\$5,546,000	\$134,000	\$2,674,000
Repair, Rehab, Replacement	\$0	\$672,000	\$486,000
Salvage Value	\$0	\$10,000	\$10,000
<b>Total PVC</b>	<b>\$5,546,000</b>	<b>\$3,712,000</b>	<b>\$4,875,000</b>
<b>PV Cost Per User</b>	<b>\$6,375</b>	<b>\$4,267</b>	<b>\$5,603</b>

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$35</b>
<b>Comparable Water Rate</b>	<b>\$48</b>
Net Connections (New + Current)	870
Cost-Share Percent	60%
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "New Water Storage Reservoir" option. The present value cost of the preferred alternative is \$3,712,000 and the presented alternative for comparison is "500,000 Tank Rehabilitation" at a present value cost of \$4,875,000. The present value cost per user for the preferred alternative is \$4,267. The monthly user cost of the local share with DWR 60% cost-share participation is \$6.78 per month and \$16.96 without DWR participation.

ND Dept. of Commerce	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2023		
Population & Trends	1,469	1,411	-0.3%	-4

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.





101 First Street NE

Box 12 Bowman ND 58623

bowmand.com/cities

(701) 523-3309 (701) 523-5716 Fax

November 5, 2024

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

RE: City of Bowman – New Water Storage Reservoir

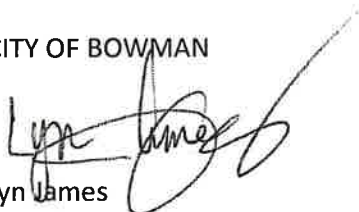
To Whom It May Concern,

The City of Bowman is currently planning a project to replace the existing water tanks with a new water storage reservoir. The City acknowledges that they are applying for a cost share to the DWR. The total cost of the project is estimated at \$2,916,128.00, with a DWR share of \$1,749,677.00. The DWR share requested is 60% of the project cost which will be split between a pre-construction request of \$132,000.00 and a construction request of \$1,617,677.00.

If you should have any questions, please feel free to contact the City at 701-523-3309.

Sincerely,

CITY OF BOWMAN

  
Lyn James  
President of Bowman City Commission

/psa

---

City Commission Chairs

*Lyn James*  
President

*Ryan Shear*  
Vice President

*Myron Vail*  
Water/ Sewr Dept.

*Benjamin Schaaf*  
Police Dept.

*Sara Bullis*  
Finance Dept



**Minutes of the Regular City Commission Meeting held on November 6, 2024 at City Hall at 4:00 PM.**

**Present:** President Lyn James, Vice-Chair Ryan Shear, Benjamin Schaaf, Sara Bullis, Myron Vail, Chief Headley, Bill Mason, Todd Hofland, Aaron Allen, Shannon Hewson, Stacy McGee, Jason Bullis, Trevor Bergerson, Mike Snow, Garret Roemmich, Colin Dunn, Brad Mosher, Jodi Freier, Dan Brosz, Teran Doerr, and Peggy Allen. **Absent:** None

President James called the meeting order at 4:00 pm. Motion by Shear, second by Schaaf to approve the agenda as presented. RCV= all aye, MC.

**Direct Deposit:** \$33095.87; **Check #14102-14137;** **Voided Checks:** 14103 and 14059; **Bills:** AT & T \$810.87, Postmaster \$365.00, Advanced Business Methods \$186.24, Badlands Patriot \$464.60, Boss Office Products \$558.87, Bowman Auto Parts \$108.46, Bowman Park and Rec \$4,290.25, Bowman Sales and Service \$111.81, Bronson's Marketplace \$40.86, Brosz Engineering \$2,000.00, Cashway Building Center \$248.30, Core and Main \$167.51, Coyle Electric \$280.92, Dacotah Paper \$59.50, Dakota Dust-Tex \$115.30, Eido Connect \$64.00, Fallon County Treasurer/Coral Creek Landfill \$6,426.00 Frontier Travel Center \$589.56, Hawkins \$1,962.52, Jason Hosek \$2,502.50, KPOK \$65.00, Loretta Olind \$725.00, MDU \$8,511.98, ND Information Technology \$125.40, ND League of Cities \$150.00, Newby's Ace Hardware \$195.57, Pomp's Tire Service A\$2,634.00, ProPoint Cooperative \$54.90, SW District Health Unit \$50.00, USA Blue Book \$1,329.97, VISA \$1,418.78, Western Frontier Insurance Agency \$33.00, Westlie Truck Center \$42.83, and Woodley Construction \$69.97.

**Tax and Tourism Check:** #14109

**Tax and Tourism Bills:** Bowman County Development Corporation \$250.00.

**BROSZ ENGINEERING – HEWSON:**

**Water Tank Project:** Hewson stated that we need to have a letter that states we understand that the cost share is a 60%/40% split between the Department of Water Resources and the City for the water tank project along with a copy of the minutes from this meeting. The City acknowledges that we are applying for a cost share with DWR and the total cost of the project is estimated at \$2,916,128.00 with a DWR share of \$1,749,677.00. The DWR share requested is 60% of the project cost which will be split between a pre-construction request of \$132,000.00 and a construction request of \$1,617,677.00.

Motion by Schaaf, second by Shear to approve signing the letter to ND Dept. of Water Resources stating that we understand the cost share referenced above. RCV= all aye, MC.

**Frontier Travel Center LOMR:** Hewson showed the Commission the mapped area for the Frontier Travel Center LOMR, there are very little changes, and there are no changes up or downstream. He wants to make sure the City doesn't have any concerns before he submits it to FEMA and the State Flood Coordinator. There are no concerns from the Commission and no one from the audience had questions.

**Slip Lining Project:** Hewson sent in the application as we have in the past for a sewer slip lining project for grant consideration through CWSRF.

**TAP Grant:** Hewson was wondering if we had any TAP Grant style projects in mind for 2027. No one could think of anything. If they have any ideas the Commission was requested to reach out to Hewson.

**HOFLAND – STREET/VECTOR/LANDFILL DEPTS.:**

**Dept. Head Report:** Nothing to Report.

**MASON -WATER AND SEWER DEPT.:**

**Dept Head Report:** Nothing to Report.

**CHIEF HEADLEY – POLICE DEPT.:**

**Activity Report: 10/14/24 – 11/3/24:** Incidents – 9 (animal noise-2, disorderly conduct, DUI alcohol or drugs, false information to police, wanted person, harassing phone call/letter, assault, aggravated, and unattended death), Calls for Service – 76 (extra patrol-15, information report-8, animal noise-6, medical emergency-4, unruly child-4, public relations4, suspicious vehicle, circumstance-3,

welfare check-2, traffic control for fire-2, intoxicated person-2, injured animal-2, found property-2, citizen assist, traffic complaint, animal problem, miscellaneous record, truancy/absenteeism from school, traffic hazard, suicidal person, disorderly conduct, dog or cat running at large, illegal burning, criminal trespass, parking problem, lost property, scam, swindle, confidence game, notice against trespass, and vicious animal), Traffic Stops – 68 (verbal warnings-35, written warning-21, citation-11, and arrest-1), Arrests – 2 (court order violation and driving under the influence)

**Police K9 Donation:** On 10/25/24 Chief Headley was approached by Josh Pike from Ragnar Defense to see if the City would be interested in a K9, they would like to donate it to a small town Police Department. The dog would come to us at no cost (valued at \$25,000), our officer would be trained by Ragnar Defense at no cost to us, and they are willing to pay the City up to \$2,000.00 a year for expenses for 10 years as an incentive to keep the dog. It's a dual trained K-9 used for tracking and narcotics; the dog doesn't have the temperament to be a bite dog. Officer Snow would be the one in charge of the K-9 and he understands the responsibility he would have for the dog. Ragnar Defense will board the dog free of charge if Officer Snow went on vacation, but our officers said they would take care of it. The dog has an 8–10-year lifespan and it's 3 years old. There is a company that will send dog food free of charge to the City for the K-9.

Bergerson sent videos of this K-9 to other dog handlers, and they said they felt it would be a great dog for us.

The cost to us would be insurance on the dog for health and liability, and the officers gas, food and lodging while he is going through training. There would be a cost for equipping the vehicle for the dog, Headley got an estimate for \$8,855.00 which could be taken out of the Alcohol Awareness Fund.

Bergerson felt that it would be a benefit to have two dogs so the County Sheriffs K9 works during the day, the City's dog would be used at night, it would benefit both of us.

Three of Bowman County Sherriff's officers voiced their concerns about having two dogs.

The Commission would like to think about it and will give Headley the decision to relay to Ragnar Defense on the 19<sup>th</sup>.

Headley stated that if they choose to get the K-9, he would be giving a report on the K-9 at the meetings.

#### **ALLEN – GARBAGE DEPT:**

**Dept. Head Report:** Allen is back to work. Nothing else to report.

#### **P. ALLEN – FINANCIAL AUDITOR:**

**City Hall Building Tuckpointing:** Allen presented a quote from Trowel and Hammer to do the tuck pointing on City Hall where the sprinkler system damaged the mortar. Motion by Vail, second by Schaaf to accept the proposal from Trowel and Hammer in the amount of \$7,712.00 to grind and tuckpoint the mortar joints on City Hall. RCV= all aye, MC. He is requesting a 10% deposit when he starts in May 2025. The Commission was okay with paying that in May 2025.

**Festival of Lights Special Event Permit:** Allen presented a Special Event Permit for the Bowman County Development Corporation to host the Festival of Lights in the City Park and requested to block off Divide Street from 2<sup>nd</sup> Avenue to Cenex. They would also like barricades from the City by 3:00 pm to set up for the safety of the attendees. Motion by Schaff, second by Shear to approve the Festival of Lights Special Event Request for December 4, 2024 from 6:00 – 8:00 pm. RCV= all aye, MC

**Gaming Permit #24-62:** Allen presented a 50/50 raffle gaming permit for Friends of Losing/McConnell Baby Medical Benefit which was held on 10/26/24 at the Silver Dollar Bar. Motion by Shear, second by Schaff to approve raffle permit #24-62 for the friends of Losing-McConnell Baby Medical Benefit. RCV= all aye, MC.

**State of the Region 8:** Allen inquired if anyone else wanted to go to this meeting on 11/20/24 in Medora and no one other than James wanted to attend.

**Lead Local Training:** Allen asked if anyone wanted to go to this training and no one wanted to

attend.

**Commission Room:** The Commission Room has been painted and the floor will be next to get finished. Allen asked if they still wanted to paint the wood trim around the pipes in the Commission Room and they decided to wait.

**SHEAR:**

**Shears Residence Driveway:** Shear's driveway sank due to the ground not being packed correctly around the City water shut off when repaired after a water leak. Mason put a riser on the water shut off after Shear tore the driveway out. Shear then had his driveway concrete poured. Shear presented pictures and invoices. Shear did all the tear out work himself so that is not included in his expenses. The whole driveway is 32' x 28', the Commission agreed to pay for 8' x 32' = 224 SF x \$8.90/SF for concrete. The decision on the size of the area was due to the area needed to get a backhoe in to do the repair. Motion by Vail, second by Schaaf to reimburse Ryan Shear for 224 SF of his driveway repairs to fix the sunken area around our water shut off in the amount of \$1,993.60. RCV= all aye, Shear abstained, MC.

**PARK VIEW POINT - DAN BROSZ:**

**TIF District:** Brosz gave an overview of his project since two of the Commissioners were not at the last meeting. He is here today to request a TIF District for infrastructure (water, sewer, and shared driveway) on this project.

Steve Wild said the steps to a TIF District are to prepare a development plan, like Brosz did, then have a public meeting showing the plan at the hearing and then the Commission decides if they are going to approve it and go forth with bonds or have the City fund the TIF. The plan has to be sent to the Department of Commerce by July 1, 2025 if it is over 5 years which this project is. Since it's over 5 years we are required to notice the school, Park and Rec, and Bowman County. These entities have to respond to us if they are ok with the TIF, Brosz will go to the three entities to explain it. Motion by Schaaf, second by Vail to go forward with a public hearing on December 3 for the Park View Point Development TIF District. Allen will publish the meeting date for two weeks. RCV= all aye, MC.

**BOWMAN COUNTY DEVELOPMENT CORPORATION - TERAN DOERR:**

**BCDC Building Sewer:** AJ Thompson scoped their sewer line that they have been having troubles with. They said that it could be slip lined to fix it. Doerr is asking for a 1/3 of the cost of the repairs since the City owns 1/3 of the building. Motion by Shear, second by Schaaf to approve 1/3 of the cost which is \$19,597.33 for slip lining the sewer at the BCDC office with funds taken out of the Sewer Building Fund. The City will pay when their portion when presented with the final bill. RCV= all aye, MC.

**CLOSE OF MEETING:**

**Next Meeting:** 11/19/24 at 4:00 pm.

Motion by Shear, second by Schaaf to approve the 11/15/24 Meeting Minutes and September 2024 Financials. RCV= all aye, MC.

James was reappointed to the Post Board until September 2026, she will be the longest serving member on this board.

President James adjourned the meeting at 6:10 pm.

---

Peggy Allen, Financial Auditor


---

Lyn James, President of City Commission

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

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission

**FROM:** Reice Haase, Secretary 

**SUBJECT:** State Water Supply – City of Medora, New Water Storage Reservoir

**DATE:** January 30, 2025

**Background & Description**

The City of Medora is requesting preconstruction cost-share for their New Water Storage Reservoir (Project). Medora’s current water storage system consists of a 50,000-gallon aging and undersized underground reservoir and a 150,000-gallon underground reservoir. The Project is replacement of the 50,000-gallon reservoir with a 150,000-gallon underground reservoir, for a total combined storage of 300,000 gallons. Peak daily demand for Medora is 189,000 gallons.

The purpose of the Project is to supply water for both Medora’s existing needs and for planned facilities to support tourism and visitors to the Theodore Roosevelt Presidential Library, scheduled to open in September 2026. Facilities will include a Learning Center, hotel, restaurant, gift shop, gas station, carwash, additional RV stalls, food and snack vendors, and up to 30 new cabins. It was the intent of the 68th Legislative Assembly through Senate Bill 2020 that the City of Medora request cost-share from the State Water Commission to be used for water storage associated with the construction of the Theodore Roosevelt Presidential Library. The Project is located in Billings County.

**Supplemental Information**

Water Development Plan/Priority	None
New / Future / Current Users	0 / 40 / 140
Present Value Cost Per User (Preferred Alternative)	\$13,679
Rate / 5,000-Gallons	\$50
Comparable Rate / 5,000-Gallons	\$50
Water Source – Southwest Water Authority	

**Schedule**

Task	Dates
Study	Dec. 2023
Design	Mar. 2025
Bid	Apr. 2025
Construction	Jun. 2025
Completion	Dec. 2025

**Cost-Share Funding Summary**

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$105,000	\$1,035,550	\$1,140,550		
Total	\$105,000	\$1,035,550	\$1,140,550		
Cost-Share 60%	<b>\$63,000</b>	\$621,330	\$684,330		<b>\$63,000</b>

**Cost-share policy requires a modified percentage due to demonstrated peak demand. However, due to the extraordinary circumstances associated with development of the presidential library, I recommend approval of this request by the City of Medora for state cost-share participation in the New Water Storage Reservoir project at 60 percent of eligible costs, not to exceed \$63,000. This approval is contingent on available funding.**

RH:jsp:ln/2050MDA

Water Development Plan: No (2023)  
Plan Priority: None

# 1084019 - City of Medora - New Water Storage Reservoir

## Application Details

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<b>Funding Opportunity:</b>	1083251-June 2024 - October 2024 Infrastructure Request	<b>Initial Submit Date:</b>	Oct 18, 2024 8:01 PM
<b>Funding Opportunity Due Date:</b>	Oct 21, 2024 8:00 AM	<b>Initially Submitted By:</b>	Shannon Hewson
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

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### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Mr. Shannon  
Salutation First Name

Middle Name Hewson  
Last Name

**Title:** Project Engineer

**Email\*:**  
shannonh@broszengineering.com

**Address\*:** 109 S. Main Box 357

### Organization Information

**Status\*:** Approved

**Name\*:** City of Medora

**Organization Type\*:** Municipal Government

**Tax Id:** City of Medora

**Organization Website:**

**Address\*:** P.O. BOX 418A

	Bowman North Dakota		Medora North Dakota
	City State/Province		City State/Province
58623		58545-_____	
Postal Code/Zip		Postal Code/Zip	
<b>Phone*:</b>	701-523-3340 Ext.	<b>Phone*:</b>	701-623-4828 Ext.
	Phone		###-###-####
	###-###-####	<b>Fax:</b>	###-###-####
<b>Fax:</b>	###-###-####	<b>Vendor ID:</b>	
<b>Comments:</b>		<b>PeopleSoft Supplier ID:</b>	
		<b>Comments:</b>	
		<b>Location Code:</b>	

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** New Water Storage Reservoir

**Sponsor(s)\*:** City of Medora

**County\*:** Billings

**City\*:** Medora

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**  
City of Medora

**Describe the Problem\*:**

The City of Medora currently has two water storage reservoirs in use. The original is a steel tank constructed in 1963 with a storage capacity of 50,000 gallons. In 2014, a second reservoir was

constructed. The tank is noted to have a storage capacity of 150,000 gallons but only has a usable capacity of 97,000 gallons (40'x40'x8.1'). The City averaged 120,604 gallons per day of usage from 2020-2023.

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

The 1963 tank is in need of replacement and the City would like to replace the existing reservoir. The current average demand exceeds the 2014 tanks capacity and the projected future demand will be approximately 227,000 gallons per day. Install a new 150,000 gallon storage reservoir to replace the existing 50,000 gallon storage reservoir.

For this project,

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

**What is the Current Estimated Population?\*** 140

For this project,

**What is the Benefited Population?\*** 140

**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?\*** No

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

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

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
 (Example: Hazard Mitigation Grant Program)  
 \*:

**Implementation Timelines**

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 12/8/2023  
**Design Completion\***: 3/8/2025  
**Bid\***: 4/5/2025  
**Construction Start\***: 6/1/2025  
**Construction Completion\***: 12/1/2025

**Explain Additional Timeline Issues\***:

N/A

**Consulting Engineer\***: Brosz Engineering, Inc.  
**Engineer Telephone Number\***: 701-523-3340  
**Engineer Email\***: shannonh@broszengineering.com

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

**Submitted by\***: ivy            maus            10/18/2024  
 First Name   Last Name   Date

**Address\***: p.o. box 418a  
 Address Line 1  
 Address Line 2



medora North Dakota 58645-\_\_\_\_\_

City State Zip Code

**Telephone Number\*:** 701-623-4828

**Sponsor Email\*:** ivy\_maus@medorand.gov

**It is an Offense to** Yes

**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\*:** Ivy Maus 10/18/2024  
 First Name Last Name Date

**Title/Position/Authority\*:** City Auditor

## Documentation

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### *Documentation*

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

[CLICK HERE to see examples.](#)

**Project Specific Map**

Medora 1-Mile ETZ Map 4-2-20 - New Water Storage.pdf

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

\*:

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

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

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

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

**Delineation of Costs SFN 61801:**

sfn\_61801\_delineation\_of\_cost - Medora New Water Storage Reservoir.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:** Yes

**Feasibility/Engineering Study  
Material:** \_Final\_Medora Water Capacity Technical Memo 12.08.2023.pdf

**Photos of Problem/Issue:**

**Other Applicable  
Document(s):** No

**Sources**

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

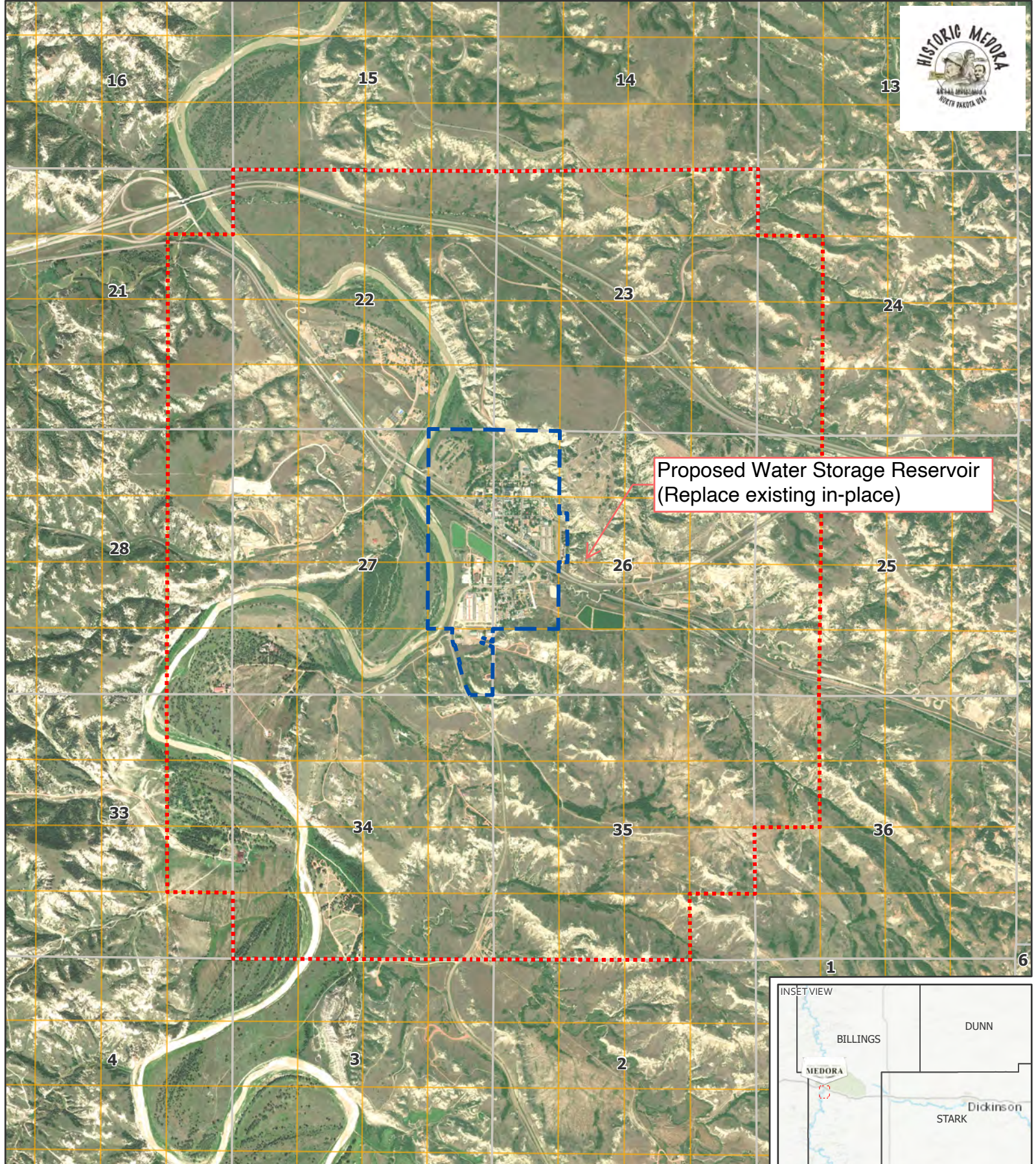
<b>Source</b>	<b>If Other, Specify Funding Source</b>	<b>Status</b>	<b>State Fiscal Year 1 July to June</b>	<b>State Fiscal Year 2 July to June</b>	<b>Beyond Current Biennium</b>	<b>Total Cost</b>	<b>Type</b>	<b>Term</b>	<b>Interest Rate</b>
Department of Water Resources Cost Share Pre-Construction		Current Request	\$63,000.00	\$0.00	\$0.00	\$63,000.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$621,330.00	\$0.00	\$621,330.00	Grant	0.00	0.00
Other	City of Medora	Already Approved	\$42,000.00	\$414,220.00	\$0.00	\$456,220.00		0.00	0.00
			<b>\$105,000.00</b>	<b>\$1,035,550.00</b>	<b>\$0.00</b>	<b>\$1,140,550.00</b>			





1" = 0.5 MI

# MEDORA 1-MILE ETZ MAP



Proposed Water Storage Reservoir  
(Replace existing in-place)







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

DWR Date Received : October 21, 2024

<b>Project:</b>	New Water Storage Reservoir
<b>Sponsor:</b>	City of Medora
<b>Contact:</b>	Ivy Maus, Auditor
<b>Phone:</b>	701-623-4828
<b>Engineer:</b>	Shannon Hewson, Brosz Engineering Inc.
<b>Phone:</b>	701-523-3340

<b>Total Cost :</b>	\$ 1,140,550	<b>Date:</b>	September 4, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 1,140,550	<b>Cost-Share \$</b>	\$ 684,330
<b>Local Cost :</b>	\$ 456,220	<b>Preconstruction :</b>	\$ 63,000
		<b>Construction :</b>	\$ 621,330

<b>Project Type:</b>	<b>Cost-share %</b>
Municipal Water Supply	60%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	9.6%	Mobilization	1	LS	90,000.00	\$ 90,000	60%	\$ 54,000
2	1.1%	Bonding	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
3	1.1%	Insurance	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
4	1.7%	Erosion Control	1	LS	15,500.00	\$ 15,500	60%	\$ 9,300
5	1.1%	Traffic Control	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
6	61.1%	Reservoir and Storage - Concrete	1	LS	572,000.00	\$ 572,000	60%	\$ 343,200
7	0.6%	Water Main 10 in	50	LF	120.00	\$ 6,000	60%	\$ 3,600
8	1.4%	Gate Valve	2	EA	6,500.00	\$ 13,000	60%	\$ 7,800
9	1.5%	Pipeline Appurtenances	7	EA	2,000.00	\$ 14,000	60%	\$ 8,400
10	3.2%	Demolition	1	LS	30,000.00	\$ 30,000	60%	\$ 18,000
11	8.6%	Analytical Equipment	1	LS	80,000.00	\$ 80,000	60%	\$ 48,000
12	0.0%		0		-	\$ -	60%	\$ -
13	0.0%		0		-	\$ -	60%	\$ -
14	0.0%		0		-	\$ -	60%	\$ -
15	0.0%		0		-	\$ -	60%	\$ -
16	0.0%		0		-	\$ -	60%	\$ -
17	0.0%		0		-	\$ -	60%	\$ -
18	0.0%		0		-	\$ -	60%	\$ -
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 850,500	60%	\$ 510,300
	10.0%	<b>Contingency</b>				\$ 85,050	60%	\$ 51,030
	82.0%	<b>Construction Total</b>				\$ 935,550	60%	\$ 561,330
<b>Preconstruction Costs</b>								
27	1.6%	Geotechnical Investigations	1	LS	15,000.00	\$ 15,000	60%	\$ 9,000
28	3.7%	Preliminary Design	1	LS	35,000.00	\$ 35,000	60%	\$ 21,000
29	3.7%	Final Design	1	LS	35,000.00	\$ 35,000	60%	\$ 21,000
30	1.1%	Bidding / Negotiations	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
31	1.1%	Cultural Resources	1	LS	10,000.00	\$ 10,000	60%	\$ 6,000
	9.2%	<b>Preconstruction Total</b>				\$ 105,000	60%	\$ 63,000
<b>Construction Engineering Costs</b>								
32	10.7%	Project Inspection	1	LS	100,000.00	\$ 100,000	60%	\$ 60,000
33	0.0%		0		-	\$ -	60%	\$ -
34	0.0%		0		-	\$ -	60%	\$ -
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	8.8%	<b>Construction Engineering Total</b>				\$ 100,000	60%	\$ 60,000
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 1,140,550		
		<b>Eligible Total</b>				\$ 1,140,550	60%	\$ 684,330
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 1,140,550	60%	\$ 684,330

\* 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 Medora  
**Project Title:** New Water Storage Reservoir  
**Date:** December 12, 2024

**Explanation of Alternatives:**

No Build - No Action and water supply will be jeopardized during average and peak demand.  
 New Water Storage Reservoir - Replace existing 50,000-gallon reservoir with new 150,000-gallon reservoir to bring practical storage to approximately peak demand.  
 Update Existing Water Plant & Install Booster Pumps - Return existing 1973 Water Plant Storage into service.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$100,000
Future Connections Served	40	Annual CIF Contribution	\$20,000
Current Connections Served	140	Cash Funding Target (Percentage %) New Assets	35%
Net Connections (New + Current)	140	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$12,590

	No Build	New Water Storage Reservoir	Update Existing Water Plant & Install Booster Pumps
Construction Cost	\$0	\$1,140,600	\$803,500
Annual O & M	\$0	\$17,000	\$35,000

**Details:**

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

	No Build	New Water Storage Reservoir	Update Existing Water Plant & Install Booster Pumps
Present Value			
Capital Costs	\$0	\$1,141,000	\$804,000
O&M	\$0	\$455,000	\$936,000
Repair, Rehab, Replacement	\$0	\$328,000	\$505,000
Salvage Value	\$0	\$9,000	\$34,000
<b>Total PVC</b>	<b>\$0</b>	<b>\$1,915,000</b>	<b>\$2,211,000</b>
<b>PV Cost Per User</b>	<b>\$0</b>	<b>\$13,679</b>	<b>\$15,793</b>

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$50</b>
<b>Comparable Water Rate</b>	<b>\$50</b>
Net Connections (New + Current)	140
Cost-Share Percent	60%
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "New Water Storage Reservoir" option. The present value cost of the preferred alternative is \$1,915,000 and the presented alternative for comparison is "Update Existing Water Plant & Install Booster Pumps" at a present value cost of \$2,211,000. The present value cost per user for the preferred alternative is \$13,679. The monthly user cost of the local share with DWR 60% cost-share participation is \$16.49 per month and \$41.23 without DWR participation.

ND Dept. of Commerce Population & Trends	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2023		
	117	155	2.5%	3

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.



November 6, 2024

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

RE: City of Medora – New Water Storage Reservoir and Pacific Avenue Water Main Replacement

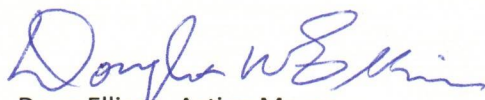
To Whom It May Concern,

The City of Medora is currently planning two projects to replace the existing infrastructure within the community.

The first is replacement of the existing 50,000-gallon reservoir with a new 150,000-gallon water storage reservoir. The City acknowledges that they are applying for a cost share to the DWR. The total cost of the project is estimated at \$1,140,550.00, with a DWR share of \$684,330.00. The DWR share requested is 60% of the project cost which will be split between a pre-construction request of \$43,500.00 and a construction request of \$621,330.00.

The second is the replacement of the existing Pacific Avenue Water Main. The City acknowledges that they are applying for a cost share to the DWR. The total cost of the project is estimated at \$707,650.00, with a DWR share of \$424,590.00. The DWR share requested is 60% of the project cost which will be split between a pre-construction request of \$43,500.00 and a construction request of \$381,090.00.

Sincerely,

  
Doug Ellison, Acting Mayor  
City of Medora

465 Pacific Avenue  
P.O. Box 418A  
Medora, ND 58645

mauditor@midstate.net  
www.medorand.com  
701.623.4828  
Fax 701.623.4924

**CITY OF HISTORIC MEDORA**

City of Medora

Draft Minutes of Regular Meeting

November 6, 2024

(Subject to Council review and approval)

Meeting was called to order at 6:00pm by Mayor Douglas Ellison. Present were Council Members Tracy Sexton, Jodi Johnson, and Clarence Sitter, Administrator Ivy Maus, City Attorney Sandra Kuntz and City Engineer Shannon Hewson.

Election was held on November 5, 2024 and the new Mayor Elect Derwin Zuroff will be certified later this month.

Minutes from October 1, 2024 were reviewed. Jonson moved to approve the minutes from October 1, 2024, Sitter seconded. Motion passed unanimously.

**Department Reports**

**City Engineer Shannon Hewson** – A written report was provided.

**City Attorney Report** – A written report was provided.

**Police Report** – A written report was provided

**Public Works Report** – Discussion was had on a proposal from Ideal Energy to update to LED lighting in the city buildings. They went around to all the city buildings and the Community Center qualified for the 50/50 share which would give the community center a cost of \$5,600 to cover the lighting.

Tracy made a motion to move \$40,000 from park and rec to Medora Community Center fund, which would cover the lighting and other updates to the building, Sitter seconded. Motion passed unanimously.

Sitter moved to approve the proposal from Ideal Energy for LED lighting for the Community Center contingent upon getting the grant and that there is no down payment, Sexton seconded. Motion passed unanimously.

**MCC Report** – A written report was provided.

**City Auditor's Report** – A motion was made by Sitter for City of Medora to affirm to North Dakota Public Employees Retirement System the The City of Medora is formed pursuant to N.D.C.C 40-01 and is neither a non-profit corporation nor a for-profit corporation, to join the NDPERS Public Safety Defined Benefit Retirement Plan and offer the plan to all eligible employees of The City of Medora. The motion was seconded by Johnson. The Board approved joining the NDPERS Public Safety Defined Benefit Retirement Plan effective January 1, 2025. Motion passed unanimously.

**New Business:**

Ivy Maus and Tracy Sexton will be doing the Election Canvassing on November 18<sup>th</sup> at Billings County Courthouse at 10:00 am.



TRMF Infrastructure Request – Discussion will continue at next month’s city council meeting on December 3rd.

Public Update Pacific Ave Reconstruction Project- Jason Fischer with NDDOT and Mike Njos with Ames Construction gave a presentation and overview regarding the project on Pacific Ave. Discussion was continued in the DeMore’s Hall for the public for any concerns or questions regarding the project.

Ames Construction Office Trailer Request – Sitter stated TRMF will be working on a lease agreement with Ames Construction, will be asking Ames to clean up garbage, do maintenance, and to remediate the land back to existing condition.

Ellison made a motion to approve the zoning application for the office trailers and egg trailer contingent upon their contract being approved with the Theodore Roosevelt Medora Foundation, Johnson seconded. Sitter abstained from voting due to conflict of interest. Motion passed unanimously.

Cowboy Christmas/MCC Decorations/Kids Movie – Discussion was had.

FFA – MCC Rate Request – Sexton made a motion to give FFA a 50% discount for use of the MCC, Johnson seconded. Motion passed unanimously.

City Housing Rent Rates/Inspections – Ellison made a motion to increase the City housing rent by \$100 putting the rent at \$700 and increasing the City trailer \$50 putting the rent at \$400 beginning on January 1, 2025, Sitter seconded. Motion passed unanimously.

### Miscellaneous Business

A Zoning Board Position will be opening at the end of this year 2024. And new term will begin January of next year 2025. If anyone one is interested may talk with any of the city council members.

Hewson stated for even submitting an application for a grant, the Department of Water Resources requires a letter from the City of Medora, included in the letter the cost share amounts for the storage tank on pacific Ave that were discussed in the budget meetings, and attached a copy of the informal minutes discussing the project going on. Sexton made a motion to approve the letter stating the cost share amounts on the storage tank and Pacific Ave, and having Acting Mayor Douglas Ellison sign it, Ellison seconded. Motion passed unanimously.

### Financial Statements

-99963	AT&T Mobility	683.19	CL	8975
-99962	RTC Networks	903.65	CL	8994
-99961	RTC Networks	151.42	CL	8997
-99960	SOUTHWEST WATER AUTHORITY	244.57	CL	9003
3405	CORDOVA CONSTRUCTION	2473.00	CL	8983
3406	ROUGH RIDER ELECTRIC COOP, INC	1640.36	CL	8969
3407	ONE CALL CONCEPTS	7.50	CL	8953
3409	THEODORE ROOSEVELT MEDORA FDTN	39000.00	CL	8961
3410	ND RURAL WATER SYSTEMS ASSOC	33.32	CL	8963
3411	SOUTHWEST WATER AUTHORITY	24994.39	CL	8998
3412	SOUTHWESTERN DISTRICT HEALTH UNIT	50.00	CL	9005
5468	SOUTHWESTERN DISTRICT HEALTH UNIT	25.00	CL	8960

5469	ROUGH RIDER ELECTRIC COOP, INC	63.00	CL	8970
5470	SOUTHWEST WATER AUTHORITY	2242.30	CL	9006
19973	Superior Water Treatment	70.00	CL	8974
19974	Nissen Slabjacking inc.	840.00	CL	8991
19975	RDO Equipment Co.	435.84	CL	8992
19976	R & R Auto, Farm & Electric, Inc.	782.09	CL	8979
19977	GEORGE'S TIRE LTD	696.00	CL	8989
19978	HANSON LUMBER CO.	240.00	CL	8988
19979	FARMERS UNION	419.97	CL	8987
19981	NITRO-GREEN	411.54	CL	8985
19982	Advanced Business Methods	232.34	CL	8984
19983	PATRIOT FIRE & SAFETY INC.	1648.99	CL	8981
19984	PUMP SYSTEMS LLC	300.00	CL	8978
19985	BERGER ELECTRIC, INC.	15442.00	CL	8977
19986	GALLS, LLC	151.89	CL	8976
19987	ITD	83.90	CL	8962
19988	BOSS OFFICE PRODUCTS	97.94	CL	8993
19990	Dickinson Area Chamber of Commerce	99.00	CL	8996
19991	ROUGH RIDER ELECTRIC COOP, INC	2894.45	CL	8967
19992	ROUGH RIDER ELECTRIC COOP, INC	866.94	CL	8968
19993	Evan Beach	200.00	CL	8954
19994	Legal Edge Solutions, PLLC	2100.00	CL	8964
19995	FIRST STATE BANK	2171.09	CL	8965
19996	G&G GARBAGE	587.80	CL	8973
19998	MENARDS-DICKINSON	351.89	CL	8982
19999	DAKOTA DUST-TEX, INC.	402.20	CL	8999
20000	BRAUN DISTRIBUTING	71.00	CL	9000
20001	SHARE CORP	1457.00	CL	9001
20002	BELFIELD AUTO SUPPLY, INC	37.86	CL	9002
20004	STEIN'S, INC	852.74	CL	9004
-86943	AFLAC2 AFLAC	211.16		
-86942	DEFERRED COMP NDPERS DEFERRED COMP DEP	730.00		
-86941	DENTAL INSURANC AMERITAS	988.58		
-86940	FIT EFTPS	8674.02		
-86939	NDPERS RETIRE NDPERS RETIREMENT	2134.63		
-86938	NDPERS RETIRMEN NDPERS	3512.57		
-86936	SIT OFFICE OF STATE TAX COMM	372.65		
-86935	VISION INSURANC FIDELITY SECURITY LIFE (	114.78		
19966	119 Evan Beach	1522.22		

### Payroll for October 49,175.79

Payroll, Claim Vouchers, Financials – review and approval. Johnson made a motion for approval of the financials, Sexton seconded. Motion passed unanimously.

Sexton stated that City Attorney Sandra Kuntz is in contact regarding the contract for the webpage. It is being worked on, hopefully in the beginning of the year we will have a new medorand.gov webpage.

Sitter discussed Chateau Road will be a construction project by the DOT starting possibly in the fall of 2025.


**Deadline for Zoning Applications is Friday, November 8, 2024 @12:00pm, Zoning meeting on Tuesday November 19, 2024 @ 6:00pm. Deadline for Council Agenda items Friday, November 29, 2024 @ 12:00pm, Next Council Meeting Tuesday December 3, 2024 @ 6:00pm.**

Sexton made a motion to adjourn, Ellison adjourned at 7:18pm.

Attest \_\_\_\_\_ Douglas Ellison, Mayor

Attest \_\_\_\_\_ Ivy Maus, City Auditor

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – All Seasons Water Users District  
 Bottineau County Expansion  
**DATE:** January 30, 2025

***Background & Description***

All Seasons Water Users District is requesting preconstruction cost-share for their Bottineau County Expansion (Project). The Project is a feasibility study to evaluate the expansion of rural water service to over 750 new users in Dalen, Roland, Homen, Whitteron, and Cordelia Townships of Bottineau County.

