MINUTES

North Dakota State Water Commission
Bismarck, North Dakota

February 14, 2019

The North Dakota State Water Commission (State Water Commission or Commission) held a meeting at the State Office Building, Bismarck, North Dakota, on February 14, 2019. Governor Burgum called the meeting to order at 1:07 p.m., and requested Garland Erbele, State Engineer, and Chief Engineer-Secretary to the State Water Commission, call the roll. Governor Burgum announced a quorum was present.

STATE WATER COMMISSION MEMBERS PRESENT:

Governor Burgum, Chairman
Doug Goehring, Commissioner, ND Department of Agriculture, Bismarck
Katie Andersen, Jamestown
Michael Anderson, Hillsboro
Richard Johnson, Devils Lake
Leander McDonald, Bismarck
Mark Owan, Williston
Matthew Pedersen, Valley City
Jason Zimmerman, Minot

OTHERS PRESENT:

Lt. Governor Sanford (Executive Session only)
Garland Erbele, State Engineer, and Chief Engineer-Secretary, State Water Commission
State Water Commission Staff
Jennifer Verleger, General Counsel, Attorney General's Office
Approximately 50 people interested in agenda items.

The attendance register is on file with the official minutes.

The meeting was recorded to assist in compilation of the minutes.

CONSIDERATION OF AGENDA:

The agenda for the February 14, 2019, State Water Commission meeting was presented; there were no modifications.

CONSIDERATION OF DRAFT MINUTES OF DECEMBER 7, 2018; JANUARY 17, JANUARY 24, FEBRUARY 6, 2019, SUBCOMMITTEE MEETING MINUTES:

The draft minutes of the December 7, 2018, State Water Commission meeting and January 17, January 24, and February 6, 2019, subcommittee meetings were reviewed. There were no modifications.

It was moved by Commissioner Johnson, seconded by Commissioner Zimmerman, and unanimously carried, that the minutes of December 7, 2018, and January 17, January 24, and February 6, 2019, subcommittee meetings be approved as presented.

STATE WATER COMMISSION FINANCIAL REPORTS:

The allocated program expenditures for the period ending December 31, 2018, were presented and discussed by David Laschkewitsch, Director of Administrative Services. The total expenditures were within the authorized budget amounts.

The Project Summary for the 2017-2019 Biennium, **APPENDIX A**, provided information on the committed and uncommitted funds from the Resources Trust Fund and the Water Development Trust Fund. The final summary for projects showed approved projects totaling $594,458,124 with expenditures of $267,138,358. A balance of $87,021,203 remains available to commit to projects in the 2017-2019 biennium.

The oil extraction tax deposits into the Resources Trust Fund total $262,931,776 through January 2019 and are currently $63,309,226 or 31.7 percent above budgeted revenues.

Deposits received for the Water Development Trust Fund total $23,874,965 through January 2019 and are currently $14,874,965 above the budget revenues of $9,000,000. The large increase was due to a settlement agreement between the state and the major tobacco companies over enforcement of the 1998 Tobacco Master Settlement agreement. The next scheduled deposit is April 2019 and anticipated to be $9,000,000.

NORTHEAST REGIONAL WATER DISTRICT - $705,000
(SWC Project No. 237-03NOE/1736-99)

Northeast Regional Water District (Northeast) requested additional Federal Municipal, Rural, and Industrial Water Supply (MR&I) Program funding for the Expansion Phase 2 project. The project includes service to 276 rural users in Northeast's Langdon Branch and involves installing a new water system of 360 miles of 4-inch to 2-inch distribution pipelines.

Northeast bid the project in November 2018 and plans to complete the Phase 2 project in 2020. The Expansion Phase 1 Project installed a pipeline from Devils Lake water treatment plant to the existing Langdon Branch and for the Expansion Phase 2 project. The Langdon Branch existing 980 users and the 276 expansion users will have a water rate of $55 per month minimum and pay $6 per 1,000 gallons used.

Total federal funding approved to-date is $7.9 million, approved on June 14, 2018. The updated cost estimate is $11.47 million. Federal MR&I funding at 75 percent would provide a total of $8,605,000 or an additional $705,000. The request was reviewed and approved by the Garrison Diversion Conservancy District Board on January 24. The cost-share request is attached as **APPENDIX B.**

Secretary Erbele recommended the State Water Commission approve the additional $705,000, resulting in total Federal MR&I funds of $8,605,000, funded at 75 percent to Northeast. The funding is contingent on available funding and the project follows the Federal MR&I Program requirements.

> **It was moved by Commissioner Goehring and seconded by Commissioner Anderson that the State Water Commission approve the additional $705,000, resulting in total Federal MR&I funds of $8,605,000, funded at 75 percent to Northeast for the Expansion Phase 2 project. The funding is contingent on available funding and the project follows the Federal MR&I Program requirements.**
>
> **Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.**

NORTHWEST AREA WATER SUPPLY (NAWS) - $14,785,000 (FY 19)
(SWC Project No. 237-03/237-04)

State Water Commission staff requested the Commission allocate $14,785,000 of FY 2019 Federal MR&I Program funding to the NAWS project, with emphasis towards design and construction of transmission pipelines north of Minot plus the additional work on the Minot water treatment facility. The NAWS project costs for studies, design, and construction have been $132.8 million over the last 30 years.

The NAWS Biota Water Treatment Plant Phase I (Biota) to be constructed near Max, has an estimated design cost of $4.9 million, an estimated construction cost of $52 million, and has been determined to be 100 percent a federal funding responsibility. The design will be completed in 2019, construction starting in 2020, and anticipated completion is 2022.

An upgrade of the Minot water treatment facility is being constructed to provide 27 million gallons per day capacity to meet the growing needs of Minot and NAWS project service area. Phase I was completed and addressed the filter capacity. Phase II construction to install two softening basins for $28.8 million will be completed in 2020.

Upon completion, Minot's Phase II project would provide additional water capacity to the NAWS system for transmission pipeline segments.

Project funding is split between federal and local sponsor with Biota at 100 percent federal responsibility, and the other features shared at 65 percent federal and a 35 percent local share being paid by Minot. The constant fluctuations in annual federal appropriations requires the state to cover some of the required federal share to ensure continued construction progress. Attached as **APPENDIX C** is a table listing project features.

The Minot treatment plant and the two pipeline projects total $42.2 million with the federal share at $27.4 million and currently funded with $8.8 million federal and $18.6 million funded by state. Obligating $14.785 millions of FY 2019 funds to this effort would increase the federal contribution to $23.6 million and reduce the state contribution to $3.8 million.

State Water Commission staff recommended approval of FY 2019 federal funding of $14.785 million for the Minot Phase II (Contract 7-1B), Glenburn to Renville corner (Contract 2-3C), and Westhope and All Seasons System III (Contract 2-4A) projects. The request was reviewed and approved by the Garrison Diversion Conservancy District Board on January 24.