***Supplemental Information***

Water Development Plan/Priority	2023/Moderate
New / Future / Current Service Users	0 / 800 / 1,600
Present Value Cost / User (Preferred Alternative)	\$150
Rate / 5,000-Gallons	\$74
Comparable Rate / 5,000-Gallons	\$75
Water Source – Lower Souris, Shell Valley Aquifer	

***Schedule***

Task	Dates
Study	Summer 2025
Design	Winter 2025
Bid	Spring 2026
Construction	Summer 2026
Completion	Summer 2031

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$240,000	\$0	\$240,000		
Total	\$240,000	\$0	\$240,000		
Cost-Share 75%	<b>\$180,000</b>	\$0	\$180,000		<b>\$180,000</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the All Seasons Water Users District for state cost-share participation in the Bottineau County Expansion project at 75 percent of eligible costs, not to exceed \$180,000. This approval is contingent on available funding.**

RH:jsp:ln/2050ALL

**Water Development Plan: Yes (2023)**  
**Plan Priority: Moderate**

# 1084454 - Bottineau County Expansion

## Application Details

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<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 17, 2024 8:29 AM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Jared Huibregtse
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Last Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Mr. Bryan  
Salutation First Name

Middle Name Ziegler  
Last Name

**Title:**

**Email\*:** bryan.ziegler@bartwest.com

**Address\*:** 3456 E. Century Ave

### Organization Information

**Status\*:** Approved

**Name\*:** All Seasons Water Users District

**Organization Type\*:** Political Subdivision

**Tax Id:** 45-0459417

**Organization Website:**

**Address\*:** 1066 Highway 5

	Bismarck North Dakota		Bottineau North Dakota
	City State/Province		City State/Province
58503		58318-_____	
Postal Code/Zip		Postal Code/Zip	
<b>Phone*:</b>	(701) 221-8353 Ext.	<b>Phone*:</b>	(701) 228-3663 Ext.
	Phone		###-###-####
	###-###-####	<b>Fax:</b>	###-###-####
<b>Fax:</b>	###-###-####	<b>Vendor ID:</b>	
<b>Comments:</b>		<b>PeopleSoft Supplier ID:</b>	
		<b>Comments:</b>	
		<b>Location Code:</b>	

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Bottineau County Expansion

**Sponsor(s)\*:** All Seasons Water Users District

**County\*:** Bottineau

**City\*:** Bottineau

**Description of Request\*:** New

**If Study, What Type:** Feasibility

**If Project/Program, What Type:**

**Jurisdictions/Stakeholders Involved\*:**

This feasibility study will evaluate a proposed expansion project to bring All Seasons rural water to Northeast Bottineau County. Specifically, the expansion would bring water to Dalen, Roland, Homen, Whitteron, and Cordelia townships in Northeast Bottineau County. This region includes rural properties, rural subdivisions, and the Lake Metigoshe, Long Lake, Loon Lake, and surrounding lake areas.

**Describe the Problem\*:**

There is currently no access to rural water in this area. Most residents get their water from a well, or pump water out of Lake Metigoshe. This expansion would provide homeowners and other residents access to a reliable supply of quality water, and would eliminate the need to maintain well equipment. The expansion project would also help to stabilize the cost of water for both existing ASWUD users, and also the expansion area.

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

All Seasons Water Users District (ASWUD) completed a sign-up campaign to gauge interest in this expansion. More than 750 individuals (at the time of this application, this number may increase) have signed up for water service within the study area. This feasibility study will evaluate the steps necessary to deliver rural water to the proposed expansion area.

For this project,

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

**What is the Current Estimated Population?\*** 4000

For this project,

**What is the Benefited Population?\*** 1200

**Have Assessment Districts Been Formed?\*** N/A

**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\***: Summer 2025  
**Design Completion\***: Winter 2025-2026  
**Bid\***: Spring 2026  
**Construction Start\***: Summer 2026  
**Construction Completion\***: Summer 2031

**Explain Additional Timeline Issues\***

These timelines are for the entire expansion. The expansion will be phased.

**Consulting Engineer\***: Bryan Ziegler (Bartlett & West)  
**Engineer Telephone Number\***: 701-221-8353  
**Engineer Email\***: bryan.ziegler@bartwest.com

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

**Submitted by\***: Dan Schaefer 12/06/2024  
 First Name Last Name Date



**Address\*:** 1066 Hwy 5 N  
 Address Line 1  
 Address Line 2  
 Bottineau North Dakota 58318-0000  
 City State Zip Code

**Telephone Number\*:** 701-228-3663

**Sponsor Email\*:** dan.aswud@midconetwork.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\*:** Dan Schaefer 12/06/2024  
 First Name Last Name Date

**Title/Position/Authority\*:** Manager

## Documentation

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### *Documentation*

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

[CLICK HERE to see examples.](#)

**Project Specific Map** Project Map\_ASWUD.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:** SWC Cost Share Program Request\_11.2024 Minutes.pdf

**Cover Letter:** Cost Share Request 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\_Bottineau County Expansion.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** No

**for the Proposed Project:**

**Photos of Problem/Issue:**

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

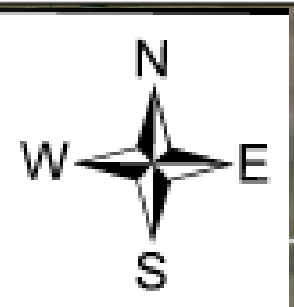
**Other Applicable**

**Document(s):**

## Sources


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

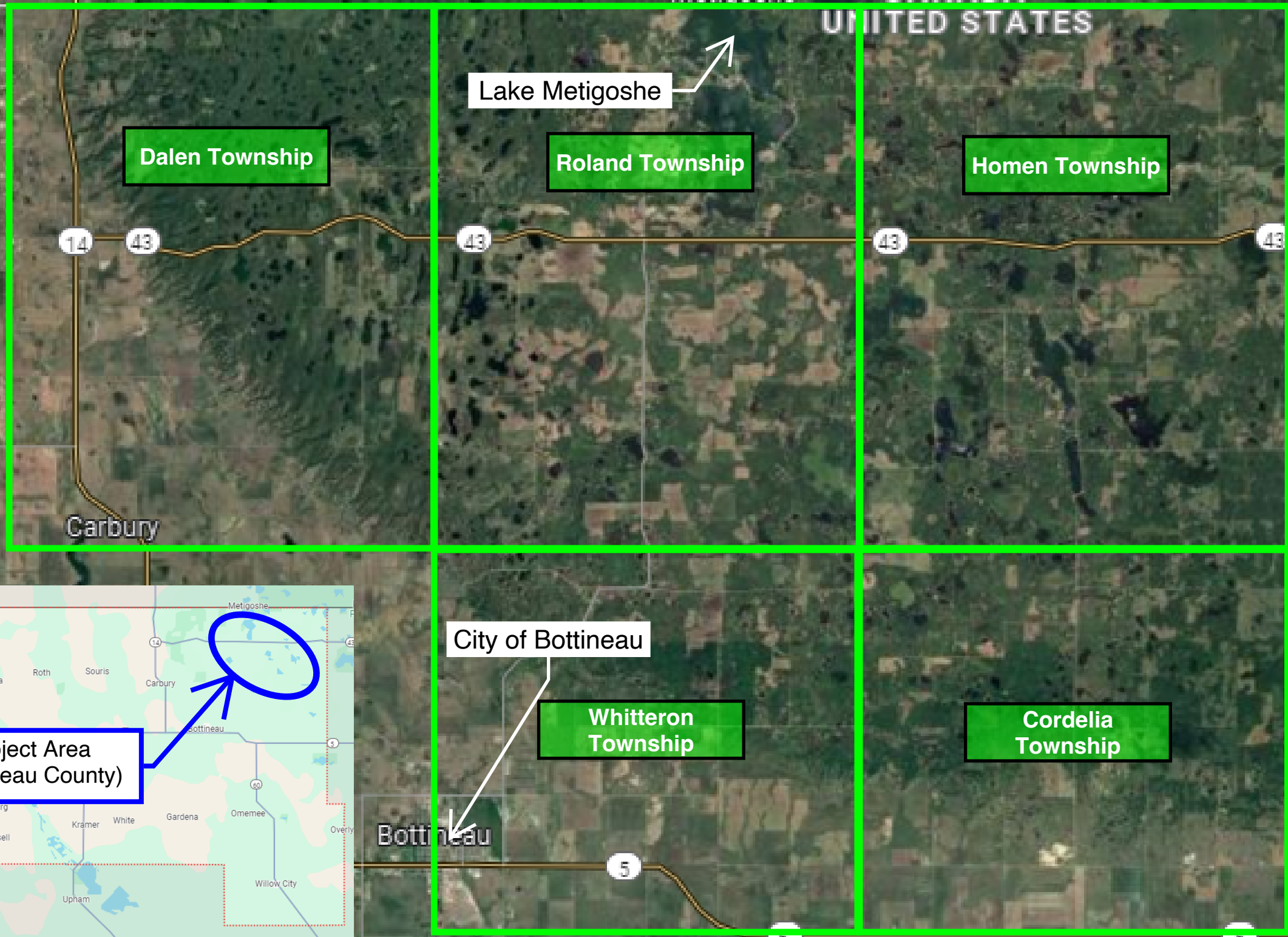
Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Pre-Construction		Current Request	\$180,000.00	\$0.00	\$0.00	\$180,000.00	Grant	0.00	0.00
Other	ASWUD - Local Share	Already Approved	\$60,000.00	\$0.00	\$0.00	\$60,000.00	Grant	0.00	0.00
			<b>\$240,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$240,000.00</b>			



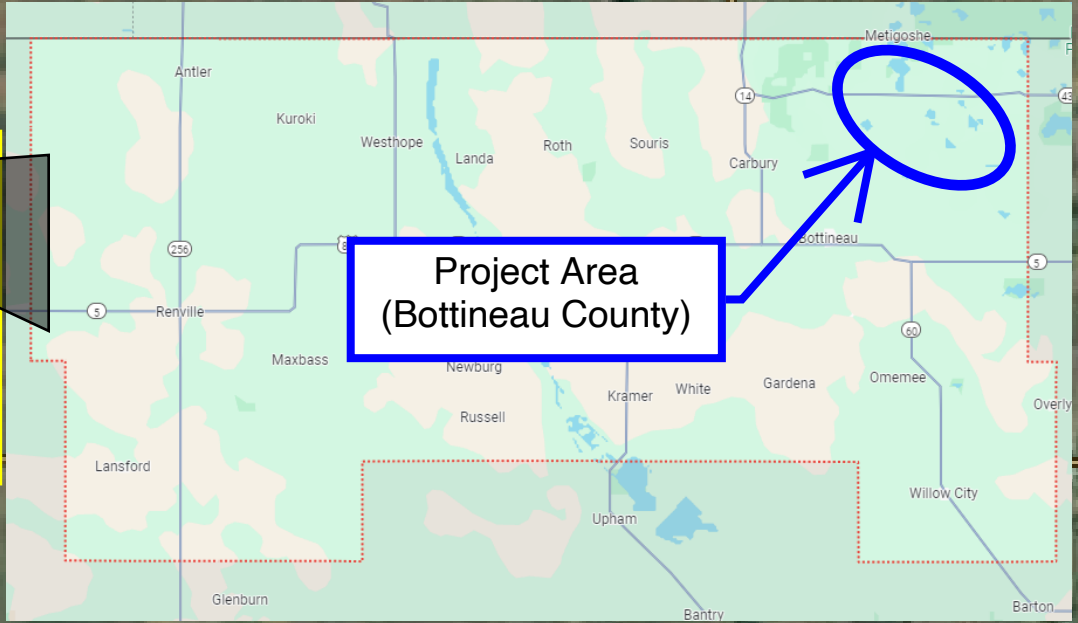
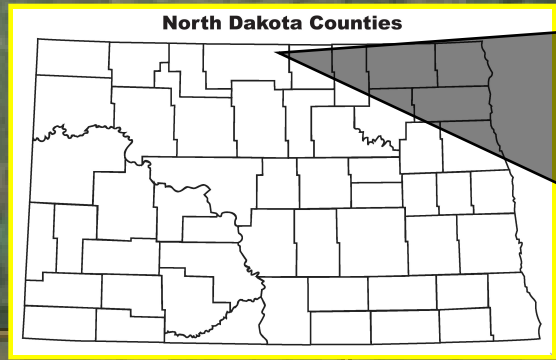
UNITED STATES CANADA UNITED STATES

**Map Legend**

Feasibility Study Townships 



Town of Souris



**Project Area  
(Bottineau County)**

City of Bottineau



All Seasons Water Users District  
Bottineau County Expansion



**Bartlett & West**

Driving community and industry forward, together.



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

DWR Date Received : December 17, 2024

<b>Project:</b>	Bottineau County Expansion
<b>Sponsor:</b>	All Seasons Water Users District
<b>Contact:</b>	Dan Schaefer
<b>Phone:</b>	701-228-3663
<b>Engineer:</b>	Bryan Ziegler, Bartlett & West
<b>Phone:</b>	701-221-8353

<b>Total Cost :</b>	\$ 240,000
<b>Ineligible Cost :</b>	\$ -
<b>Eligible Cost :</b>	\$ 240,000
<b>Local Cost :</b>	\$ 60,000

**Date:** December 6, 2024

	<b>Cost-Share \$</b>
	\$ 180,000
<b>Preconstruction :</b>	\$ -
<b>Construction :</b>	\$ 180,000

Preconstruction

<b>Project Type:</b>	<b>Cost-share %</b>
Feasibility Study	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	0.0%	Mobilization	1	LS	-	-	75%	\$ -
2	0.0%	Bonding	0		-	-	75%	\$ -
3	0.0%	Insurance	0		-	-	75%	\$ -
4	51.0%	Hydraulic Models	1	LS	120,000.00	\$ 120,000	75%	\$ 90,000
5	22.9%	Report Writing	1	LS	54,000.00	\$ 54,000	75%	\$ 40,500
6	17.0%	Geocoding & Drafting for New User Add	1	LS	40,000.00	\$ 40,000	75%	\$ 30,000
7	0.0%		0		-	-	75%	\$ -
8	0.0%		0		-	-	75%	\$ -
9	0.0%		0		-	-	75%	\$ -
10	0.0%		0		-	-	75%	\$ -
11	0.0%		0		-	-	75%	\$ -
12	0.0%		0		-	-	75%	\$ -
13	0.0%		0		-	-	75%	\$ -
14	0.0%		0		-	-	75%	\$ -
15	0.0%		0		-	-	75%	\$ -
16	0.0%		0		-	-	75%	\$ -
17	0.0%		0		-	-	75%	\$ -
18	0.0%		0		-	-	75%	\$ -
19	0.0%		0		-	-	75%	\$ -
20	0.0%		0		-	-	75%	\$ -
21	0.0%		0		-	-	75%	\$ -
22	0.0%		0		-	-	75%	\$ -
23	0.0%		0		-	-	75%	\$ -
24	0.0%		0		-	-	75%	\$ -
25	0.0%		0		-	-	75%	\$ -
26	0.0%		0		-	-	75%	\$ -
		<b>Construction Sub-Total</b>				\$ 214,000	75%	\$ 160,500
	10.0%	<b>Contingency</b>				\$ 21,400	75%	\$ 16,050
	98.1%	<b>Construction Total</b>				\$ 235,400	75%	\$ 176,550
<b>Preconstruction Costs</b>								
27	0.0%		0		-	-	75%	\$ -
28	0.0%		0		-	-	75%	\$ -
29	0.0%		0		-	-	75%	\$ -
30	0.0%		0		-	-	75%	\$ -
31	0.0%		0		-	-	75%	\$ -
	0.0%	<b>Preconstruction Total</b>				\$ -	75%	\$ -
<b>Construction Engineering Costs</b>								
32	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%	<b>Construction Engineering Total</b>				\$ -	75%	\$ -
<b>Other Eligible Costs</b>								
37	1.9%	Public Communication	1	LS	4,600.00	\$ 4,600	75%	\$ 3,450
38	0.0%		0		-	-	75%	\$ -
39	0.0%		0		-	-	75%	\$ -
40	0.0%		0		-	-	75%	\$ -
41	0.0%		0		-	-	75%	\$ -
	1.9%	<b>Other Eligible Total</b>				\$ 4,600	75%	\$ 3,450
<b>In-eligible Costs</b>								
42	0.0%		0		-	-	0%	\$ -
43	0.0%		0		-	-	0%	\$ -
44	0.0%		0		-	-	0%	\$ -
45	0.0%		0		-	-	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 240,000		
		<b>Eligible Total</b>				\$ 240,000	75%	\$ 180,000
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 240,000	75%	\$ 180,000

\* 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.



Date: 12/16/24

Subject: SWC Cost Share Program

All Seasons Water Users District (ASWUD) formally requests to apply for the SWC Cost Share funding for the Bottineau County Expansion Feasibility Study. ASWUD has been undergoing a sign-up campaign over the last two years in the unserved areas of northeast Bottineau County, located west of the Bottineau County and Rolette County line. The Bottineau County and Rolette County line is an agreed upon service area boundary between ASWUD and Turtle Mountain Public Utilities in a previous agreement. ASWUD currently has obtained over 750 sign-ups for water service in the study area. The intent of this study would be to determine the feasibility of serving these users and the potential costs.

The Board of Directors at All Seasons Water Users District voted and passed a motion at their November 11, 2024, board meeting to request cost share funding for the proposed study. Attached are the meeting minutes from the ASWUD board meeting addressing the funding request.

Thank you for your consideration of this funding request.

Sincerely,

Daniel F. Schaefer  
Manager  
All Seasons Water Users District



**Board of Directors Meeting  
ALL SEASONS WATER USERS DISTRICT  
November 11, 2024**

Members Present: Matt Odermann, Brandon Nehring, Tracy Boe, Jim Thompson and Jon Nelson

Members Present via Teams: None

Absent: Ross Reimche, Kenny Rogers and Dennis Danielson

Others Present: Dan Schaefer, Manager; Rachel Wald, Assistant Manager; Bryan Zeigler, Bartlett & West

The meeting was called to order by Matt Odermann at 7:00 pm. Jon made a motion to accept the consent agenda. Tracy 2<sup>nd</sup> the motion. Roll call vote was as follows: Aye: Matt, Jon, Brandon, Tracy and Jim. Nye: None. Those absent and not voting: Ross, Kenny and Dennis.

**Manager's Report:** Dan reported that the leak on the 1 ½" line on System 4 southeast of Dunseith has been bored in and completed. Also, the leak north of Rolette on the 4" line has been fixed. City of Willow repaired the collapsed sewer line on Bottineau Street. They replaced a portion of the block. Letters required from the EPA regarding service lines were mailed November 6, 2024, to the customers that have not completed their surveys.

Dan attended the Willow City Council Meeting on November 4<sup>th</sup>. Rachel attended the ND Water and Pollution Control Conference in Grand Forks October 14 - 16. Upcoming meetings include NAWS Authority Meeting in Minot on November 21<sup>st</sup>, NDRWSA Managers' Meeting in Bismarck on December 9<sup>th</sup> and the Joint North Dakota Water Convention in Bismarck December 10-13.

December board meeting has been changed to Sunday, December 8<sup>th</sup>, 2024.

The Annual Meeting will be held on Thursday, November 21 at the Bottineau Senior Center.

Rachel is currently researching vehicle prices for district vehicles. She updated the board on what she had found so far. Jon made a motion to approve no more than \$64,500.00 for the purchase of a vehicle leaving the details and decision up to the manager and assistant manager. Brandon 2<sup>nd</sup> the motion. Roll call vote was as follows: Aye: Matt, Jon, Brandon, Tracy and Jim. Nye: None. Those absent and not voting: Ross, Kenny and Dennis.

**Policy Committee:** Nothing new to report.

**Rugby True-up Committee:** Nothing new report.


**Service Area Committee:** Nothing new to report.

**System 4 Expansion – Supply to System 1:** The BacT tests continue to fail. Continue to flush and re-chlorinate. All the 8" has passed testing.

Storage tank: Foundation has been poured. They will come back in the spring to complete. The board was presented Change Order #1 that included a deduction for the foundation and an addition for adding the logo. Jim made a motion to approve Change Order #1. Tracy 2<sup>nd</sup> the motion. Roll call vote was as follows: Aye: Matt, Jon, Brandon, Tracy and Jim. Nye: None. Those absent and not voting: Ross, Kenny and Dennis.

**Bottineau County Expansion Phase II:** Bartlett & West have not started mapping out potential hookups. This will be the first step. The board discussed applying for the SWC Fund Cost Share. Jon made a motion to apply for the SWC Fund Cost Share. Brandon 2<sup>nd</sup> the motion. Roll call vote was as follows: Aye: Matt, Jon, Brandon, Tracy and Jim. Nye: None. Those absent and not voting: Ross, Kenny and Dennis.

The meeting adjourned at 7:40 pm.

  
\_\_\_\_\_  
Matt Odermann, Vice President

12/9/24  
Date

  
\_\_\_\_\_  
Brandon Nehring, Secretary


12/9/24  
Date



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

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission

**FROM:** Reice Haase, Secretary 

**SUBJECT:** State Water Supply – South Central Regional Water District  
Service to Napoleon

**DATE:** January 30, 2025

***Background & Description***

South Central Regional Water District is requesting preconstruction cost-share for their Service to Napoleon (Project). The Project is installation of a new 250,000-gallon storage reservoir to be located nine miles north of Napoleon and approximately nine miles of water main to connect service. The Project will also include preparation of a basic asset inventory and a capital improvement plan to meet requirements for future Commission construction cost-share requests and to assist the District in long-term financial planning. Sponsor anticipates receiving DWSRF Emerging Contaminants loan forgiveness at 75 percent of project costs to be applied toward construction costs. The Project is located in Logan and Kidder Counties.

***Supplemental Information***

Water Development Plan / Priority	None
New / Future / Current Service Users	1 / 1 / 1,812
Present Value Cost / User (Preferred Alternative)	\$14,854
Rate / 5,000-Gallons	\$70.00
Comparable Rate / 5,000-Gallons	\$50.00
Water Source – Missouri River	

***Project Schedule***

Task	Dates
Study	Completed
Design	May 2025
Bid	Jun. 2025
Construction	Aug. 2025
Completion	Nov. 2026

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$5,000	\$5,000		
Eligible Cost	\$386,000	\$6,909,800	\$7,295,800		
Total	\$386,000	\$6,914,800	\$7,300,800		
DEQ DWSRF				<b>75% Loan Forgiveness</b>	
Cost-Share 75%	<b>\$289,500</b>	\$5,182,350	\$5,471,850		<b>\$289,500</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the South Central Regional Water District for state cost-share participation in the Service to Napoleon project at 75 percent of eligible costs, not to exceed \$289,500. This approval is contingent on available funding.**

RH:jsp:ln/2050SOU

**Water Development Plan: No (2023)**

# 1084468 - South Central Regional Water District - Service to Napoleon

## Application Details

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<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 18, 2024 11:36 AM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Bryan Ziegler
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Salutation Larry  
First Name

Middle Name Kirschmann  
Last Name

**Title:**

**Email\*:** lkirschmann@southcentralwaternd.com

**Address\*:** 10700 Highway 1804

### Organization Information

**Status\*:** Approved

**Name\*:** South Central Regional Water District

**Organization Type\*:** Political Subdivision

**Tax Id:**

**Organization Website:**

**Address\*:** 10700 Highway 1804 N

Bismarck North Dakota  
 City State/Province

58502  
 Postal Code/Zip

**Phone\*:** 701-400-6579 Ext.  
 Phone  
 ###-###-####

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

**Comments:**

Bismarck North Dakota  
 City State/Province

58502-4182  
 Postal Code/Zip

**Phone\*:** 701-258-8710 Ext.  
 ###-###-####

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

**Vendor ID:**

**PeopleSoft  
 Supplier ID:**

**Comments:**

**Location  
 Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study  
 Name\*:** SCWD - Service to Napoleon

**Sponsor(s)\*:** South Central Regional Water District

**County\*:** Logan

**City\*:** Bismarck - Napoleon

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What  
 Type:** Rural Water Supply

**Jurisdictions/Stakeholders  
 Involved\*:**  
 South Central Regional Water District  
 Town of Napoleon

**Describe the Problem\*:**

The town of Napoleon has decided to abandon their existing WTP and wells due to the cost of O&M and future costs that would come along with upgrades. As an alternative to maintaining their own wells and water treatment plant, Napoleon has voted to receive service from South Central Regional Water District (SCWD) instead of continuing invest in aging infrastructure.

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

SCWD currently serves rural users throughout Logan County including some adjacent to Napoleon. SCWD would make system upgrades in order to add the necessary capacity to serve Napoleon. The SCWD system in this area has the capacity within the WTP to serve Napoleon but additional pipeline and storage upgrades are required in order to serve the town. This project would continue the regionalization of the entire Emmons, Logan, and McIntosh County areas.

For this project,

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

**What is the Current Estimated Population?\*** 3650

For this project,

**What is the Benefited Population?\*** 745

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

**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?\*** Yes

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

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

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

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

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

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
 (Example: Hazard Mitigation Grant Program)  
 \*:

**Implementation Timelines**

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: Completed

**Design Completion\***: 5/2025

**Bid\***: 6/2025

**Construction Start\***: 8/2025

**Construction Completion\***: 11/2026

**Explain Additional Timeline Issues\***:

No timeline issues are anticipated.

**Consulting Engineer\***: Bartlett & West, Inc. - Tyson Decker

**Engineer Telephone Number\***: 701-221-8345

**Engineer Email\***: tyson.decker@bartwest.com

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

**Submitted by\***: Larry Kirschmann 12/13/2024  
 First Name Last Name Date

**Address\*:** 10700 Highway 1804 N  
 Address Line 1  
 Address Line 2  
 Bismarck North Dakota 58502-4182  
 City State Zip Code

**Telephone Number\*:** 701-258-8710

**Sponsor Email\*:** IKirschmann@southcentralwaternd.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\*:** Larry Kirschmann 12/13/2024  
 First Name Last Name Date

**Title/Position/Authority\*:** Operations Manager

## Documentation

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### *Documentation*

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

[CLICK HERE to see examples.](#)

**Project Specific Map** WaterCommission\_Service to Napoleon ND.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:** Board approval meeting minutes.pdf

**Cover Letter:** SCWD Funding 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.xlsx

**Type of Request:** Preconstruction

**Water Supply Projects?:** Yes

[CLICK HERE for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.](#)

**Life Cycle Cost Analysis:** life\_cycle\_cost\_analysis\_worksheet.xlsx

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

**Asset Inventory Assessment:**

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

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

**Sovereign Land Permit, if Required:**

**DWR Construction Permit, if Required:**

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

**Feasibility/Engineering Study for the Proposed Project:** No

**Photos of Problem/Issue:**

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

**Other Applicable Document(s):** No






## Sources

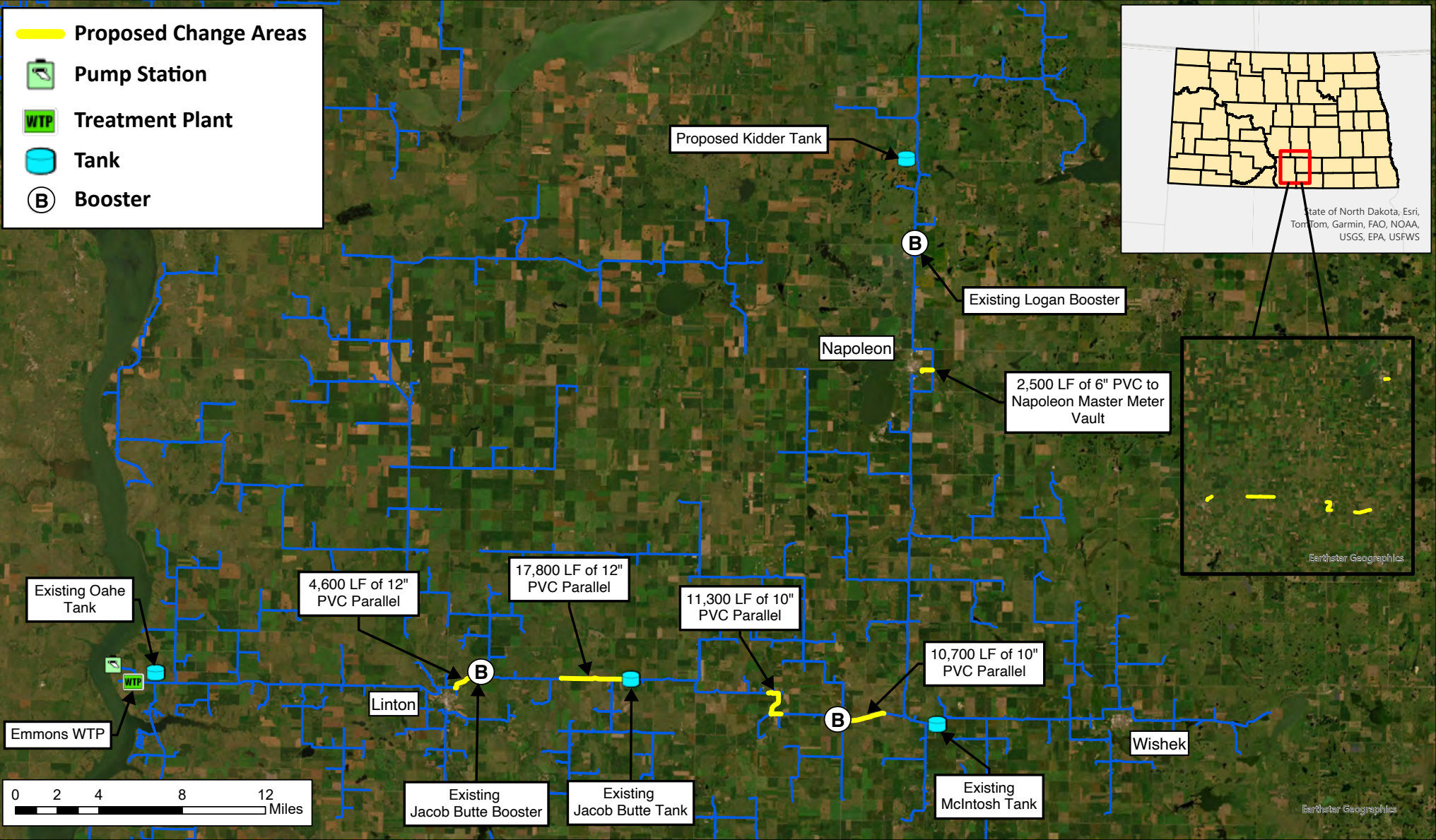
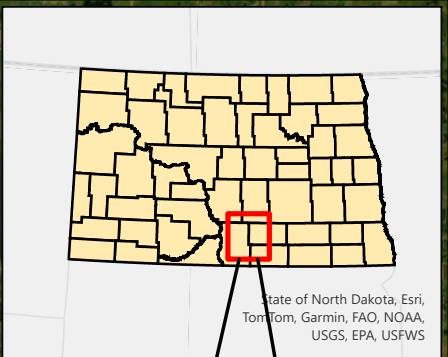
***Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)***

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year		Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
			1 July to June	2 July to June					
Department of Water Resources Cost Share Pre-Construction		Current Request	\$0.00	\$289,500.00	\$0.00	\$289,500.00	Grant	0.00	0.00



Other	SCWD	Current	\$0.00	\$96,500.00	\$0.00	\$96,500.00	0.00	0.00
		Reserves Request						
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$0.00	\$5,182,350.00	\$5,182,350.00	Grant 0.00	0.00
Drinking Water State Revolving Fund		Future Request	\$0.00	\$0.00	\$1,732,450.00	\$1,732,450.00	Loan 30.00	2.50
			<b>\$0.00</b>	<b>\$386,000.00</b>	<b>\$6,914,800.00</b>	<b>\$7,300,800.00</b>		

-  Proposed Change Areas
-  Pump Station
-  Treatment Plant
-  Tank
-  Booster



**SOUTH CENTRAL REGIONAL WATER DISTRICT**  
**WATER SUPPLY TO NAPOLEON, ND 2024**





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

DWR Date Received : December 19, 2024

<b>Project:</b>	SCWD - Service to Napoleon
<b>Sponsor:</b>	South Central Regional Water District
<b>Contact:</b>	Larry Kirschmann, Operations Manager
<b>Phone:</b>	701-258-8710
<b>Engineer:</b>	Tyson Decker, Bartlett & West
<b>Phone:</b>	701-258-1110

<b>Total Cost :</b>	\$ 7,300,800	<b>Date:</b>	December 16, 2024
<b>Ineligible Cost :</b>	\$ 5,000		
<b>Eligible Cost :</b>	\$ 7,295,800	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 1,828,950		\$ 5,471,850
		<b>Preconstruction :</b>	\$ 289,500
		<b>Construction :</b>	\$ 5,182,350

<b>Project Type:</b>	<b>Cost-share %</b>
Water Supply - Regionalization	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	4.1%	Mobilization	1	LS	250,000.00	\$ 250,000	75%	\$ 187,500
2	0.8%	Bonding	1	LS	50,000.00	\$ 50,000	75%	\$ 37,500
3	0.8%	Insurance	1	LS	50,000.00	\$ 50,000	75%	\$ 37,500
4	26.3%	Reservoir and Storage - Metal	1	LS	1,600,000.00	\$ 1,600,000	75%	\$ 1,200,000
5	2.1%	Tank Control Vault	1	LS	130,000.00	\$ 130,000	75%	\$ 97,500
6	4.9%	Meter - Master	1	LS	300,000.00	\$ 300,000	75%	\$ 225,000
7	2.5%	Supervisory Control and Data Acquisition	1	LS	150,000.00	\$ 150,000	75%	\$ 112,500
8	1.3%	Water Main 6 in	2500	LF	32.00	\$ 80,000	75%	\$ 60,000
9	22.1%	Water Main 12 in	22400	LF	60.00	\$ 1,344,000	75%	\$ 1,008,000
10	16.3%	Water Main 10 in	22000	LF	45.00	\$ 990,000	75%	\$ 742,500
11	9.6%	Pipeline Appurtenances	1	LS	584,000.00	\$ 584,000	75%	\$ 438,000
12	0.0%		0		-	\$ -	75%	\$ -
13	0.0%		0		-	\$ -	75%	\$ -
14	0.0%		0		-	\$ -	75%	\$ -
15	0.0%		0		-	\$ -	75%	\$ -
16	0.0%		0		-	\$ -	75%	\$ -
17	0.0%		0		-	\$ -	75%	\$ -
18	0.0%		0		-	\$ -	75%	\$ -
19	0.0%		0		-	\$ -	75%	\$ -
20	0.0%		0		-	\$ -	75%	\$ -
21	0.0%		0		-	\$ -	75%	\$ -
22	0.0%		0		-	\$ -	75%	\$ -
23	0.0%		0		-	\$ -	75%	\$ -
24	0.0%		0		-	\$ -	75%	\$ -
25	0.0%		0		-	\$ -	75%	\$ -
26	0.0%		0		-	\$ -	75%	\$ -
		<b>Construction Sub-Total</b>				\$ 5,528,000	75%	\$ 4,146,000
	10.0%	<b>Contingency</b>				\$ 552,800	75%	\$ 414,600
	83.3%	<b>Construction Total</b>				\$ 6,080,800	75%	\$ 4,560,600
<b>Preconstruction Costs</b>								
27	0.9%	Preliminary Design	1	LS	55,000.00	\$ 55,000	75%	\$ 41,250
28	3.5%	Final Design	1	LS	210,000.00	\$ 210,000	75%	\$ 157,500
29	0.5%	Geotechnical Investigations	1	LS	30,000.00	\$ 30,000	75%	\$ 22,500
30	0.7%	Cultural Resources	1	LS	40,000.00	\$ 40,000	75%	\$ 30,000
31	0.2%	Bidding / Negotiations	1	LS	11,000.00	\$ 11,000	75%	\$ 8,250
	4.7%	<b>Preconstruction Total</b>				\$ 346,000	75%	\$ 259,500
<b>Construction Engineering Costs</b>								
32	1.8%	Construction Contract Management	1	LS	110,000.00	\$ 110,000	75%	\$ 82,500
33	11.2%	Project Inspection	1	LS	680,000.00	\$ 680,000	75%	\$ 510,000
34	0.6%	Post-Construction / Warranty	1	LS	39,000.00	\$ 39,000	75%	\$ 29,250
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	11.4%	<b>Construction Engineering Total</b>				\$ 829,000	75%	\$ 621,750
<b>Other Eligible Costs</b>								
37	0.5%	Basic Asset Inventory/Capital Improvement	1	LS	40,000.00	\$ 40,000	75%	\$ 30,000
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	0.5%	<b>Other Eligible Total</b>				\$ 40,000	75%	\$ 30,000
<b>In-eligible Costs</b>								
42	0.1%	Legal Expenses	1	LS	5,000.00	\$ 5,000	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	0.1%	<b>Other Ineligible Total</b>				\$ 5,000	0%	\$ -
100.0%		<b>Total</b>				\$ 7,300,800		
		<b>Eligible Total</b>				\$ 7,295,800	75%	\$ 5,471,850
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 7,295,800	75%	\$ 5,471,850

\* 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:** South Central Regional Water District  
**Project Title:** Service to Napoleon

**Date:** December 26, 2024

**Explanation of Alternatives:**

Napoleon Tank (Preferred) - Build a tank in the system north of Napoleon. Add parallel pipe in areas between Linton and the existing McIntosh Tanks. No additional parallel pipe would be required between the McIntosh Tanks and the town of Napoleon.

Napoleon Mainline Parallel Pipe - Add parallel pipeline from the McIntosh Tanks to the town of Napoleon.

Do Nothing - Continued operation of the existing water treatment plant until funding can be secured for a new facility.

**Inputs:**

New Connections Served	1
Future Connections Served	1
Current Connections Served	1812
Net Connections (New + Current)	1813

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

	Napoleon Tank	Napoleon Mainline Parallel	Do Nothing	
Construction Cost	\$7,255,800	\$7,922,000		\$0
Annual O & M	\$5,000	\$2,000		\$0

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

	Napoleon Tank	Napoleon Mainline Parallel	Do Nothing	
Present Value				
Capital Costs	\$7,159,000	\$7,816,000		\$0
O&M	\$129,000	\$57,000		\$0
Repair, Rehab, Replacement	\$1,802,000	\$1,339,000		\$0
Salvage Value	\$369,000	\$148,000		\$0
<b>Total PVC</b>	<b>\$8,721,000</b>	<b>\$9,064,000</b>		<b>\$0</b>

<b>PV Cost Per User</b>	<b>\$4,810</b>	<b>\$4,999</b>		<b>\$0</b>
-------------------------	----------------	----------------	--	------------

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$70</b>		
<b>Comparable Water Rate</b>	<b>\$78</b>		
Net Connections (New + Current)	1,813	1,813	1,813
Cost-Share Percent	75%	75%	75%
Local Share	\$1,789,750	\$1,954,000	\$0
Other Funding	\$0	\$0	\$0
Total Local	\$1,789,750	\$1,954,000	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$4.99</b>	<b>\$5.45</b>	<b>\$0.00</b>
Local Share	\$7,159,000	\$7,816,000	\$0
Other Funding	\$0	\$0	\$0
Total Local	\$7,159,000	\$7,816,000	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$19.98</b>	<b>\$21.81</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "Napoleon Tank" option. The present value cost of the preferred alternative is \$8,721,000 and \$9,064,000 for the "Napoleon Mainline Parallel Pipe" alternative for comparison. The capital expenditure cost for the preferred alternative is \$7,159,000. The present value cost per user for the preferred alternative is \$4,810. The monthly user cost of the local share with DWR 75% cost-share participation is \$4.99 per month and \$19.98 without DWR participation.

ND Dept. of Commerce Population & Trends	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2023		
	752	745	-0.1%	-1

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.





10700 Hwy 1804 North  
PO Box 4182  
Bismarck, ND 58502-4182  
(701) 258-8710 • Fax (701) 223-6041  
[www.southcentralwaternd.com](http://www.southcentralwaternd.com)

Date: 11/19/2024

Subject: SWC Cost Share Program

South Central Regional Water District formally requests to apply for SWC Cost-Share funding for the Service to Napoleon project. The Citizens of Napoleon voted in June and overwhelmingly approved to move forward with getting Rural Water for the town. Napoleon's City Council Met on July 1<sup>st</sup> 2024 and approved the motion.

The Board of Directors at South Central Regional Water District voted and passed a motion at the November 19, 2024 board meeting to start the process of obtaining funding for this project. This project will provide much needed quality drinking water to the City of Napoleon. Attached is the application and meeting minutes from the SCWD board meeting addressing the funding request.

Thank you for consideration of this funding request.

Sincerely

A handwritten signature in blue ink that reads "David Lang".

David Lang  
President  
South Central Regional Water District

South Central Regional Water  
BOARD OF DIRECTORS MEETING  
November 19, 2024

**Directors Present:** President Dave Lang, Vice-President Mark Kinzler, Secretary-Treasurer Joe LaFave, Assistant Secretary-Treasurer Steve Ellefson (via Zoom), Director Greg Larson, Director Steven Bitz, and Director Ken Nieuwsma (via Zoom).

**Others present:** Executive Director Larry Kassian, Assistant General Manager Larry Kirschmann, CFO Alan Smith, and Tyson Decker with Bartlett & West Engineers.

**Directors Absent:** All were present.

The meeting was called to order at 5:30 pm.

A motion and a second were made to approve the consent agenda (October 2024 minutes and delinquent accounts).

The District's financial report was given. A motion and a second were made to accept the report. The motion was unanimously passed.

Discussion of Department of Water Resources Projects.