Secretary Erbele recommended the Commission approve Federal MR&I funds of $14,785,000, to the NAWS project. The funding is subject to future revisions and the Federal MR&I Program requirements.

It was moved by Commissioner Pedersen and seconded by Commissioner Zimmerman that the State Water Commission approve Federal MR&I funds of $14,785,000, to the NAWS project. The funding is subject to future revisions and the Federal MR&I Program requirements.

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

FEDERAL MR&I WATER SUPPLY PROGRAM FIVE-YEAR PLAN (FY 19-23)
(SWC Project No. 237-03/237-04NAWS)

The Garrison Diversion Unit State MR&I Program Five-Year Plan for fiscal years 2019-2023, is used to address variations in appropriations and priorities and is submitted to the Bureau of Reclamation for their use in estimating the state's capacity to expend funding. The attached table with system maps, **APPEDIX D**, shows total federal funding need of $195 million and local funding need of $42 million with estimates for each year of the plan. The federal funding is only an estimate and actual funding is dependent on annual congressional appropriations. The remaining MR&I funding authorization is approximately $116 million but is indexed as necessary to allow for ordinary fluctuations of construction costs incurred after the date of enactment of the Dakota Water Resources Act of 2000.

The NAWS project is projected to receive the major share of funding. All Seasons Water Users District project is a rural water expansion project to serve over 1,200 new water users in northeastern Bottineau County, but requires the water service capacity being built into the NAWS project. The Garrison Diversion Conservancy District Board reviewed the plan on January 24.

CITY OF LISBON SHEYEENE RIVER FLOOD PROTECTION REALLOCATION OF FUNDS FOR LEVEE C AND E - $1,036,877
(SWC Project No. 1991-13)

Lisbon requested reallocation of funds remaining from prior Sheyenne River flood protection levee projects to the Levee C & E Extension and Closure. Lisbon began construction of the Sheyenne River flood protection in 2014. Since then, five of the planned levee projects in the overall flood protection project were constructed with a few items remaining for Levee F in summer 2019. There are two gaps in the flood protection system that have not been completed, specifically the extensions of Levee C and E. The right-of-way has been secured to construct the Levee E extension and the process of securing final right-of-way to construct the Levee C Extension is underway. Lisbon requested an extension of time to complete the work and remaining funds from the prior projects, identified in the table below, be reallocated to this effort.

Levee	Cost-Share
A – Constructed	$146,969
C – Constructed	$370,810
E – Constructed	$32,125
D – Constructed	$246,973
F – Constructed	$240,000
Total reallocation	$1,036,877

The estimated total project cost is $1,275,000. With preliminary engineering cost-shared at 90 percent and construction at 80 percent, the total potential cost-share would be $1,039,390. The total amount of the reallocation of cost-share for Levees A, C, E, D, and F for the project total $1,036,877.

Lisbon originally requested $234,123 in a State Water Commission loan for 30 years at 1.5 percent interest for this closure project. Upon further review, Lisbon already received matching loan dollars for all of these grant dollars, so they are not eligible for another matching loan when the monies are reprogrammed. The letter request and supporting documentation is attached as **APPENDIX E.**

Secretary Erbele recommended the State Water Commission approve the reallocation of funds request for the Sheyenne River Flood Protection Project Levee C and E in the amount of $1,036,877. The approval is subject to the entire contents of the recommendation, obtaining all applicable permits, and the availability of funds.

> **It was moved by Commissioner Goehring and seconded by Commissioner McDonald that the State Water Commission approve the reallocation of funds request for the Sheyenne River Flood Protection Project Levee C and E in the amount of $1,036,877. The approval is subject to the entire contents of the recommendation, obtaining all applicable permits, and the availability of funds.**
>
> **Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.**

SOURIS RIVER JOINT BOARD FOUR-YEAR EXTENSION REQUEST FOR MOUSE RIVER ENHANCED FLOOD PROTECTION PROJECT - $31,500
(SWC Project No. 1753/1974-11)

Project sponsors are required to provide a progress report to the Commission at least every four years if the term of the project exceeds four years. State Water Commission staff requested an update from the Souris River Joint Board (SRJB) on the Mouse River Enhanced Flood Protection Project, and a request for extension to utilize funds was received.

Section 214 Agreements between the SRJB and U.S. Army Corps of Engineers (USACE) were recently amended to extend the contract times which were set to expire on January 1, 2019, and are now extended to December 31, 2019. The Section 214 Agreement is meant to ensure a funding source for USACE to complete timely reviews of the SRJB's Section 408 permits. The SRJB requested the funding be continued and submitted a 408-permit application to USACE for the Burlington Levee, which could

potentially use the remainder of the cost-share monies. The December balance is $31,500 out of the $375,000 originally approved.

Secretary Erbele recommended the State Water Commission approve the agreement be extended based on the project sponsor continuing to make progress in 2019-2020.

It was moved by Commissioner Johnson and seconded by Commissioner Zimmerman that the State Water Commission approve the agreement be extended, allowing the $31,500 balance be used during 2019-2020.

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

METRO FLOOD DIVERSION AUTHORITY, FM AREA DIVERSION PROJECT - $66,500,000
(SWC Project No. 1928)

The Metro Flood Diversion Authority (Authority) requested $66,500,000 cost-share agreement for the FM Area Diversion Project and cost-share efficiencies proposed at the December 7 meeting. The letter request and documentation are attached as **APPENDIX F.**

Fargo City Mayor, Dr. Tim Mahoney, and Martin Nicholson, Jacobs Engineering, provided an update on the status of the FM Area Diversion project and Plan B cost estimate and financial plan. The current estimated cost is $2.75 billion compared to the previous cost estimate of $2.2 billion from 2015 based on Plan A. The presentation of the update and funding costs is attached as **APPENDIX G.**

Secretary Erbele recommended the State Water Commission approve state cost-share at 50 percent, not to exceed $66,500,000, for the FM Area Diversion Project to the Authority from the available funds appropriated to the State Water Commission in the 2017-2019 biennium. The funding is towards eligible costs and contingent on available funding.

It was moved by Commissioner Owan and seconded by Commissioner Anderson that the State Water Commission approve state cost-share at 50 percent, not to exceed $66,500,000, for the FM Area Diversion Project to the Authority from the available funds appropriated to the State Water Commission in the 2017-2019 biennium. The funding is towards eligible costs and contingent on available funding.

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

SOUTHWEST PIPELINE PROJECT (SWPP) – REQUEST FOR PROPOSAL (RFP) FOR TRANSFER OF OWNERSHIP STUDY
(SWC Project No. 1736-99)

The deadline in the RFP related to the study of transfer of ownership of SWPP and funding models of other regional water systems was December 14, 2018.

One proposal was received from Apex Engineering Group. The proposed project team included Apex Engineering Group, DGR Engineering, and Crowley Fleck Law Firm (Apex).

The Budget, Planning and Finance Subcommittee (Subcommittee) decided during the January 17, 2019, meeting that all three subcommittee members would form the selection committee. Apex was interviewed on January 24, 2019, by the selection committee. The Subcommittee met again on February 6, 2019, to discuss the interview. The Subcommittee had concerns with only one proposal being received resulting in a lack of competition, potential bias from Apex because of their work for Dickinson's waste water treatment plant, and perceived lack of regional water experience. It was the decision of the Subcommittee not to accept the proposal and to re-advertise the RFP and allow firms working on other regional water systems in North Dakota to apply. The Subcommittee requested State Water Commission staff provide proposed conflict of interest language for the new RFP at the February 14, 2019, Commission meeting. The new version of RFP with the proposed language and other changes presented at the meeting is attached as **APPENDIX H.**

After discussion, the following motion was made:

It was moved by Commissioner Owan and seconded by Commissioner Johnson that State Water Commission staff re-advertise the RFP with language proposed in attached APPENDIX H with submittal due date of March 31, 2019.

Commissioners Anderson, McDonald, Pedersen, Zimmerman, and Goehring voted nay. Commissioners Andersen, Johnson, Owan, and Governor Burgum voted aye. Governor Burgum announced the motion failed.

After further discussion, the following motion was made:

> **It was moved by Commissioner Pedersen and seconded by Commissioner McDonald that State Water Commission staff engage in discussion with Apex to negotiate contract price to complete the transfer of ownership study. After a contract price has been negotiated, Commission will vote to accept contract price via telephone conference.**
>
> **Commissioners Anderson, McDonald, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. Commissioners Andersen, Johnson, and Owan voted nay. Governor Burgum announced the motion passed.**

COST-SHARE DISCUSSION – LONG-TERM PROJECT FUNDING NEED FORECASTS:

Pat Fridgen, Director of Planning and Education, presented 10- and 20-year funding forecasts that were included in the 2019 Water Development Plan, attached as **APPENDIX I.**

State Water Commission staff worked closely with project sponsors and their engineers to develop cost estimates for the state's largest water projects. To provide funding need estimates for municipal and rural water supply systems, SWC staff worked cooperatively with the ND League of Cities, and ND Rural Water Systems Association to implement a survey of their constituents. These surveys were aimed at identifying the extent of aging water supply infrastructure in those systems, schedules for rehabilitations or replacement, and estimated costs.

In addition to the 10- and 20-year project funding need forecasts, ranges were determined of potential revenue streams to estimate project funding shortfalls or surpluses based on current cost-share policies/agreements.

Long-term project funding need estimates will be discussed at the next few Commission meetings to address anticipated shortfalls and to identify potential solutions.

STEVEN MORTENSON - INDUSTRIAL WATER ISSUES PRESENTATION:

Steven Mortenson, Williston, ND, gave a presentation related to industrial water sales of Western Area Water Supply (WAWS) and Northwest Rural Water District. Presentation material is attached as **APPENDIX J.** Mr. Mortenson voiced concerns that WAWS is directly competing with private industrial water providers and to minimize the impact on private water sellers, should be made strictly a wholesaler of water, and should work in cooperation with independent water suppliers.

PROJECT UPDATES:

Commission staff provided brief updates on the following projects with the summary updates attached as **APPENDIX K:**

Jon Kelsch, Construction Section Chief, Devils Lake Outlet; Laura Ackerman, Investigations Section Chief, Missouri River and Mouse River; Tim Freije, NAWS Project Manager; and, Sindhuja S.Pillai-Grinolds, SWPP Project Manager.

NORTHWEST AREA WATER SUPPLY (NAWS) – CONTRACT 2-4A:

NAWS Contract 2-4A will consist of roughly 18 miles of pipeline and related appurtenances from Renville Corner to the All Seasons Water Users District pumping station south of Westhope. This is the first of four remaining potable water transmission line contracts to complete the NAWS distribution system.

Bids will be opened February 28, 2019, and the opinion of probable construction costs is $5.5 million, and estimated construction management services are roughly $350,000. The substantial completion date is October 31, 2019, and the final completion date is June 1, 2020. There will be a week to ten days for review of the bids and concurrence from the Garrison Diversion Conservancy District and the Bureau of Reclamation. Upon award of the contract, an additional month may be needed for contract documents to be finalized and for the contractor to obtain the requisite insurance and bonding documentation.

Secretary Erbele recommended the State Water Commission authorize the Chief Engineer/Secretary to award NAWS Contract 2-4A to the low responsive bidder pending review of the bids received and concurrence from Garrison Diversion Conservancy District.

It was moved by Commissioner Goehring and seconded by Commissioner Zimmerman that the State Water Commission authorize the Chief Engineer/Secretary to award NAWS Contract 2-4A to the low responsive bidder pending review of the bids received and concurrence from Garrison Diversion Conservancy District.

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

ROUNDTABLE UPDATES WITH COMMISSIONERS:

Commissioners Anderson and McDonald requested State Water Commission staff and Commission explore past and potential future opportunities to coordinate with water supply initiatives. The goal is to encourage better collaboration between tribal and non-tribal systems to resolve industrial and municipal water issues. It was agreed that State Water Commission staff would commit time to such an effort. State Water Commission staff will also ensure tribal entities receive information and invitations to the Commissioner-hosted meetings that are held each summer.

EXECUTIVE SESSION UNDER AUTHORITY OF NDCC § 44-04-19.1(9) FOR ATTORNEY CLIENT CONSULTATION REGARDING DEVILS LAKE WEST END OUTLET MEDIATION:

It was the recommendation of Governor Burgum, Chairman, that the discussion relating to the Devils Lake West End Outlet settlement be held in executive session, under the provisions of NDCC § 44-04-19.1(9), for the purpose of attorney consultation. The State Water Commission invited the following to participate in the executive session:

STATE WATER COMMISSION MEMBERS:

Governor Burgum, Chairman
Doug Goehring, Commissioner, ND Department of Agriculture
Katie Andersen, Jamestown
Michael Anderson, Hillsboro
Richard Johnson, Devils Lake
Leander McDonald, Bismarck
Mark Owan, Williston
Matthew Pedersen, Valley City
Jason Zimmerman, Minot

OTHERS:

Lt. Governor Sanford
Garland Erbele, State Engineer, and Chief Engineer-Secretary, State Water Commission
State Water Commission Staff: Craig Odenbach, John Paczkowski, David Laschkewitsch, Jon Kelsch, Tim Dodd, and Cheryl Fitzgerald
Jennifer Verleger, General Counsel, Attorney General's Office
Reice Haase, Policy Advisor, Governor's Office

It was moved by Commissioner Andersen and seconded by Commissioner Johnson that under the provision of NDCC § 44-04-19.1(9), the State Water Commission proceed into executive session on February 14, 2019, at 4:05 p.m., for the purpose of attorney consultation relating to the Devils Lake West End Outlet mediation.