Review and Approve Bartlett & West invoice for Construction Engineering of the Ashley Main Transmission Line Improvements through a 75% grant from the Department of Water Resources, in the amount of \$75,678.17. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

Review and Approve Wagner Construction PE #3 Ashley Main Transmission Line Improvements through a 75% grant from the Department of Water Resources, in the amount of \$2,047,238.00. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

Review and Approve Bartlett & West invoice for Construction Engineering of the 2<sup>nd</sup> McIntosh Tank through a 75% grant from the Department of Water Resources, in the amount of \$10,224.55. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

Review and Approve Maguire Iron, Inc. PE #3 Construction of the 2<sup>nd</sup> McIntosh Tank through a 75% grant from the Department of Water Resources, in the amount of \$28,655.00. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

Review and Approve Moore Engineering, Inc. invoice for Design Services on the U-Mary Service Area Water Storage Reservoir and Water Main project, in the amount of \$19,897.34. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

Review and Approve Bartlett & West invoice for Design and Bidding of the Hawktree Elevated Tank through a 75% grant from the Department of Water Resources, in the amount of \$1,352.50. A motion and second were made for approval. A roll call vote was conducted, and the motion was unanimously passed.

The System Status Report was reviewed and placed on file.

The Preliminary Budget was reviewed and will be acted upon during the December board meeting.

Under new business there was a discussion of the Letter of Intent of Application on Cost-Share Funding for Service to the City of Napoleon, ND. A motion and second were made to approve the motion as presented. All were in favor and the motion was unanimously approved.

Next was a discussion of the Rural Water Legislative Social 2025. A motion and second were made to approve a deposit of \$300 for the social. A roll call vote was conducted, and the motion was unanimously passed.

The final discussion under new business was a discussion of getting Key Man Life Insurance on Assistant General Manager Larry Kirschmann. After discussion a motion and second were made to obtain the Key Man Life Insurance in the amount of \$250,000 with South Central Regional Water District being the beneficiary. A roll call vote was conducted, and the motion was unanimously passed.


The meeting adjourned at 6:20 pm.

Respectfully submitted,

---

Joe LaFave Secretary-Treasurer

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** NDSWC Cost-Share Request – Logan County  
 Logan County Irrigation District Feasibility Study - Phase 1  
**DATE:** January 29, 2025

***Background & Description***

Logan County (Sponsor) requests cost-share for the Logan County Irrigation District Feasibility Study – Phase 1 (Project). The Sponsor is pursuing the creation of an irrigation district. The Project's purpose is to prepare a feasibility report addressing the statutory requirements for irrigation district formation per North Dakota Century Code § 61-05-08. The feasibility report will be split into two phases. The first phase will include gathering public input, defining the proposed district's boundaries, identifying water storage solutions, and determining the water conveyance route. The second phase will encompass preliminary design, modeling, and cost estimates. The Project's proposed water source is the Missouri River. The Project is primarily in Logan County, with portions extending into Emmons County and Kidder County, North Dakota.

***Supplemental Information***

Water Development Plan	No
Benefit-Cost Ratio	NR

(NR) Not Required

***Schedule***

Task	Dates
Study	December 2025
Design	-
Bid	-
Construction	-
Completion	-

***Cost-Share Funding Summary***

	Study	Total	Approved	Recommend
Noneligible	\$0	\$0		
Eligible	\$200,000	\$200,000		
Total	\$200,000	\$200,000		
Cost-Share Requested 75%	<b>\$150,000</b>			<b>\$150,000</b>

**This project meets requirements of the Water Commission's cost-share policy. Therefore, I recommend approval of this request by Logan County for state cost participation in the Logan County Irrigation District Feasibility Study at 75 percent of eligible costs, not to exceed \$150,000. This approval is contingent on available funding.**

RH:bn/af/PS/IRR/LOG



Water Development Plan: No

# 1084549 - Logan County Irrigation District Feasibility Study

## Application Details

---

<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 31, 2024 8:35 AM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Jody Kristiansen
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Last Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Salutation Josh  
First Name

Middle Name Wayt  
Last Name

**Title:** Funding Specialist

**Email\*:**  
josh.wayt@mooreengineeringinc.com

**Address\*:** 925 10th Ave E

### Organization Information

**Status\*:** Approved

**Name\*:** Logan County

**Organization Type\*:** County Government

**Tax Id:**

**Organization Website:**

**Address\*:** 301 Broadway

Suite 1

Napoleon North Dakota  
City State/Province

West Fargo North Dakota  
City State/Province

58561-7010  
Postal Code/Zip

58078  
Postal Code/Zip

**Phone\*:** (701) 200-5455 Ext.  
Phone  
###-###-####

**Phone\*:** 701-754-2286 Ext.  
###-###-####

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

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

**Vendor ID:**

**Comments:**

**PeopleSoft  
Supplier ID:**

**Comments:**

**Location  
Code:**

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Logan County Irrigation District Feasibility Study

**Sponsor(s)\*:** Logan County

**County\*:** Logan

**City\*:** Napoleon

**Description of Request\*:** New

**If Study, What Type:** Feasibility

**If Project/Program, What Type:** Irrigation

**Jurisdictions/Stakeholders Involved\*:**

Logan County and Emmons County.

**Describe the Problem\*:**

Logan County contains over 300,000 acres that are conditionally suitable for crop irrigation (Omodt, 1982). However, aquifer capacity has limited the amount of irrigable acres to approximately 6,500 -

12,000 acres in recent years.

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

Logan County is pursuing the creation of an irrigation district. A feasibility study is required to evaluate the irrigable acres within the proposed district, the availability of a water source, and preliminary design on a potential project. This feasibility report will provide a better understanding of how many acres can be irrigated and the level of effort needed to accomplish this.

For this project,

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

**What is the Current Estimated Population?\***: 1900

For this project,

**What is the Benefited Population?\***: 1900

**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\***: 12/01/2025

**Design Completion\***: Unknown

**Bid\***: Unknown

**Construction Start\***: Unknown

**Construction Completion\***: Unknown

**Explain Additional Timeline Issues\***:

There are no anticipated timeline issues related to the completion of the feasibility study.

**Consulting Engineer\***: James Guler

**Engineer Telephone Number\***: 701-551-1061

**Engineer Email\***: james.guler@mooreengineeringinc.com

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

**Submitted by\***: Jody Kristiansen 12/30/2024  
 First Name Last Name Date

**Address\***: 301 Broadway  
 Address Line 1  
 Address Line 2

Napoleon North Dakota 58561-7010

City State Zip Code

**Telephone Number\*:** 701-754-2286**Sponsor Email\*:** jkristiansen@nd.gov**It is an Offense to** Yes**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\*:** Jody Kristiansen 12/30/2024

First Name Last Name Date

**Title/Position/Authority\*:** Auditor/Treasurer Commission approval 12/23/24

## Documentation

---

### *Documentation*

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

CLICK HERE to see examples.

**Project Specific Map** 23511\_DWR Preconstruction\_Exhibit\_20241206.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:** 23511\_DWR Preconstruction\_Minutes\_12.23.24.docx

**Cover Letter:** 23511\_DWR Preconstruction\_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:** 23511\_DWR Preconstruction\_DelineationCosts.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** No  
**for the Proposed Project:**

**Photos of Problem/Issue:**

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

**Other Applicable Document(s):**





**Sources**

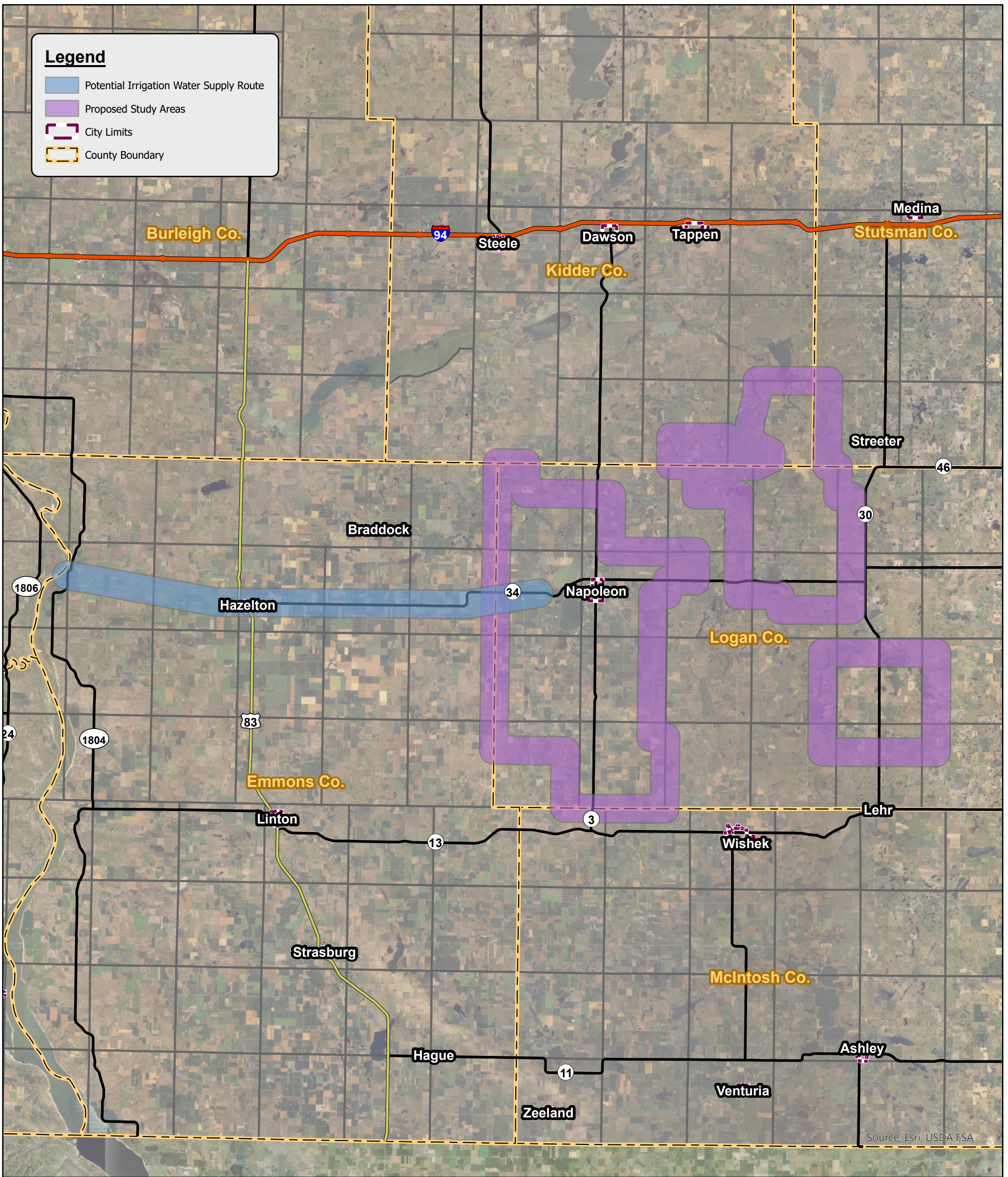
***Project Funding Sources - Include All Funding Sources for the Project (Should Equal Project Cost)***

Source	If Other, Specify Funding Source	Source Status	State Fiscal Year 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	\$150,000.00	\$0.00	\$0.00	\$150,000.00		0.00	0.00
Other	Local funding		\$50,000.00	\$0.00	\$0.00	\$50,000.00		0.00	0.00
			<b>\$200,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$200,000.00</b>			

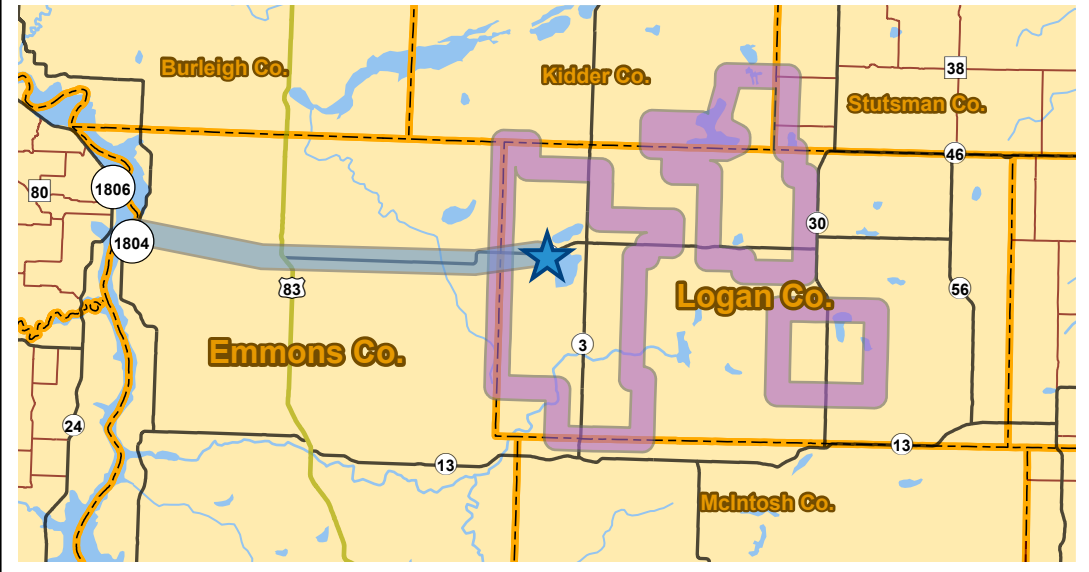
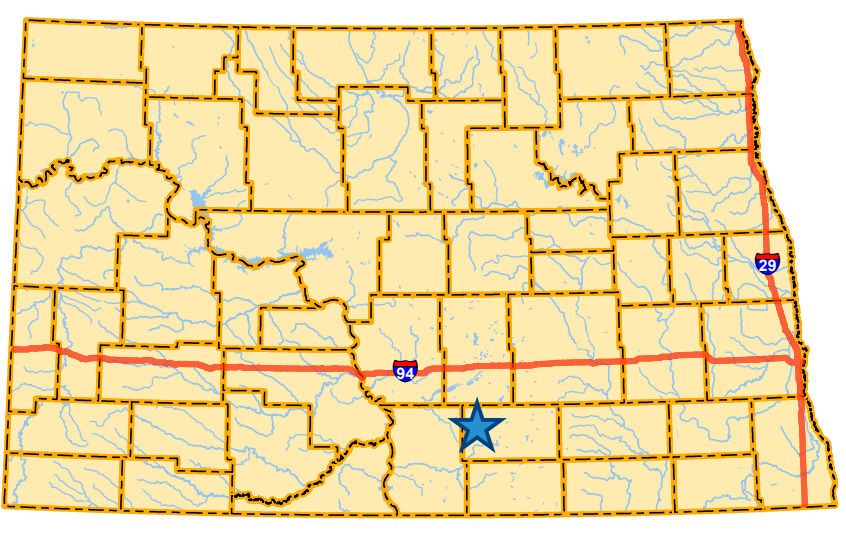


**Legend**

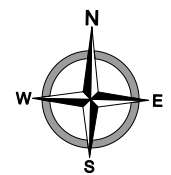
-  Potential Irrigation Water Supply Route
-  Proposed Study Areas
-  City Limits
-  County Boundary



Source: Esri, USDA FSA



**LOGAN COUNTY IRRIGATION DISTRICT FEASIBILITY STUDY  
EMMONS & LOGAN COUNTIES, NORTH DAKOTA**



Created By: KMV Date Created: 12/26/24 Date Saved: 12/26/24 Date Exported: 12/26/24  
 Plotted By: kyle.volk Parcel Date: State Parcels 05/12/24 Aerial Image: USDA NAIP Elevation Data: N/A  
 Horizontal Datum: NAD 1983 StatePlane North Dakota North FIPS 3301 Feet Vertical Datum: NAVD1988  
 T:\Projects\23500\23511\10\_ArcPro\23511\_DWR\_Exhibit\23511\_DWR\_Exhibit.aprx





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

DWR Date Received : December 31, 2024

<b>Project:</b>	Logan County Irrigation District Feasibility Study
<b>Sponsor:</b>	Logan County
<b>Contact:</b>	Jody Kristiansen
<b>Phone:</b>	701.754.2425
<b>Engineer:</b>	James Guler, Moore Engineering Inc.
<b>Phone:</b>	701.551.1061

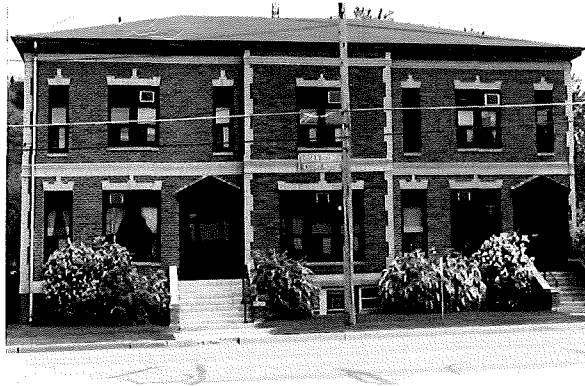
<b>Total Cost :</b>	\$ 200,000	<b>Date:</b>	December 30, 2024
<b>Ineligible Cost :</b>	\$ -		
<b>Eligible Cost :</b>	\$ 200,000		
<b>Local Cost :</b>	\$ 50,000		
		<b>Cost-Share \$</b>	\$ 150,000
		<b>Preconstruction :</b>	\$ 150,000
		<b>Construction :</b>	\$ -

<b>Project Type:</b>	<b>Cost-share %</b>
Irrigation - Off Farm	75%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
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%	\$ -
		<b>Construction Sub-Total</b>				\$ -	75%	\$ -
	0.0%	<b>Contingency</b>				\$ -	75%	\$ -
	0.0%	<b>Construction Total</b>				\$ -	75%	\$ -
<b>Preconstruction Costs</b>								
27	#DIV/0!	Public Engagement	1	LS	20,000.00	\$ 20,000	75%	\$ 15,000
28	#DIV/0!	Preliminary Design	1	LS	150,000.00	\$ 150,000	75%	\$ 112,500
29	#DIV/0!	Feasibility Report	1	LS	30,000.00	\$ 30,000	75%	\$ 22,500
30	#DIV/0!		0		-	-	75%	\$ -
31	#DIV/0!		0		-	-	75%	\$ -
100.0%		<b>Preconstruction Total</b>				\$ 200,000	75%	\$ 150,000
<b>Construction Engineering Costs</b>								
32	#DIV/0!		0		-	-	75%	\$ -
33	#DIV/0!		0		-	-	75%	\$ -
34	#DIV/0!		0		-	-	75%	\$ -
35	#DIV/0!		0		-	-	75%	\$ -
36	#DIV/0!		0		-	-	75%	\$ -
0.0%		<b>Construction Engineering Total</b>				\$ -	75%	\$ -
<b>Other Eligible Costs</b>								
37	0.0%		0		-	-	75%	\$ -
38	0.0%		0		-	-	75%	\$ -
39	0.0%		0		-	-	75%	\$ -
40	0.0%		0		-	-	75%	\$ -
41	0.0%		0		-	-	75%	\$ -
0.0%		<b>Other Eligible Total</b>				\$ -	75%	\$ -
<b>In-eligible Costs</b>								
42	0.0%		0		-	\$ -	0%	\$ -
43	0.0%		0		-	\$ -	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
0.0%		<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 200,000		
		<b>Eligible Total</b>				\$ 200,000	75%	\$ 150,000
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 200,000	75%	\$ 150,000

\* 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.

**Logan  
County**  
301 Broadway  
Napoleon, ND 58561



**BOARD OF COUNTY COMMISSIONERS:**  
Bryan Batsch  
Blanche Schumacher  
John Wald  
**AUDITOR:** Jody Kristiansen  
**TREASURER:** Jody Kristiansen  
**ASST STATE'S ATTORNEY:** Grant Walker  
**CLERK OF COURT/RECORDER:**  
Laura Henry  
**SHERIFF:** Andrew Bartholomaus  
**TAX DIRECTOR:** Trisha Laine  
**VETERANS SERVICE OFFICER:**  
James Hilzendeger

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

December 30, 2024

RE: Logan County Irrigation District Feasibility Study Cost-Share Request

Dear Beth:

Based on a 1982 NDSU soil study, Logan County has more than 300,000 acres that are conditionally suitable for crop irrigation. However, estimated aquifer capacity limits irrigable acres to 6,500-12,000 acres. To date only a fraction of this number is currently irrigated. The County has a goal to increase the number of irrigated acres and has initiated a project to create an irrigation district. A feasibility study is required to evaluate the irrigable acres within the proposed district, the availability of a water source, and a preliminary design on a potential project.

Logan County is working with Moore Engineering Inc. to develop a feasibility report that will provide the County with a better understanding of how many acres can be irrigated and the level of effort needed to accomplish this. The County respectfully requests 75% cost-share for these preconstruction activities, which will include public engagement, preliminary design, and the development of the feasibility report.

We appreciate your willingness to support the County's efforts to promote economic development by studying the feasibility of increasing irrigable acres in the region. If you have any questions, please feel free to contact me or the Project Manager, James Guler, at [james.guler@mooreengineeringinc.com](mailto:james.guler@mooreengineeringinc.com) or (701) 302-0373.

Thank you.

Sincerely,

Handwritten signature of Jody Kristiansen

Jody Kristiansen

Logan County Treasurer/Auditor  
301 Broadway  
Napoleon, ND 58561  
701-754-2286  
[jkristiansen@nd.gov](mailto:jkristiansen@nd.gov)

**SPECIAL MEETING**  
**Board of Logan County Commissioners**  
**Napoleon, ND**  
**December 23, 2024**  
**(Unofficial or subject to approval)**

A special meeting of the Board of Logan County Commissioners was called to order at 9:00 am by Chairperson John Wald. Present were Commissioners Blanche Schumacher and Bryan Batsch and Auditor Jody Kristiansen. Jessica Wald represented the Napoleon Homestead. The Pledge of Allegiance was recited.

Wald motioned, seconded by Schumacher, to approve the auditor's list of vouchers prepaid and proposed for payment during the month of December. All voted in favor; motion carried.

The following is a list of the vouchers with invoices attached which were authorized for payment by the Board:

14218	Jody Horner-Chemical cost share-----	500.00
14219	Cora Stickle-Chemical cost share-----	443.69
14220	Lyle Miller-Chemical cost share-----	306.78
14221	Les Otto-Chemical cost share-----	500.00
14222	Pius Wald-Chemical cost share-----	1,267.20
14223	Blair Bechtle-Chemical cost share-----	1,604.88
14224	Brooks Bechtle-Chemical cost share-----	1,604.88
14225	Blake Bechtle-Chemical cost share-----	1,604.88
14226	Marvin Miller-Chemical cost share-----	192.00
14227	Dale Sand-Chemical cost share-----	1,267.20
14228	Ron & Duwayne Ketterling-Chemical cost share-----	3,204.92
14229	James Leier-Chemical cost share-----	140.00
14230	Rolland Saylor-Chemical cost share-----	500.00
14231	Emmons County Weed Board-Clayton Pearce hours reimbursement-----	83.25
14232	RDO Equipment-bulk DEF, cutting edges, 772CH repairs-----	16,959.96
14233	Main Street Hardware-Powerstrip, diesel treat & rodent control-----	168.94
14234	Gackle Coop Oil Co-Bulk fuel, official travel & wipers-----	4,590.17
14235	Northside Napa-2007 KW truck maintenance-----	96.92
14236	Central Dakota Frontier-Official travel, tires, bulk fuel-----	4,402.41
14237	Little Falls Machine-Cutting edge, pin, key & bolts-----	468.68
14238	Martell's True Value-Toilet paper for Lehr shop-----	6.99
14239	Dakota Valley Electric Cooperative-Gackle Shop electricity-----	161.60
14240	Allied Energy-LP Heating Gackle & Lehr Shops-----	1,125.60
14241	Superior Fenders-Fender for JD 772G-----	3,000.00
14242	Kevin Ehrlichman-reimburse for garage heater-----	148.39
14243	Istate Truck Centers-door latch, striker kit & handle release-----	371.04
14244	Logan County Auditor-Gravel, Road Maintenance & repairs-----	14,910.00
14245	Butler Machinery-55Gal drum of 0W20 & 2018 CAT 140M repair-----	1,856.28
14246	KEM Electric-Napoleon Shop electricity-----	67.30

14247	Menard's-Reflective numbers & letters-----	4.08
14248	Hoberg Ranch-Pit Run removed in 2024-----	4,185.00
14249	Ralph & Lorraine Rivinius-Pit Run removed in 2024-----	450.00
14250	Richard Nenow-Clay material removed in 2024-----	12,996.00
14251	Darrell & Danita Bitz-Pit Run removed in 2024-----	414.00
14252	Andrew & Lorraine Platz-Pit Run removed in 2024-----	4,773.00
14253	James & Charlotte Glatt-payment for semi-processed material-----	1,560.00
14254	Computer Express-monthly contract, server tapes & battery backup-----	8,039.93
14255	Kyle Friez-reimburse for dog food-----	67.99
14256	Uniform Center-Uniforms for Jangula-----	157.98
14257	Office of Attorney General-August, September & October SCRAM fees-----	350.00
14258	Lila Wirt-Reimburse for food pantry items-----	358.06
14259	Dustin Hammond-reimburse internet for December 2024-----	96.50
14260	Verizon-5G mobile broadband-----	51.44
14261	Information Technology Dept-VPN/Wan/Office 365-----	964.15
14262	Gackle Streeter School-soda for LEPC meeting-----	13.75
14263	John Wald-mileage for LEPC meeting in Gackle-----	56.28
14264	Richard Bjerklie-mileage for LEPC meeting in Gackle-----	56.28
14265	Josh Becker-mileage for LEPC meeting in Gackle-----	40.20
14266	Napoleon American Legion-Flag for Courthouse-----	30.00
14267	Napoleon Homestead-Publish abstract of votes, minutes & printer paper-----	1,056.73
14268	Napoleon Oil Co-Official travel-----	172.94
14269	Software Innovations-Taxation upgrade & new server for courthouse-----	30,400.00
14270	Avid Hawk-CMS Website renewal-----	420.00
14271	Eide Bailly-Lenovo post warranty foundation service-----	619.00
14272	Burleigh-Morton Detention Center-Custody of Prisoner-----	100.00
14273	ND Surplus Property-cold weather gloves-----	20.00
14274	Schmitt Locker-gift certificates for Food Pantry baskets-----	1,100.00
14275	BEK Communications-phones for several offices-----	759.17
14276	KLJ Engineering-SRF application-----	2,085.93
14277	BEK Communications-Courthouse security internet-----	109.24
14278	Ultimate Training Munitions-training ammo, helmets & lens cleaner-----	1,838.75
14279	Sunset Law Enforcement-Ammo-----	3,687.00
14280	VISA-dog crate & bed-----	296.04
14281	VISA-Sheriff travel & holsters-----	149.31
14282	Logan County Treasurer-2024 Mobile home taxes-----	3,711.54
14283	Apex Electric-electrical work for key card access-----	280.50
14284	Dani's Place-pizza for LEPC meeting in Gackle-----	68.00
14285	Quadient Leasing-postage machine lease-----	384.27
14286	Nexus Planning & Consulting-Quarter 4 2024 mileage-----	691.44
14287	ND Association of Counties-onsite drug & alcohol testing-----	20.00

Schumacher motioned, seconded by Batsch, to authorize the following end of year transfers:

\$593.00 from Co General to Homeland Security, \$88,329.49 from Human Services Indirect Costs to Co General, \$5,000.00 from Co General to Courthouse Vehicle, \$200,000.00 from Co General to Courthouse Building, \$2,000 from Co General to Co Agent and \$5,892.00 from Heavy Equipment Replacement to Co Highway. All voted in favor; motion carried.

Eric Hoberg, Logan County Job Development Authority, requested the board make a motion to authorize the county auditor to submit an application to the Department of Water Resources Cost Share Program for preconstruction costs in the amount of \$200,000.00. Hoberg reported the JDA paid \$35,000.00 for a feasibility study to bring water from the Missouri River to irrigate portions of Logan County and that the State is now requesting a more in-depth study that must be completed in conjunction with the formation of the irrigation district.

Hoberg had Jim Guler, Moore Engineering, on phone who discussed the scope of the project and answered questions. Batsch questioned what would happen if the river water level was too low to pump. Hoberg stated that he had no answer to that particular question. Kristiansen questioned who would be responsible for the \$50,000.00 not covered by the cost share. Hoberg informed the Board that it would be his responsibility to raise the funds to cover the cost. He shared that he hopes Emmons County will participate in the irrigation district and he plans to request they pay \$35,000.00, to match the amount already paid by the JDA. He thinks he should be able to raise the remaining \$15,000.00 but, if unable to, he would have no other choice than to approach the Board with a request for the funds.

Schumacher requested the motion be tabled until a state's attorney opinion could be obtained. Hoberg said there was no need for the state's attorney's involvement at this point as there is nothing for him to review.

Wald motioned, seconded by Batsch, to authorize the county auditor to submit an application to the Department of Water Resources Cost Share Program for preconstruction costs in the amount of \$200,000.00. Wald and Batsch voted in favor; Schumacher voted against the motion. Motion carried.

The Board previously received written notice of the resignation of the present Logan County State's Attorney effective December 31, 2024. Following an examination of the state statutes and noting there is no licensed resident attorney in Logan County, and after reviewing resumes from three interested individuals, making their own personal contacts and upon the recommendation to the current State's Attorney and County Sheriff, Commissioner Schumacher moved, seconded by Commissioner Batsch, that the Board recommend that Logan County State's Attorney Isaac Zimmerman proceed to appoint Grant L. Walker as the Assistant State's Attorney in and for Logan County. All voted in favor; motion carried.

Board terms were addressed. Schumacher plans to contact Sam Ruff for the JDA Board and it was reported that Gerald Ruff will serve on the Weed Board.

Kristiansen shared information regarding a Local Government Capitol Connection meeting in Bismarck.

Schumacher shared the counties with rail report.

Tax Director, Trisha Laine, requested the Board authorize a user license for DocuPro for GIS Coordinator, Nathan Leier. Schumacher motioned, seconded by Wald, to authorize the signing of a contract with Tyler Tech and the payment of costs associated with a VPN for connection to the county server. All voted in favor; motion carried.

Kristiansen distributed revisions requested by Orsted to the signed Road Use Agreement for the Badger Wind Project.

With no further business, the meeting was adjourned 10:38 am.

Attest:

---

Jody Kristiansen  
Logan County Auditor

---

John Wald, Chairman  
Board of Logan County Commissioners



925 10th Avenue E, Ste 1, West Fargo, ND 58078  
P: 701.282.4692

# Memorandum

To: Eric Hoberg, Logan County Economic Development Coordinator  
 Prepared By: James Guler, Moore Engineering  
 Date: 1/22/2025  
 Subject: Proposed Logan County Irrigation District - Summary of Scope of Feasibility Report

## Outline of Proposed Scope

The following table outlines the main objectives to be accomplished through this scope of a feasibility study. The completion of these activities will establish the overall plan for irrigation and allow Logan County, with input and guidance from the State, to make a decision the next step. This scope includes preliminary design, however, based on discussions with ND DWR staff, more detailed preliminary designs and cost estimates, beyond what is currently proposed, will likely be required before the County can formally submit to create an irrigation district. Additional background and contextual details are provided in the sections below.

Public Input	Gather information on interest in irrigation, current irrigation practices, and collect signatures on petition. Potentially include public input from Emmons County as well.
Irrigation Boundary/Need	Use public input to identify the final boundary of the proposed irrigation district, determine the acres for each quarter section of land to be irrigated, and calculate an annual volume per irrigated acre average. Provide a recommendation on suitability of the soil and Missouri River water.
Storage	Identify potential storage location(s), likely volume to use for planning purposes, limitations of the storage, and the concept to implement. This effort will focus mainly on reviewing the aquifer recharge storage option.
Primary Main Supply	With the annual irrigation and storage volumes identified, calculate the expected pumping rate and water transmission pipe size. Utilize input to identify the likely Missouri River input location and route through Emmons County to the proposed Irrigation District.
Water Distribution	From the water main supply or storage site, layout the proposed water distribution network to ensure effective supply to each quarter section of land to be irrigated.
Reporting	Summarize information gathered from this scope of work to be utilized by Logan County, Emmons County, and ND DWR for future decisions on next steps, with a better understanding on the scale and scope of this project.
Future Steps	Upon the completion of the scope detailed above, an overall plan will be known. Moving forward, the County, with State guidance, can identify the remaining tasks to complete the feasibility study. Through discussions with DWR staff, it is anticipated the future undertaking will include preliminary design satisfactory of creating a detailed cost estimate for the proposed work. This design could potentially be to the 30% level.



## Background

In February 2024, Moore Engineering completed a draft petition for the creation of an irrigation district and a high-level report outlining areas that Logan County, ND would like to irrigate. This report included assumptions on the number of acres to be irrigated within the District, the amount of storage that would need to be identified and constructed, and the size of the pipeline to transfer the required volume of water.

Throughout 2024, discussions occurred between Moore Engineering, Logan County, and ND DWR staff to determine what additional information was needed to meet the requirements of the feasibility study, as outlined in Century Code 61-05-08, for the creation of an irrigation district. The main topic discussed was the level of detail needed for the preliminary design and cost estimates.

Currently, the high-level report includes several crucial assumptions that need to be refined. Additionally, changes in these assumptions could greatly change the future scope of this project. Therefore, Moore Engineering and Logan County are proposing to move forward with the following scope of work, understanding that additional effort and cost share likely will be needed to finish this feasibility study.

The goal of this scope is to clearly identify the need and scale of irrigation, the volume and methods of storage, the intake location, and route of a water transmission line. This information is an important first step before beginning a preliminary design and cost estimate. The proposed project is an ambitious undertaking that is still growing. Logan County has recently approached Emmons County Commissioners to see if there is an interest in joining in this effort.

## Summary of Proposed Scope

### Public Input

In 2023, Logan County Economic Development held a public meeting to discuss the potential for an irrigation district and found support for the idea. To build upon this, the first step in this process is to gather more public input regarding irrigation within Logan County (and potentially Emmons County, if they choose to participate). This includes holding several meetings with the public, Federal and State Agencies, and other interested parties. The goal is to identify areas where landowners want irrigation, potential limitations, current irrigation practices, information on yield, crop rotations, etc. Ideally, through these discussions those landowners in favor will participate in signing the petition.

### Irrigation Boundary and Need

Several landowners from Logan County have been collecting signatures on a petition as part of the 2024 efforts. Once this task is complete, a map will be prepared showing the land of those that signed the petition. This information will be used to alter the proposed boundary of irrigable lands to better match the interests of the petitioners. Within this proposed irrigation boundary, several steps will be taken to confirm the assumption of how many acres will be irrigated. This will require input from petitioners, agencies, review of soils and land use, and the creation of a shapefile that outlines the extent of each pivot irrigation's reach on a quarter section of land. Additionally, a review of climate, soil and water compatibility, current crop rotation, etc., will be conducted to confirm the proposed volume of irrigation water that is required on average per irrigated acre of land. Through this step, we anticipate clearly identifying the areas to irrigate and the volume of water needed for appropriation.

### Storage

The initial report found that due to the anticipated volume of water and short irrigation season (July – September), constructing a water transmission line capable of supply this water as needed was likely not feasible. This led to the discussion of including storage in this project. With storage, the project could pump water from the Missouri River at a lower rate for a longer duration throughout the year. The project would store water and draw from the storage when irrigation was desired. This would help lower the costs of the

infrastructure to bring water from the Missouri River to the proposed district. The goal of this scope is to identify where and how much storage could realistically be constructed near the irrigation district, and what the potential limitations would be. Surface storage options could be considered, but without landowner support, this option will likely not move forward. Therefore, this effort will focus mainly on research of the aquifers to identify the potential for aquifer recharge. This scope does not include field work or well drilling, but a review of existing available well logs to identify the aquifer characteristics and the potential for storage. Additionally, the likely location of aquifer recharge and draw points will be identified but stop short of preparing a detailed model of the aquifer until public acceptance of this alternative is determined. Again, the goal of this effort is to determine the realistic volume of storage that can be achieved as this will directly influence the rate and duration that water will need to be pumped from the river. If this project continues to move forward, the next step would be to model the aquifer and preliminary design the infrastructure to recharge and draw from the aquifer. If, through this study, it is found that available storage is limited, the County may require alterations to the proposed irrigation district (i.e. revisit the number of acres that can be irrigated).

## **Primary Water Supply**

With the first report, a general route was identified from the Missouri River to the proposed irrigation district, however no input was gathered on the acceptability of the location of the intake from the Missouri River and the route of the water transmission line. This scope includes gathering Federal, State, County, and public input on the location for a Missouri River intake and the pipeline route. The preferred location of this infrastructure is an important step to identify the future scope of this design. This effort will also utilize the information gathered on the required volume of water for the irrigation district and the realistic volume of storage to identify a pumping rate, preferred duration, and size of the water transmission line. An analysis of the pumping rate compared to the historic Missouri River flows will be included to identify the limitations regarding this pumping rate. This effort will allow for clearer information when making the decisions on the acceptability of this project before moving forward with further preliminary design.


## **Water Distribution**

Through this process, the acres to be irrigated within the district and proposed pivot areas will be identified. This effort will create the likely layout of the distribution pipe network, showing the route from the potential storage area(s) to each quarter section of land. The map depicting this layout will identify the number of acres each distribution pipeline would need to irrigate. A table outlining options of pipe size and material will be included to identify a preliminary quantity of pipe sizes needed. This effort does not include preliminary details but will provide the necessary data to make decisions on the preferred distribution routes, materials, etc.

## **Reporting**

The findings through this effort will continually be added to a draft report to document the information gathered and decisions made. This report will be provided to the County and State representatives for review before finalizing. Ideally, if the project continues to move forward from this effort, this report will form the basis for more detailed design and cost estimates.

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – City of Beach  
 2025 Watermain Improvements  
**DATE:** January 30, 2025

The City of Beach is requesting construction cost-share for their 2025 Watermain Improvements (Project). The Project is replacement of 10,251 feet of aging cast iron water main along 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Avenues SE, 1<sup>st</sup> Street SE, Main Street, and Central Avenue North in the City of Beach. The Project will be constructed in conjunction with planned street replacement work by the North Dakota Department of Transportation along Main Street and Central Avenue North. The Project is located in Golden Valley County.

***Supplemental Information***

Water Development Plan/Priority	None
New / Future / Current Service Users	0 / 0 / 151
Present Value Cost / User (Preferred Alternative)	\$48,881
Rate / 5,000-Gallons	\$61
Comparable Rate / 5,000-Gallons	\$47
Water Source – Southwest Water Authority	

***Schedule***

Task	Dates
Study	Jun. 2024
Design	Oct. 2024
Bid	Jan 14, 2025
Construction	Apr. 2025
Completion	Sep. 2026

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$109,411	\$932,047	\$1,041,458		
Eligible Cost	\$362,589	\$5,266,850	\$5,629,439		
Total	\$472,000	\$6,198,897	\$6,670,897		
Cost-Share 60%	\$217,553	<b>\$3,160,110</b>	\$3,377,663	\$217,553 (4/11/24)	<b>\$3,160,110</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of the request from the City of Beach for state cost-share participation in the 2025 Street and Utility Improvements project in the amount of \$3,160,110, or 60 percent of eligible costs, with total cost-share not to exceed \$3,377,663. This approval is contingent on available funding.**

RH:jsp:In/2050BEA

# 1084254 - Beach 2025 Watermain Improvements Project - Construction Request

## Application Details

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**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 1:10 PM  
**Initially Submitted By:** Abby Ritz  
**Last Submit Date:** Dec 6, 2024 12:50 PM  
**Last Submitted By:** Abby Ritz

## Contact Information

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### Primary Contact Information

**Active User\*:** yes

**Type:** External User

**Name:** Ms. Kimberly K Gaugler  
Salutation First Name Middle Name Last Name

**Title:** City Auditor

**Email\*:** [cityofbeach@midstate.net](mailto:cityofbeach@midstate.net)

**Address\*:** PO Box 278  
153 Main Street  
  
Beach North Dakota 58621-0278  
City State/Province Postal Code/Zip

**Phone\*:** (701) 872-4103 Ext.  
Phone  
### ### ####

**Fax:** (701) 872-4924  
### ### ####

**Comments:**

### Organization Information

**Status\*:** Approved

**Name\*:** City Of Beach

**Organization Type\*:** Municipal Government

**Tax Id:** 45-6002033

**Organization Website:** <http://www.beachnd.com/>

**Address\*:** 153 Main Street E  
 PO Box 278  
 Beach North Dakota 58621-0278  
 City State/Province Postal Code/Zip

**Phone\*:** (701) 872-4103 Ext.  
 ### ##

**Fax:** (701) 872-4924  
 ### ##

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Beach 2025 Watermain Improvements Project

**Sponsor(s)\*:** City of Beach

**County\*:** Golden Valley

**City\*:** Beach

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**

City of Beach

**Describe the Problem\*:**

The existing cast iron watermain in the project area is in poor condition and has scaling and corrosion issues. These problems have caused additional issues such as low chlorine residuals and discoloration in the drinking water. Low chlorine residual can lead to unsafe drinking water and risk to public health. Discolored water has left many residents afraid to drink the water and has caused discoloration in clothing. This has also led to the necessity for frequent flushing and an increase in operation and maintenance costs.