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

Following attorney consultation regarding the Devils Lake West End Outlet mediation, Governor Burgum reconvened the open session of the State Water Commission meeting at 5:36 p.m., and the following motions were made:

It was moved by Commissioner Goehring and seconded by Commissioner Johnson the State Water Commission:

1. **Approve the purchase in fee simple of land from LaVonne Bengson and to purchase easements from Earl and Richard Huffman, and Alicia and Joel Benson/JoAnn and Brian Ordahl (through James Fossen) in accordance with the terms reached during mediation, during discussion in Executive Session, and subject to approval by the State Water Commission's attorney; and,**

2. **Approve State Engineer and State Water Commission's attorney to facilitate and carry out all administrative actions to facilitate the transactions, including resale of the land purchased from LaVonne Bengson.**

Commissioners Andersen, Anderson, Johnson, McDonald, Owan, Pedersen, Zimmerman, Goehring, and Governor Burgum voted aye. There were no nay votes. Governor Burgum announced the motion unanimously carried.

There being no further business to come before the State Water Commission, Governor Burgum adjourned the February 14, 2019, meeting at 5:40 p.m.

Doug Burgum, Governor
Chairman, State Water Commission

Garland Erbele, P.E.
North Dakota State Engineer,
and Chief Engineer-Secretary
to the State Water Commission

APPENDIX A

STATE WATER COMMISSION
PROJECT SUMMARY
2017-2019 BIENNIUM

Dec-18

	2015-2017 CARRYOVER	2017-2019 FUNDING	2017-2019 BUDGET	SWC/SE APPROVED	REMAINING UNOBLIGATED
MUNICIPAL & REGIONAL WATER SUPPLY:					
MUNICIPAL WATER SUPPLY	54,802,659	40,225,561	95,028,220	95,028,220	0
RED RIVER VALLEY	0	30,000,000	30,000,000	17,000,000	13,000,000
OTHER REGIONAL WATER SUPPLY	60,241,296	48,161,581	108,402,877	108,402,877	0
UNOBLIGATED MUNICIPAL/REG WATER SUPPLY		1,737,858	1,737,858		1,737,858
% OBLIGATED		87.73%			
RURAL WATER SUPPLY:					
RURAL WATER SUPPLY	41,195,208	27,416,067	68,611,274	68,611,274	0
UNOBLIGATED RURAL WATER SUPPLY		38,340	38,340		38,340
% OBLIGATED		99.86%			
FLOOD CONTROL:					
FARGO	78,376,087	66,500,000	144,876,087	78,376,087	66,500,000
MOUSE RIVER	28,819,192	58,144,726	86,963,918	86,963,918	0
VALLEY CITY	13,693,459	2,700,354	16,393,813	16,393,813	0
LISBON	9,000,010	0	9,000,010	9,000,010	0
OTHER FLOOD CONTROL	36,063,386	1,614,825	37,678,211	37,678,211	0
PROPERTY ACQUISITIONS	16,849,083	7,408,241	24,257,324	24,257,324	0
WATER CONVEYANCE	19,914,006	(849,438)	19,064,568	19,064,568	0
UNOBLIGATED FLOOD CONTROL		481,291	481,291		481,291
% OBLIGATED		50.75%			
GENERAL WATER:					
GENERAL WATER	17,255,761	10,490,162	27,745,923	27,745,923	0
UNOBLIGATED GENERAL WATER		5,263,713	5,263,713		5,263,713
% OBLIGATED		66.59%			
REVOLVING LOAN FUND:					
GENERAL WATER PROJECTS	4,681,900	900,000	5,581,900	5,581,900	0
WATER SUPPLY	354,000	0	354,000	354,000	0
% OBLIGATED		100.00%			
TOTALS	381,246,045	300,233,286	681,479,327	594,458,124	87,021,203

STATE WATER COMMISSION
PROJECT SUMMARY
2017-2019 BIENNIUM

Dec-18

	SWC/SE APPROVED	EXPENDITURES	REMAINING UNPAID
MUNICIPAL & REGIONAL WATER SUPPLY:			
MUNICIPAL WATER SUPPLY	95,028,220	38,090,088	56,938,132
RED RIVER VALLEY	17,000,000	10,000,000	7,000,000
OTHER REGIONAL WATER SUPPLY	108,402,877	52,543,905	55,858,972
RURAL WATER SUPPLY:			
RURAL WATER SUPPLY	68,611,274	36,505,787	32,105,487
FLOOD CONTROL:			
FARGO	78,376,087	22,231,459	56,144,627
MOUSE RIVER	86,963,918	27,242,947	59,720,971
VALLEY CITY	16,393,813	9,235,330	7,158,483
LISBON	9,000,010	6,722,655	2,277,355
OTHER FLOOD CONTROL	37,678,211	18,541,348	19,136,863
PROPERTY ACQUISITIONS	24,257,324	21,436,197	2,821,127
WATER CONVEYANCE	19,064,568	7,189,102	11,875,465
GENERAL WATER:			
GENERAL WATER	27,745,923	11,463,638	16,282,285
REVOLVING LOAN FUND:			
GENERAL WATER PROJECTS	5,581,900	5,581,900	0
WATER SUPPLY	354,000	354,000	0
TOTALS	594,458,124	267,138,358	327,319,766
	594,458,124	267,138,358	327,319,766

STATE WATER COMMISSION
PROJECT SUMMARY
2017-2019 Biennium

WATER SUPPLY

Approved By	SWC No	Dept	Sponsor	Project	Approved Date	Total Approved	Total Payments	Dec-18 Balance
			Municipal Water Supply:					
	2050-13	5000	Mandan	New Raw Water Intake	10/7/2013	1,515,672	270,291	1,245,381
	2050-15	5000	Washburn	New Raw Water Intake	10/7/2013	2,281,927	140,716	2,141,211
	2050-18	5000	Grafton	Water Treatment Plant Phase 3	10/7/2013	48,822	48,822	(0)
	2050-20	5000	Dickinson	Capital Infrastructure	10/6/2015	1,731,926	0	1,731,926
	2050-21	5000	Watford City	Capital Infrastructure	8/1/2015	536,627	13,873	522,754
	2050-26	5000	Fargo	Fargo Water System Regionalization Improvements	7/29/2015	4,131,788	1,854,868	2,276,920
	2050-28	5000	Mandan	Water Systems Improvement Project	10/6/2015	1,812,123	1,812,123	0
	2050-29	5000	Minot	Water Systems Improvement Project	10/6/2015	3,478,647	2,652,246	826,401
	2050-30	5000	Watford City	Water Systems Improvement Project	10/6/2015	5,374,639	548,390	4,826,249
	2050-31	5000	West Fargo	Water Systems Improvement Project	10/6/2015	392,388	392,388	0
	2050-32	5000	Williston	Water Systems Improvement Project	10/6/2015	7,857,010	0	7,857,010
	2050-36	5000	Dickinson	Water Systems Improvement Project	10/6/2015	0	0	0
	2050-37	5000	Dickinson	Dickinson State Avenue South Water Main	12/11/2015	963,920	0	963,920
	2050-44	5000	Beulah	Water Treatment Plant	3/9/2016	1,639,813	1,639,813	0
	2050-49	5000	Grand Forks	Grand Forks Water Treatment Plant	8/23/2017	50,645,520	27,404,523	23,240,996
	2050-51	5000	Mercer	Connect to McLean-Sheridan	8/23/2017	0	0	0
	2050-52	5000	New Town	Water Transmission Storage	10/11/2018	1,940,000	662,474	1,277,526
	2050-53	5000	West Fargo	Brooks Harbor Water Tower	8/23/2017	1,950,000	0	1,950,000
	2050-54	5000	West Fargo	North Loop Connection	8/23/2017	510,000	0	510,000
	2050-55	5000	West Fargo	West Loop Connection	8/23/2017	1,110,000	0	1,110,000
	2050-56	5000	Williston	US Highway 2 Water Main	8/23/2017	434,400	419,029	15,371
	2050-66	5000	Lincoln	Lincoln Water System Improvement Project	2/8/2018	1,130,000	0	1,130,000
	2050-67	5000	Williston	Williston Water System Improvements	2/8/2018	2,336,000	0	2,336,000
	2050-69	5000	Mandan	Sunset Reservoir Water Transmission Line	4/12/2018	3,135,000	158,534	2,976,466
	2050-70	5000	Wing	Water Tower Repair	4/12/2018	72,000	72,000	0
				TOTAL MUNICIPAL WATER SUPPLY		***95,028,220***	***38,090,088***	***56,938,132***
			Regional Water Supply:					
	1736-05	8000	SWPP	Southwest Pipeline Project	7/1/2017	52,249,989	30,964,270	21,285,719
	2374	9000	NAWS	Northwest Area Water Supply	2/8/2018	27,108,462	3,783,792	23,324,670
HB 1020	1973-02	5000	WAWSA	WAWSA	9/15/2014	155,603	155,603	(0)
	1973-05	5000	WAWSA	WAWSA	10/6/2015	8,888,823	5,678,122	3,210,701
	1973-06	5000	WAWSA	WAWSA	12/8/2017	20,000,000	11,962,119	8,037,881
	325-105	5000	RRVWSP	RRVWSP Garrison Diversion	8/23/2017	17,000,000	10,000,000	7,000,000
				TOTAL REGIONAL WATER SUPPLY		***125,402,877***	***62,543,905***	***62,858,972***
			Rural Water Supply:					
	2050-17	5000	Barnes Rural RWD	Improvements	3/11/2015	1,096,634	1,096,634	0
	2050-23	5000	Greater Ramsey WRD	SW Nelson County Expansion	8/23/2017	1,364,794	720,670	644,124
	2050-25	5000	All Seasons Water District	Bottineau County Extension, Phase I	7/29/2015	299,358	0	299,358
	2050-33	5000	Stutsman RWD	Phase V Storage & Pipeline Expansion Project	10/6/2015	1,172,760	1,172,760	0
	2050-34	5000	North Prairie RWD	Storage and Water Main	10/6/2015	1,968,086	949,565	1,018,520
	2050-35	5000	Southeast Water Users Dist	System Wide Expansion Feasibility Study	8/23/2017	13,159,145	8,554,193	4,604,952
	2050-38	5000	Dakota Rural Water District	Reservoir C Expansion	12/11/2015	52,601	52,601	0
	2050-41	5000	Northeast Regional WD	City of Devils Lake Water Supply Project	12/11/2015	12,789,020	12,315,323	473,697
	2050-42	5000	Walsh RWD	Phase 1 & 2 System Expansion	12/11/2015	1,639,753	1,243,606	396,147
	2050-43	5000	All Seasons Water District	System 4 Connection to System 1	12/11/2015	4,900,000	0	4,900,000
	2050-45	5000	Garrison Rural Water District	System Expansion Project	3/9/2016	1,271,241	1,271,241	0
	2050-50	5000	Grand Forks Traill RWD	Eastern Expansion & TRWD Interconnect Fesibility	8/23/2017	126,000	126,000	0
	2373-39	5000	North Central Rural Water Consortium	Carpio Berthold Phase 2	4/1/2015	2,425,167	1,088,455	1,336,712
	2373-41	5000	North Central Rural Water Consortium	Granville-Deering Area	10/24/2016	1,831,540	1,351,144	480,396
	2050-57	5000	North Central Regional Water District	Mountrail Expansion Phase II	8/23/2017	3,086,000	47,128	3,038,873
	2050-58	5000	North Central Regional Water District	Mountrail Co. Watery Phase III	8/23/2017	3,430,000	0	3,430,000
	2050-59	5000	Cass Rural Water District	Horace Storage Tank	10/11/2018	1,846,000	0	1,846,000
	2050-60	5000	North Prairie Rural District	Reservoir 9 Water Supply	6/12/2018	1,114,620	613,716	500,904
	2050-61	5000	North Prairie Rural District	Surrey/Silver Spring	6/12/2018	107,430	85,079	22,351
	2050-62	5000	Traill Rural District	Expansion/Interconnect	8/23/2017	150,880	150,880	0
	2050-63	5000	Walsh RWD	System Expansion Project	4/12/2018	1,300,000	395,066	904,934
	2050-64	5000	McLean-Sheridan Water District	Turtle Lake Water Tower	8/9/2018	2,378,450	1,082,298	1,296,152
	2050-65	5000	Tri-County Rural Water District	System Expansion Project	8/9/2018	2,803,250	151,191	2,652,059
	2050-71	5000	East Central RWD	Grand Forks/Traill Project	12/7/2018	6,091,545	3,549,025	2,542,520
	2050-72	5000	Stutsman RWD	Phase 6 Pettibone Project	4/12/2018	2,100,000	489,212	1,610,788
	2050-73	5000	Northeast Regional WD	Master Plan	10/11/2018	107,000	0	107,000
				TOTAL RURAL WATER SUPPLY		***68,611,274***	***36,505,787***	***32,105,487***
				TOTAL		***289,042,371***	***137,139,781***	***151,902,590***