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

The proposed project will replace approximately 9,620 feet of 4-inch and 6-inch cast iron water main with 8-inch PVC via open cut excavation. Approximately 151 1-inch water service lines will also be removed and replaced beyond the curb. The request also includes a 10' trench of paving.

The project scope has changed from the preconstruction cost-share request. The City has opted not to replace sewermain and streets due to affordability. In addition, the City has received a grant through NDDOT Flex Fund to replace the streets along Central Avenue and Main Street. To take advantage of this grant funding, the City has expanded this project's scope to include watermain replacement on those streets. Because the paving is already covered by the NDDOT grant, only the watermain was added to the request (no 10' trench).

For this project,

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

**What is the Current Estimated Population?\*** 981

For this project,

**What is the Benefited Population?\*** 250

**Have Assessment Districts Been Formed?\*** Yes

**Date Formed:** 07/15/2024

**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 in the project area has not been improved since initial installation. The engineer estimates that the sanitary sewer in the project area has approximately 20 years remaining useful life. The watermain in this area has scalling and corrosion issues which have led to low chlorine residuals and water discoloration.

**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\***: 06/2024

**Design Completion\***: 10/2024

**Bid\***: 01/2025 1/14/2025

**Construction Start\***: 04/2025

**Construction Completion\***: 09/2026

**Explain Additional Timeline Issues\***:

No issues anticipated.

**Consulting Engineer\***: Zac Ranisate

**Engineer Telephone Number\***: 701-221-0530

**Engineer Email\***: [Zac.Ranisate@AE2S.com](mailto:Zac.Ranisate@AE2S.com)

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

**Submitted by\***: Kimberly Gaugler 12/06/2024  
First Name Last Name Date

**Address\***: PO Box 278  
Address Line 1  
Address Line 2

Beach North Dakota 58621-0278  
City State Zip Code

**Telephone Number\***: 701-872-4103

**Sponsor Email\*:** [cityofbeach@midstate.net](mailto:cityofbeach@midstate.net)

**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\*:** Kimberly Gaugler 12/06/2024  
First Name Last Name Date

**Title/Position/Authority\*:** City Auditor

## Documentation

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### 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

\*:

[Beach 2025 Improvements\\_10-29-24\\_SWC-Map.pdf](#)

**Are You Seeking SRF or IRLF Funding?\*** Yes

**Engineer's Estimate of Probable Cost**

Separate Project Components by Type (Storm Sewer, Sanitary Sewer and Associated Roads, Drinking Water and Associated Roads, and Roads)

:

[Beach OPCC Cost-Sharing.xlsx](#)

**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:** [Beach 24-10-21 Draft Meeting Minutes.docx](#)

**Cover Letter:** [City of Beach - Signed SWC 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\\_24.12.06.xlsx](#)

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** [Beach 2025 Improvements Plans Specifications.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\\_24.12.06.xlsx](#)



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

**Asset Inventory Assessment:** [Beach\\_basic\\_asset\\_inventory\\_tool - 24.10.29.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):** Yes

**Other Applicable Document:** [Attach1-BudgetSheet.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 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Drinking Water State Revolving Fund			\$0.00	\$0.00	\$2,498,000.00	\$2,498,000.00		0.00	0.00
BND Infrastructure Revolving Loan Fund			\$0.00	\$0.00	\$1,190,000.00	\$1,190,000.00	Loan	0.00	0.00
Department of Water Resources Cost Share Pre-Construction		Already Approved	\$217,553.00	\$0.00	\$0.00	\$217,553.00		0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$347,610.00	\$3,128,487.00	\$3,476,097.00		0.00	0.00
						<b>\$3,160,110.00</b>			
			<b>\$217,553.00</b>	<b>\$347,610.00</b>	<b>\$6,816,487.00</b>	<b>\$7,381,650.00</b>			
						<b>\$6,670,897.00</b>			





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

DWR Date Received : January 21, 2025

<b>Project:</b>	Beach 2025 Street and Utility Improvements Project
<b>Sponsor:</b>	City of Beach
<b>Contact:</b>	Kimberly Gaugler, City Auditor
<b>Phone:</b>	701-872-4103
<b>Engineer:</b>	Zac Ranisate, AE2S
<b>Phone:</b>	701-221-0530

<b>Total Cost :</b>	\$ 6,670,897	<b>Date:</b>	January 21, 2025
<b>Ineligible Cost :</b>	\$ 1,041,458		
<b>Eligible Cost :</b>	\$ 5,629,439	<b>Cost-Share \$</b>	
<b>Local Cost :</b>	\$ 3,293,234		\$ 3,377,663
		<b>Preconstruction :</b>	\$ 217,553
		<b>Construction :</b>	\$ 3,160,110

<b>Project Type:</b>	Municipal Water Supply	<b>Cost-share %</b>	60%
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Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	5.9%	Mobilization	1	LS	266,220.00	\$ 266,220	60%	\$ 159,732
2	0.6%	Bonding	1	LS	25,000.00	\$ 25,000	60%	\$ 15,000
3	0.0%	Insurance	1	LS	-	\$ -	60%	\$ -
4	0.5%	Erosion Control	1	LS	21,000.00	\$ 21,000	60%	\$ 12,600
5	2.8%	Temporary Pumping	1	LS	125,000.00	\$ 125,000	60%	\$ 75,000
6	29.5%	Paving	1	LS	1,323,103.00	\$ 1,323,103	60%	\$ 793,862
7	0.4%	Water Main 2 in	158	LF	100.00	\$ 15,800	60%	\$ 9,480
8	0.4%	Water Main 4 in	163	LF	102.00	\$ 16,626	60%	\$ 9,976
9	0.5%	Water Main 6 in	218	LF	105.00	\$ 22,890	60%	\$ 13,734
10	23.8%	Water Main 8 in	9712	LF	110.00	\$ 1,068,320	60%	\$ 640,992
11	6.0%	Water Service Line	1918	EA	140.00	\$ 268,520	60%	\$ 161,112
12	7.1%	Water Service Line	2267	EA	140.00	\$ 317,380	60%	\$ 190,428
13	0.2%	Water Service Line	1	EA	8,500.00	\$ 8,500	60%	\$ 5,100
14	2.4%	Fittings	57	EA	1,872.81	\$ 106,750	60%	\$ 64,050
15	4.8%	Gate Valve	50	EA	4,290.00	\$ 214,500	60%	\$ 128,700
16	2.3%	Hydrant	11	EA	9,300.00	\$ 102,300	60%	\$ 61,380
17	3.8%	Connection to Existing Line	23	EA	7,500.00	\$ 172,500	60%	\$ 103,500
18	0.0%	Lead Service moved to Ineligible	0	EA	15,000.00	\$ -	60%	\$ -
19	0.0%		0		-	\$ -	60%	\$ -
20	0.0%		0		-	\$ -	60%	\$ -
21	0.0%		0		-	\$ -	60%	\$ -
22	0.0%		0		-	\$ -	60%	\$ -
23	0.0%		0		-	\$ -	60%	\$ -
24	0.0%		0		-	\$ -	60%	\$ -
25	0.0%		0		-	\$ -	60%	\$ -
26	0.0%		0		-	\$ -	60%	\$ -
		<b>Construction Sub-Total</b>				\$ 4,074,409	60%	\$ 2,444,645
	10.0%	<b>Contingency</b>				\$ 407,441	60%	\$ 244,465
	67.2%	<b>Construction Total</b>				\$ 4,481,850	60%	\$ 2,689,110
<b>Preconstruction Costs</b>								
27	8.1%	Final Design	1	EA	362,000.00	\$ 362,000	60%	\$ 217,200
28	0.8%	Bidding / Negotiations	1	EA	34,000.00	\$ 34,000	60%	\$ 20,400
29	0.0%	Preconstruction in Excess of Prior Appro	1	EA	(33,411.00)	\$ 33,411	60%	\$ 20,047
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	5.4%	<b>Preconstruction Total</b>				\$ 362,589	60%	\$ 217,553
<b>Construction Engineering Costs</b>								
32	7.0%	Construction Contract Management	1	EA	315,000.00	\$ 315,000	60%	\$ 189,000
33	7.9%	Project Inspection	1	EA	352,000.00	\$ 352,000	60%	\$ 211,200
34	0.6%	Post-Construction / Warranty	1	EA	26,000.00	\$ 26,000	60%	\$ 15,600
35	2.1%	Other Construction Engineering	1	EA	92,000.00	\$ 92,000	60%	\$ 55,200
36	0.0%		0		-	\$ -	60%	\$ -
	11.8%	<b>Construction Engineering Total</b>				\$ 785,000	60%	\$ 471,000
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	0.5%	Mobilization, Bonding, Insurance	1	EA	34,580.00	\$ 34,580	0%	\$ -
43	1.1%	Other Preconstruction Engineering	1	EA	76,000.00	\$ 76,000	0%	\$ -
44	9.0%	Other Construction	1	EA	598,467.00	\$ 598,467	0%	\$ -
45	2.2%	Other Construction Engineering	1	EA	149,000.00	\$ 149,000	0%	\$ -
46	2.2%	Lead Service Lines	10	EA	15,000.00	\$ 150,000	0%	\$ -
47	0.5%	Preconstruction in Excess of Prior Appro	1	EA	33,411.00	\$ 33,411	0%	\$ -
	12.9%	<b>Other Ineligible Total</b>				\$ 1,041,458	0%	\$ -
	97.3%	<b>Total</b>				\$ 6,670,897		
		<b>Eligible Total</b>				\$ 5,629,439	60%	\$ 3,377,663
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 5,629,439	60%	\$ 3,377,663

\* 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 Beach  
**Project Title:** 2025 Watermain Replacement Project

**Date:** December 15, 2024

**Explanation of Alternatives:**

No Action - This would not address the lead water service lines, aging cast iron pipe, or any of the City's other infrastructure needs. This would lead to further deterioration and escalating maintenance expenses.  
 Open Cut Watermain Replacement (New Scope) (Preferred) - Replace approximately 9,260 feet of 4-inch and 6-inch cast iron watermain with 8-inch PVC. In addition, 151 1-inch water service lines will be removed and replaced. A 10-foot trench will be required to do the work and will be repaved after the work is completed.  
 Water and Full Street Replacement (Original Scope) - This alternative would replace approximately 15,950 feet of 4-inch and 6-inch cast iron water main with 8-inch PVC and the full width of streets wherever water main is replaced. This alternative leaves existing clay sanitary sewer main installed below the new streets. This does leave a risk that the city will need to tear up the new streets in the future to replace the sanitary sewer main.

**Inputs:**

New Connections Served	0
Future Connections Served	0
Current Connections Served	151
Net Connections (New + Current)	151

Current CIF Balance	\$29,506
Annual CIF Contribution	\$0
Cash Funding Target (Percentage %) New Assets	40%
Cash Funding Target (Percentage %) Existing Assets	40%
Annual CIF Contribution suggested for the Project	\$3,931

	No Action	Open Cut Watermain Replacement (New Scope) (Preferred)	Water and Full Street Replacement (Original Scope)
Construction Cost	\$0	\$7,381,200	\$17,112,900
Annual O & M	\$20,000	\$0	-\$23,000

**Details:**

The Original Scope was the project as presented for the Preconstruction application. The city determined the full road and utility replacement was beyond their affordability range and have thus reduced the project to water main replacement only and limited street construction to the 10' policy width excepting for 2 city blocks needing full replacement.

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

	No Action	Open Cut Watermain Replacement (New Scope) (Preferred)	Water and Full Street Replacement (Original Scope)
Present Value			
Capital Costs	\$0	\$7,381,000	\$16,883,000
O&M	\$554,000	\$0	-\$594,000
Repair, Rehab, Replacement	\$0	\$0	\$1,366,000
Salvage Value	\$0	\$0	\$191,000
<b>Total PVC</b>	<b>\$554,000</b>	<b>\$7,381,000</b>	<b>\$17,464,000</b>
<b>PV Cost Per User</b>	<b>\$3,669</b>	<b>\$48,881</b>	<b>\$115,656</b>

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$61</b>
<b>Comparable Water Rate</b>	<b>\$48</b>
Net Connections (New + Current)	151
Cost-Share Percent	60%
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "Open Cut Watermain Replacement" option. The present value cost of the preferred alternative is \$7,381,000 and the presented alternative for comparison is "Do Nothing" at a present value cost of \$554,000. The present value cost per user for the preferred alternative is \$48,881. The monthly user cost of the local share of the water supply portion of the project with DWR 60% cost-share participation is \$98.91 per month and \$247.28 without DWR participation.

ND Dept. of Commerce	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2023		
Population & Trends	979	972	-0.1%	-1

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 18, 2024

Department of Water Resources  
Governor Doug Burgum  
1200 Memorial Highway  
Bismarck ND 58504

**Re: Beach 2025 Watermain Improvements Project - Construction Cost-Share Request**

Governor Burgum:

The City of Beach is pleased to submit a construction cost-share request for consideration at the upcoming December 13, 2024 State Water Commission meeting.

This project will replace approximately 9,620 feet of old cast iron watermain, addressing water quality issues including low chlorine residuals and discoloration. In addition, the request includes a 10-foot trench of pavement over most of the watermain.

I want to make the Commission aware that the project scope has changed from what was presented with our preconstruction cost-share request. The City has opted not to replace sewer main and streets due to high project cost and affordability concerns. In addition, the City has received a grant through NDDOT Flex Fund to replace the streets along Central Avenue and Main Street. To take advantage of this grant funding, the City has expanded this project's scope to include watermain replacement on those streets.

We appreciate your considering Beach's construction cost-share request and look forward to working with the North Dakota Department of Water Resources on potential funding assistance for this important project.

Sincerely,

**City of Beach**



Walter Losinski  
Mayor

c: Zac Ranisate, PE, AE2S



CITY COUNCIL PROCEEDINGS  
PUBLISHED SUBJECT TO THE GOVERNING BODY'S REVIEW AND REVISION

A regular meeting of the Beach City Council was called to order by Mayor Losinski on Monday, October 21, 2024 at 7:00 p.m. Present when the meeting was called to order was City Council Tom Marman, Sarah Ross, John Stonehocker, Bev Wolff, Andy Zachmann, Public Works Superintendent Randy Dietz, City Auditor Kimberly Gaugler, Engineer Zac Ranisate, Administrative Assistant Lea Massado, and guests Corlene Olson, Leah Zook, Alyssa Liekhus, and Gary Howard.

The Pledge of Allegiance was recited.

Roll call was taken. Swanson-Puckett was absent.

Mayor Losinski called for any additions or corrections to the agenda. Zachmann moved to approve the agenda as presented, second by Wolff. Motion carried unanimously.

### **Minutes**

Minutes of the meeting on October 7, 2024 were presented. Ross moved to approve the minutes, second by Wolff. Motion carried unanimously.

### **Engineer's Report**

Engineer Ranisate reviewed his written report. **2025 Street & Utility Improvement Project** – New requirements have been added to the State Water Commission Cost Share Application process, effective immediately. All applications must attach a cover letter as well as meeting minutes approving the application to be submitted. Deadline to submit the application is October 29<sup>th</sup> for the December 13<sup>th</sup> State Water Commission Meeting. Zachmann moved to approve the draft application and cover letter presented, second by Ross. Motion carried unanimously.

### **Sheriff's Report**

Sheriff Muckle's written report for the month of September was reviewed. The report consisted of 44 city calls, 2 written citations and 3 warning citations.

### **Public Works Report**

PWS Dietz reported Public Works Employee Thomas Littlecreek has submitted his resigned effective November 15<sup>th</sup>. Lead service line and unknown service line letters have been mailed out to all customers. There was discussion on letters recently mailed to property owners regarding removal of dead trees. Ross moved to extend the deadline for completing the removal of dead trees to August 1, 2025, second by Marman. Motion carried unanimously.

### **Auditor's Report**

Gaugler reviewed her written report. Zachmann moved to approve the following list of special assessments, second by Wolff. Motion carried unanimously.

2017-1 Street Improvement Project - \$56,904.82

2021-1 Street & Utility Improvement Project – \$12,402.01

Clean up of Property Identified as a Public Health Nuisance – \$2,792.58

Curb & Gutter – \$669.61

Curb & Boulevard – \$1,276.32

Mowing – \$3,450.00

Sewer Service Line – \$2,152.68

Sidewalk Replacement – \$1,755.72

Water Service Line Replacement – \$173.43

Gaugler reviewed the financial report for the month of September. Zachmann moved to approve the financial report, second by Ross. Motion carried unanimously.

### **Committee Reports**

**Zoning** - Marman provided a written report from the Zoning Board meeting today. In regards to the Application for Building with Conditional Use of a radio station tower at 67 S. Central Avenue the Zoning Board recommends approving with conditions:

1. Maximum tower height 100' and maximum of 100 watts.
2. In the future if the radio station tower and/or license is not operating, the tower must be removed within an acceptable time period.
3. The conditional use be granted for two years. The conditional use will come up for review, two years from the date of approval.
4. A copy of the annual report submitted to FCC must also be filed with the City.

Marman moved to table a decision, second by Stonehocker. Motion carried unanimously.

Three Applications for Building were approved and one Application for Building requires a 4' variance. A Public Hearing for comment on the Application for Building with 4' Variance is scheduled for November 4<sup>th</sup> at 7:30 p.m.

### **New Business**

Correspondence was read from the State of North Dakota Office of the State Auditor providing notice that the Audit Report for the Year Ending 2020 was accepted.

An Application for Local Permit submitted by Beach Post Prom was reviewed. Zachmann moved to approve the application, second by Wolff. Motion carried unanimously.

Correspondence was read regarding U.S. Department of Housing and Urban Development (HUD) new rules affecting floodplains in North Dakota. Zachmann moved to have City Attorney Bouray draft a first reading revising Ordinance 18.0602-1 to reflect the recommended change of “at least two feet” above base flood elevation, second by Wolff. Motion carried unanimously.

There being no other business, Zachmann moved to adjourn, second by Ross. Meeting adjourned at 8:00 p.m.

ATTEST:

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Walter Losinski, Mayor

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Kimberly Gaugler, City Auditor



**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – City of New Town  
 Utility Improvements Phase II  
**DATE:** January 30, 2025

***Background & Description***

The City of New Town is requesting construction cost-share for their Utility Improvements Phase II (Project). The Project will include replacement of 7,259 feet of aging PVC water main along 4<sup>th</sup> Street N, 5<sup>th</sup> Street N, 8<sup>th</sup> Street N, 2<sup>nd</sup> Avenue E, 3<sup>rd</sup> Avenue E, 5<sup>th</sup> Avenue E, and Rainbow Drive. The Project is part of combined water, sanitary sewer, and storm sewer infrastructure improvements planned for New Town. Only water-related costs are eligible for cost-share. The Project is located in Mountrail County.

***Supplemental Information***

Water Development Plan / Priority	2023/Low
New / Future / Current Service Users	0 / 0 / 830
Present Value Cost / User (Preferred Alternative)	\$14,854
Rate / 5,000-Gallons	\$91
Comparable Rate / 5,000-Gallons	\$50.00
Water Source – Lake Sakakawea	

***Project Schedule***

Task	Dates
Study	Sept. 2022
Design	Oct. 2024
Bid	Jan 31, 2025
Construction	May 2025
Completion	Oct. 2025

***Cost-Share Funding Summary***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$43,277	\$5,973,401	\$6,016,678		
Eligible Cost	\$141,660	\$4,610,871	\$4,752,531		
Total	\$184,937	\$10,584,272	\$10,769,209		
Cost-Share 60%	\$84,996	<b>\$2,766,523</b>	\$2,851,519	\$84,996 (3/25/24)	<b>\$2,766,523</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the City of New Town for state cost-share participation in the Utility Improvements Phase II project in the amount of \$2,766,523, or 60 percent of eligible costs, with total cost-share not to exceed \$2,851,519. This approval is contingent on available funding.**

RT:jsp:ln/2050NEW

**Water Development Plan: Yes (2023)**  
**Plan Priority: Low**

# 1084360 - New Town Utility Improvements - Phase II - Construction

## Application Details

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<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 17, 2024 10:08 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Abby Ritz
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Last Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

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### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Salutation Abby  
First Name

Middle Name Ritz  
Last Name

**Title:**

**Email\*:** abby.ritz@ae2s.com

**Address\*:** 1815 Schafer Street, Suite 301

### Organization Information

**Status\*:** Approved

**Name\*:** City of New Town

**Organization Type\*:** Municipal Government

**Tax Id:**

**Organization Website:**

**Address\*:** PO Box 309  
103 Soo Place

	AE2S		New Town	North Dakota
	Bismarck	North Dakota	City	State/Province
	City	State/Province		
			58763-0309	
58501			Postal Code/Zip	
Postal Code/Zip			<b>Phone*:</b>	701-627-4812 Ext.
<b>Phone*:</b>	701-221-0530	Ext.		###-###-####
	Phone		<b>Fax:</b>	###-###-####
	###-###-####		<b>Vendor ID:</b>	
<b>Fax:</b>	###-###-####		<b>PeopleSoft</b>	
<b>Comments:</b>			<b>Supplier ID:</b>	
			<b>Comments:</b>	
			<b>Location</b>	
			<b>Code:</b>	

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** New Town Utility Improvements - Phase II

**Sponsor(s)\*:** City of New Town

**County\*:** Mountrail

**City\*:** New Town

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:**

**If Project/Program, What Type:** Municipal Water Supply

**Jurisdictions/Stakeholders Involved\*:**

City of New Town

**Describe the Problem\*:**

The City of New Town's watermains were mostly built in the 1950s, shortly after the City of New Town was founded. As such, these utilities have reached the end of their design life. Over recent years, there

have been many breaks in the watermains, resulting in numerous pipe materials and patches throughout the system. Continued failure of these watermains will result in loss of service to the residents and escalating repair costs to the City of New Town.

In addition to the deterioration of the existing infrastructure, the City also wants to address anticipated growth. Due to oil activity in the surrounding region, the City of New Town has seen its population and commercial activity grow in the last decade. As the heart of the Mandan, Hidatsa, and Arikara (MHA) Nation, New Town is planning for continued growth in the upcoming years.

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

Under the proposed project, all watermain within the phase 2 project area will be replaced with new 8" PVC pipe, ductile fittings and valves, and new poly services from the main to the boulevard. This will address the existing deterioration and increase capacity to support the City's anticipated future growth.

**For this project,**

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

**What is the Current Estimated Population?\***: 2764

**For this project,**

**What is the Benefited Population?\***: 700

**Have Assessment Districts Been Formed?\***: N/A

**Have Land or Easements Been Acquired?\***: N/A

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

**Are There Any Road Improvements Included as Part of the Project?\***: Yes

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

The existing watermains and sanitary sewer mains infrastructure to be replaced under this project were all constructed in the 1950s, shortly after the town was founded. This infrastructure has not been replaced since the original installation. The plan is to replace all underground infrastructure at the time of this project to avoid unnecessary repaving in the future.

**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\***: 09/2022  
**Design Completion\***: 10/31/2024  
**Bid\***: 01/31/2024 **1/31/2025**  
**Construction Start\***: 05/01/2025  
**Construction Completion\***: 10/31/2025

**Explain Additional Timeline Issues\***:

No issues anticipated.

**Consulting Engineer\***: Jason Strand, AE2S

**Engineer Telephone Number\*:** 701-852-4048

**Engineer Email\*:** Jason.Strand@AE2S.com

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

**Submitted by\*:** Eileen Zaun 12/17/2024  
First Name Last Name Date

**Address\*:** PO Box 309  
Address Line 1  
Address Line 2  
New Town North Dakota 58763-0309  
City State Zip Code

**Telephone Number\*:** 701-627-4812

**Sponsor Email\*:** ntauditor@restel.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\*:** Eileen Zaun 12/17/2024  
First Name Last Name Date

**Title/Position/Authority\*:** City Auditor

# Documentation

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## ***Documentation***

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

CLICK HERE to see examples.

**Project Specific Map** New Town Phase 2 Location Map\_revised.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 8.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:** Regular City Council 11-20-24 Draft.docx

**Cover Letter:** New Town Phase 2 - SWC 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:** New Town Phase 2 Delineation of Cost.xlsx

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** New Town Phase 2 Plans and Specs.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:** New Town life\_cycle\_cost\_analysis\_worksheet.xlsx

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

**Asset Inventory Assessment:** New Town Water System Asset Inventory 12.13.24.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.

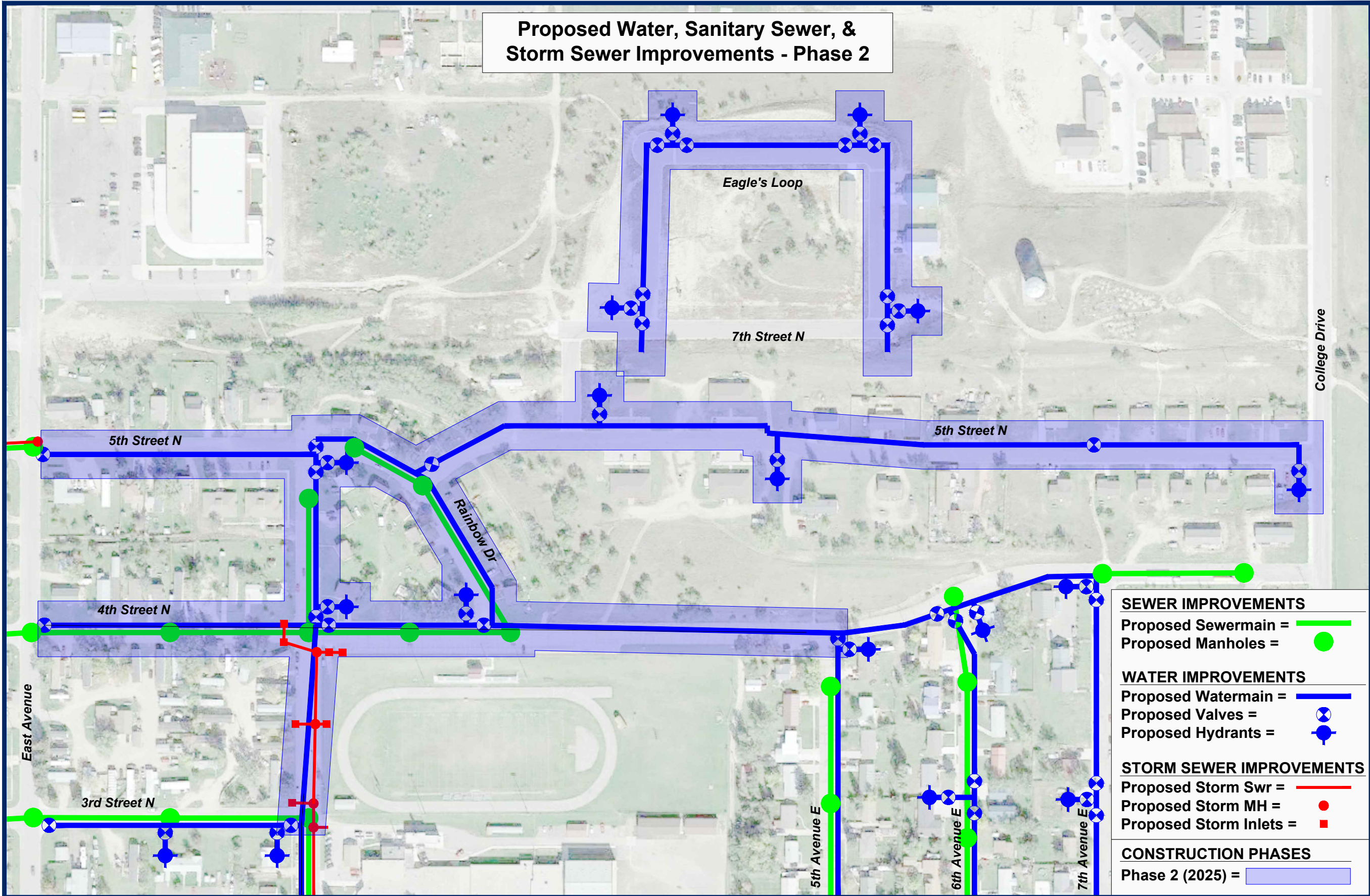
**Other Applicable Document(s):**



# 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
Department of Water Resources Cost Share Pre-Construction		Already Approved	\$0.00	\$84,996.00	\$0.00	\$84,996.00		0.00	0.00
Drinking Water State Revolving Fund			\$0.00	\$441,342.00	\$3,567,203.00	\$4,008,545.00		0.00	0.00
Clean Water State Revolving Fund			\$0.00	\$304,122.00	\$4,809,945.00	\$5,114,067.00		0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$312,095.00	\$2,808,854.00	\$3,120,949.00		0.00	0.00
			<b>\$0.00</b>	<b>\$1,142,555.00</b>	<b>\$11,186,002.00</b>	<b>\$12,328,557.00</b>			


**Proposed Water, Sanitary Sewer, & Storm Sewer Improvements - Phase 2**



**SEWER IMPROVEMENTS**  
 Proposed Sewermain =   
 Proposed Manholes = 

**WATER IMPROVEMENTS**  
 Proposed Watermain =   
 Proposed Valves =   
 Proposed Hydrants = 

**STORM SEWER IMPROVEMENTS**  
 Proposed Storm Swr =   
 Proposed Storm MH =   
 Proposed Storm Inlets = 

**CONSTRUCTION PHASES**  
 Phase 2 (2025) = 

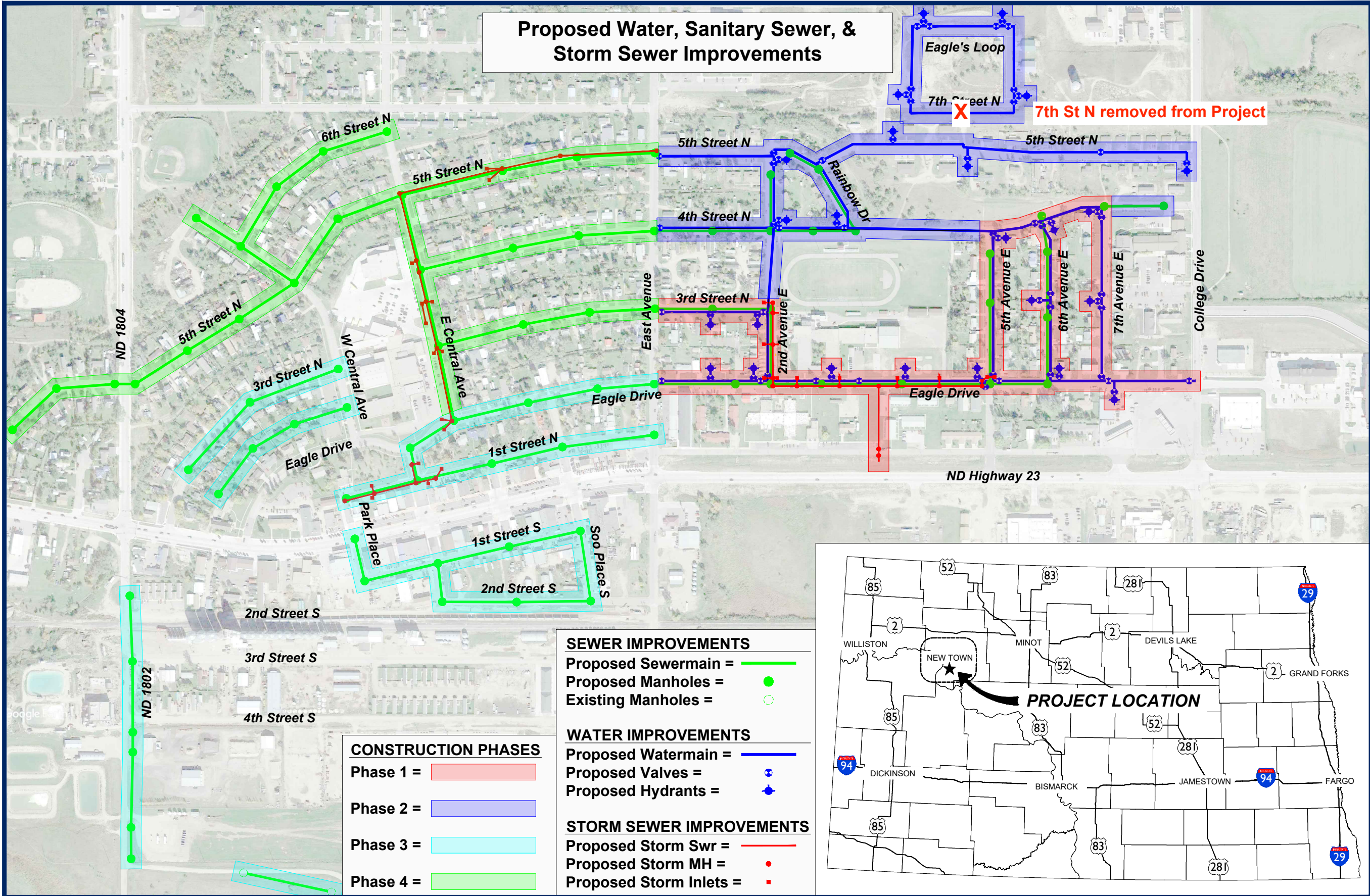
File: W:\New Town\Task Orders\Task Order #17\New Town\_Phase 2 Map\_revised.dwg



**PROPOSED PHASE 2 IMPROVEMENTS  
 NEW TOWN, NORTH DAKOTA**







**Proposed Water, Sanitary Sewer, & Storm Sewer Improvements**

7th St N removed from Project

**SEWER IMPROVEMENTS**

- Proposed Sewermain = —
- Proposed Manholes = ●
- Existing Manholes = ○

**WATER IMPROVEMENTS**

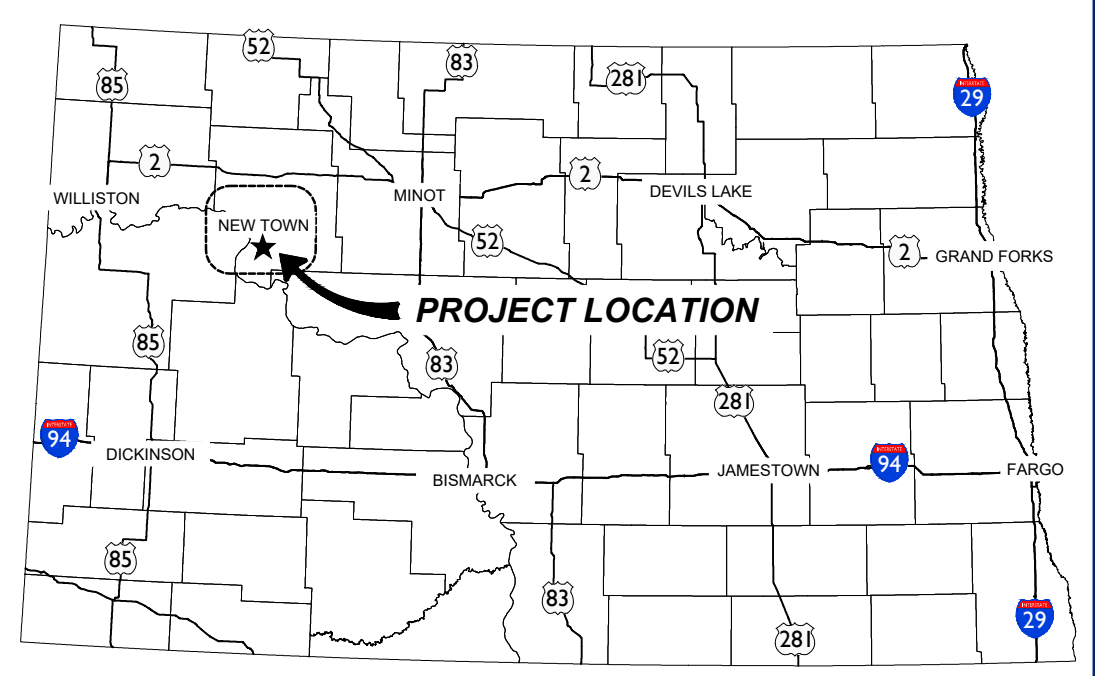
- Proposed Watermain = —
- Proposed Valves = ●
- Proposed Hydrants = ●

**STORM SEWER IMPROVEMENTS**

- Proposed Storm Swr = —
- Proposed Storm MH = ●
- Proposed Storm Inlets = ■

**CONSTRUCTION PHASES**

- Phase 1 =
- Phase 2 =
- Phase 3 =
- Phase 4 =



**PROJECT LOCATION**



**NEW TOWN UTILITY IMPROVEMENTS  
NEW TOWN, NORTH DAKOTA**







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

DWR Date Received : January 21, 2025

<b>Project:</b>	New Town Utility Improvements - Phase II
<b>Sponsor:</b>	City of New Town
<b>Contact:</b>	Eileen Zaun, City Auditor
<b>Phone:</b>	701-627-4812
<b>Engineer:</b>	Jason Strand, AE2S
<b>Phone:</b>	701-852-4048

<b>Total Cost :</b>	\$ 10,769,209	<b>Date:</b>	January 20, 2025
<b>Ineligible Cost :</b>	\$ 6,016,678		
<b>Eligible Cost :</b>	\$ 4,752,531		
<b>Local Cost :</b>	\$ 7,917,690	<b>Cost-Share \$</b>	\$ 2,851,519
		<b>Preconstruction :</b>	\$ 84,996
		<b>Construction :</b>	\$ 2,766,523

<b>Project Type:</b>	Municipal Water Supply	<b>Cost-share %</b>	60%
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Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	5.9%	Mobilization	1	LS	254,695.00	\$ 254,695	60%	\$ 152,817
2	1.3%	Bonding	1	LS	58,545.00	\$ 58,545	60%	\$ 35,127
3	0.0%	Insurance	0		-	\$ -	60%	\$ -
4	0.1%	Erosion Control	1	LS	5,580.00	\$ 5,580	60%	\$ 3,348
5	0.2%	Traffic Control	1	LS	7,200.00	\$ 7,200	60%	\$ 4,320
6	5.5%	Other Services Provided By Contractor	1	LS	240,187.50	\$ 240,188	60%	\$ 144,113
7	23.9%	Paving	1	LS	1,039,073.00	\$ 1,039,073	60%	\$ 623,444
8	1.7%	Water Main 6 in	481	LF	150.00	\$ 72,150	60%	\$ 43,290
9	0.2%	Water Main 6 in	39	LF	200.00	\$ 7,800	60%	\$ 4,680
10	20.8%	Water Main 8 in	5643	LF	160.00	\$ 902,880	60%	\$ 541,728
11	5.3%	Water Main 8 in	1047	LF	220.00	\$ 230,340	60%	\$ 138,204
12	0.2%	Water Main 12 in	49	LF	180.00	\$ 8,820	60%	\$ 5,292
13	7.9%	Water Service Line	81	EA	4,250.00	\$ 344,250	60%	\$ 206,550
14	1.3%	Water Service Line	11	EA	5,000.00	\$ 55,000	60%	\$ 33,000
15	0.2%	Meter	4	EA	2,000.00	\$ 8,000	60%	\$ 4,800
16	7.4%	Valves	46	EA	6,978.26	\$ 321,000	60%	\$ 192,600
17	3.8%	Hydrant	15	EA	11,000.00	\$ 165,000	60%	\$ 99,000
18	0.2%	Fittings	3	EA	2,400.00	\$ 7,200	60%	\$ 4,320
19	0.9%	Fittings	15	EA	2,600.00	\$ 39,000	60%	\$ 23,400
20	0.4%	Fittings	6	EA	2,800.00	\$ 16,800	60%	\$ 10,080
21	0.1%	Fittings	2	EA	3,000.00	\$ 6,000	60%	\$ 3,600
22	0.1%	Fittings	3	EA	2,000.00	\$ 6,000	60%	\$ 3,600
23	0.1%	Fittings	1	EA	5,500.00	\$ 5,500	60%	\$ 3,300
24	0.1%	Fittings	3	EA	1,500.00	\$ 4,500	60%	\$ 2,700
25	0.4%	Fittings	11	EA	1,750.00	\$ 19,250	60%	\$ 11,550
26	3.0%	Connection to Existing Line	13	EA	10,000.00	\$ 130,000	60%	\$ 78,000
		<b>Construction Sub-Total</b>				\$ 3,954,771	60%	\$ 2,372,862
	10.0%	<b>Contingency</b>				\$ 395,477	60%	\$ 237,286
	40.4%	<b>Construction Total</b>				\$ 4,350,248	60%	\$ 2,610,149
<b>Preconstruction Costs</b>								
27	3.9%	Final Design	1	LS	168,943.58	\$ 168,944	60%	\$ 101,366
28	0.4%	Bidding / Negotiations	1	LS	15,993.33	\$ 15,993	60%	\$ 9,596
29	0.0%	Preconstruction in Excess of Previous Appr	1	LS	(43,276.91)	\$ 43,277	60%	\$ 25,966
30	0.0%		0		-	\$ -	60%	\$ -
31	0.0%		0		-	\$ -	60%	\$ -
	1.3%	<b>Preconstruction Total</b>				\$ 141,660	60%	\$ 84,996
<b>Construction Engineering Costs</b>								
32	0.5%	Construction Contract Management	1	NA	23,877.36	\$ 23,877	60%	\$ 14,326
33	4.9%	Project Inspection	1	NA	214,896.24	\$ 214,896	60%	\$ 128,938
34	0.5%	Post-Construction / Warranty	1	NA	21,850.04	\$ 21,850	60%	\$ 13,110
35	0.0%		0		-	\$ -	60%	\$ -
36	0.0%		0		-	\$ -	60%	\$ -
	2.4%	<b>Construction Engineering Total</b>				\$ 260,624	60%	\$ 156,374
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	60%	\$ -
38	0.0%		0		-	\$ -	60%	\$ -
39	0.0%		0		-	\$ -	60%	\$ -
40	0.0%		0		-	\$ -	60%	\$ -
41	0.0%		0		-	\$ -	60%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	60%	\$ -
<b>In-eligible Costs</b>								
42	3.0%	Mobilization	1	NA	318,305.00	\$ 318,305	0%	\$ -
43	0.7%	Bonding and Insurance	1	NA	73,455.00	\$ 73,455	0%	\$ -
44	46.8%	Sewer and Street Construction	1	NA	5,038,201.63	\$ 5,038,202	0%	\$ -
45	5.0%	Engineering	1	NA	543,439.00	\$ 543,439	0%	\$ -
46	0.4%	Preconstruction in Excess of Previous Appr	1	NA	43,277.00	\$ 43,277	0%	\$ -
	55.5%	<b>Other Ineligible Total</b>				\$ 6,016,678	0%	\$ -
	99.6%	<b>Total</b>				\$ 10,769,209		
		<b>Eligible Total</b>				\$ 4,752,531	60%	\$ 2,851,519
		<b>Federal or State Funds That Supplant Costs</b>				\$ -		
		<b>Eligible Cost Total</b>				\$ 4,752,531	60%	\$ 2,851,519

pavement and topsoil removal

\* 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 New Town  
**Project Title:** Utility Improvements Phase II  
**Date:** December 26, 2024

**Explanation of Alternatives:**

Do Nothing - This alternative would result in continued deterioration of underground infrastructure, increasing expenses for short-term remedies such as pipeline repairs and street patching.  
 Watermain Open-Cut Replacement (Preferred) - The City is already digging up the road to replace sanitary sewer and storm sewer infrastructure in the project area. Water utilities within the project area will be open-cut and replaced with new 8" C900 PVC pipe, ductile fittings and valves, and new poly services from the main to the boulevard. Hot bituminous pavement will be patched in a 10' wide strip over top of the utilities that are being replaced, where necessary.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$559,400
Future Connections Served	0	Annual CIF Contribution	\$100,000
Current Connections Served	830	Cash Funding Target (Percentage %) New Assets	40%
Net Connections (New + Current)	830	Cash Funding Target (Percentage %) Existing Assets	40%
		Annual CIF Contribution suggested for the Project	\$153,710

	Do Nothing	Watermain Open-Cut Replacement (Preferred)	
Construction Cost	\$0	\$12,328,500	
Annual O & M	\$40,000	\$0	

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Do Nothing	Watermain Open-Cut Replacement (Preferred)	
Capital Costs	\$0	\$12,329,000	
O&M	\$1,109,000	\$0	
Repair, Rehab, Replacement	\$0	\$0	
Salvage Value	\$0	\$0	
<b>Total PVC</b>	<b>\$1,109,000</b>	<b>\$12,329,000</b>	
<b>PV Cost Per User</b>	<b>\$1,336</b>	<b>\$14,854</b>	

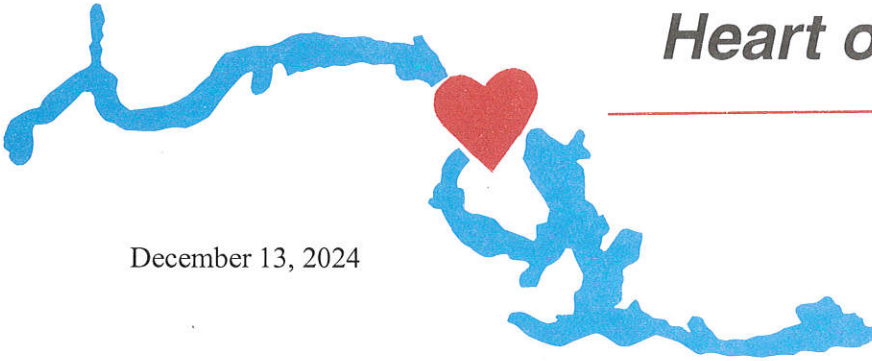
<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$91</b>
<b>Comparable Water Rate</b>	<b>\$48</b>
Net Connections (New + Current)	830
Cost-Share Percent	60%
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>
Local Share	\$0
Other Funding	\$0
Total Local	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "Watermain Open-Cut Replacement" option. The present value cost of the preferred alternative is \$12,329,000 and the presented alternative for comparison is "Do Nothing" at a present value cost of \$1,109,000. The present value cost per user for the preferred alternative is \$14,854. The monthly user cost of the local share with DWR 60% cost-share participation is \$30.06 per month and \$75.15 without DWR participation based upon 830 current user connections.