SWC Board Approved to Continue

STATE WATER COMMISSION
PROJECT SUMMARY
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FLOOD CONTROL

Approved By	SWC No	Dept	Sponsor	Project	Approved Date	Total Approved	Total Payments	Dec-18 Balance
			Flood Control:					
SB 2020	1928-01	5000	Fargo	Fargo Flood Control Project	4/19/2016	20,001,131	20,001,131	0
SB 2020	1928-05	5000	Fargo Metro Flood Diversion	Fargo Metro Flood Diversion Authority 2015-2017	7/6/2016	58,374,956	2,230,329	56,144,627
	1771-01	5000	Grafton	Grafton Flood Control Project	10/12/2016	32,175,000	17,229,319	14,945,681
	1974-06	5000	Souris River Joint WRD	Development of 2011 Flood Inundation Maps	12/18/2015	1,522	0	1,522
	1974-09	5000	Souris River Joint WRD	Mouse River Flood Control Design Engineering	4/12/2018	276,696	276,696	(0)
	1974-11	5000	Souris River Joint WRD	Funding of 214 agreement between SRJB & USACE	12/5/2014	31,500	0	31,500
	1974-12	5000	Souris River Joint WRD	Maple Diversion Design MI-4	4/12/2018	1,345,000	166,206	1,178,794
	1974-14	5000	Souris River Joint WRD	StARR Program (Structure Acquisition, Relocation, or Ring Dike)	3/9/2016	5,895,975	3,677,416	2,218,559
	1974-13	5000	Souris River Joint WRD	Tierrecita Villejo Levee Design	4/12/2018	1,170,000	22,762	1,147,238
	1974-15	5000	Souris River Joint WRD	Perkett Ditch Improvements	12/2/2016	404,593	274,341	130,252
	1974-16	5000	Souris River Joint WRD	Corps of Engineers Feasibility Study MREFPP	4/12/2018	505,546	443,323	62,223
	1974-18	5000	Souris River Joint WRD	Rural Reaches, Preliminary Engineering	10/12/2016	236,941	13,261	223,680
	1974-19	5000	Souris River Joint WRD	4th Avenue Tieback Levee & Burlington Levee - Design Engineering	4/12/2018	2,854,240	2,115,894	738,346
	1974-20	5000	Souris River Joint WRD	Utility Relocations	10/12/2016	422,034	383,970	38,064
	1974-21	5000	Souris River Joint WRD	Highway 83 Bypass & Bridge Replacement	10/12/2016	1,983,623	533,733	1,449,890
	1974-22	5000	Souris River Joint WRD	Broadway Pump Station Phases MI-1	3/29/2017	35,271,200	6,919,497	28,351,703
	1974-23	5000	Souris River Joint WRD	Peterson Coulee Outlet	3/29/2017	1,427,022	0	1,427,022
	1974-25	5000	Souris River Joint WRD	Flood Specific Emergency Action Plan for Ward Co.	7/20/2017	182,000	0	182,000
	1974-26	5000	Souris River Joint WRD	Phases MI-2, MI-3 Construction	8/23/2017	29,348,843	12,163,316	17,185,527
	1974-27	5000	Souris River Joint WRD	Corps of Engineers Section 408 Review Through Section 2145	8/23/2017	74,750	74,750	0
	1974-30	5000	Souris River Joint WRD	Mouse River Park Bridge Design	4/12/2018	390,000	3,483	386,517
	1974-31	5000	Souris River Joint WRD	Sawyer Bridge Design Project	4/12/2018	260,000	3,413	256,588
	1974-32	5000	Souris River Joint WRD	Velva Bridge Design Project	4/12/2018	260,000	4,101	255,899
	1974	5000	Souris River Joint WRD	Phases MI-2, MI-3 Reallocation	4/12/2018	3,932,500	0	3,932,500
	2107-03	5000	City of Minot	SWIF Outfall Pipe Rehabilitation Project	10/11/2018	387,433	0	387,433
	2122	5000	US Army Corps of Engineers	Development of Comprehensive Plan for Souris Basin	9/5/2017	302,500	166,786	135,714
	1344-04	5000	Valley City	Sheyenne River Valley Flood Control Project PHII	8/29/2016	58,414	38,278	20,136
	1504-01	5000	Valley City	Permanent Flood Protection Project	5/1/2015	477,445	422,018	55,427
SB 2371	1504-03	5000	Valley City	Permanent Flood Protection PH III	12/9/2016	13,157,600	8,303,493	4,854,107
	1504-06	5000	Valley City	Permanent Flood Protection PH III & PH V	12/8/2017	914,175	471,542	442,633
	1504-07	5000	Valley City	Permanent Flood Protection PH III Construction	10/11/2018	1,786,179	0	1,786,179
	1344-02	5000	Lisbon	Sheyenne River Valley Flood Control Project	8/8/2016	1,000,582	896,611	103,971
	1991-01	5000	Lisbon	Permanent Flood Protection Project	5/29/2014	146,969	0	146,969
	1991-03	5000	Lisbon	Permanent Flood Protection - Levee C Project	3/11/2015	377,799	6,989	370,810
	1991-06	5000	Lisbon	Permanent Flood Protection - Levee E Project	3/9/2016	84,125	52,000	32,125
	1991-08	5000	Lisbon	Permanent Flood Protection - Levee D Project	4/12/2018	2,886,535	2,639,562	246,973
	1991-10	5000	Lisbon	Permanent Flood Protection - Levee F Project	4/12/2018	4,504,000	3,127,494	1,376,506
	2079-01	5000	Williston	West Williston Flood Control	12/9/2016	3,655,517	807,820	2,847,697
	2131	5000	Lower Heart River WRD	Flood Risk Reduction Project	6/14/2018	280,000	0	280,000
	1059	5000	Bottineau Co WRD	Baumann Legal Drain	12/7/2018	391,742	0	391,742
	1180	5000	Richland Co WRD	Legal Drain #7 Channel Improvements	12/7/2018	274,541	0	274,541
	2008	5000	City of Mapleton	Recertification of Flood Control Levee System Project	4/12/2018	314,770	314,770	0
	2111	5000	Maple River WRD	Davenport Flood Risk Reduction	7/20/2017	35,000	34,999	1
	2118	5000	Cass Count Joint WRD	Sheldon Subdivision Levee	10/11/2018	370,200	0	370,200
	2124	5000	City of Belfield	Heart River & Tributaries Flood Control Study	11/6/2018	27,000	0	27,000
	620	5000	Lower Heart WRD	Mandan Flood Control Protective Works (Levee)	6/22/2017	14,855	14,855	0
	1932	5000	Nelson Co. WRD	Michigan Spillway Rural Flood Assessment	3/9/2016	67,903	67,903	0
	1705	5000	Red River Joint Water Resource District	Red River Joint WRD Watershed Feasibility Study - Phase 2	9/21/2011	0	0	0
	2073	5000	Walsh Co. WRD	Oslo Area Ag Levee Feasibility Study	7/6/2016	71,683	71,683	0
				Subtotal Flood Control		***228,412,038***	***83,973,740***	***144,438,298***
			Floodway Property Acquisitions:					
	1993-05	5000	Minot	Minot Phase - Floodway Acquisitions	4/12/2018	14,093,720	13,203,793	889,927
SB 2371	1523-05	5000	Ward County/Minot	Ward County - Floodway Acquisitions	1/27/2012	6,015,347	5,591,839	423,508
SB 2371	1504-05	5000	Valley City	Valley City - Floodway Acquisitions	12/8/2017	3,406,947	2,099,028	1,307,919
SB 2371	2000-05	5000	Sawyer	Sawyer Phase - Floodway Acquisitions	6/13/2012	135,844	0	135,844
	1991-05	5000	Lisbon	Lisbon - Floodway Acquisition	12/9/2016	603,300	539,371	63,929
	1987-05	5000	Burlington	Mouse River Enhanced Flood Plan Property Acquistion	5/10/2017	2,166	2,166	0
				Subtotal Floodway Property Acquisitions		***24,257,324***	***21,436,197***	***2,821,127***
				TOTAL FLOOD CONTROL		***252,669,362***	***105,409,937***	***147,259,425***
			Revolving Loan Fund:					
			(General Water)					
	2077-16	1050	Valley City	Valley City Flood Protection - Phase II Construction (LOAN)	12/9/2016	3,289,400	3,289,400	0
	2077-15	1050	Valley City	Valley City Pre Design & Eng & Phase III Buyouts (LOAN)	12/9/2016	1,392,500	1,392,500	0
	2077-14	1050	Lisbon	Permanent Flood Control	8/23/2017	900,000	900,000	0
			(Water Supply)					
	2077-13	1050	North Central Rural Water Consortium II	Carpio Berhold Phase 2 (LOAN)	10/12/2016	215,000	215,000	0
	2077-12	1050	North Central Rural Water Consortium	Granville-Surrey-Deering Water Supply Project (LOAN)	10/12/2016	139,000	139,000	0
				REVOLVING LOAN TOTAL		***5,935,900***	***5,935,900***	***0***
				TOTAL		***258,605,262***	***111,345,837***	***147,259,425***

SWC Board Approved to Continue

STATE WATER COMMISSION
PROJECT SUMMARY
2017-2019 Biennium
Resources Trust Fund

WATER CONVEYANCE

Approved By	SWC No	Dept	Approved Biennum	Sponsor	Project	Approved Date	Total Approved	Total Payments	Dec-18 Balance
				Drain & Channel Improvement Projects:					
SE	1056	2000	2015-17	Bottineau Co. WRD	Stead Legal Drain	2/16/2017	14,738	11,670	3,068
SE	1059	5000	2017-19	Bottineau Co WRD	Baumann Legal Drain	3/7/2018	41,427	0	41,427
SWC	1070	5000	2015-17	Maple River WRD	Drain #14 Channel Improvements	3/29/2017	741,562	136,576	604,986
SWC	1071	5000	2015-17	Maple River WRD	Cass County Drain #15 Channel Improvements	3/9/2016	282,561	179,516	103,045
SWC	1088	5000	2015-17	Maple River WRD	Cass Drain #37 Channel Improvements	3/9/2016	215,157	77,902	137,255
SWC	1089	5000	2015-17	Maple River WRD	Cass County Drain #39 Channel Improvements	3/9/2016	210,568	89,616	120,952
SE	1180	5000	2015-17	Richland Co WRD	Legal Drain No. 7 Channel Improvements	5/11/2017	24,926	19,158	5,768
SWC	1101	5000	2011-13	Dickey Co. WRD	Yorktown-Maple Drainage Improvement Dist No. 3	11/1/2017	798,562	356,270	442,292
SE	1140	5000	2015-17	Pembina Co. WRD	Drain 11 Outlet Extension Cost Overrun Project	7/7/2015	5,088	0	5,088
SWC	1222	5000	2015-17	Sargent Co WRD	Drain No 11 Channel Improvements	10/12/2016	1,378,376	0	1,378,376
SWC	1236	5000	2015-17	Traill Co. WRD	Murray Drain No. 17 Channel Improvements	10/12/2016	127,759	100,838	26,921
SWC	1311	5000	2015-17	Traill Co. WRD	Buxton Township Improvement District No. 68	3/9/2016	110,418	81,285	29,133
SWC	1314	5000	2015-17	Wells Co. WRD	Hurdsfield Legal Drain	3/29/2017	644,292	0	644,292
SWC	1331	5000	2015-17	Richland Co WRD	Drain #14 Reconstruction	12/9/2016	252,738	179,852	72,886
SWC	1486	5000	2015-17	Griggs Co. WRD	Thompson Bridge Outlet No. 4 Project	10/6/2015	621,661	0	621,661
SWC	1520	5000	2015-17	Walsh Co. WRD	Walsh County Drain 30-1	3/29/2017	282,307	175,589	106,718
SWC	1520	5000	2017-19	Walsh Co. WRD	Walsh County Drain 30-2	10/11/2018	328,042	0	328,042
SWC	1951	5000	2015-17	Maple River WRD	Lynchburg Channel Improvements	7/6/2016	1,131,338	0	1,131,338
SWC	1951	5000	2015-17	Maple River WRD	Lynchburg Channel Improvements	7/6/2016	23,412	2,829	20,583
SWC	1975	5000	2015-17	Walsh Co. WRD	Drain 31-1	10/12/2016	111,543	94,533	17,010
SWC	1978	5000	2015-17	Richland-Sargent Joint WRD	RS Legal Drain #1 Extension & Channel Improvement	3/29/2017	378,000	301,388	76,612
SWC	1990	5000	2011-13	Mercer Co. WRD	Lake Shore Estates High Flow Diversion Project	3/7/2012	43,821	0	43,821
SE	2016	5000	2015-17	Pembina Co. WRD	Establishment of Pembina County Drain No. 80	4/10/2017	74,965	39,404	35,561
SWC	2049	5000	2015-17	Grand Forks Co. WRD	Grand Forks Legal Drain No. 58	3/29/2017	1,481,850	0	1,481,850
SWC	2068	5000	2015-17	Traill Co. WRD	Stavanger-Belmont Drain No. 52 Channel Impr	10/12/2016	414,652	294,513	120,139
SWC	2080	5000	2015-17	Walsh Co. WRD	Sam Berg Coulee Drain	10/12/2016	182,775	86,233	96,542
SWC	2081	5000	2015-17	Walsh Co. WRD	Drain #70	10/12/2016	562,429	474,246	88,183
SWC	2087	5000	2015-17	Walsh Co. WRD	Drain #87/McLeod Drain	3/29/2017	5,273,586	1,557,902	3,715,684
SWC	2088	5000	2015-17	Pembina Co. WRD	Drain No. 79	12/9/2016	875,428	791,026	84,402
SWC	2108	5000	2015-17	Walsh Co. WRD	Walsh Co Drain #22	6/22/2017	266,086	153,673	112,413
SE	2112	5000	2017-19	Pembina Co. WRD	Pembina Co Drain #81	7/30/2017	56,000	0	56,000
SE	2093/1427	5000	2015-17	Bottineau Co. WRD	Moen Legal Drain	9/6/2016	18,542	1,130	17,412
				Snagging & Clearing Projects:					
SE	662	5000	2015-17	Walsh Co. WRD	Park River Snagging & Clearing	2/17/2017	51,435	25,827	25,608
SE	1934	5000	2015-17	Traill Co. WRD	Elm River Snagging & Clearing	6/21/2017	47,500	19,803	27,697
SE	2095	5000	2015-17	Nelson Co WRD	Sheyenne River Snagging & Clearing	4/10/2017	19,700	0	19,700
SE	2110	5000	2015-17	Ward Co. WRD	Meadowbrook Snagging & Clearing	6/21/2017	33,000	0	33,000
					TOTAL		17,126,244	5,250,779	11,875,465
					SWC Board Approved to Continue				