ND Dept. of Commerce Population & Trends	Year		Annual Population Growth Rate	Average Annual Population Increase/Decrease
	2010	2023		
	2,768	2,725	-0.1%	-3

The economic model appears to have functioned properly. The results are deemed to be reliable and repeatable with the inputs provided by the project sponsor.



## Heart of Lake Sakakawea

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December 13, 2024

City of New Town  
P.O. Box 309  
New Town, North Dakota 58763  
Phone: (701) 627-4812

Department of Water Resources  
Governor Doug Burgum  
1200 Memorial Highway  
Bismarck ND 58504

**Re: SWC Project No. 2050-NEW  
New Town Utility Improvements – Phase II Project  
Construction Cost-Share Request**

Governor Burgum:

The City of New Town is pleased to submit the New Town Utility Improvements Phase II construction cost-share request for consideration at the upcoming February 11, 2024 State Water Commission meeting.

This project aims to address several critical issues. The existing 70-year-old mains are outdated and have been subject to numerous patches due to frequent failures. These mains are failing at an increasingly regular rate, leading to concerns about service interruptions, escalating repair costs, and potential water contamination. The project will replace the old mains with new PVC pipes. In addition, we plan to increase to 8-inch mains, which will increase capacity and support the City's anticipated future growth.

We appreciate your considering New Town's construction cost-share request and the opportunity to present our project. We look forward to working with the North Dakota Department of Water Resources on potential funding assistance for this important project.

Sincerely,

**City of New Town**

Jay Standish  
Mayor

c: Jason Strand, PE, AE2S



Regular City Council Meeting  
Council Room  
Wednesday November 20, 2024  
5:00 PM

Members Present: Mayor Jay Standish, Council Members: Frank Sillitti, Nathaniel Mayer, Doug Bratvold arrived 5:12, Jesse Baker arrived 5:05, Others present: Bill Woods, Eileen Zaun, Troy White Owl, Scott Andersen, John Degroot, Prescott Barnes, Suzie Hayden, Jimmy Bolen, Derek Marsh, Laurie Giffey, Lisa Thelen, Bobbie Mitchell. Per Teams: Patrick Samson, Cal Oldenburg, Jason Strand.

Meeting called to order: 5:00 PM

Motion by Sillitti, seconded by Mayer to approve the Agenda.

2 Voting Aye: Motion Carried

Absent: Bratvold, Baker

### 1. Minutes:

Motion by Mayer, seconded by Sillitti to approve the Regular City Council Minutes from Wednesday October 17, 2024.

2 Voting Aye: Motion Carried

Absent: Bratvold, Baker

Motion by Sillitti, seconded by Mayer to approve the Special City Council Minutes from Thursday October 31, 2024.

2 Voting Aye: Motion Carried

Absent: Bratvold, Baker

### 2. Financials:

Motion by Mayer, seconded by Sillitti to approve the Financials and Bill Set as presented. Council Bills totaling \$1,022,164.85.

Voting Aye: Mayer, Sillitti

Absent: Bratvold, Baker: Motion Carried

**1<sup>st</sup> Month Bills:** CK#45104 D.L. Barkie Construction \$25,000.00, CK#45105 Family Support Payment Center \$793.38, CK#45106 Lowes Printing \$715.40, CK#45107 MWEC \$1,007,979.01, CK#45108 ND Child Support \$1,624.62, CK#45109 Prairie View Landscaping \$1,500.00, CK#45110 RTC \$2,763.00, CK#45111 Vestis \$2,383.88, CK#45112 Western Dakota Energy \$4,000.00, CK#45113 William Woods \$3,500.00. Total \$150,259.29. **Council Bills:** CK#45121 Ackerman/Estvold \$80,553.22, CK#45122 AE2S \$105,522.71, CK#45123 Aire-Master \$825.00, CK#45124 Void, CK#45125 Armor Interactive \$3,377.54, CK#45126 Kimberly Blue \$51.04, CK#45127 Geri Bratvold \$95.43, CK#45128 CEI Electrical \$4,217.07, CK#45129 CEI Electrical \$4,217.07, CK#45130 CEI Electrical \$168,000.00, CK#45131 Cenex Fleet \$122.60, CK#45132 Central Square \$8,359.32, CK#45133 Core & Main \$1,417.16, CK#45134 Elan Financial \$5,861.24, CK#45135 Electronic Communication \$8,409.00, CK#45136 First District Health \$90.00, CK#45137 Flowpoint Enviro. \$319.32, CK#45138 Furuseth Law \$1,000.00, CK#45139 Gaffaneys \$2,912.41, CK#45140 Graymont \$18,053.72, CK#45141 HA Thompson \$510.00, CK#45142 Hawkins \$5,079.91, CK#45143 J. Herbel \$354.95, CK#45144 Information Tech. \$334.85, CK#45145 Lowes Printing \$289.45, CK#45146 Rebecca Lyson \$125.00, CK#45147 Menards \$1,649.45, CK#45148 Bobbi Mitchell \$149.98, CK#45149 MC Promoter \$433.98, CK#45150 MC Treasurer \$3,000.00, CK#45151 MVTL \$153.00, CK#45152 NAPA \$4,073.28, CK#45153 Jack & Jill \$223.59, CK#45154 NT

Fire Department \$5,012.00, CK#45155 Northern Testing \$675.00, CK#45156 One Call \$87.85, CK#45157 Post Board \$270.00, CK#45158 Satermo's \$303.42, CK#45159 Shane Goettle \$2,680.00, CK#45160 Slawson Exploration \$157.58, CK#45161 United Quality \$7,339.61, CK#45162 Upper Missouri District Health \$175.00, CK#45163 VISA \$403.83, CK#45164 VISA \$1,271.18, CK#45165 Wagner Construction \$481,626.61, CK#45166 Abdellah \$222.31, CK#45167 Jimmy Bolen \$490.00, CK#45168 Minot Plumbing \$325.00, CK#45169 Legacy Post \$91,834.25. **Total:** \$1,022,164.85.

**3. Cemetery Fence – Jodi Finley**, We will come back to this. Finley not present.  
Baker arrived at 5:05 PM

**4. Ordinance relating to the rates city council/other cities averages:**

Discussion: What are other cities with similar populations paying their mayors and council members? Currently, our Mayor receives \$650.00 for Regular City Council and \$100.00 for every Special Council Meeting. The Council Members respectively receive \$350.00 and \$100.00. Motion by Mayer, seconded by Baker to approve NT City Mayor a flat monthly payment of \$700.00, no matter how many meetings are held. NT City Council Members will receive a flat monthly payment of \$400.00 no matter how many meetings are held. Yearly bonuses of \$1,000.00 shall remain the same.

Voting Aye: Mayer, Baker, Sillitti  
Absent: Bratvold: Motion Carried

**5. Resolution Load Restrictions:**

Bratvold arrived at 5:12 PM

Motion by Mayer, seconded by Sillitti to Amend the City's previous resolution, to properly interpret the enforcement of the Truck Route requirements and Load Restrictions of New Town, ND.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. There shall be a designated Truck Route, as defined in Section 7.0308 of the City Code.
2. Any truck that fails to use the designated Truck Route shall have violated such ordinance and shall be subject to penalties as set forth under Section 7.0305 of the City Code.
3. It shall be prima facia evidence of a violation for a truck to enter unto Main Street either East bound or West bound, and having passed thru both traffic lights maintained at the intersections of Main Street and College Drive and Main Street and West Avenue, without stopping to conduct business, make repairs, being officially detoured, or having stopped to load or unload cargo.

**IT IS FURTHER RESOLVED** that Load Limit Restrictions on all hard surface roads are set at six (6) ton per axel, with a maximum of Thirty Thousand pounds, (30,000 lbs.). Trucks traveling within the City of New Town are subject to being weighed under authority of Section 7.0304 of the City Code. Any trucks violating the truck route ordinance and regulations for overweight vehicles, as set at six (6) ton per axel, with a maximum of Thirty Thousand pounds, (30,000 lbs.), shall be subject to being weighed and if found to have exceeded the load restrictions, said truck may be impounded, assessed storage charges, costs of any court action, and additional charges as assessed under NDCC 39-12-17.

**IT IS FURTHER RESOLVED** that the following streets are designated as the City Delivery Routes: 1. North Dakota Highway #23 – between College Ave. and West Avenue.  
2. West Avenue.

Trucks may use these streets provided such trucks do not exceed maximum weight limitations of One Hundred and Five Thousand Five Hundred pounds (105,500 lbs.). Use is limited to trucks with a

destination point within the official city limits, for the sole purpose of stopping to load or unload their cargo, or part of their cargo. Upon completion of said loading or unloading, the truck shall leave the official city limits by way of the nearest intersection. Any trucks transporting to or delivering or picking up cargo at locations outside the official city limits, may not use the City Delivery Routes.

All Voting Aye: Motion Carried

### **3. Jodi Finley: Cemetery Fence**

Finley hit the cemetery fence with her pickup and damaged it on February 8, 2024. Finley said her insurance had lapsed and could not turn it into insurance, but she stated she would pay for the repairs. The City had the fence repaired by Security Fence and billed Finley. She was given 4 notices to pay. After the final notice, she called Councilman Mayer, and he suggested to ask to be put on the City Council Agenda. Finley did not contact the City that she had an estimate from James Koenig for \$625.00 until she came to this council meeting. Finley is now disputing the bill and the amount of damage she did. Councilman Mayer said it was an “accident”, and the roads should have been sanded so she shouldn’t have to pay for it. Police Chief White Owl had taken pictures of the accident. The pictures showed that the road had been sanded. Finley asked the council to only charge her for the estimate she received.

Motion by Bratvold seconded by Sillitti (with discussion) to approve Finley to pay \$625.00 for the fence repair under the condition she bring in the estimate. Motion failed.

Motion by Bratvold, seconded by Sillitti to approve Finley to pay \$625.00 for the fence repair under the condition she brings in the estimate. Discussion: Why was there only 1 bid? Andersen said it is hard to get contractors, and we have worked with Security Fence in the past and it needed to get done.

Voting Aye: Bratvold, Baker, Sillitti

Voting Nay: Maye: Motion Carried

### **6. Resolution To Annex Territory into the City of New Town, (New Golf Course)**

Motion by Mayer, seconded by Baker to approve the following real property be hereby annexed into the City of New Town, pursuant to Chapter 40-51.2-07 of the North Dakota Century Code: Mountrail County, North Dakota Township 152N., Range 92 W.

Section 18: NW1/4SE1/4; NE1/4SW1/4 less 2.50 acre tract; 5 acre tract in Gov’t Lot 3; West 5.62 acres of the NE1/4SE1/4, less .21 acre tract and Right of way.

Section 18: Outlot 1 of Olson’s 2<sup>nd</sup> Addition of the SW1/4NE1/4. Section 19: Outlot 1 of the NE1/4NE1/4 (4.81 acres).

All Voting Aye: Motion Carried

Schedule for a public hearing December 18, 2024.

### **7. City Foreman: Andersen**

The new 2024 Dodge Ram 3500 has been detailed with the City logo and the sander loaded. We have already used it. There is plenty of salt/sand mix. We’ve been working on machinery in the shop, making sure everything is working properly for winter.

### **8. Water Plant Update: Oldenburg**

1). We have dug up and repaired 8 curb stops.

2). Lead & Copper Rule – Unknown letters sent out. We are compliant with the State. We will have to send letters annually to the homes that are unknown pipes. Waiting on State for next stage of funding.

3). Waste Water – Might be starting a discharge within the next month.

#### **9. AE2S: Strand**

Motion by Sillitti, seconded by Baker to approve the Work Change Directive/Work Order #7 from Wagner Construction at \$61,280.59. The Work Change Directive #1 from Wagner Construction Wagner had College Drive as part of the project, but they did not have to dig it up, so that is a cost savings of \$51,369.40, bringing the final cost at \$9,911.19.

Voting Aye: Sillitti, Baker, Mayer, Bratvold: Motion Carried

We need council approval to apply for State Water Commission funding for the New Town Phase 2 Street & Utility Improvements.

Motion by Baker second Bratvold to approve applying for the State Water Commission funding for the New Town Phase 2 Street & Utilities Project.

All Voting Aye: Motion Carried.

#### **10. Ackerman – Estvold: Samson**

1). Sanitary Sewer to Elbowoods: The mandrel test passed, and construction is complete. The notice of substantial completion was issued with the warranty period beginning on 10/23/24.

2). TAP – Shared Use Path from Edgewater to United Quality: Coordination and final location of the vault toilet is needed. No light will be installed. The environmental document has been approved.

Council action:

Motion by Sillitti, seconded by Bratvold to authorize Mayor Standish to sign easement agreements for the Shared Use Path.

All Voting Aye: Motion Carried

3). Elbowoods meter: Waiting for a response from MHA, Kemper is looking to order parts in case price increases after the end of the year.

4). 2025 Street Improvement Project: Topographic survey on West Central has been completed. Contract for engineering services is attached. Construction to be completed before the 2025 school year.

Motion by Mayer, seconded by Baker to approve the total fees of \$120,000 for design and construction services for the 2025 Street improvement project. (15% of the estimated \$800,000 project cost).

Voting Aye: Mayer, Baker, Sillitti, Bratvold

Motion Carried

The design to be completed in January and the Bid opening in February. Billing for design services completed in 2024 will be held until January.

#### **11. Police Report: White Owl**

1). Grants: Work continues with the EOC to get grants for vehicle equipment. An LE Overtime Grant award should be finalized for the Mayor to sign in the next few days.

2). Policy manual: I will be providing another grouping of policies for review in the coming days.

3). Patrol vehicles: Still looking at funding options to replace an older vehicle due to transmission.

4). Training: Officer Kisner is still attending Academy training and is due to graduate in December. Bolen is going to Omaha NE for training with the new K-9, funds covered by the sale of K-9 Yuna.

5). Miscellaneous: Met with CEI, RTC and Armor to prepare for move to Northern Lights and discussed with Councilman Mayer regarding changing the locks to the offices in January. We will utilize prior approval purchase for Axon car camera system. Previous approval for \$37,791.00 and utilize for \$12,253.44 and first January 2025 installment of \$21,006.32

**Calls for Service:** 636

**12. Building Permits:**

Motion by Baker, seconded by Mayer to approve Geraldine Bratvold at 307 6<sup>th</sup> St N, re-shingle roof.

All Voting Aye: Motion Carried

Motion by Bratvold, seconded by Sillitti to approve North Segment at 348 Main St, re-shingle roof.

All Voting Aye: Motion Carried

Motion by Mayer, seconded by Bratvold to approve Elbowoods Regenerative Medicine Clinic at 804 Arikara Dr., Rough Mass Grading.

All Voting Aye: Motion Carried

Motion by Baker, seconded by Bratvold to approve Josy Dancing Bull at 426 4<sup>th</sup> St N, wood fence.

All Voting Aye: Motion Carried

Motion by Bratvold, seconded by Baker to approve Gustavo Saldana at 434 Eagle Dr., replace roof.

All Voting Aye: Motion Carried

Motion by Sillitti, seconded by Bratvold to approve Paul Grady at 406 4<sup>th</sup> St N, metal roof.

All Voting Aye: Motion Carried

**Council Concerns:**

**13. School's bill from Wagner, extra work they did for the school not in the contract.**

A memorandum was given to the NT Schools from AE2S discussing the construction costs for installing storm sewer during the 2023 Street & Utilities project in the amount of \$1,241,146.50. The School requested additional water and sewer utilities for the New Town school housing project on the south side of Eagle Drive. The additional work request was not in the original project. The amount of the additional work is \$18,196.00. The City sent out both bills to the School. The School sent a check for \$1,000,000.00 for the projects. Councilman Bratvold said he told the School Board not to pay for the additional costs. He says the School offered 1 Million and nothing more. He also said that the new School housing work was a part of the original agreement. The remaining amount due is \$259,342.50. Councilman Bratvold was adamant the School should only pay 1 million. Much discussion.

Meeting adjourned: 7:20PM


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Jay Standish, Mayor

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Lisa Thelen, Office Clerk

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – Western Area Water Supply  
McKenzie County Water Resource District Phase 2 Transmission Line  
**DATE:** January 30, 2025

***Background & Description***

The Western Area Water Supply Authority (WAWSA) is requesting a construction cost-share increase for their McKenzie County Water Resource District Phase 2 Transmission Line (Project). The Project is installation of approximately 4.4 miles of water transmission pipeline between the Williston Water Treatment Plant and the Lewis and Clark pump station southwest of Williston. Construction has been delayed pending US Army Corps of Engineers approval and WAWSA now requests additional cost-share as a result of interim cost increases. The Project is located in McKenzie County.

***Supplemental Information***

Water Development Plan/Priority	2023/High
New / Future / Current Users	0 / 300 / 1,799
Present Value Cost Per User (Preferred Alternative)	\$11,176
Rate / 5,000-Gallons	\$82
Comparable Rate / 5,000-Gallons	\$47

***Schedule***

Task	Dates
Study	Oct. 2021
Design	Aug. 2022
Bid	Dec. 2024
Construction	May 2025
Completion	Oct. 2026

***Cost-Share Funding Summary MCWRD Phase 2 Transmission Line***

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$579,700	\$0	\$579,700		
Eligible Cost	\$0	\$19,531,604	\$19,531,604		
Total	\$579,700	\$19,531,604	\$20,111,304		
Cost-Share 50%	\$0	<b>\$9,765,802</b>	\$9,765,802	\$6,422,000 (10/13/22)	<b>\$3,343,802</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of the request from the Western Area Water Supply Authority for additional state cost-share participation in the McKenzie County Water Resource District Phase 2 Transmission Line project in the amount of \$3,343,802, or 50 percent of eligible costs, with total cost-share not to exceed \$9,765,802. This approval is contingent on available funding.**

RH:jsp:ln/1973

**Water Development Plan: Yes (2023)**  
**Plan Priority: High**

# 1084520 - WAWSA MCWRD Phase II Transmission Line - Increase

## Application Details

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<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 23, 2024 10:42 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Abby Ritz
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

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### Primary Contact Information

**Active User\*:** Yes

**Type:** External User

**Name:** Salutation Abby  
First Name

Middle Name Ritz  
Last Name

**Title:**

**Email\*:** abby.ritz@ae2s.com

**Address\*:** 1815 Schafer Street, Suite 301

### Organization Information

**Status\*:** Approved

**Name\*:** Western Area Water Supply Authority

**Organization Type\*:** Municipal Government

**Tax Id:** 45-2909916

**Organization Website:**

**Address\*:** PO Box 2343



AE2S

Bismarck North Dakota  
City State/Province

Williston North Dakota  
City State/Province

58501  
Postal Code/Zip

58802-2343  
Postal Code/Zip

**Phone\*:** 701-221-0530 Ext.  
Phone  
###-###-####

**Phone\*:** (701) 774-6605 Ext.  
###-###-####

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

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

**Comments:**

**Vendor ID:**

**PeopleSoft  
Supplier ID:**

**Comments:**

**Location  
Code:**

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** MCWRD Phase II Transmission Line

**Sponsor(s)\*:** Western Area Water Supply Authority

**County\*:** McKenzie

**City\*:** Watford City

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:**

**If Project/Program, What Type:** Rural Water Supply

**Jurisdictions/Stakeholders Involved\*:**

WAWSA, City of Williston, McKenzie County Water Resource District, Northwest Rural Water District, R&T Water District, BDW Rural Water

**Describe the Problem\*:**

Water demands in McKenzie County continue to expand with population growth, commercial and industrial water demand growth, and as agricultural producers look for reliable water supplies. The existing system has a maximum delivery capacity of 7.5 million gallons per day. If current water use and growth patterns continue going forward, water demands in McKenzie County are projected to exceed the capacity of the existing water delivery system in McKenzie County by 2030.

Need for Increase: The Project mainly traverses United States Army Corps of Engineers (USACE) property. The Project was anticipated to have the USACE permit in hand by the end of year 2022 or first quarter 2023. Through 2023 and 2024, WAWSA/MCWRD have been given multiple different dates from the USACE as to when the Project would be permitted. The easement and construction permit from the USACE were received and fully signed by all parties at the end of September 2024.

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

The purpose of the proposed project is to provide McKenzie County with a supplemental water delivery system through the construction of a parallel pipeline from the Williston Water Treatment Plant to the Lewis and Clark Pump Station in McKenzie County. This project is the first phase of a planned multi-phase expansion of the water delivery system to Watford City. During the initial years of the Bakken oil boom, a Minot State University study predicted a service population for McKenzie County of 4,500 residents by 2035. Today's estimated service population is over 15,000. WAWSA and the McKenzie County Water Resource District have made system improvements to expand delivery capacity in the County, however, even with these improvements, the capacity of the current system is expected to be exceeded by 2030 if population and water demand growth patterns continue.

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?\*** 35000

**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?\*** Yes

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

USACE Easement No. DAWC45-2-12-8010  
 Regulatory Permit No. NWO-2021-00753-BIS  
 TEMPORARY CONSTRUCTION LICENSE NO. DACW45-3-24-8031

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

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

USACE Easement No. DAWC45-2-12-8010  
 Regulatory Permit No. NWO-2021-00753-BIS  
 TEMPORARY CONSTRUCTION LICENSE NO. DACW45-3-24-8031

**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\*:** 10/2021  
**Design Completion\*:** 08/2022  
**Bid\*:** 12/2024  
**Construction Start\*:** 05/2025  
**Construction Completion\*:** 10/2026

**Explain Additional Timeline Issues\*:**

Project timeline was delayed due to permitting. Now that we have an approved permit, we do not anticipate any additional timeline issues.

**Consulting Engineer\*:** Weston McGruder  
**Engineer Telephone Number\*:** 701-774-3080  
**Engineer Email\*:** Weston.McGruder@ae2s.com

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

**Submitted by\*:** Chris Barke 12/23/2024  
First Name Last Name Date  
**Address\*:** 1117 E. Broadway  
Address Line 1  
Address Line 2  
 Williston North Dakota 58801-0000  
City State Zip Code  
**Telephone Number\*:** 701-774-6605  
**Sponsor Email\*:** chris.barke@wawsp.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\*:** Chris Barke 12/23/2024

First Name Last Name Date

**Title/Position/Authority\*:** Interim Executive Director

## Documentation

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### *Documentation*

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

CLICK HERE to see examples.

**Project Specific Map** 03\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_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:** 02\_WAWSA\_Draft\_Meeting\_Minutes.pdf

**Cover Letter:**

01\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_Construction\_Increase\_Funding\_Request\_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:**

04\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_Delineation\_of\_Cost.xlsx

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** 08\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_PlansandSpecs.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:**

06\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_Life\_Cycle\_Cost\_Analysis\_Worksheet.xlsx

CLICK HERE for **SFN 62417 Basic Asset Inventory Tool and Current Version.**

**Asset Inventory Assessment:** WAWSA\_sfn\_62417\_basic\_asset\_inventory\_tool.xlsx

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

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

**Sovereign Land Permit, if Required:**

**DWR Construction Permit, if Required:**

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

**Feasibility/Engineering Study for the Proposed Project:** No

**Photos of Problem/Issue:**

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

**Other Applicable Document(s):** Yes

**Other Applicable Document:** 05\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_Bid\_Tab.pdf

**Other Applicable Document:**  
10\_WAWSA\_MCWRD\_Phase\_II\_Transmission\_USACE\_Easement\_\_Permit.pdf

**Other Applicable Document:**

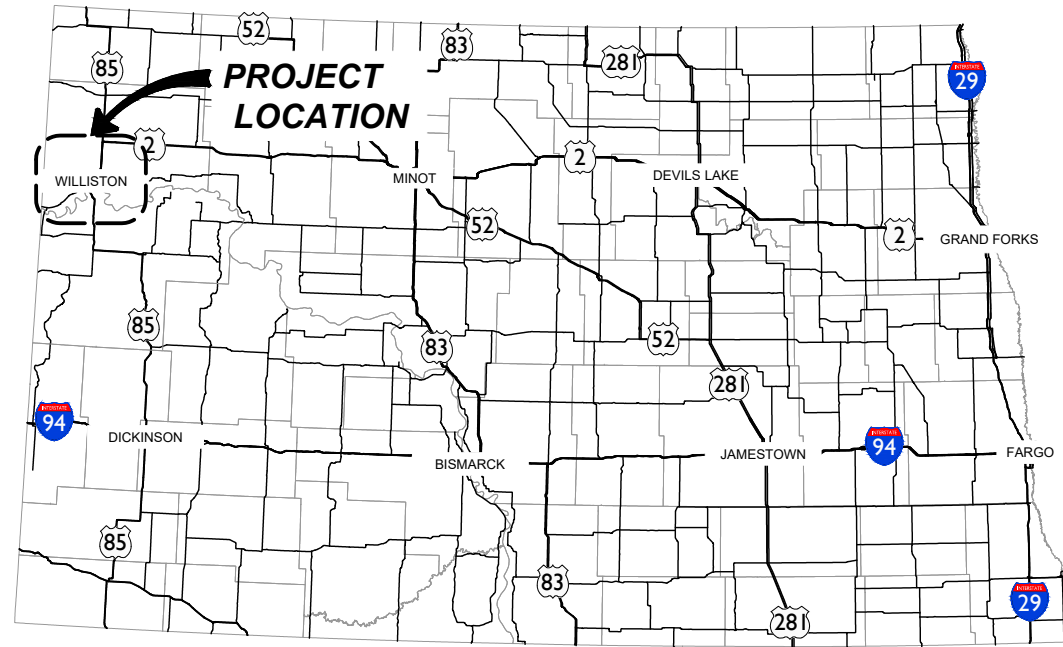
## Sources

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

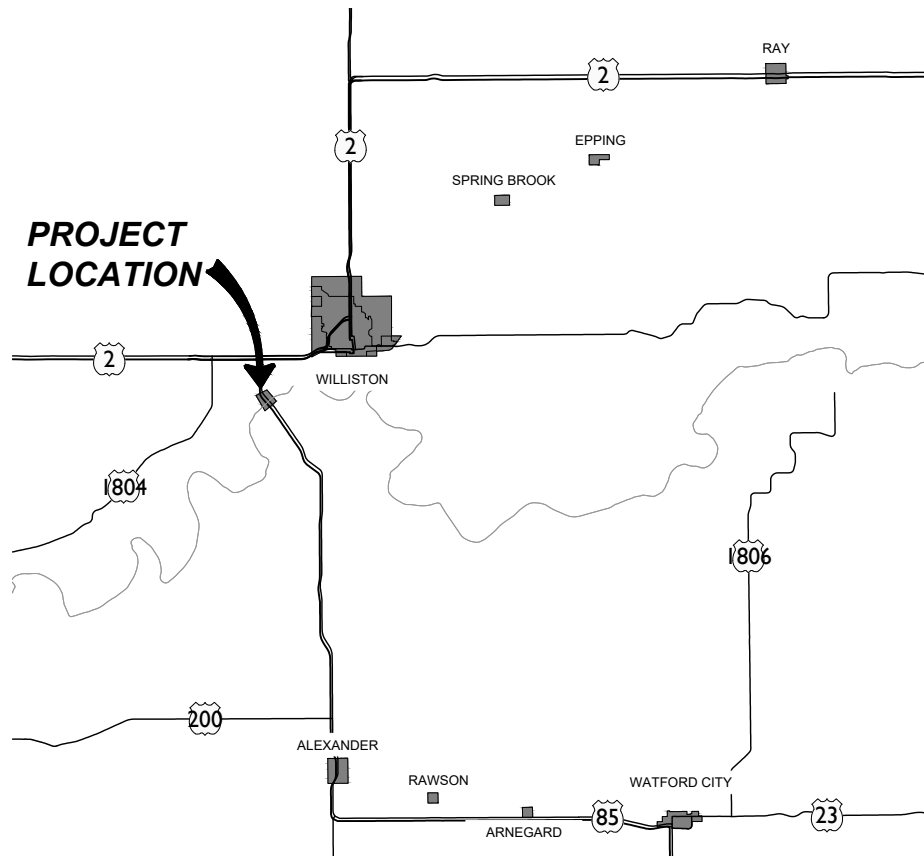
Source	If Other, Specify Funding Source	Status	State Fiscal Year			Total Cost	Type	Term	Interest Rate
			1 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium				
Department of Water Resources Cost Share Construction		Already Approved	\$0.00	\$0.00	\$6,422,000.00	\$6,422,000.00		0.00	0.00
Department		Current	\$0.00	\$0.00	\$3,343,802.00	\$3,343,802.00		0.00	0.00



of Water	Request						
Resources							
Cost Share							
Construction							
Other	MCWRD	\$0.00	\$264,850.00	\$10,080,652.00	\$10,345,502.00	0.00	0.00
	Cash						
		<b>\$0.00</b>	<b>\$264,850.00</b>	<b>\$19,846,454.00</b>	<b>\$20,111,304.00</b>		



**1 LOCATION MAP**  
 62 NOT TO SCALE



**2 VICINITY MAP**  
 62 NOT TO SCALE



**3 PROJECT MAP**  
 62 NOT TO SCALE



SYMBOL	DATE	DESCRIPTION	APPROVED



PHASE II TRANSMISSION MAIN  
 WILLISTON REGIONAL WTP TO L&C PUMP STATION  
 WILLISTON, NORTH DAKOTA  
 LOCATION MAP

DRAWING TYPE	FINAL
PREPARED BY	JS
CHECKED / APPROVED	CC / BM
DATE	NOV 2024
PROJECT NUMBER	00577-2020-001
SHEET	2 of 8
DRAWING	G2





**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61901 (7/2024)

DWR Date Received : December 24, 2024

<b>Project:</b>	WAWSA - MCWRD Phase II Transmission Main
<b>Sponsor:</b>	Western Area Water Supply Authority
<b>Contact:</b>	Chris Barke, Intern Executive Director
<b>Phone:</b>	701-774-6605
<b>Engineer:</b>	Cory Chorne, Advanced Engineering and Environmental Services
<b>Phone:</b>	701-221-0530

<b>Total Cost :</b>	\$ 20,111,304
<b>Ineligible Cost :</b>	\$ 579,700
<b>Eligible Cost :</b>	\$ 19,531,604
<b>Local Cost :</b>	\$ 10,345,502

**Date:** December 19, 2024

	<b>Cost-Share \$</b>
	\$ 9,765,802
<b>Preconstruction :</b>	\$ -
<b>Construction :</b>	\$ 9,765,802

<b>Project Type:</b>	<b>Cost-share %</b>
Other (50%)	50%

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	7.0%	Mobilization	1	LS	1,350,000.00	\$ 1,350,000	50%	\$ 675,000
2	1.2%	Bonding	1	LS	225,000.00	\$ 225,000	50%	\$ 112,500
3	1.2%	Insurance	1	LS	225,000.00	\$ 225,000	50%	\$ 112,500
4	37.1%	Water Main 30 in	14500	LF	491.00	\$ 7,119,500	50%	\$ 3,559,750
5	31.2%	Boring - Poly	8100	LF	739.90	\$ 5,993,190	50%	\$ 2,996,595
6	2.0%	Boring - Cased	350	LF	1,101.25	\$ 385,438	50%	\$ 192,719
7	2.6%	Boring - Cased Railroad	350	LF	1,416.25	\$ 495,688	50%	\$ 247,844
8	0.8%	Detailed Tie-In	2	EA	72,500.00	\$ 145,000	50%	\$ 72,500
9	1.4%	Pump Station	1	LS	260,000.00	\$ 260,000	50%	\$ 130,000
10	1.7%	Gate Valve	6	EA	53,750.00	\$ 322,500	50%	\$ 161,250
11	2.8%	Fittings	18	EA	29,444.44	\$ 530,000	50%	\$ 265,000
12	0.5%	Air Release Valve	2	EA	48,000.00	\$ 96,000	50%	\$ 48,000
13	0.5%	Hydrant	3	EA	34,000.00	\$ 102,000	50%	\$ 51,000
14	0.5%	Seeding	43	AC	2,070.00	\$ 89,010	50%	\$ 44,505
15	0.5%	Erosion Control	1	LS	92,250.00	\$ 92,250	50%	\$ 46,125
16	0.1%	Stie Access Gate	2	EA	5,000.00	\$ 10,000	50%	\$ 5,000
17	0.0%		0		-	\$ -	50%	\$ -
18	0.0%		0		-	\$ -	50%	\$ -
19	0.0%		0		-	\$ -	50%	\$ -
20	0.0%		0		-	\$ -	50%	\$ -
21	0.0%		0		-	\$ -	50%	\$ -
22	0.0%		0		-	\$ -	50%	\$ -
23	0.0%		0		-	\$ -	50%	\$ -
24	0.0%		0		-	\$ -	50%	\$ -
25	0.0%		0		-	\$ -	50%	\$ -
26	0.0%		0		-	\$ -	50%	\$ -
		<b>Construction Sub-Total</b>				\$ 17,440,575	50%	\$ 8,720,287
	10.0%	<b>Contingency</b>				\$ 1,744,057	50%	\$ 872,029
	95.4%	<b>Construction Total</b>				\$ 19,184,632	50%	\$ 9,592,316
<b>Preconstruction Costs</b>								
27	0.7%	Preliminary Design	1	LS	135,000.00	\$ 135,000	50%	\$ 67,500
28	1.2%	Final Design	1	LS	232,000.00	\$ 232,000	50%	\$ 116,000
29	0.2%	Bidding / Negotiations	1	LS	29,000.00	\$ 29,000	50%	\$ 14,500
30	0.7%	USACE Permitting	1	LS	133,700.00	\$ 133,700	50%	\$ 66,850
31	0.0%	Preconstruction costs moved to Ineligible	1	LS	(529,700.00)	\$ (529,700)	50%	\$ (264,850)
	0.0%	<b>Preconstruction Total</b>				\$ -	50%	\$ -
<b>Construction Engineering Costs</b>								
32	1.3%	Construction Contract Management	1	LS	248,000.00	\$ 248,000	50%	\$ 124,000
33	4.7%	Project Inspection	1	LS	898,000.00	\$ 898,000	50%	\$ 449,000
34	0.4%	Post-Construction / Warranty	1	LS	73,000.00	\$ 73,000	50%	\$ 36,500
35	0.0%		0		-	\$ -	50%	\$ -
36	0.0%		0		-	\$ -	50%	\$ -
	6.1%	<b>Construction Engineering Total</b>				\$ 1,219,000	50%	\$ 609,500
<b>Other Eligible Costs</b>								
37	0.0%	5% Contingency	1		(872,028.50)	\$ (872,029)	50%	\$ (436,014)
38	0.0%		0		-	\$ -	50%	\$ -
39	0.0%		0		-	\$ -	50%	\$ -
40	0.0%		0		-	\$ -	50%	\$ -
41	0.0%		0		-	\$ -	50%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ (872,029)	50%	\$ (436,014)
<b>In-eligible Costs</b>								
42	0.1%	Easement (Water Supply - Payment to Landow)	1	LS	15,000.00	\$ 15,000	0%	\$ -
43	0.2%	Permits Related	1	LS	35,000.00	\$ 35,000	0%	\$ -
44	2.6%	Preconstruction costs moved to Ineligible	1	LS	529,700.00	\$ 529,700	0%	\$ -
45	0.0%				-	\$ -	0%	\$ -
	2.9%	<b>Other Ineligible Total</b>				\$ 579,700	0%	\$ -
104.3%		<b>Total</b>				\$ 20,111,304		
		<b>Eligible Total</b>				\$ 19,531,604	50%	\$ 9,765,802
<b>Federal or State Funds That Supplant Costs</b>								
						\$ -		
		<b>Eligible Cost Total</b>				\$ 19,531,604	50%	\$ 9,765,802

\* 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:** Western Area Water Supply Authority (WAWSA)  
**Project Title:** WAWSA-MCWRD Phase II Transmission

**Date:** December 27, 2024

**Explanation of Alternatives:**

McKenzie County Water Resource District (MCWRD) Phase 2 Transmission Line (Preferred) - There is an existing 20-inch fused waterline (FPVC) that acts as the only water supply source to MCWRD and MCWRD's bulk users Watford City and Arnegard. The proposed project would install a 24-inch FPVC or 30-inch HDPE pipeline for additional capacity and long term sustainable of water service to McKenzie County, ND. The proposed pipeline would help meet projected water needs for constituents who have expressed interest in subscribing.

Do Nothing - Would provide no redundancy and result in water capacity issues in the future.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$20,260,000
Future Connections Served	300	Annual CIF Contribution	\$3,000,000
Current Connections Served	1799	Cash Funding Target (Percentage %) New Assets	25%
Net Connections (New + Current)	1799	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$62,963

	WAWSA-MCWRD Phase	Do Nothing		
Construction Cost	\$20,111,300	\$0		
Annual O & M	\$0	\$0		

**Details:**

--

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	WAWSA-MCWRD Phase	Do Nothing		
Capital Costs	\$19,843,000	\$0		
O&M	\$0	\$0		
Repair, Rehab, Replacement	\$352,000	\$0		
Salvage Value	\$89,000	\$0		
<b>Total PVC</b>	<b>\$20,106,000</b>	<b>\$0</b>		
<b>PV Cost Per User</b>	<b>\$11,176</b>	<b>\$0</b>		

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$82</b>		
<b>Comparable Water Rate</b>	<b>\$78</b>		
Net Connections (New + Current)	1,799	1,799	
Cost-Share Percent	50%	50%	
Local Share	\$9,921,500	\$0	
Other Funding	\$0	\$0	
Total Local	\$9,921,500	\$0	
<b>Payment Per User With Cost-Share</b>	<b>\$27.90</b>	<b>\$0.00</b>	
Local Share	\$19,843,000	\$0	
Other Funding	\$0	\$0	
Total Local	\$19,843,000	\$0	
<b>Payment Per User Without Cost-Share</b>	<b>\$55.80</b>	<b>\$0.00</b>	

**Explanation of Results:**

The sponsor's preferred project is the "MCWRD Phase 2 Transmission Line" option. The present value cost of the preferred alternative is \$20,106,000 and \$0 for the "Do Nothing" alternative for comparison. The present value cost per user for the preferred alternative is \$11,176. The monthly user cost of the local share with DWR 50% cost-share participation is \$27.90 per month and \$55.80 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.  
 LCCA Version Version 1.2024.04.18



December 19, 2024

Ms. Andrea Travnicek, Ph. D., Director  
North Dakota Department of Water Resources  
1200 Memorial Highway  
Bismarck ND 58504-5262

**Re: Western Area Water Supply Authority (WAWSA)  
McKenize County Water Resource District (MCWRD)  
Phase II Transmission Line Construction Increase Cost Share Request**

Dear Dr. Travnicek:

Over the past decade, WAWSA and its member entities have successfully used North Dakota Department of Water Resources (DWR) cost share funding to bring rural water service to over 2,500 new rural customers. Building on this success, the McKenzie County Water Resource District (MCWRD) is requesting cost share funding for the Regional Water Service Phase II Transmission Line Project (Project). This Project will provide MCWRD with a supplemental pipeline to convey Missouri River water for the domestic, agricultural, and commercial water needs in the County.

A second transmission pipeline across the Missouri River is essential to ensuring a reliable water service to McKenzie County. Water demands in McKenzie County are projected to exceed the capacity of the existing water delivery system in McKenzie County by 2030. This Project is the first phase of a planned multi-phase expansion of the water delivery system in McKenzie County to ensure the water supply capacity stays ahead of demand.

The Project's design phase has been funded 100% by MCWRD. The construction phase funding was requested in October 2022 and approved at a 50/50 grant to local split equal to \$6,422,000.00. The Project mainly traverses United States Army Corps of Engineers (USACE) property. The Project was anticipated to have the USACE permit in hand by the end of year 2022 or first quarter 2023. Through 2023 and 2024, WAWSA/MCWRD have been given multiple different dates from the USACE as to when the Project would be permitted. The Project received environmental concurrence from the USACE in April of 2024. The easement and construction permit from the USACE were received and fully signed by all parties at the end of September 2024. The Project held a bid opening December 12, 2024. Because of the permitting lag and construction inflation costs seen over the last two years, **WAWSA-MCWRD are requesting approval of a construction cost increase of 50 percent of eligible increased construction project costs equal to \$3,343,802.**

Thank you very much for your assistance with this important project for northwest North Dakota. If you have any questions, please do not hesitate to contact me at 701-774-6605 or Cory Chorne with Advanced Engineering and Environmental Services, LLC. at 701-221-0530.

Respectfully submitted,

A handwritten signature in blue ink that reads "Chris Barke".

Chris Barke, Interim Executive Director  
WAWSA

**Western Area Water Supply Authority  
Board of Directors Meeting  
WAWSA Office December 19, 2024**

**Attendees**

Members Present: Doug Anderson, Ellis Haake, Ward Koeser, and Larry Novak

Members Present via Video: Matt Beard, Kent Bickler, Raoul Brandt, Robert Harms, Gary Rust, and Chris Brostuen

Others Present: Chris Barke (WAWSA), Char Imsland (WAWSA), Cheryl McNeil (WAWSA), Jacob Monson (WAWSA), Dave Bell (WAWSA), Weston McGruder (AE2S), Graydon Olson (AE2S), Craig Haskins (R&T), Kenny Bergstrom (City of Williston), Curt Clarys (City of Williston), Josh Feil (Moore Engineering) via video, Dustin Schultz (AE2S) via video, and Cory Chorne (AE2S) via video.

**Meeting Called to Order**

Chairman Brostuen called the meeting to order at 9:00 am.

**Approval of the Agenda**

Brostuen added two items to the agenda. Under AE2S reports, item #6 added for MCWRD Phase II Transmission Line increase cost share request, and the January board meeting date changed to January 30, 2025. **Rust moved to approve the agenda as amended, Koeser seconded.**

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.

**Approval of the Minutes**

Minutes of the November 21, 2024, board meeting were presented for approval. **Haake moved to approve the minutes as presented, Anderson seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 10-0

**Financial Reports**

The Domestic and Industrial financial reports were presented to the board for their consideration and discussion.

The November capital accounting report was presented to the board for their consideration and discussion.

**Executive Director's Report**

Barke provided the board with an update on WAWSA's water usage and system updates.

Barke announced that the Williston WTP bank remediation project was completed on December 6, 2024.

Barke also announced that Ward Koeser was presented with the Commodore Award at the 2024 Joint Water Convention.

He also announced that former executive director, Tami Madsen, was presented with the 2024 Water Wheel Award.

### **Terrance Rhinehart Condemnation**

Barke provided the board with a condemnation request for Terrance Rhinehart on the R&T Stanley Part II project. This condemnation request was approved at R&T's November 25, 2024, board meeting. **Novak moved to approve the condemnation request for Terrance Rhinehart on the R&T Stanley Part II project, Koeser seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen  
Nay: 0  
Carried: 10-0

### **SRF Loan Resolution**

Barke announced that a resolution is required by the state to allow Chris Brostuen and Chris Barke to sign SRF loan documents. **Anderson moved to approve the state required resolution allowing Chris Brostuen and Chris Barke to sign SRF loan documents, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen  
Nay: 0  
Carried: 10-0

### **Moore Engineering Reports**

Feil provided the board with an update on the 29-Mile project.

### **AE2S Reports**

#### **Amendment #3 to Owner-Engineer Agreement**

McGruder presented amendment #3 to the owner-engineer master service agreement. This amendment would extend the contract between WAWSA and AE2S for another 3-year term. **Novak moved to approve amendment #3 to the owner-engineer master service agreement, Haake seconded.**

Aye: Anderson, Beard, Bickler, Haake, Harms, Koeser, Novak, Rust, and Brostuen  
Nay: 0  
Carried: 9-0

#### **WAWSA 2025 Program Management Services – TO 86**

McGruder also presented the board with the 2025 Program Management Services – TO 86 task order for \$100,980. This task order is for professional engineering services associated with General Engineering, Funding Application, Rate Modeling and Water Contract Support, Capital Accounting and Financial Reporting, Program Management, Industrial Commission Coordination and Support, Public Information, and Legislative Support services. **Haake moved to approve the 2025 Program Management Services – TO 86 task order for \$100,980, Koeser seconded.**

Aye: Anderson, Beard, Bickler, Haake, Harms, Koeser, Novak, Rust, and Brostuen  
Nay: 0  
Carried: 9-0



## Project Updates

McGruder provided the board with the project updates

### **Williston WTP Intake, Raw Water Pump Station, and Phase 6 Expansion – TO 70**

McGruder presented the board with amendment #7 to the Williston WTP Intake, Raw Water Pump Station, and Phase 6 Expansion – TO 70 project for \$68,000. The amendment includes additional services to be performed by engineer, modifications of payment to engineer, and modifications to times for rendering services. **Anderson moved to approve amendment #7 to the Williston WTP Intake, Raw Water Pump Station, and Phase 6 Expansion – TO 70 project for \$68,000, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 10-0

### **Williston WTP Raw Water Intake Siting Study – TO 87**

McGruder also presented the board with a task order agreement for the Williston WTP Raw Water Intake Siting Study – TO 87 project for \$132,500. The task order includes study and report services including providing surveying services for field verification of potential intake sites, conducting up to three, one-hour meetings with the owner, and drafting a technical memorandum outlining up to five raw water intake options for owner to consider as viable long-term options to access raw water. **Koeser moved to approve the task order agreement for the Williston WTP Raw Water Intake Siting Study – TO 87 project for \$132,500, Anderson seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 10-0

### **MCWRD Phase II Transmission Line Increase Cost Share Request**

McGruder also presented the board with a SWC construction cost increase funding request for the MCWRD Phase II Transmission Line project for \$3,344,000. He reported that the McKenzie County Board of Commissioners approved funding their 50% share of the cost increase and updating the JPA to reflect the increase. **Novak moved to approve submitting the State Water Commission construction increase funding request for the MCWRD Phase II Transmission Project as presented, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 10-0

### **MCWRD Invoices for Payment**

The MCWRD System IV Part IV – TO 77, System I South – TO 80, and the Phase II Transmission Line for engineering and construction for the month have a combined total of \$252,142.46.

### **SWC Grant Payment Request**

SWC \$24M grant request 62-121924, SWC \$7M grant request 24-121924, SWC \$9.6M grant request 27-121924, SWC \$8M grant request 12-121924, and SWC \$4M grant request 20-121924, and SWC \$747K grant

request 01-121924 were presented to the board for their approval. **Anderson moved to approve the SWC monthly grant request, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Harms, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 10-0

Chairman Brostuen adjourned the meeting at 10:11 am.

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Chris Brostuen, Chairman

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Char Imsland, Secretary

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

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – Fort Berthold Rural Water  
 Four Bears Water Treatment Plant, Intake, and Raw Water Line  
**DATE:** January 30, 2025

**Background & Description**

Fort Berthold Rural Water (FBRW) is requesting construction cost-share for their Four Bears Water Treatment Plant, Intake, and Raw Water Line (Project). The Project includes a raw water intake, water line, and water treatment plant to replace the existing facility. The Project will be constructed approximately two miles west of the water treatment plant and will serve the Four Bears Segment of the Fort Berthold Reservation. This cost-share request is for procurement of sediment basin and membrane filtration components of the Project in advance of raw water intake, water line, and water treatment plant construction. The Project is located in McKenzie County.

**Supplemental Information**

Water Development Plan / Priority	None
New / Future / Current Service Users	0 / 100 / 310
Present Value Cost / User (Preferred Alternative)	\$213,880
Rate / 5,000-Gallons	\$0
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Lake Sakakawea	

**Project Schedule**

Task	Dates
Study	-
Design	Jul. 2024
Bid - Procurement	Jan. 27, 2025
Bid - Project	Aug. 2025
Construction	Apr. 2026
Completion	Dec. 2027

**Cost-Share Funding Summary**

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$0	\$1,838,367	\$1,838,367		
Eligible Costs	\$1,806,000	\$42,334,761	\$44,140,761		
Total	\$1,806,000	\$44,173,128	\$45,979,128		
Other Funding	\$0	\$1,500,000	\$1,500,000	Bureau of Reclamation	
Overall Project Cost-Share 75%	\$1,354,500	\$30,626,071	\$31,980,571	\$1,354,500 (4/11/24)	
Current Request Cost-Share 75%		<b>\$3,750,000</b>			<b>\$3,750,000</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from Fort Berthold Rural Water for state cost-share participation in the Four Bears Water Treatment Plant, Intake, and Raw Water Line project in the amount of \$3,750,000, or 75 percent of eligible costs, with total cost-share not to exceed \$5,104,500. This approval is contingent on available funding.**

RH:jsp:ln/2050FOR

# 1084276 - Four Bears Water Treatment Plant - Equipment Procurement

## 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:** Dec 18, 2024 10:43 AM  
**Initially Submitted By:** Jared Huibregtse  
**Last Submit Date:** Dec 19, 2024 12:41 PM  
**Last Submitted By:** Jared Huibregtse

## Contact Information

### Primary Contact Information

**Active User\*:** Yes  
**Type:** External User  
**Name:** Mr. Jack Fletcher  
Salutation First Name Middle Name Last Name  
**Title:**  
**Email\*:** [jack.fletcher@bartwest.com](mailto:jack.fletcher@bartwest.com)  
**Address\*:** 3456 E Century Ave,  
  
 Bismarck North Dakota 58503  
City State/Province Postal Code/Zip  
**Phone\*:** 701-221-8370 Ext.  
Phone  
 ###-###-####  
**Fax:** ###-###-####  
**Comments:**

### Organization Information

**Status\*:** Approved  
**Name\*:** Fort Berthold Rural Water  
**Organization Type\*:** Tribal Government  
**Tax Id:**  
**Organization Website:**  
**Address\*:** 308 4 Bears Complex

New Town North Dakota 58763-\_\_\_\_  
City State/Province Postal Code/Zip

**Phone\*:** (701) 627-8185 Ext.  
### ### #####

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

**Vendor ID:**

**PeopleSoft Supplier ID:**

**Comments:**

**Location Code:**

## Infrastructure Funding Request

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### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** Four Bears Water Treatment Plant - Equipment Procurement

**Sponsor(s)\*:** Fort Berthold Rural Water

**County\*:** Mountrail

**City\*:** New Town

**Description of Request\*:** New

**If Study, What Type:**

**If Project/Program, What Type:**

#### **Jurisdictions/Stakeholders Involved\*:**

This project involves the Four Bears Segment of the Fort Berthold Reservation, which is served by Fort Berthold Rural Water (FBRW). The Four Bears Segment is located West of New Town across the Four Bears Bridge in the northwest corner of the Fort Berthold Reservation. The Four Bears distribution system currently serves a population of approximately 1,000 residents in addition to industrial, energy, and agricultural customers. The Segment is also an important tourism destination for the Tribe.

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

The existing Four Bears water treatment plant is nearing the end of its useful life and has undergone multiple improvements and repairs to-date. Ongoing and future economic development in the Segment will require a long-term water treatment and distribution solution, along with the capability to expand as growth continues. Within the next decade, the existing facility will likely reach its design capacity, or deteriorate to the point of needing replacement, or both. Additionally, the existing treatment plant is situated just off the shore of Lake Sakakawea, east of the Four Bears Casino. Building a new water treatment plant in a different location would allow the Three Affiliated Tribes (TAT) to develop the real estate occupied by the current WTP to increase tourism, casino amenities, lodging, live events, and overall enhance visitor experiences.

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

As part of the new water treatment plant being constructed, the Tribe plans to pre-procure the sedimentation basins and membrane filtration equipment to be installed in the new treatment plant. This application is for the procurement costs of the sedimentation basins and filtration equipment. The reason for pre-procurement of this equipment, is it is vital to know the equipment size when designing the facility.

For this project,

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

**What is the Current Estimated Population?\*** 1000

For this project,

**What is the Benefited Population?\*** 1000

**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?\***: Yes

**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?** No  
(Example: Hazard Mitigation Grant Program)

\*:

## Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: N/A

**Design Completion\***: December 2024

**Bid\***: January 2025

**Construction Start\***: October 2026

**Construction Completion\***: Winter 2028

### Explain Additional Timeline Issues\*:

These dates are approximate. Factors that could move the project timeline include number and quality of bids received, and potential but currently uncertain funding support from the US Bureau of Reclamation.

**Consulting Engineer\***: Jack Fletcher (Bartlett & West)

**Engineer Telephone Number\***: 701-221-8370

**Engineer Email\***: [jack.fletcher@bartwest.com](mailto:jack.fletcher@bartwest.com)

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

**Submitted by\***: Joseph Silveria 11/15/2024  
First Name Last Name Date

**Address\***: 308 4 Bears Complex  
Address Line 1  
Address Line 2  
New Town North Dakota 58763-0000  
City State Zip Code

**Telephone Number\***: 701-627-8185

**Sponsor Email\***: [jsilveria@mhanation.com](mailto:jsilveria@mhanation.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\*:**

Joseph Silveria 11/15/2024  
First Name Last Name Date

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

Public Works Administrator, Three Affiliated Tribes

## Documentation

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### Documentation

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

[CLICK HERE](#) to see examples.

**Project Specific Map**

[Four Bears Map\\_WTP.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:** [Signed Resolution.pdf](#)

**Cover Letter:** [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:** [sfn\\_61801\\_delineation\\_of\\_cost\\_4Bears WTP.xlsx](#)

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** [FBRW Modular Membrane Filtration Equipment RFP\\_ Issued 12.16.2024 2.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\\_4Bears WTP.xlsx](#)

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

**Asset Inventory Assessment:** [FBRW\\_Asset Inventory.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): Yes

Other Applicable Document: [FBRW Flocculation Sedimentation Pre-treatment Equipment RFP \\_ Issued 12.16.2024 1.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 July to June	State Fiscal Year 2 July to June	Beyond Current Biennium	Total Cost	Type	Term	Interest Rate
Department of Water Resources Cost Share Construction		Current Request	\$400,000.00	\$400,000.00	\$2,950,000.00	\$3,750,000.00	Grant	0.00	0.00
Other	Local Share - Three Affiliated Tribes	Already Approved	\$100,000.00	\$100,000.00	\$1,050,000.00	\$1,250,000.00		0.00	0.00
Department of Water Resources Cost Share Construction		Future Request	\$0.00	\$2,000,000.00	\$26,230,600.00	\$28,230,600.00	Grant	0.00	0.00
Other	Local Share - Three Affiliated Tribes	Already Approved	\$0.00	\$500,000.00	\$12,248,528.00	\$12,748,528.00		0.00	0.00
			<b>\$500,000.00</b>	<b>\$3,000,000.00</b>	<b>\$42,479,128.00</b>	<b>\$45,979,128.00</b>			



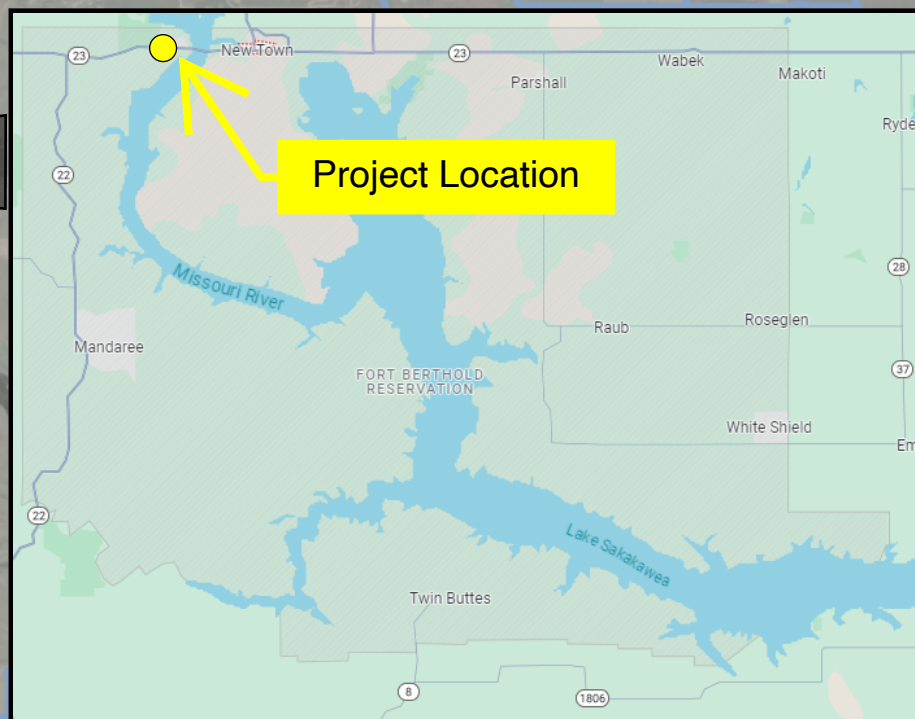
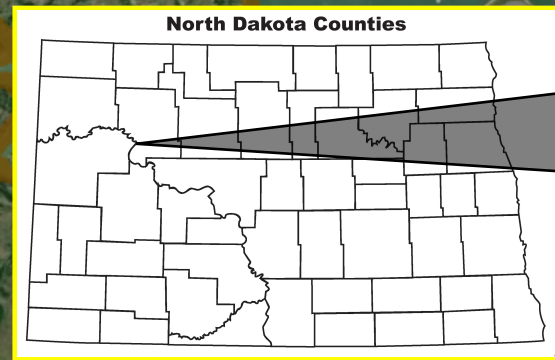
- BS Booster Station
- W Water Intake
- WD Water Depot
- T Tank
- WTP Water Treatment Plant
- Pipelines

Proposed New Raw Water Line Detailed Further on Next Page

Proposed New Water Treatment Plant Site

Proposed Upgrades to Existing Intake

Existing WTP



# Four Bears Segment







0 0.25 0.5 Miles

New Raw Water Line  
Approximate Route

Proposed New Water  
Treatment Plant Site

Existing  
WTP

# Four Bears Segment New Raw Water Line Approximate Route



**DELINEATION OF COSTS**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 PLANNING AND EDUCATION  
 SFN 61801 (02/2023)

DWR Date Received : December 19, 2024

<b>Project:</b>	Four Bears New Intake, Raw Water Line, & WTP Facility (1,000) GPM
<b>Sponsor:</b>	Fort Berthold Rural Water
<b>Contact:</b>	Jack Fletcher, P.E., Project Manager
<b>Phone:</b>	701-221-8370
<b>Engineer:</b>	Jack Fletcher, Bartlett & West
<b>Phone:</b>	701-221-8370

<b>Total Cost :</b>	\$ 45,979,128	<b>Date:</b>	December 13, 2024
<b>Ineligible Cost :</b>	\$ 3,338,367		
<b>Eligible Cost :</b>	\$ 42,640,761		
<b>Local Cost :</b>	\$ 13,998,528	<b>Cost-Share \$</b>	\$ 31,980,600
		<b>Preconstruction :</b>	\$ 1,354,500
		<b>Construction :</b>	\$ 31,751,071
		<b>Current Request :</b>	\$ 3,750,000

<b>Project Type:</b>	Rural Water - Expansion/Improvement	<b>Cost-share %</b>	75%
----------------------	-------------------------------------	---------------------	-----

Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	4.0%	Mobilization	1	LS	1,572,510.00	\$ 1,572,510	75%	\$ 1,179,383
2	0.3%	Bonding	1	LS	100,000.00	\$ 100,000	75%	\$ 75,000
3	0.3%	Insurance	1	LS	100,000.00	\$ 100,000	75%	\$ 75,000
4	7.6%	Water Main 12 in	15000	LF	200.00	\$ 3,000,000	75%	\$ 2,250,000
5	1.9%	Pipeline Appurtenances	1	LS	750,000.00	\$ 750,000	75%	\$ 562,500
6	2.5%	Inlake Structure	1	LS	1,000,000.00	\$ 1,000,000	75%	\$ 750,000
7	1.3%	Pump Equipment	1	LS	500,000.00	\$ 500,000	75%	\$ 375,000
8	25.2%	Building	1	LS	10,000,000.00	\$ 10,000,000	75%	\$ 7,500,000
9	7.6%	Mechanical	1	LS	3,000,000.00	\$ 3,000,000	75%	\$ 2,250,000
10	15.1%	Electrical	1	LS	6,000,000.00	\$ 6,000,000	75%	\$ 4,500,000
11	5.0%	Analytical Equipment	1	LS	2,000,000.00	\$ 2,000,000	75%	\$ 1,500,000
12	7.6%	Water Treatment	1	LS	3,000,000.00	\$ 3,000,000	75%	\$ 2,250,000
13	1.9%	Sedimentation Basins	1	EA	750,000.00	\$ 750,000	75%	\$ 562,500
14	1.9%	Sedimentation Basins	1	EA	750,000.00	\$ 750,000	75%	\$ 562,500
15	2.9%	Ultrafiltration Membrane Skid	1	EA	1,166,666.67	\$ 1,166,667	75%	\$ 875,000
16	2.9%	Ultrafiltration Membrane Skid	1	EA	1,166,666.67	\$ 1,166,667	75%	\$ 875,000
17	2.9%	Ultrafiltration Membrane Skid	1	EA	1,166,666.67	\$ 1,166,667	75%	\$ 875,000
18	0.0%		0		-	\$ -	75%	\$ -
19	0.0%		0		-	\$ -	75%	\$ -
20	0.0%		0		-	\$ -	75%	\$ -
21	0.0%		0		-	\$ -	75%	\$ -
22	0.0%		0		-	\$ -	75%	\$ -
23	0.0%		0		-	\$ -	75%	\$ -
24	0.0%		0		-	\$ -	75%	\$ -
25	0.0%		0		-	\$ -	75%	\$ -
26	0.0%		0		-	\$ -	75%	\$ -
		<b>Construction Sub-Total</b>				\$ 36,022,510	75%	\$ 27,016,883
	10.0%	<b>Contingency</b>				\$ 3,602,251	75%	\$ 2,701,688
	86.2%	<b>Construction Total</b>				\$ 39,624,761	75%	\$ 29,718,571
<b>Preconstruction Costs \$5,000,001 current total</b>								
27	2.0%	Preliminary Design	1	LS	806,000.00	\$ 806,000	75%	\$ 604,500
28	2.5%	Final Design	1	LS	1,000,000.00	\$ 1,000,000	75%	\$ 750,000
29	0.0%	Bidding / Negotiations	1	LS	-	\$ -	75%	\$ -
30	0.0%		0		-	\$ -	75%	\$ -
31	0.0%		0		-	\$ -	75%	\$ -
	3.9%	<b>Preconstruction Total</b>				\$ 1,806,000	75%	\$ 1,354,500
<b>Construction Engineering Costs</b>								
32	3.4%	Construction Contract Management	1	LS	1,355,000.00	\$ 1,355,000	75%	\$ 1,016,250
33	3.4%	Project Inspection	1	LS	1,355,000.00	\$ 1,355,000	75%	\$ 1,016,250
34	0.0%		0		-	\$ -	75%	\$ -
35	0.0%		0		-	\$ -	75%	\$ -
36	0.0%		0		-	\$ -	75%	\$ -
	5.9%	<b>Construction Engineering Total</b>				\$ 2,710,000	75%	\$ 2,032,500
<b>Other Eligible Costs</b>								
37	0.0%		0		-	\$ -	75%	\$ -
38	0.0%		0		-	\$ -	75%	\$ -
39	0.0%		0		-	\$ -	75%	\$ -
40	0.0%		0		-	\$ -	75%	\$ -
41	0.0%		0		-	\$ -	75%	\$ -
	0.0%	<b>Other Eligible Total</b>				\$ -	75%	\$ -
<b>In-eligible Costs</b>								
42	1.0%	Easement	1	NA	451,500.00	\$ 451,500	0%	\$ -
43	3.0%	TERO & EPA Fees	1	LS	1,386,866.64	\$ 1,386,867	0%	\$ -
44	0.0%		0		-	\$ -	0%	\$ -
45	0.0%		0		-	\$ -	0%	\$ -
	4.0%	<b>Other Ineligible Total</b>				\$ 1,838,367	0%	\$ -
100.0%		<b>Total</b>				\$ 45,979,128		
		<b>Eligible Total</b>				\$ 44,140,761	75%	\$ 33,105,571
<b>Federal or State Funds That Supplant Costs- US Bureau of Reclamation</b>								
						\$ 1,500,000		
		<b>Eligible Cost Total</b>				\$ 42,640,761	75%	\$ 31,980,571

\* 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:** Fort Berthold Rural Water  
**Project Title:** Four Bears Intake, Raw Water Line, & Water Treatment Plant (WTP)

**Date:** December 26, 2024

**Explanation of Alternatives:**

Intake Upgrades, Raw Water Line, & New WTP (Preferred) - A new water treatment plant and a new raw water line to be built west of the existing treatment facility in the Four Bears Segment of the Fort Berthold Reservation. The existing intake structure will be upgraded, rather than replaced. The new facilities would provide a long-term water treatment and distribution solution that will support economic growth in the Four Bears Segment for decades.

Improve Existing WTP - This alternative would improve the existing Four Bears WTP (located east of the casino along Lake Sakakawea) and intake infrastructure. The improvements would increase capacity of the existing WTP to 1,000 GPM.

Do Nothing - The do nothing alternative would involve continued operation of the existing water treatment plant until funding can be secured for a new facility.

**Inputs:**

New Connections Served	0	Current CIF Balance	\$0
Future Connections Served	100	Annual CIF Contribution	\$0
Current Connections Served	310	Cash Funding Target (Percentage %) New Assets	25%
Net Connections (New + Current)	310	Cash Funding Target (Percentage %) Existing Assets	50%
		Annual CIF Contribution suggested for the Project	\$471,075

	Intake Upgrades, Raw Water Line, & New WTP (Preferred)	Improve Existing WTP	Do Nothing
Construction Cost	\$45,979,200	\$5,941,000	\$0
Annual O & M	\$2,000	\$2,000	\$0

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Intake Upgrades, Raw Water Line, & New WTP (Preferred)	Improve Existing WTP	Do Nothing
Capital Costs	\$45,979,000	\$5,941,000	\$0
O&M	\$61,000	\$61,000	\$0
Repair, Rehab, Replacement	\$23,850,000	\$2,147,000	\$0
Salvage Value	\$3,587,000	\$839,000	\$0
<b>Total PVC</b>	<b>\$66,303,000</b>	<b>\$7,310,000</b>	<b>\$0</b>
<b>PV Cost Per User</b>	<b>\$213,881</b>	<b>\$23,581</b>	<b>0</b>

Current Water Rate (Cost Per 5000g)	\$0		
Comparable Water Rate	\$76		
Net Connections (New + Current)	310	310	310
Cost-Share Percent	75%	75%	75%
Local Share	\$11,494,750	\$1,485,250	\$0
Other Funding	\$0	\$0	\$0
Total Local	\$11,494,750	\$1,485,250	\$0
<b>Payment Per User With Cost-Share</b>	<b>\$187.58</b>	<b>\$24.24</b>	<b>\$0.00</b>
Local Share	\$45,979,000	\$5,941,000	\$0
Other Funding	\$0	\$0	\$0
Total Local	\$45,979,000	\$5,941,000	\$0
<b>Payment Per User Without Cost-Share</b>	<b>\$750.32</b>	<b>\$96.95</b>	<b>\$0.00</b>

**Explanation of Results:**

The sponsor preferred project is the "Intake Upgrades, Raw Water Line, & New WTP" option. The present value cost of the preferred alternative is \$66,303,000 and \$7,310,000 for the "Improve Existing WTP" alternative for comparison. The capital expenditure cost for the preferred alternative is \$45,979,200. The present value cost per user for the preferred alternative is \$213,881. The monthly user cost of the local share with DWR 75% cost-share participation is \$188 per month and \$750 without DWR participation.

**Other Comments:**

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.





## Fort Berthold Rural Water

Three Affiliated Tribes • 308 4 Bears Complex New Town, ND 58763

Phone: 701-627-8185 • Fax: 701-627-4303

December 11, 2024

North Dakota Department of Water Resources  
C/O Julie Prescott  
1200 Memorial HWY  
Bismarck, ND 58504

**SUBJECT: Acknowledgement of Cost-Share Request**

Dear Director Travnicek and Members of the Commission:

Fort Berthold Rural Water (FBRW) hereby acknowledges that a request for State Water Commission Cost-Share for a new Four Bears Water Treatment Plant, Raw Water Line, and Intake upgrades is an authorized request. FBRW and its engineering consultant, Bartlett & West, are working collaboratively on the request and other documents required by the Department and/or the Commission.

A Tribal Resolution (Resolution No. 24-422-FWF) signed by the Tribal Chairman is also enclosed.

If there are any questions or concerns, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Joseph Silveria", is written over a horizontal line.

Joseph Silveria, MHA Nation Public Works Administrator

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

12/11/2024

## Resolution No. 24-422-FWF



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

**A Resolution Entitled, “*Authorizing Funding to Fort Berthold Rural Water for the Construction of Necessary Improvements to Supply Water to Tribal Facilities in the New Town Area.*”**

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** The MHA Nation constructs, operates, maintains, and replaces (OM&R) the Fort Berthold Rural Water Supply (FBRWS) system under Indian Self-determination and Education Assistance Act contracts in order to provide safe drinking water throughout the Fort Berthold Indian Reservation (Reservation); and
- WHEREAS,** The North Dakota Legislature, having passed House Bill 1385, made “Federally Recognized Indian Tribes or any agency, department, or officer thereof” eligible to apply for cost-share assistance through a contract with the State Water Commission; and
- WHEREAS,** The Four Bears Segment has experienced substantial development and growth which has stressed its existing water supply capacity, the Four Bears Segment has identified major economic development opportunities that could exhaust its water supply capacity entirely, and total costs for a new Four Bears water treatment plant, raw water intake, and raw water transmission line are estimated at \$50 million.





**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council of the MHA Nation hereby authorizes Fort Berthold Rural Water, on behalf of MHA Nation, to pursue State Water Commission (SWC) cost-share grants for a new Four Bears Water Treatment Plant project in an effort to reduce the tribal funds required to build said project:

- **Four Bears Water Treatment Plant Estimated Cost - \$50,000,000.00**
  - Potential SWC Cost-Share (up to 75%) – Up to \$37,500,000; and

**BE IT FURTHER RESOLVED**, that the MHA Nation shall continue to pursue other available state and federal funding to support the project and/or reimbursement of the actual tribal funding expended.

**BE IT FINALLY RESOLVED**, that the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.


#### CERTIFICATION

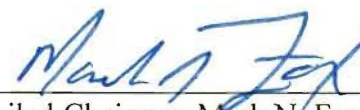
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting there of duly called, noticed, convened, and held on the 7<sup>th</sup> day of December, 2023; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.


Dated this 7<sup>th</sup> day of December, 2023.

**ATTEST:**

  
\_\_\_\_\_  
Tribal Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

  
\_\_\_\_\_  
Tribal Chairman Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** State Water Supply – Greater Ramsey Water District  
 2024 User Expansion  
**DATE:** January 30, 2025

**Background & Description**

Greater Ramsey Water District is requesting construction cost-share for their 2024 User Expansion (Project). The Project is installation of a total of approximately 107 miles of water main to provide service to 128 new users throughout the Greater Ramsey Water District. The Project is located in Ramsey, Benson, Nelson, Eddy, Griggs, and Foster Counties.

**Supplemental Information**

Water Development Plan/Priority	None
New / Future / Current Service Users	130 / 130 / 2,664
Present Value Cost / User (Preferred Alternative)	\$61,940
Rate / 5,000-Gallons	\$63
Comparable Rate / 5,000-Gallons	\$47
Water Source – Spiritwood Aquifer	

**Schedule**

Task	Dates
Study	Jul. 2024
Design	Jan. 2025
Bid	Jan. 30, 2025
Construction	Jun. 2026
Completion	Nov. 2026

**Cost-Share Funding Summary**

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$626,000	\$9,969,003	\$10,595,003		
Total	\$626,000	\$9,969,003	\$10,595,003		
Cost-Share 75%	\$469,500	<b>\$7,476,752</b>	\$7,946,252	\$93,750 (3/25/24) \$375,750 (8/8/24)	<b>\$7,476,752</b>

**This project meets requirements of the Water Commission’s cost-share policy. Therefore, I recommend approval of this request from the Greater Ramsey Water District for state cost-share participation in the 2024 User Expansion project in the amount of \$7,476,752, or 75 percent of eligible costs, with total cost-share not to exceed \$7,946,252. This approval is contingent on available funding.**

RH:jsp:ln/2050RAM

**Water Development Plan: No (2023)**

# 1084436 - GRWD: 2024 User Expansion

## Application Details

---

<b>Funding Opportunity:</b>	1084196-October 2024 - June 2025 Infrastructure Request	<b>Initial Submit Date:</b>	Dec 13, 2024 2:15 PM
<b>Funding Opportunity Due Date:</b>	Jun 30, 2025 3:00 PM	<b>Initially Submitted By:</b>	Brian Aafedt
<b>Program Area:</b>	Funding for Infrastructure in ND - FIND	<b>Last Submit Date:</b>	Last
<b>Status:</b>	Submitted	<b>Last Submitted By:</b>	
<b>Stage:</b>	Final Application		

## Contact Information

---

### Primary Contact Information

<b>Active User*:</b>	Yes
<b>Type:</b>	External User
<b>Name:</b>	Salutation Brian First Name
Middle Name	Aafedt
	Last Name
<b>Title:</b>	Project Manager
<b>Email*:</b>	brian.aafedt@ae2s.com
<b>Address*:</b>	4050 Garden View Dr.

### Organization Information

<b>Status*:</b>	Approved
<b>Name*:</b>	Greater Ramsey Water District
<b>Organization Type*:</b>	Political Subdivision
<b>Tax Id:</b>	45-0428798
<b>Organization Website:</b>	
<b>Address*:</b>	113 Shamrock Ln SE

	Grand Forks	North Dakota	58301-0000	Devils Lake	North Dakota
	City	State/Province	Postal Code/Zip	City	State/Province
58201					
Postal Code/Zip			<b>Phone*:</b>	(701) 662-5781	Ext.
<b>Phone*:</b>	(701) 213-7470	Ext.		###-###-####	
	Phone		<b>Fax:</b>	###-###-####	
	###-###-####		<b>Vendor ID:</b>		
<b>Fax:</b>	###-###-####		<b>PeopleSoft</b>		
<b>Comments:</b>			<b>Supplier ID:</b>		
			<b>Comments:</b>		
			<b>Location</b>		
			<b>Code:</b>		

## Infrastructure Funding Request

---

### *Infrastructure Funding Request*

**Project, Program, or Study Name\*:** GRWD: 2024 User Expansion

**Sponsor(s)\*:** Greater Ramsey Water District

**County\*:** Ramsey

**City\*:** Devils Lake

**Description of Request\*:** Updated (previously submitted)

**If Study, What Type:** Water Supply

**If Project/Program, What Type:** Rural Water Supply

**Jurisdictions/Stakeholders Involved\*:**

Greater Ramsey Water District

**Describe the Problem\*:**

Many residences in the Devils Lake Basin currently supplied by well water have shown interest in connecting to rural water. Well users are experiencing problems with alarming contaminant levels for arsenic, manganese, nitrates, iron, etc. (as much as 5-10x above EPA safety thresholds), as verified

through 2023 well sampling. Original construction estimates in the August 2024 design request included 100 users; however, as sign-ups have continued to come in; 128 parties are now signed up for the project. Additionally, field observation data and hydraulic modeling conducted over Summer of 2024 showed transmission bottlenecks in GRWD's system which do not allow for user addition in certain areas without transmission improvement for pressure and volume (see attached PER). These factors have combined to increase original project scope to include additional users and transmission improvements/expansion. GRWD is requesting state cost-share construction funding to move forward with the project.

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

GRWD is proposing to expand service to accommodate new users with treated potable water to remediate water quality and reliability concerns. This requires installation of additional primarily distribution and service pipelines to new users who can feasibly be served by GRWD. It will also require targeted sections of parallel and increased capacity transmission pipeline construction to improve bottlenecks and provide adequate capacity for these new users without affecting minimum service level standards for existing customers. This request includes estimated costs for all eligible project construction expenses, including materials, contractors, construction engineering, and construction administration.

**For this project,**

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

**What is the Current Estimated Population?\*** 8000

**For this project,**

**What is the Benefited Population?\*** 375

**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?\*** Yes

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

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

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

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

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

**Have You Received, or Do You Anticipate Receiving Federal Funding?** No  
 (Example: Hazard Mitigation Grant Program)

\*:

### Implementation Timelines

Enter Start Date, Estimated Start Date or Not Applicable.

**Study Completion\***: 07/2024

**Design Completion\***: 01/2025

**Bid\***: 02/2025

**Construction Start\***: 06/2025

**Construction Completion\***: 11/2026

**Explain Additional Timeline Issues\***:

None anticipated at this time.

**Consulting Engineer\***: AE2S



**Engineer Telephone Number\*:** 701-746-8087

**Engineer Email\*:** brian.aafedt@ae2s.com

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

**Submitted by\*:** Lonnie Lacina 12/13/2024  
First Name Last Name Date

**Address\*:** 113 Shamrock Lane SE  
Address Line 1  
Address Line 2

Devils Lake North Dakota 58301-0000  
City State Zip Code

**Telephone Number\*:** 701-662-5781

**Sponsor Email\*:** lonniel@grwdnd.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\*:** Lonnie Lacina 12/13/2024  
First Name Last Name Date

**Title/Position/Authority\*:** Manager

# Documentation

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## ***Documentation***

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

[CLICK HERE to see examples.](#)

**Project Specific Map** GRWD User Expansion.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:** December 5 2024 Draft 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.xlsx

**Type of Request:** Construction

**Signed Plans and Specifications For Bidding:** GRWD - 2024 User Expansion Planset and Specifications.pdf

**Water Supply Projects?:** Yes

[CLICK HERE for Life Cycle Cost Analysis Instructions and Current Version, as Shown on Title Tab.](#)

**Life Cycle Cost Analysis:** life\_cycle\_cost\_analysis\_worksheet.xlsx

CLICK HERE for SFN 62417 Basic Asset Inventory Tool and Current Version.

**Asset Inventory Assessment:** GRWD\_State Basic Asset Inventory Tool.xlsx

**Rural Flood Control?:** No

**Drain Reconstructions?:** No

**Flood Recovery Property Acquisition?:** No

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

**Sovereign Land Permit, if Required:**

**DWR Construction Permit, if Required:**

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

**Feasibility/Engineering Study for the Proposed Project:** Yes

**Feasibility/Engineering Study Material:** GRWD - 2024 User Expansion PER with Addendum.pdf

**Photos of Problem/Issue:**

**GIS Files:** Project\_Routing.zip Please Compress All Files Into One .zip File.

**Other Applicable Document(s):**

## Sources

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

**If Other, State Fiscal**

Source	Specify Funding Source	Status	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		Already Approved	\$93,750.00	\$375,750.00	\$0.00	\$469,500.00	Grant	0.00	0.00
Department of Water Resources Cost Share Construction		Current Request	\$0.00	\$7,476,752.00	\$0.00	\$7,476,752.00	Grant	0.00	0.00
Other	Local Share		\$0.00	\$2,648,751.00	\$0.00	\$2,648,751.00		0.00	0.00
			<b>\$93,750.00</b>	<b>\$10,501,253.00</b>	<b>\$0.00</b>	<b>\$10,595,003.00</b>			

**GRWD: 2024 USER & TRANSMISSION EXPANSION**  
**GREATER RAMSEY WATER DISTRICT**  
 Devils Lake, ND



New 4" to parallel ex. 6" and connection to NRWD to improve capacity for new users in north system

New 12" to parallel ex. 6" to improve capacity for new users along Highway 19

New 8" to parallel ex. 6" to improve capacity for new users in south system

**Legend**

- New Service Location
- Intested Future Service Locations

**New Pipeline**

- 2" Pipeline
- 3" Pipeline
- 4" Pipeline
- 8" Pipeline
- 12" Pipeline
- Existing GRWD Pipeline
- GRWD Boundaries

Benson

57

Spirit Lake Reservation

20

Stump Lake

30

Eddy

Tiffany Flats

173 ft

30

Carrington

Gri

Locator Map Not to Scale

1 inch = 43,000 feet

Miles







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

DWR Date Received : December 13, 2024

<b>Project:</b>	GRWD: 2024 User Expansion	<b>Total Cost :</b>	\$ 10,595,003	<b>Date:</b>	December 12, 2024
<b>Sponsor:</b>	Greater Ramsey Water District	<b>Ineligible Cost :</b>	\$ -		
<b>Contact:</b>	Lonnie Lacina, Manager	<b>Eligible Cost :</b>	\$ 10,595,003	<b>Cost-Share \$</b>	\$ 7,946,252
<b>Phone:</b>	701-662-5781	<b>Local Cost :</b>	\$ 2,648,751	<b>Preconstruction :</b>	\$ 469,500
<b>Engineer:</b>	Brian Aafedt, AE2S			<b>Construction :</b>	\$ 7,476,752
<b>Phone:</b>	701-213-7470				

<b>Project Type:</b>	Rural Water Supply	<b>Cost-share %</b>	75%
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Item	%	Cost Classification	Quantities	Unit	Unit Price	Total	Cost-Share %	Cost-Share \$ *
<b>Construction Costs</b>								
1	2.8%	Mobilization	1	LS	250,000.00	\$ 250,000	75%	\$ 187,500
2	1.1%	Bonding	1	LS	100,000.00	\$ 100,000	75%	\$ 75,000
3	1.0%	Insurance	1	LS	90,000.00	\$ 90,000	75%	\$ 67,500
4	35.6%	Water Main 2 in	420700	LF	7.50	\$ 3,155,250	75%	\$ 2,366,438
5	0.5%	Water Main 3 in	4000	LF	11.00	\$ 44,000	75%	\$ 33,000
6	2.7%	Water Main 4 in	21500	LF	11.00	\$ 236,500	75%	\$ 177,375
7	0.0%	Water Main 6 in	100	LF	17.00	\$ 1,700	75%	\$ 1,275
8	9.1%	Water Main 8 in	42600	LF	19.00	\$ 809,400	75%	\$ 607,050
9	4.7%	Water Main 12 in	15000	LF	28.00	\$ 420,000	75%	\$ 315,000
10	10.7%	Water Main 2 in	52600	LF	18.00	\$ 946,800	75%	\$ 710,100
11	0.1%	Water Main 3 in	400	LF	21.00	\$ 8,400	75%	\$ 6,300
12	0.2%	Water Main 4 in	650	LF	24.00	\$ 15,600	75%	\$ 11,700
13	0.1%	Water Main 6 in	200	LF	40.00	\$ 8,000	75%	\$ 6,000
14	1.3%	Water Main 8 in	2600	LF	43.00	\$ 111,800	75%	\$ 83,850
15	2.2%	Water Main 12 in	2575	LF	75.00	\$ 193,125	75%	\$ 144,844
16	5.8%	Fittings (Includes tie-in costs)	1	LS	515,000.00	\$ 515,000	75%	\$ 386,250
17	1.9%	Gate Valve	44	EA	3,800.00	\$ 167,200	75%	\$ 125,400
18	3.6%	Curb Stop/1-inch Flush Hydrant	128	EA	2,500.00	\$ 320,000	75%	\$ 240,000
19	1.2%	Meter	86	EA	1,200.00	\$ 103,200	75%	\$ 77,400
20	1.3%	Meter - Frost Free	38	EA	3,000.00	\$ 114,000	75%	\$ 85,500
21	0.7%	PRV Manhole pressure relief valve	2	EA	33,000.00	\$ 66,000	75%	\$ 49,500
22	0.7%	Seeding	71	ACRE	850.00	\$ 60,350	75%	\$ 45,263
23	0.1%	Road Repair	100	SY	100.00	\$ 10,000	75%	\$ 7,500
24	0.4%	Gravel	850	TON	40.00	\$ 34,000	75%	\$ 25,500
25	2.8%	Restoration	503900	LF	0.50	\$ 251,950	75%	\$ 188,963
26	0.4%	Electrical and Controls for PRV Manhole	1	LS	35,000.00	\$ 35,000	75%	\$ 26,250
		<b>Construction Sub-Total</b>				\$ 8,067,275	75%	\$ 6,050,456
	10.0%	<b>Contingency</b>				\$ 806,728	75%	\$ 605,046
	83.8%	<b>Construction Total</b>				\$ 8,874,003	75%	\$ 6,655,502
<b>Preconstruction Costs</b>								
27	1.4%	Preliminary Design	1	NA	125,000.00	\$ 125,000	75%	\$ 93,750
28	3.4%	Final Design	1	NA	304,000.00	\$ 304,000	75%	\$ 228,000
29	1.4%	Permit and Easement Assistance	1	NA	122,000.00	\$ 122,000	75%	\$ 91,500
30	0.3%	Bidding / Negotiations	1	NA	25,000.00	\$ 25,000	75%	\$ 18,750
31	0.6%	Archeological Study	1	NA	50,000.00	\$ 50,000	75%	\$ 37,500
	5.9%	<b>Preconstruction Total</b>				\$ 626,000	75%	\$ 469,500
<b>Construction Engineering Costs</b>								
32	8.6%	Construction Engineering	1	NA	765,000.00	\$ 765,000	75%	\$ 573,750
33	0.0%		0		\$ -	\$ -	75%	\$ -
34	0.0%		0		\$ -	\$ -	75%	\$ -
35	0.0%		0		\$ -	\$ -	75%	\$ -
36	0.0%		0		\$ -	\$ -	75%	\$ -
	7.2%	<b>Construction Engineering Total</b>				\$ 765,000	75%	\$ 573,750
<b>Other Eligible Costs</b>								
37	3.1%	Crop Damage Compensation	1	NA	330,000.00	\$ 330,000	75%	\$ 247,500
38	0.0%		0		\$ -	\$ -	75%	\$ -
39	0.0%		0		\$ -	\$ -	75%	\$ -
40	0.0%		0		\$ -	\$ -	75%	\$ -
41	0.0%		0		\$ -	\$ -	75%	\$ -
	3.1%	<b>Other Eligible Total</b>				\$ 330,000	75%	\$ 247,500
<b>In-eligible Costs</b>								
42	0.0%		0		\$ -	\$ -	0%	\$ -
43	0.0%		0		\$ -	\$ -	0%	\$ -
44	0.0%		0		\$ -	\$ -	0%	\$ -
45	0.0%		0		\$ -	\$ -	0%	\$ -
	0.0%	<b>Other Ineligible Total</b>				\$ -	0%	\$ -
100.0%		<b>Total</b>				\$ 10,595,003		
		<b>Eligible Total</b>				\$ 10,595,003	75%	\$ 7,946,252
		<b>Federal or State Funds That Supplant Costs</b>				\$ -		
		<b>Eligible Cost Total</b>				\$ 10,595,003	75%	\$ 7,946,252

\* 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:** Greater Ramsey Water District (GRWD) **Date:** December 24, 2024  
**Project Title:** 2024 User Expansion

**Explanation of Alternatives:**

Do Nothing - GRWD does not add users whose current well water quality is unreliable and is experiencing contaminant levels significantly higher than EPA MCL standards.

User Expansion (Preferred) - GRWD is proposing to expand service to accommodate new users with potable water to mitigate water quality and reliability concerns. This requires installation of additional primarily distribution and service pipelines to new users who can feasibly be served by GRWD. It will also require targeted sections of parallel and increased capacity transmission pipeline construction to improve bottlenecks and provide adequate capacity for these new users without affecting minimum service level standards for existing customers.

**Inputs:**

New Connections Served	130	Current CIF Balance	\$7,700,000
Future Connections Served	130	Annual CIF Contribution	\$1,000,000
Current Connections Served	0	Cash Funding Target (Percentage %) New Assets	25%
Net Connections (New + Current)	130	Cash Funding Target (Percentage %) Existing Assets	35%
		Annual CIF Contribution suggested for the Project	\$58,458

	Do Nothing	User Expansion	
Construction Cost	\$0	\$10,595,000	
Annual O & M	\$0	\$57,214	

**Details:**

Construction Cost and Capital Cost do not match due to time value of money and construction being split over multiple years.

**LCCA Model Results:**

Scenario Analysis - Present Value Life Cycle Cost Summary

Present Value	Do Nothing	User Expansion	
Capital Costs	\$0	\$10,454,000	
O&M	\$0	\$1,472,000	
Repair, Rehab, Replacement	\$0	\$3,331,000	
Salvage Value	\$0	\$827,000	
<b>Total PVC</b>	<b>\$0</b>	<b>\$14,430,000</b>	
<b>PV Cost Per User</b>	<b>\$0</b>	<b>\$111,000</b>	

<b>Current Water Rate (Cost Per 5000g)</b>	<b>\$63</b>	
<b>Comparable Water Rate</b>	<b>\$47</b>	
Net Connections (New + Current)	130	130
Cost-Share Percent	75%	75%
Local Share	\$0	\$2,613,500
Other Funding	\$0	\$0
Total Local	\$0	\$2,613,500
<b>Payment Per User With Cost-Share</b>	<b>\$0.00</b>	<b>\$101.70</b>
Local Share	\$0	\$10,454,000
Other Funding	\$0	\$0
Total Local	\$0	\$10,454,000
<b>Payment Per User Without Cost-Share</b>	<b>\$0.00</b>	<b>\$406.81</b>

**Explanation of Results:**

The sponsor preferred project is the "User Expansion" option. The present value cost of the preferred alternative is \$14,430,000 and \$0 for the "Do Nothing" alternative for comparison. The capital expenditure cost for the preferred alternative is \$10,595,000. The present value cost per user for the preferred alternative is \$111,000. The monthly user cost of the local share with DWR 75% cost-share participation is \$102 per month and \$407 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.

113 Shamrock Ln SE PO Box 1257  
Devils Lake, ND 58301  
Phone: 701-662-5781  
Fax: 701-662-6623  
Toll-Free: 888-223-0090  
www.grwdnd.com



December 5, 2024

Andrea Travnicsek, Ph.D.  
Director – Department of Water Resources  
1200 Memorial Highway  
Bismarck, ND. 58504

**Re: Greater Ramsey Rural Water District (GRWD)  
GRWD – 2024 User Expansion Construction Cost Share Request  
Cost Share Request for 2024 – 2025 Biennium**

Dear Director Travnicsek:

This letter shall serve to acknowledge that Greater Ramsey Water District (GRWD) is requesting North Dakota State Water Commission (SWC) construction cost share for the GRWD – 2024 User Expansion Project. The project is planned to be bid in late January 2025. Assuming bid prices are reasonable, GRWD hopes to award the project following the bid opening.

The anticipated construction cost of the project can be found within our application, showing our current request. This request will be subject to change following the bid opening, where an adjustment to this amount will be resubmitted prior to the February 13, 2025 State Water Commission meeting. Within our request you will find meeting minutes attached which show a motion stating the intent of GRWD to apply for this cost share funding for the project.

Thank you very much for your assistance with this important project for Greater Ramsey Water District. If you have any questions, please feel free to contact GRWD at 701-662-5781 or Brian Aafedt with Advanced Engineering and Environmental Services, LLC. at (701) 746-8087.

Sincerely,

A handwritten signature in blue ink that reads "Doug Mohr". The signature is written in a cursive, flowing style.

Doug Mohr  
Greater Ramsey Water District Board of Directors President

c: Brian Aafedt, Project Manager

## GREATER RAMSEY WATER DISTRICT REGULAR MEETING

December 5, 2024

**DIRECTORS PRESENT:** Paul Becker, Kale Miller, Allen Johnson, Doug Mohr, Gilbert Black, Missy Abrahamson, David Hovendick

**OTHERS PRESENT:** Lonnie Lacina, Sally Herda - GRWD; Brian Aafedt – AE<sub>2</sub>S

The meeting was called to order at 7:54 a.m. by President Mohr at the District office.

Minutes from the November 7, 2024 regular meeting were reviewed. Motion by Abrahamson, seconded by Miller to approve the minutes. All directors voted aye and **motion carried**.

### Manager report

- **North system capacity improvement project**
  - **AE<sub>2</sub>S project update** – Retainage of \$30,000 for the pipeline work is being held until Spring.

**Facility** – Fairly quiet, construction-wise. The Saunders booster roof has been installed. Preparations are being made for shutdown of the water treatment plant currently scheduled for January 20. Anticipated down time is 3-4 weeks for work to be completed. Pay applications for John's Refrigeration and American General have been submitted for payment and no additions to the facility change order list have been made.

Contingency summary and project budgets were reviewed.

- **User expansion project**
  - **AE<sub>2</sub>S project update** – Agreement between NRWD and GRWD for connection near Webster was reviewed. Agreement covers sign up and connection costs with monthly cost to purchase water at the City of Devils Lake's rate to GRWD plus 25%. Term of the agreement is for five years and renews annually thereafter. Lacina has reviewed the agreement and recommends it be signed. Motion by Black, seconded by Hovendick to approve the agreement between NRWD and GRWD for connection to NRWD for supplemental water. All directors voted aye and **motion carried**. The final design is on track to meet the timeline for the bid process. The asset inventory assessment is being finalized and will be presented at the January meeting. Dan Weed has opted out of the project and a request for membership refund was made. Motion by Johnson, seconded by Becker to refund the membership less the \$50 non-refundable fee. All directors voted aye and **motion carried**.

An update on the high-cost users was presented. Those in the high-cost category have been provided with an opportunity to buy down the local share of the grant for the amount exceeding the base bid allowance. A deadline of December 6 has been set for these funds to be received so these connections can be moved into the base bid. Aafedt asked the board how to manage those applications for users on lines requiring cost-share of 2 or more in the event that not everyone along the route elects to participate. The directors determined that payments will be returned to those who paid on the high-cost multiple user lines if all the proposed users do not pay their portion. Modeling, pressure and flows were discussed and Aafedt indicated this may

be a broader issue in the south area. This area of the system is not at a critical point at this time but should be a consideration in long term planning.

Funding – The request for funding for additional design fees has been withdrawn as the threshold is one per project and this has already been used for preliminary work. Some of the unused easement funding can be applied toward the archaeological costs. The draft priority list for emerging contaminant (EC) funding has GRWD’s project ranked at #6. A review of the project under the priority listing indicates there may be some room for GRWD to move up. The likelihood of this may not be known until February and upon discussion, the directors decided to continue on the current path with a January/February bid and award, but to bid with the SRF bidding requirements which would meet EC funding guidelines. At the present time, GRWD will pursue the 75% SWC funding with 25% local cost share with funding options to reassessed in another month if EC funding opportunities become available. Aafedt recommends the District begin the SRF process (application) to begin the funding process. Motion by Black, seconded by Becker to approve **Resolution No. 24-1** authorizing Manager Lacina to file the application with the North Dakota Department of Environmental Quality for a loan under the Clean Water Act and/or the Safe Drinking Water Act. Upon vote, all directors voted aye and **motion carried**. The latest cost estimates were reviewed along with monthly base rates calculated based on 75% grant funding. Motion by Johnson, seconded by Abrahamson to apply to the State Water Commission for construction cost share for the user expansion project. This would follow the January bid and have numbers available for the February SWC meeting.

Invoices – Motion by Hovendick, seconded by approve payment of the project invoices: AE<sub>2</sub>S (\$58,648.73, \$20,801.00), American General #7 (\$586,179.23), John’s Refrigeration #8 (\$259,526.57) and Juniper #1 (\$50,000) for a total of \$975,155.53. All directors voted aye and **motion carried**.

- **COSA** – Lacina has been in contact with Sarah Sesselman to assist in bringing the District’s COSA up to date and to be a functional planning tool for rate setting and long-term planning. Aafedt stated Sarah has worked with AE<sub>2</sub>S’s Miranda Kleven when creating the COSA and that AE<sub>2</sub>S can incorporate the COSA into the asset inventory. Lacina also expressed need to work on the sewer aspect as well as he has been working with the EPA on needs of the rural sewer system.
- **Property** – Lacina reported the property adjoining to the west of the District’s office has been purchased by the Fire Department. They plan to put a training facility on the location, but the church needs to get moved off. The Fire Department is open to selling the lot between GRWD’s office and the church site. Lacina provided some idea of the cost to make required improvements to the lot to make it suitable for the District’s needs. Motion by Becker, seconded by Abrahamson to authorize Lacina to negotiate up to \$75,000 for purchase of the lot. **Motion carried** unanimously.
- **2025 Budget** – The budget numbers were updated with the changes made at the November meeting. Motion by Black, seconded by Miller to approve the 2025 budget and to set the water base rate for non-project customer installs at \$45. All directors voted aye and **motion carried**.
- **Theft of Service** – Lacina updated the directors on a theft of service discovered when the new owners of a property with a terminated water service contacted the office to shut off a curb stop that they were unable to do themselves. Curb stop had previously been locked and the top cover/lock had been broken off to access water. Without the cover, the opening became an entryway for snake hibernation. Curb stop has been shut off, owners

fined a \$1,000 penalty that must be paid, along with a membership, and cost to repair the curb stop, and return of the previous owner’s meter before water service will be available.

**Office manager report**

- **Accounts Payable** – Motion by Hovendick, seconded by Miller to authorize payment of the November bills. **All directors voted aye and motion carried.**

	<u>WATER</u>	<u>SEWER</u>	<u>CHECK #</u>
Payroll direct deposit - net	21,171.07	3,691.52	1024E
Wages - Gross \$34,369.03			
EFTPS	8,218.22		1025E
941 payroll taxes			
Nationwide Retirement	1,520.00		1026E
Deferred compensation			
ND PERS	5,269.28		1027E
Retirement			
Cardmember Service	142.69	29.61	1028E
NDRIN, Adobe, fuel, phone accessories			
Payment Service Network	345.38	115.12	1029E
Payment processing			
ND PERS	3,295.26	929.44	1030E
Health insurance			
Nodak Electric	3,129.04	596.29	18245
System electricity			
Bravera Bank	500,000.00	500,000.00	18246
6-month CD			
Ace Hardware	11.66	3.88	18249
Office keys			
Advanced Business Methods	56.25	18.75	18250
Quarterly copier service contract			
Advanced Engineering			18251
N System Impr - construction, I&C services	20,801.00		
2024 user expn - final design, easements	58,648.73		
Amazon Capital Services	508.78	415.02	18252
Office supplies, pumps			
American General	586,179.23		18253
Payment #7, NIMP			
Banyon Data Systems	1,072.50	357.50	18254
Annual utility billing support			
City of Carrington	2,584.45		18255
807,100 gallons for resale			
City of Devils Lake	40.91	13.64	18247
Office utilities			
City of Devils Lake		2,171.40	18248
Wastewater -2,789,180 gallons			
City of Devils Lake	5,872.08		18256
Water for resale - 3,355,477 gallons			
RJ Durbin	50.00		18257
Service truck fuel			
Exhaust Pros	77.25	25.75	18258

Oil change			
Farmers Union Oil	1,150.77	259.94	18259
Service truck fuel			
Ferguson	6,372.65		18260
Water materials, repair			
Forum	54.00	18.00	18261
Cass certification			
GRWD Petty Cash	1,115.40	305.13	18262
Replenish account			
	<b><u>WATER</u></b>	<b><u>SEWER</u></b>	<b><u>CHECK #</u></b>
Hach	319.60		18263
WTP testing supplies			
Hawkins	10.00		18264
WTP cylinder charge			
Johns Refrigeration	259,526.57		18265
Payment #8, NIMP			
Juniper Environmental	50,000.00		18266
Cultural study - 24 User Expn			
Lonnie Lacina	94.00		18267
Service truck fuel			
Lake Region Electric	269.78	89.92	18268
Shop lights			
Leevers	13.79	4.60	18269
meeting supplies			
Macs	13.99		18270
Water, sewer supplies			
Montana Dakota Utilities	76.10	25.37	18271
Office utilities			
NAPA	242.24	98.21	18272
Truck parts, supplies			
ND Dept of Environmental Quality	369.95		18273
Fluoride, well testing			
ND One Call	195.95	26.25	18274
Locates			
ND Telephone	460.04	103.87	18275
Phone, internet, surveillance			
Network Center Inc	401.81	133.94	18276
Flex care service			
Nodak Electric	2000.00		18277
WTP - relocate 3-phase transformer			
Northern Plains Electric	195.30		18278
System electricity			
Ottertail Power Co	300.43	374.37	18279
System electricity			
Payroll Professionals	66.34	22.12	18280
Payroll services			
Pomps	1,021.47	340.49	18281
Tires - 23 Chevrolet pickup			
Quadiant	76.01	25.34	18282
Automate usage			
Running Supply	208.85	25.87	18283
Repair, shop, clothing supplies			
USA Blue Book	622.46	414.96	18284



Locate supplies			
Verizon	278.98	92.99	18285
Cell phone service			
Vestis	89.24	29.76	18286
Rug service			
Walmart	39.46	13.15	18287
Office,building supplies			
Dan Weed	1,950.00		18288
Opt out of expansion project			
Ramsey County Recorder	200.00		1188
Record easements - NIMP project			
	<b><u>WATER</u></b>	<b><u>SEWER</u></b>	<b><u>CHECK #</u></b>
Postmaster	765.40	255.13	1189
Billing postage			
Ramsey County Recorder	150.00	50.00	1190
Easement recording			
Postage machine	44.81	11.04	782JE
Nov postage			
<b>TOTALS</b>	<b>1,547,689.17</b>	<b>511,088.37</b>	

- **Financial report** - November financial report was reviewed and discussed. Motion by Johnson, seconded by Hovendick to approve the financial report. All directors voted aye and **motion carried**. Project report for the current improvement project was reviewed.
- **CD due 12-11-24** – Project local funding requirements through May, 2025 were reviewed. Motion by Black, seconded by Abrahamson authorizing the President and Herda to renew the CD at the best rate. All directors voted aye and **motion carried**.

#### **Membership termination**

- Ray Belford – tract near Weed Sub, 12-153-65 - nonpayment

Motion by Hovendick, seconded by Becker to approve the membership termination and eliminate the balance. All directors voted aye and **motion carried**.

Next regular board meeting will be held January 9, 2025.


There being no further business, the meeting adjourned by motion at 9:35 am.

Minutes Approved: \_\_\_\_\_

Doug Mohr, President \_\_\_\_\_

Sally Herda, Office Manager \_\_\_\_\_

## MEMORANDUM

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** Devils Lake Update  
**DATE:** January 23, 2025

### **Devils Lake Water Surface Elevation**

The Devils Lake water surface elevation as of January 23, 2025 is 1449.4 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 water samples on the Sheyenne River downstream of Devils Lake are illustrated in Figure 1. Due to the end of the Devils Lake Outlets operation season and winter weather conditions, the dates shown in Figure 1 represent the last sampling dates.

### **Hydrologic Conditions**

The National Weather Service (NWS) provides forecasts for the Devils Lake water surface elevation, which are based on the operation of the Devils Lake Outlets at a daily average of 350 cubic feet per second (cfs) from May 15 through October 30. The NWS released the first spring flood outlook for Devils Lake on January 23, 2025, which indicated a 50% chance that the lake will meet or exceed an elevation of 1451.2 feet between January 20, 2025, and September 30, 2025. The peak elevation in 2024 was 1450.2 feet.

The outlook also highlighted that precipitation from September to November 2024 was above normal in the northern portions of the Devils Lake Basin and slightly below normal in the southern portions of the basin. The fall season ended with precipitation well above normal throughout the month of November, which saturated the soils before the winter freeze-up occurred.

Similar to the fall of 2024, this winter the northern portions of the Devils Lake Basin have experienced precipitation and snowfall slightly above the 30-year average (1991 to 2020), with snow depth and water equivalent decreasing rapidly southward. Detailed information regarding the current snow water equivalence for the state of North Dakota was obtained through the National Operational Hydrologic Remote Sensing Center on January 22, 2025, which is included as Figure 2. As of January 23, 2025, the average snow water equivalent across the Devils Lake Basin is approximately 1.3 inches.

The next outlook will be released in February 13, 2025, with subsequent runoff forecasts issued every two weeks until spring runoff begins.

### **Devils Lake Outlets Pump and Motor Inspection**

The pump manufacturer, Trillium Inc., completed onsite inspection of all pumps at both outlets in October 2024. Based on this initial inspection, two pumps were recommended for further offsite inspection. Due to concerns with the pump manufacturer's current availability and the potential delay in returning the pumps before the 2025 operating season, the work will be delayed until fall 2025 after 2025 operations conclude. To ensure proactive maintenance, the Department of Water Resources (DWR) is working with the pump manufacturer to potentially establish a recurring maintenance schedule each fall after shutdown, ensuring all pumps undergo thorough offsite inspections on a rotating basis. This approach is critical to maintaining operational pumps during the limited operating season, which has historically been from May through October since operations began in 2005. Any issues identified during these inspections will dictate the necessary repairs. Delays caused by part availability, which are dependent on suppliers, could impact timelines, making a proactive maintenance schedule essential.

The onsite inspection of all motors at both outlets was completed in January 2025 by a motor service shop. The shop analyzed the oil samples from the motors and prioritized a list of motors for further inspection. DWR has received a quote from the shop for reconditioning and rewinding the prioritized motors. DWR staff is reviewing procurement guidelines and winter access logistics of the site to determine the path forward for offsite inspection of the motors. Similar to the pumps, DWR is proactively coordinating to have all motors taken offsite for further inspection on a rotating basis during winter months. Any issues identified during these inspections will dictate the necessary repairs.

## **Engineering Services for the Devils Lake Outlets Operation**

In April 2024, BW/AECOM was retained for providing engineering services for maintaining the continued operations of the West End Outlet and East End Outlet. The contract remains in effect until March 1, 2029.

The ongoing projects for both outlets include:

- (1) Test potential solutions to address the overflow issue at the Josephine tank, such as cleaning the air release valves along the pipeline, which might have reduced the conveyance of the pipeline due to blockage .
- (2) East Outlet pump intake area sedimentation removal around pump 1, a 75 cfs pump. This project, was originally scheduled to be completed in November 2024. Due to the weather conditions, the project completion has been delayed and will resume in spring when conditions are suitable.
- (3) Engineering assistance in evaluating the pump priming system at the Round Lake pump station and determining options for replacement or improvement.

RH:YC:/416-10

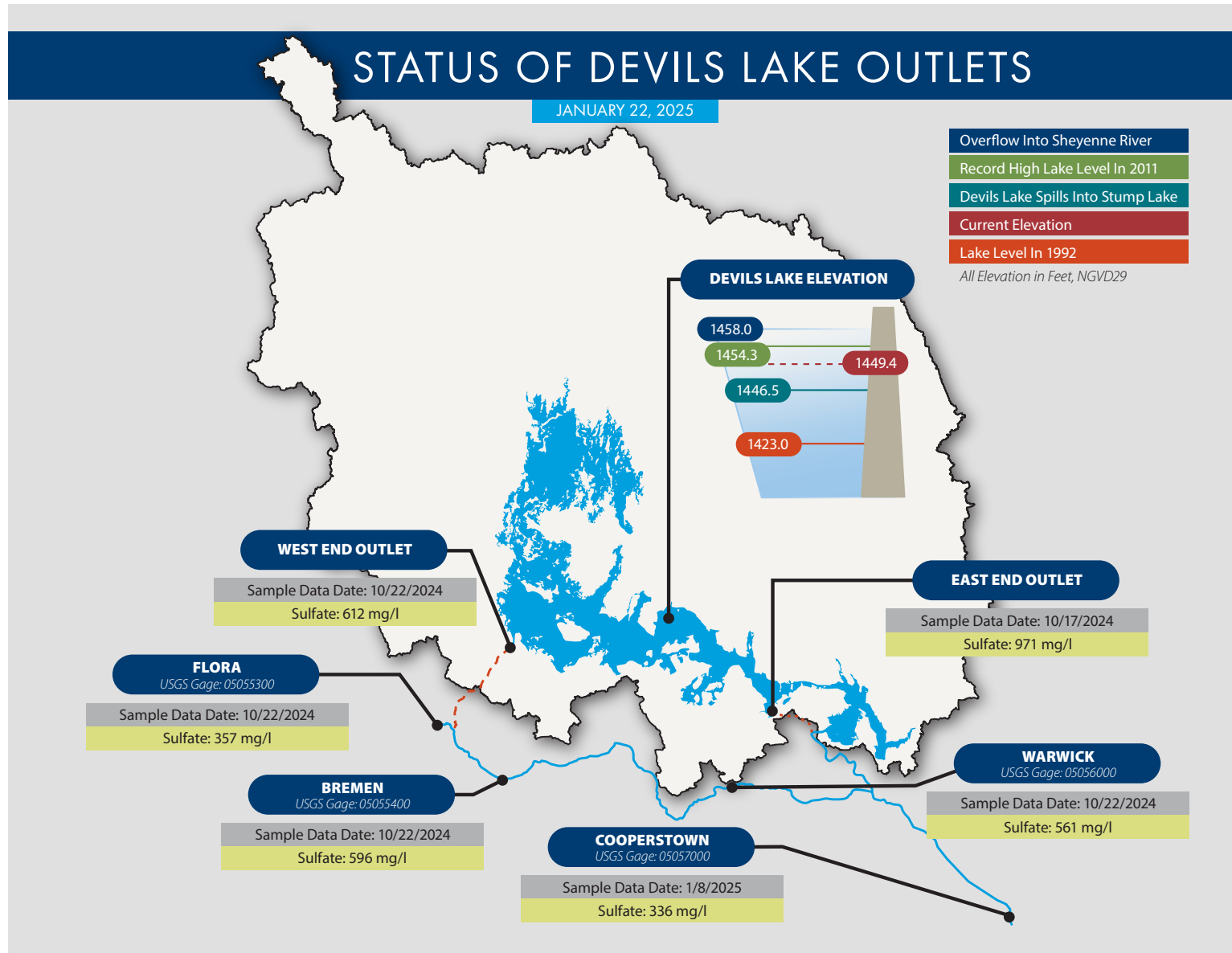


Figure 1: Status of Devils Lake and Downstream Conditions

**Modeled Snow Water Equivalent (Shallow-snow Legend) for 2025 January 23, 15:00 UTC**

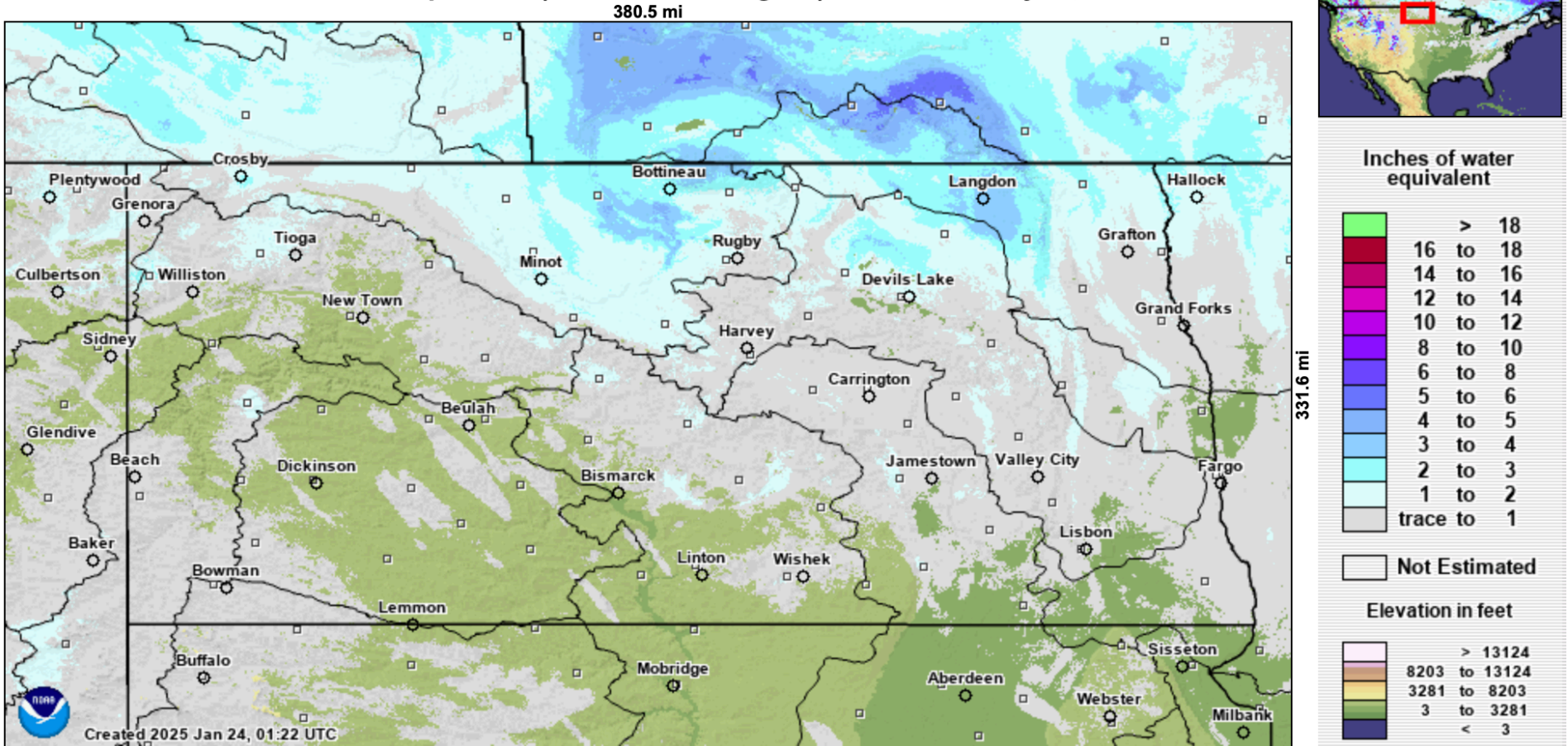



Figure 2: Snow Water Equivalence throughout North Dakota



**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** Mouse (Souris) River Update  
**DATE:** January 23, 2025

**Hydrologic Conditions and Reservoir Status**

According to the U.S. National Weather Service's (NWS) hydrologic outlook (dated January 23<sup>rd</sup>) for the Souris River Basin, dry soils persist in Saskatchewan and in the western and central regions of the basin in North Dakota. Snow-water equivalent (SWE) values between two and four inches are present in the Turtle Mountain region and above Rafferty and Grant Devine Dams in Saskatchewan. The rest of the basin has roughly one to two inches of SWE. It is considered "normal" if the SWE at the onset of spring melt is roughly 1.5 to 2.5 inches.

Rafferty and Grant Devine Reservoirs are below their respective Normal February 1<sup>st</sup> Drawdown Levels, which are the target water levels established to create storage capacity for spring runoff and reduce the risk of flooding during the melt season. No releases are occurring at this time from the Saskatchewan dams. Lake Darling is 0.1 feet above its Normal February 1<sup>st</sup> Drawdown Level. The U.S. Fish and Wildlife Service has initiated a release of about 60 cubic feet per second (cfs) from Lake Darling for the purposes of achieving normal drawdown level by February 1<sup>st</sup>. Further downstream at J. Clark Salyer National Wildlife Refuge, releases to Manitoba are about 10 cfs.

The first spring runoff forecast will be produced on February 1<sup>st</sup>, followed by updates on the 15<sup>th</sup> and 1<sup>st</sup> of each month until spring runoff begins. Runoff forecasts are created jointly by Saskatchewan's Water Security Agency (WSA) and the NWS.

Reservoir status as of January 23, 2025, 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. It is also anticipated that the ISRB will host a public meeting the evening of February 25<sup>th</sup>. Since the restructuring of the ISRB by the International Joint Commission (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 met multiple times and achieved consensus on a recommended adjustment to some of the committees under the ISRB. The WMA included ND Department of Water Resources (DWR), U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, Manitoba Environment and Climate Change, and WSA.

In December 2024, the IJC informed WMA that they were moving forward with implementing WMA's recommendation. At this time, the IJC is finalizing the ISRB's Directive and committee Terms of References to reflect the adoption of WMA's recommendation. Once these documents are officially distributed, it is our understanding that Saskatchewan will nominate representatives to the ISRB.

## **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 approximately 4 to 6 weeks while construction is occurring.

Following multiple review and comment periods, WSA has addressed DWR's concerns related to their water management plan for the maintenance curtailment period. WSA initiated their communication plan in mid-January, which involves providing updates on the project, basin conditions, and whether conditions are favorable for the project to proceed. While it is very early in the year, basin conditions so far are favorable due to dry soils, which would likely mitigate runoff. In their communications, WSA also stated that the project is out for bid, with a closing date of January 31<sup>st</sup>.

## **Mouse River Enhanced Flood Protection Project (MREFPP)**

The Souris River Joint Board (SRJB) sponsored Mouse River Enhanced Flood Protection Project (MREFPP) is a basin wide project to reduce flood risk in the Mouse River Basin within North Dakota.

At their regular January meeting, the SRJB received updates on the various phases of the MREFPP. The Northeast Tieback Levee (MI-5) is estimated to be approximately

Mouse River Update Memo

Page 3 of 4

January 23, 2025

95% complete, with the levee, floodwall, and pump station (most likely) being functional for a flood fight in 2025, if necessary.

More information about the MREFPP can be accessed at the following link:

<https://www.mouseriverplan.com/>.

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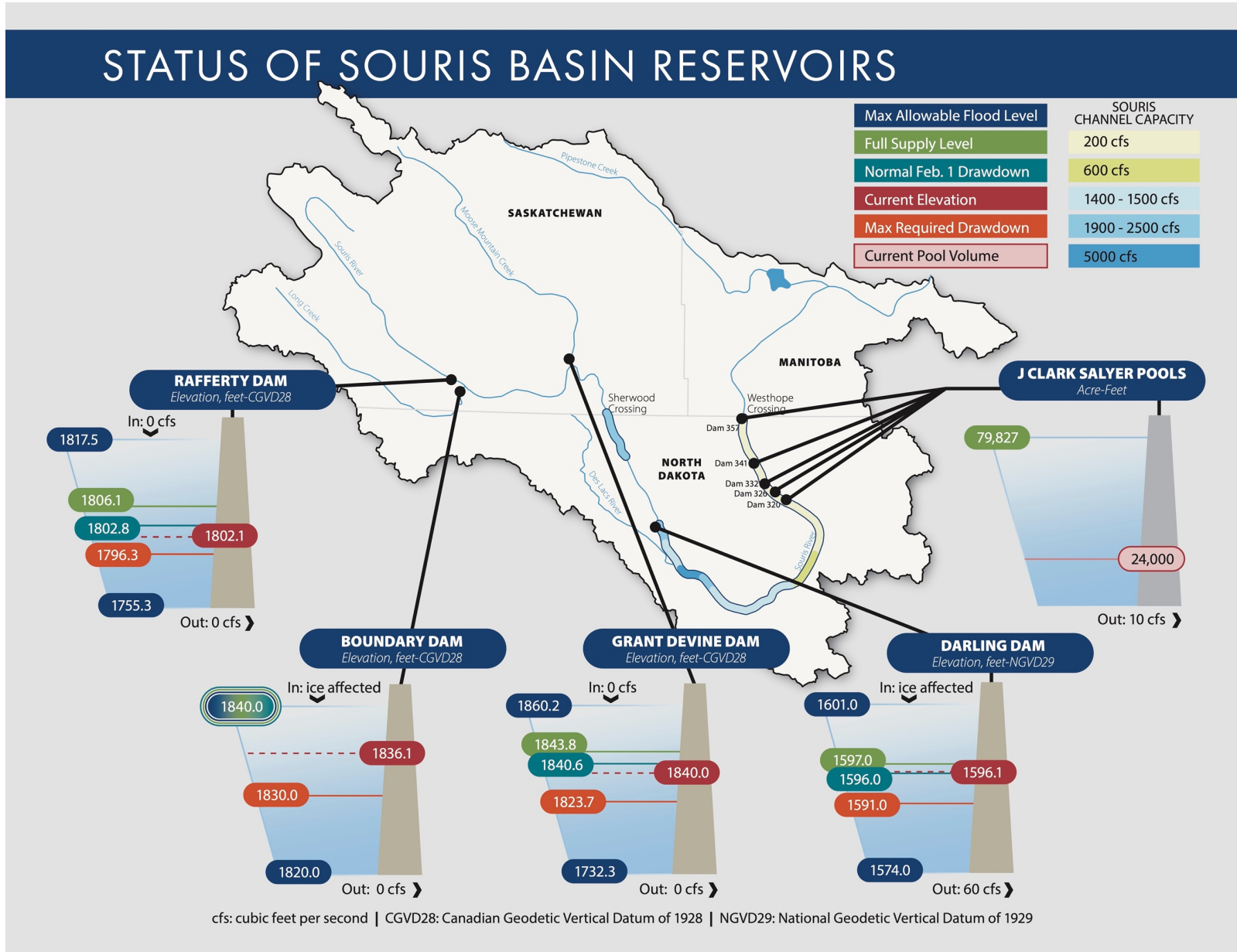


Figure 1: January 23, 2025 Reservoir Status in the Souris River Basin

**MEMORANDUM**

**TO:** Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
**FROM:** Reice Haase, Secretary *Reice*  
**SUBJECT:** Missouri River Update  
**DATE:** January 23, 2025

**System/Reservoir Status**

Table 1 shows that Fort Peck Lake and Lake Oahe elevations are approximately two and three feet below their averages at this time of year, respectively. Lake Sakakawea’s elevation is approximately one foot 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 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 6 MAF.

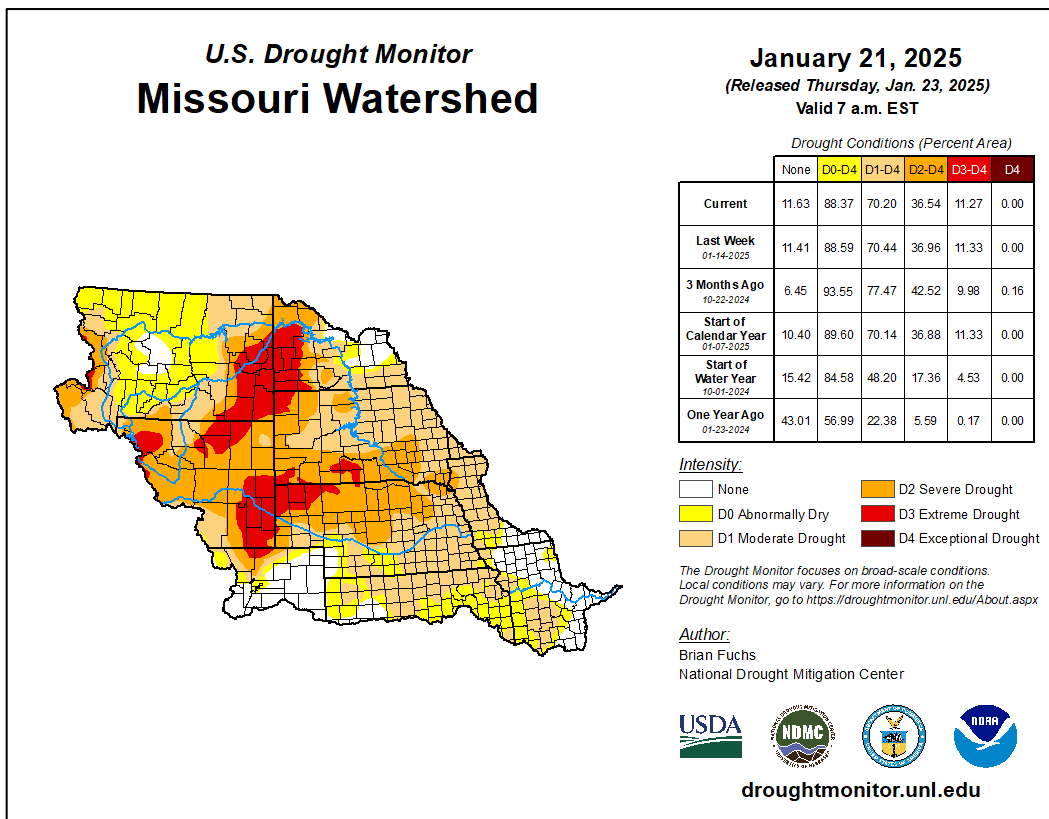
**Table 1.** Current and historical reservoir elevations and total system storage.

	Reservoir Elevation (feet msl)			Total System Storage (MAF) <sup>(1)</sup>
	Fort Peck	Lake Sakakawea	Lake Oahe	
January 23, 2025	2,226.1	1,833.8	1,596.9	49.9
One-Year Ago	2,229.0	1,837.5	1,599.5	52.4
	<b>January 31<sup>st</sup> Reservoir Statistics</b> (period of record: 1967-2024)			
Average	2,228.0	1,832.7	1,599.7	52.7
Record High [year]	2,244.3 [1976]	1,843.6 [1972]	1,608.7 [1968]	60.8 [1976]
Record Low [year]	2,197.5 [2007]	1,807.0 [1973]	1,572.9 [2007]	34.0 [2007]

(1) MAF – Million Acre Feet. More storage indicates more water is in the system

### Missouri River Runoff Forecasts

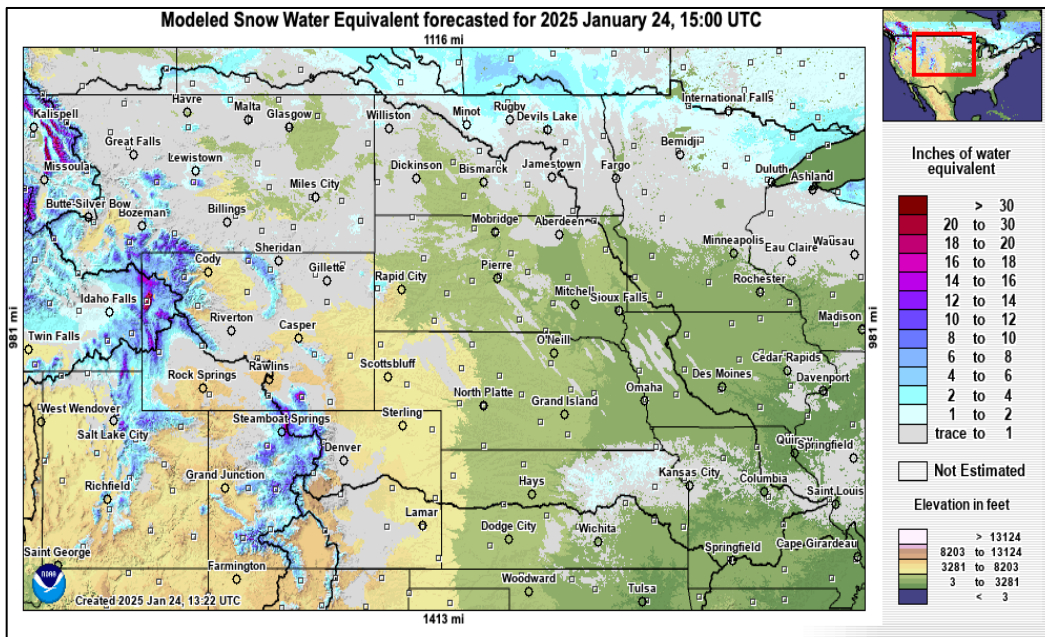
Total observed runoff for the Missouri River basin above Sioux City, IA, in 2024 was 23.3 MAF, 91% of average. The average annual runoff for the Missouri River basin above Sioux City, IA, is 25.7 MAF. Runoff in 2025 depends on several factors including basin precipitation and soil moisture. Figure 1 shows that basin soils are currently dry. Approximately 88% of the river basin is considered to be at least “Abnormally Dry” by the National Drought Mitigation Center. Southwestern and northwestern North Dakota is considered to be in “Extreme” and “Severe” droughts, respectively. Basin soils will remain dry until spring thaw and precipitation or snowmelt runoff occurs.



**Figure 1.** Drought conditions throughout the Missouri River basin as of January 21<sup>st</sup>, 2025. Graphic is courtesy of the National Drought Mitigation Center.

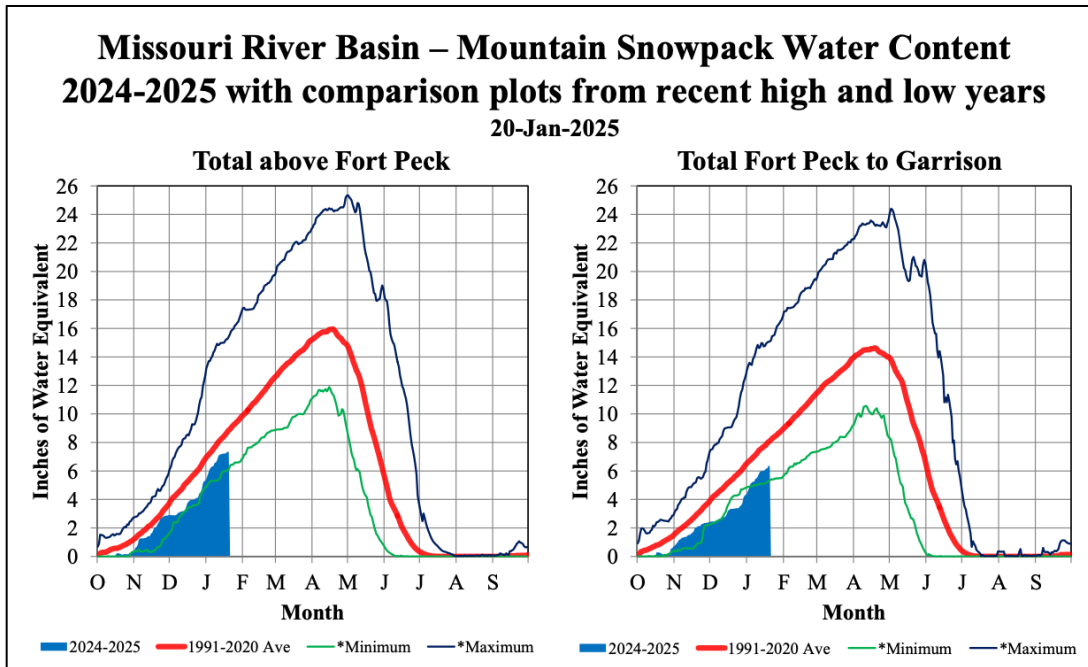
Melting plains snowpack contributes a large portion of the runoff into the Missouri River in the months of March and April. Figure 2 shows that there is trace to 1” of snow water equivalent (SWE) across much of the Missouri River basin. The plains snowpack is below average throughout the river basin for this time of year.





**Figure 2.** Modeled SWE for the Missouri River basin (outlined in middle of the image) as of January 24<sup>th</sup>, 2025. Graphic is courtesy of the National Weather Service's National Operational Hydrologic Remote Sensing Center.

Melting mountain snowpack contributes a majority of the basin runoff during the months of May, June, and July. Runoff during those months has little correlation to the January mountain snowpack, as only approximately half of the mountain snowpack has typically accumulated by this time, with peak mountain snowpack accumulation typically occurring in mid-April. Later measurements of the mountain snowpack will provide more accurate estimates of anticipated runoff. Figure 3 shows the mountain snowpack accumulation for the Missouri River basin as of January 20<sup>th</sup>, 2025. The SWE for the "Above Fort Peck" reach was 7.3", 83% of average, and the SWE for the "Fort Peck to Garrison" reach was 6.3", 78% of average.



**Figure 3.** Missouri River mountain snowpack SWE as of January 20<sup>th</sup>, 2025. Graphic is courtesy of USACE.

The National Oceanic and Atmospheric Administration confirmed a weak La Niña climate pattern has developed and will persist until the March through May period. La Niña conditions can lead to above average mountain snowpack in the northern Rockies, potentially leading to increased runoff in 2025. Weak La Niña events have also been linked to increased precipitation in North Dakota from January to March.

Given the dry basin soils and below average snowpack, USACE forecasts that the 2025 Missouri River runoff above Sioux City, IA, will be 20.2 MAF, 79% of average. The dry river basin soils and below average snowpack currently minimize expectations for spring flooding. However, the river basin snowpack could accumulate over the remaining winter months, especially with the weak La Niña. Ice jam flooding also has the potential to occur each spring.

### Missouri River Basin Reservoirs in ND

Lake Sakakawea is currently at an elevation of 1,833.8 ft msl, with inflows of 10,000 cubic feet per second (cfs) and outflows of 23,600 cfs. Lake Sakakawea’s elevation is forecasted to decline to approximately 1,830 feet msl by April 2025 due to USACE increasing releases from Garrison Dam to balance the upper three Missouri River reservoirs and support winter hydropower generation. The current USACE reservoir monthly forecast anticipates Garrison releases will remain around

23,500 cfs through February and will be decreased to 17,000 cfs in March. This release schedule is typical for Garrison Dam at this time of year.

Figure 4 shows the status of federally operated reservoirs in the Missouri River basin as of January 23<sup>rd</sup>, 2025.

### **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 23<sup>rd</sup>, 2024, to discuss the progress on preliminary design of the structural repair alternatives. The alternatives have 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 before finalization of the DSMS.

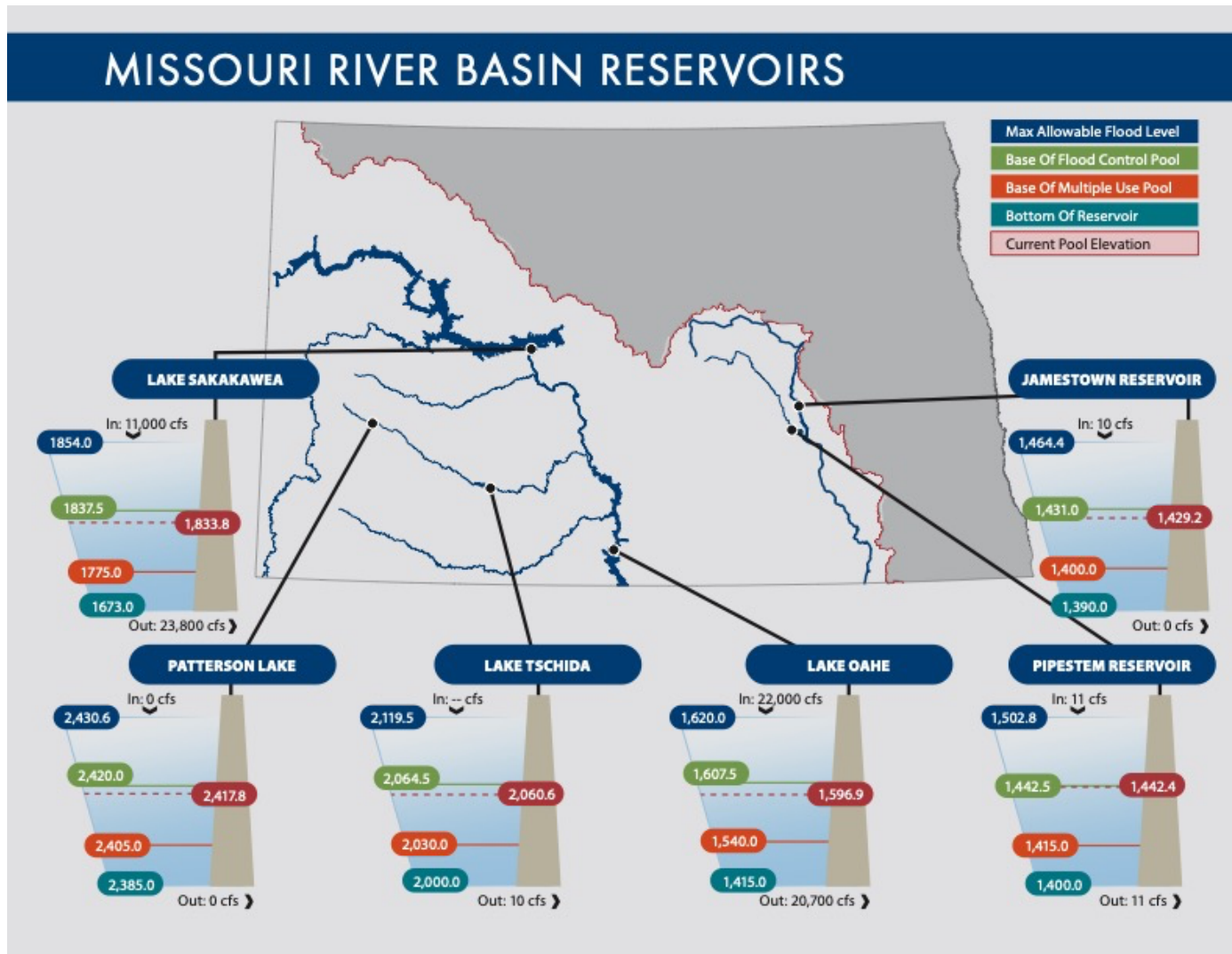



Figure 4. Status of reservoirs in the basin as of January 23<sup>rd</sup>, 2025. Inflow data was not available for Lake Tschida at the time of data retrieval.

TO: Lt. Governor Michelle Strinden  
 Members of the State Water Commission  
 FROM: Reice Haase, Secretary   
 SUBJECT: NAWS – Project Update  
 DATE: January 24, 2025

*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. ***All major equipment except the switchgear, variable frequency drive, and the generator are delivered to the site.*** The current expected delivery date for the switchgear and the variable frequency drives, is as late as February 2025. ***The current expected delivery for the generator is mid-May 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 substantially complete as of December 20, 2024.*** 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. ***Change Order 2 for the pipe penetration work on the discharge structure based on time and materials cost has been processed. To date, two Change Orders on the Contract 6-1A Demolition Contract that increased the contract price by \$522,329 and extended the Substantial and Final Completion date on the Contract to June 29, 2024 and July 29, 2024 respectively have been executed by all parties. Change Order 3 that moves minor work from the Demolition contract to the Construction contract, and adds exterior duct bank electrical work, and extends completion date on the Demolition contract to December 23, 2024 is currently under development.***

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 December 3<sup>rd</sup> shows the startup and commissioning of all equipment except the generator on the Construction Contract to be June 16 to July 11, 2025 and final installation of the backup generator extending through***

***September 5<sup>th</sup>, 2025. Discussions are ongoing with PKG Contracting for extending the contract completion dates on the Construction contract.***

### **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 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 in the amount of \$414,872.77, and extends the Substantial Completion and Final Completion date on the contract to November 30, 2024, and June 1, 2025 respectively, has been executed.*** 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. ***Change Orders 2 and 3 for additional work incorporated into the contract that includes sewer repair, culvert replacement, and disposal of excess material has been executed by SWC and the Contractor. Through Change Order 3, the total cost increase on the contract is \$538,259.46 and the Substantial Completion date and Final Completion date on the contract is extended to May 15, 2025 and June 15, 2025 respectively. Contractor is expected to mobilize back to the site on April 7<sup>th</sup> to resume work.***

### **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 Garrison Diversion Conservancy District 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. ***The Agency Technical Review comments from USACE were received on December 17, 2024. The design team is working on addressing the comments received.***

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 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 are ongoing 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. 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 was directed to proceed with the repair. *To date, attempts to repair the manufacturing defect have been unsuccessful. The General Contract’s Substantial Completion Date is extended to December 2, 2024 via Change Order 6. The issues with the defective roof and the filter underdrain system have resulted in the delay in the Substantial Completion of the contract.* 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**  
***Project has achieved Final Completion.***

**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. An issue identified with settlement around the building resulted in damages to electrical conduits. A change order was executed to reroute the remaining underground conduits and that work is complete. Two additional warranty items were 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 completed those repairs. ***A final warranty walkthrough inspection was conducted on December 26<sup>th</sup>, 2024 which identified two warranty items consisting of missing insulation on a segment of roof drain piping, and an undersized propane regulator in a roof HVAC unit. Both issues have been corrected and the project is now off warranty. Eleven change orders totaling \$3,299,630.75*** 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.

Change order 1 was executed with the pump station contractor and the reservoir contractor to accommodate changes to the overflow and reservoir drain piping requested by the Department of Environmental Quality. The change order added less than \$1000 dollars to the pump station contract and no change to the reservoir contract price. The completion date on the reservoir contract and the pump station contract was changed to November 8, 2024 and November 26, 2024 respectively.

***The reservoir contract achieved Substantial Completion on November 8, 2024. Administrative items remain before the contract can be closed out. Change Order 2 on the Pump Station Contract has been processed to add a propane leak sensor, a tank level sensor, and telemetry so tank levels can be monitored remotely by SCADA. To date, two Change Orders totalling \$15,261.21 have been***

*added to the Bottineau Pump Station Contract. The Substantial Completion date on the Pump Station contract was extended to February 17, 2025 through Change Order 2.*

**Photo: Bottineau Reservoir in November, 2024**



**SA 98 Construction of NAWS Pressure Reducing Station and Isolation Vault Improvements:**  
*The contract has been awarded, Notice to Proceed delivered, and the contractor has coordinated for power service to the isolation vaults. New power will be run in the spring after ground thaw. Contractor has been processing submittals and began work at the Pressure Reducing Station on January 22<sup>nd</sup>.*

**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. Sixty five percent of total costs associated with the well construction were credited towards City of Minot's cost share on the NAWS project.

**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


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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 reimbursement request for \$10.7 million was approved at the February 2024 State Water Commission meeting. DWR has started including the credit in the monthly reimbursement request to City of Minot from the *July 2024* reimbursement request.

RH:TGJ/237-4

**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission  
**FROM:** Reice Haase, Secretary   
**SUBJECT:** SWPP – Project Update  
**DATE:** January 29, 2025

*Updates from last Commission meeting memo are shown in bold italics.*

**Contract 1-2A Supplemental Raw Water Intake:**

Updates on expenditures will be provided through separate agenda item. Updates about mediation will be covered during executive session.

**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:**

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.

SWPP – Project Update

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United States Forest Service (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.

***Development of bid ready documents for the Buffalo Gap Reservoir, the reservoir to be located west of Medora, is underway. DWR staff has secured a purchase agreement for the land required for the reservoir construction. Purchase of the tank site and associated easements is expected to be completed in a month. Recommendation to award the construction contract for this reservoir project is expected at the April SWC meeting.***

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.

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 2024 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 sign-up and connect to the line to receive SWPP water.

***The final pay application will be processed soon on this contract and the contract will be closed out.***

Below is a table summarizing project change orders to date:

Bid Price	No. of COs	Cumulative 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 was executed with BW/AECOM *and is progressing. Advertisement for bids is planned in the next couple of months with recommendation to award the construction contract expected to be presented at the June 2025 SWC meeting.*

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 January 2025, in the Burt-Hebron service area there are 802 signups with 292 around Lake Tschida and 510 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 2024 SWC meeting and an action to increase the maximum cost per Equivalent Service Unit (ESU) limit to \$75,890 was approved.

Following the February 2024 SWC action to increase the maximum cost per ESU limit within the project's Feasibility Criteria, the SWA took action at their March 2024 meeting. The action focused 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 2024. 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 4<sup>th</sup>. 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. ***A specific authorization to complete bid ready documents for the rural expansion project in the Hebron Rural Area is under development and will be executed soon.***

#### **Contract 2-3A Metallic Line Replacement and Assessment Progress:**

Assessment and evaluation of metallic pipeline to determine the extent of Microbiologically Induced Corrosion (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 28<sup>th</sup> and November 4<sup>th</sup>. 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.

***Policy regarding the management of replacement of Capital Projects, including metallic pipeline replacement project, is discussed under a separate agenda item.***



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**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.

*At the December 2024 SWC meeting, award of the Contract 3-2H SWTP Expansion Contract to Rice Lake West (RLW) was approved. Contract documents have been received from the RLW and is currently under review. Discussions with the contractor, RLW indicate construction on the site beginning as soon as the weather allows, typically in March or April.*

**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.

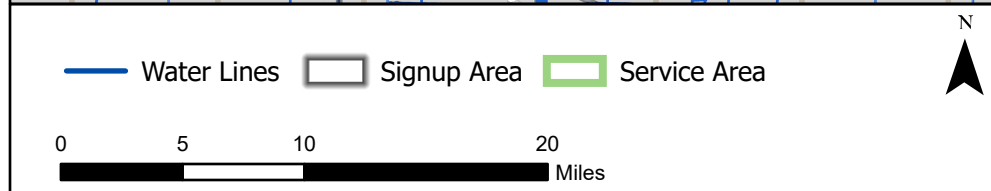
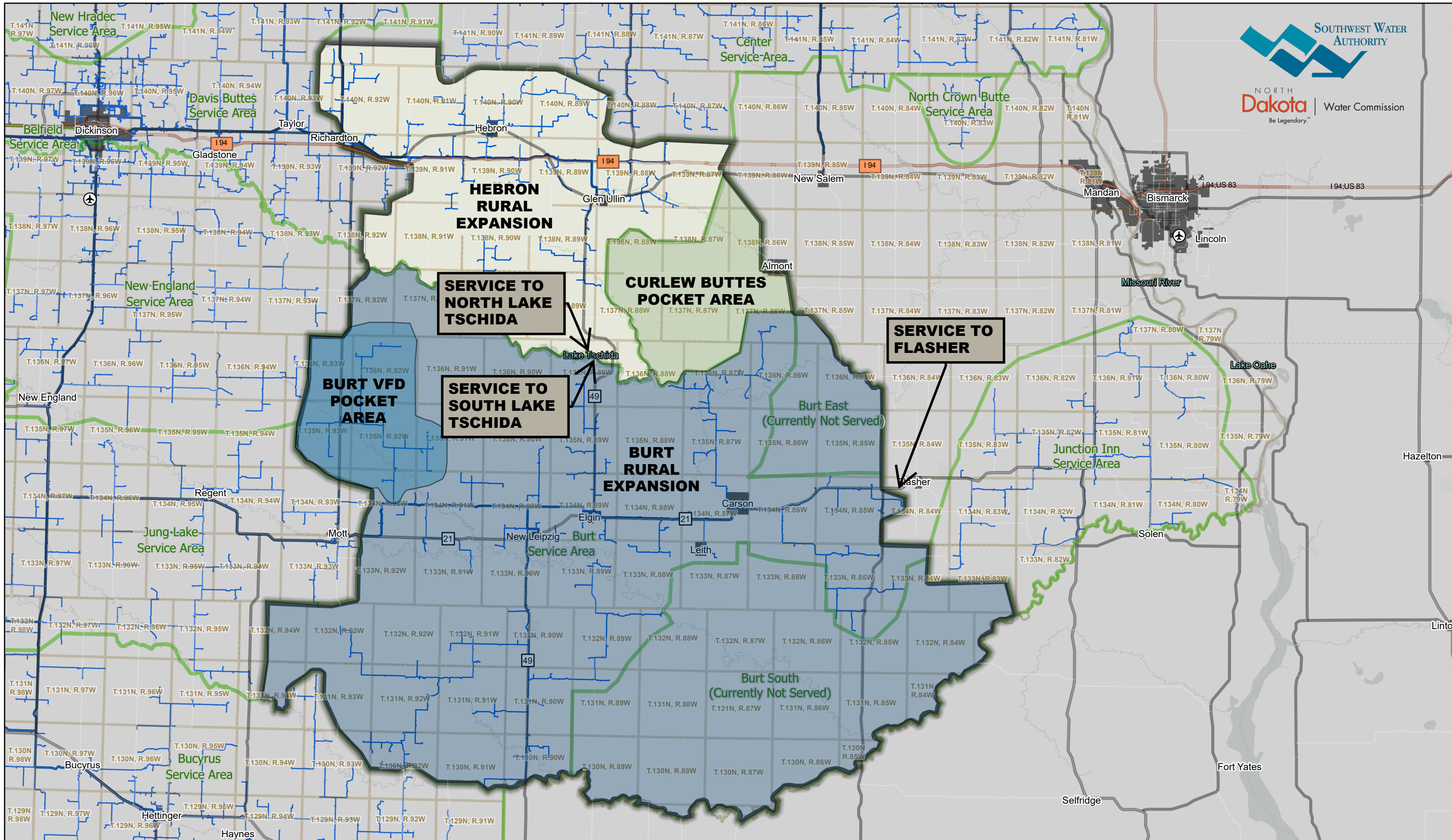
**Red Trail Energy/Net-Zero Richardton, LLC Water Service Contract:**

*An amendment to the water service agreement to memorialize the assignment of the existing water service contract with Red Trail Energy to Net-Zero Richardton is approved by Red Trail Energy, LLC and SWA. Execution by all parties including the Secretary of the SWC is expected soon.*

*DWR staff and SWA staff met with Net-Zero Richardton, LLC to discuss the water needs for the ethanol to sustainable aviation fuel processing planned for the facility. The current water service agreement provides 480 gallons per minute (gpm) allocation to the facility. An additional allocation of 450 gpm is being requested and their request in comparison with existing allocation is being reviewed.*

RH:JF:/1736-99

Attachment



# Southwest Pipeline Project BURT, HEBRON EXPANSION

MEMORANDUM

**TO:** Lt. Governor Michelle Strinden  
State Water Commission  
**CC:** Director Reice Haase  
**FROM:** Matthew Sagsveen, Assistant Attorney General  
**SUBJECT:** State Water Commission Litigation Update  
**DATE:** January 31, 2025 (for February 13, 2025 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 Wagner's civil Complaint against the Commission on November 6. On January 21, the Commission filed a Motion for Judgment on the pleadings, seeking to dismiss Wagner's case against the State because the Complaint is barred by the applicable statute of limitations.

### 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. States filed an amended complaint on November 13, 2023. The States moved for summary judgment on February 26, 2024.

**Summary Judgment briefing was completed last July, and I have no additional updates at this time.**

**MHA Litigation** – The Dept. of Interior has issued a new M-opinion (its 4<sup>th</sup>) alleging MHA, rather than the State, owns the Missouri River through the Fort Berthold Reservation reservation. The Federal Government is now bringing a Quiet Title action in the D.C. District Court against the State to determine who owns the riverbed, which the State has been asking them to do for several years. Because of jurisdictional issues with suing the tribe or the federal government, the federal government suing us is the cleanest way to get final resolution to the issue. **MHA continues to have a pending Motion for Judgment on the Pleadings in front of the Court. MHA believes there are no facts in dispute regarding ownership of the Missouri River, and that MHA is entitled to judgment as a matter of law. The State obviously opposed MHA's Motion. The federal government filed a Motion for Summary Judgment on January 17, 2025, and the State is in the process of preparing its response.**

**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.

Summary judgment motions continue to be due on February 23, 2025. No additional updates.

## MEMORANDUM

**TO:** Lt. Governor Michelle Strinden  
State Water Commission  
**CC:** Director Reice Haase  
**FROM:** Matthew Sagsveen, Assistant Attorney General  
**SUBJECT:** Department of Water Resources (DWR) Litigation Update  
**DATE:** January 31, 2025 (for February 13, 2025 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 action for lands underlying a spacing unit located near the Montana border for which the Yellowstone River runs through. Whiting was requesting that the Court determine ownership of certain property interests for the spacing unit so that Whiting could correctly distribute the royalties from an oil well located in the unit. Specifically, there are islands contained within the river for which Whiting was unable to determine ownership.

The State of North Dakota filed a quiet title action in October 2019, seeking to quiet title to three islands in the Yellowstone River and the bed of the River in this segment (collectively the “Disputed Lands”), in the same area questioned by Whiting.

The State District Court bifurcated the case into two phases. The first phase was intended to address issues related to property boundaries and ownership of the Disputed Lands. The following issues were considered by the Court in Phase One: 1) Was the Yellowstone River navigable at statehood; 2) How did the West Bank

(Island) form and who owns it; 3) How did the North Island/Melland form and who owns it; 4) How did the South Island/Walker form and who owns it; 5) Are the State's claims barred by laches?

After a 4-day bench trial for Phase 1, the Court made 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; and, 6) The State's claim is not barred by laches.

Phase 2 of the case was intended to address whether the State conveyed any of its interest in the Disputed Lands and resolve all title issues. The Defendant landowners moved for summary judgment in July 2024, arguing the State was estopped from asserting that it owned the West Bank, because the State deeded three riparian lots on the east bank of the Yellowstone River in 1950 through a Special Warranty Deed issued by the State Treasurer. The landowners also argued there were no facts in dispute.

The Special Warranty Deed in question conveyed three riparian lots on the east bank of the Yellowstone River, and expressly stated the conveyance was subject to erosion by the River. The State opposed the Defendants' Motion, arguing that the Deed could not have conveyed the West Bank (Island) because the Yellowstone River was the western boundary of the riparian lots, that much of the lots had eroded into the River at the time of the conveyance, and there was a factual dispute regarding what the deed conveyed.

The District Court granted the Defendant landowners' motion for Summary Judgment, holding that the Special Warranty Deed was unambiguous, and also appearing to hold that the riparian lots extended across the east bank of the Yellowstone river, across the West Bank, and to the North Dakota state line.

**Current  
Status:**

A bench trial was held on January 29 to resolve all remaining adjudicated issues in Phase 2. The parties' deadline for post-trial briefing is April 1, 2025, and the Court will issue a decision by April 11, 2025.

**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.

N O R T H  
**Dakota** | Water Resources  
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**TO:** Lt. Governor Michelle Strinden  
Members of the State Water Commission   
**FROM:** Reice Haase, Secretary  
**SUBJECT:** SWPP – Supplementary Intake Contract 1-2A – Open Session  
**DATE:** January 29, 2025

This memo includes the project history, summary of claim related expenses, projection of claim related expenses through March 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 15 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
<b>Total</b>	<b>\$ 2,710,000</b>

**Claim Related Expenses:**

A summary and explanation of the estimated claim expenses through anticipated mediation were provided at the April 2023 meeting. The expenses through mediation were estimated at \$2.1 to \$2.5 million. A summary of expenses to date and estimated anticipated expenses through March 2025 are included in Table 2 and Table 3. With about \$2.63 million expended to date (Table 2) and with the projection of needing an additional \$0.18 million through March (Table 3), An additional \$100,000 is projected to be required for mediation expenses.

**Table 2: Expenses paid or invoiced to date related to the claim**

Firm/Company	Claim Related Expenses included in December Memo	December through January Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 631,839.36	\$ 45,279.51
Bennett Trenchless Engineers, LLP	\$ 209,172.85	
Dr. Richard Finno	\$ 100,184.38	
Woods Aitken LLP	\$ 38,695.08	\$ 21,858.54
Braun Intertec (Geotechnical Program)	\$ 730,565.07	
BW/AECOM	\$ 742,110.47	\$ 66.56
Dakota Appraisal Ltd	\$ 17,500.00	
Spectrum Forensics, LLC	\$ 75,000.00	
Stress Engineering	\$ 22,077.40	
	<b>\$ 2,567,144.61</b>	<b>\$ 67,000.00</b>
<b>Total paid to date (rounded to nearest \$1,000)</b>		<b>\$ 2,634,000.00</b>

**Table 3: Additional estimated expenses through end of March 2025**

Firm/Company	Projected Expenses
Fabyanske, Westra, Hart & Thompson, P.A.	\$ 120,000
Bennet Trenchess Engineers	\$ -
Dr.Finno	\$ -
Woods Aitken LLP	\$ 40,000
Braun Intertec	\$ -
BW/AECOM	\$ 20,000
Spectrum Forensincs	\$ -
Estimated additional expenses through March of 2025	<b>\$ 180,000</b>

Expenses Invoiced/paid	\$ 2,634,000.00
Total estimated through March of 2025	\$ 2,814,000.00
Prior Authorization	\$ 2,710,000.00
<b>Additional authorization requested</b>	<b>\$ 100,000</b>

**Project Cost Summary:**

Table 4 below is the accounting summary of the construction contract with JWF. Table 5 summarizes the payment summary to JWF and Table 6 summarizes all costs to date including engineering and mediation expenses on the intake contract.

**Table 4: SWPP Contract 1-2A Construction Contract Costs Summary**

Change Order Number	Date	Amount	Description
1	12/8/14	\$ -	JWF allowed to use SWPP's Reverse Osmosis Concentrate line for dewatering
2	4/23/14	\$ -	Accepted the use of larger reinforced concrete pipe with 73.5" outside diameter
3	2/10/15	\$ 3,500,000.00	Settlement for Differing Site Condition (DSC) claim during caisson construction
4	5/21/15	\$ (6,022.00)	Elimination of shaft ladder
5	7/27/15	\$ 29,557.00	Increase in screen size to match the larger intake pipe
6R	7/18/17	\$ -	Acceptance of revised microtunneling alignment and other details
7	1/25/18	\$ -	Negotiation of reduced liquidated damages and extension of the contract completion date to December 31, 2018
8	4/2/21	\$ -	Acceptance of Horizontal Directional Drilling plan, renegotiation of the Liquidated damages, extension of contract completion date to February 28, 2023
9	3/25/22	\$ 9,068,203.00	Mediated settlement agreement for JWF to stay and complete the project, release of claim for engineering expenses, release of JWF's claim of DSC and defective plans and specifications
Total		\$ 12,591,738.00	

Total Change Order Costs	\$	12,591,738.00
Bid Cost	\$	12,994,000.00
Total Contract Amount	\$	<b>25,585,738.00</b>
Contract Payment to JWF	\$	(21,530,019.00)
Contract Amount Remaining	\$	4,055,719.00

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**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	\$2,634,000
<b>Total</b>		<b>\$27,800,000</b>

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