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COMPLETED WATER CONVEYANCE

Approved By	SWC No	Dept	Approved Biennum	Sponsor	Project	Approved Date	Total Approved	Total Payments	*Dec-18* Balance
SWC	568	5000	2013-15	Southeast Cass WRD	Sheyenne River Reaches Snagging & Clearing Project	12/5/2014	10,312	10,312	0
SWC	568	5000	2015-17	Southeast Cass WRD	Sheyenne River Snagging & Clearing Reaches II	12/11/2015	27,905	2,451	25,454
SWC	568	5000	2015-17	Southeast Cass WRD	Sheyenne River Snagging & Clearing Reaches I	12/11/2015	73,902	0	73,902
SWC	568	5000	2015-17	Southeast Cass WRD	Sheyenne River Snagging & Clearing Reaches III	12/11/2015	87,035	0	87,035
SE	571	5000	2013-15	Oak Creek WRD	Oak Creek Snagging & Clearing Project	3/30/2015	1,107	0	1,107
SWC	710	5000	2015-17	Maple River WRD	Upper Swan Creek Channel Improvement Project	10/6/2015	62,061	33,484	28,577
SWC	1056	5000	2015-17	Bottineau Co. WRD	Tacoma Bitz Legal Drain	7/6/2016	210,572	49,978	160,594
SWC	1064	5000	2013-15	Rush River WRD	Cass County Drain No. 2 Channel Improvements Project	3/11/2015	41,683	0	41,683
SWC	1176	5000	2015-17	Richland Co. WRD	Legal Drain #2 Reconstruction/Extension Project	3/9/2016	224,231	33,758	190,473
SWC	1179	5000	2015-17	Richalnd Co. WRD	Legal Drain #5 (Lateral 27) Reconstruction	3/9/2016	180,353	10,937	169,416
SWC	1231	5000	2015-17	Traill Co. WRD	Carson Drain No. 10 Channel Improvements	10/12/2016	141,322	110,912	30,410
SWC	1227	5000	2011-13	Traill Co. WRD	Mergenthal Drain No. 5 Reconstruction	9/15/2014	12,225	0	12,225
SE	1328	5000	2015-17	North Cass Co. WRD	Drain No. 23 Channel Improv Preliminary Engineering	9/30/2015	921	0	921
SWC	1328	5000	2015-17	North Cass Co. WRD	Drain #23 Channel Improvements	3/9/2016	81,612	53,103	28,509
SE	1334	5000	2017-19	Traill Co WRD	Norway Drain No. 38	3/28/2018	61,917	61,917	0
SWC	1891	5000	2015-17	Steele Co WRD	Drain No. 8 Channel Improvement	7/6/2016	2,599	2,599	0
SWC	1977	5000	2011-13	Dickey-Sargent Co WRD	Jackson Township Improvement Dist. #1	5/20/2015	447,653	106,287	341,366
SE	1978	5000	2015-17	Richland-Sargent Joint W	RS Legal Dam #1 - Pre-Construction Engineering	10/24/2016	13,680	13,680	0
SWC	2042	5000	2015-17	Bottineau Co. WRD	Haas Coulee Legal Drain Phase II	6/22/2017	86,361	86,361	0
SWC	2062	5000	2015-17	Traill Co. WRD	Traill Co. Drain #64	7/6/2016	19,549	13,729	5,820
SWC	2074	5000	2015-17	City of Wahpeton	Toe Drain & Encroachment Project	7/6/2016	1,125,482	1,125,482	0
SE	2078	5000	2017-19	Southeast Cass WRD	Raymond-Mapleton Township Imp Dist #76	7/20/2017	3,043	3,043	0
SWC	1523	5000	2015-17	Ward Co. WRD	Robinwood Bank Stabilization Project	10/6/2015	98,648	18,238	80,410
SWC	1991	5000	2013-15	City of Lisbon	Sheyenne Riverbank Stabilization Project	9/15/2014	47,768	0	47,768
SE	2058	5000	2015-17	City of Grafton	Grafton Debris Removal Plan	4/10/2017	8,177	8,170	7
					SNAGGING & CLEARING PROJECTS				
SWC	568	5000	2015-17	Southeast Cass WRD	Sheyenne River Snagging & Clearing Reaches I,II,III	12/9/2016	150,073	150,073	0
SE	1287	5000	2013-15	McHenry Co. WRD	Souris River Snagging & Clearing Project	2/3/2015	10,500	0	10,500
SE	1667	5000	2015-17	Traill Co. WRD	Goose River Snagging & Clearing	6/21/2017	47,500	43,811	3,689
					TOTAL		3,278,191	1,938,324	1,339,867

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GENERAL PROJECTS

Approved By	SWC No	Dept	Approved Biennum	Sponsor	Project	Approved Date	Total Approved	Total Payments	*Dec-18* Balance
				Hydrologic Investigations:					
SE	1400	3000	2015-17	Fireside Office Solutions	Document Conversion (Water Permit Scanning)	3/28/2018	21,125	19,899	1,226
SWC	2041	3000	2017-19	USGS	Stream Gage Joint Funding Agreement	12/7/2018	422,870	0	422,870
					Subtotal Hydrologic Investigations		***443,995***	***19,899***	***424,096***
				Devils Lake Basin Development:					
SWC	416-10	4700	2015-17	Operations	Devils Lake Outlet Operations	3/9/2016	10,027,973	5,771,850	4,256,122
SE	416-01	5000	2017-19	Devils Lake Basin Joint WRB	Board Manager	6/14/2017	60,000	0	60,000
					Subtotal Devils Lake Basin Development		***10,087,973***	***5,771,850***	***4,316,122***
				General Water Management:					
SWC	160	5000	2017-19	McLean Co WRD	Painted Woods Lake Flood Damage Reduction & Habita	8/9/2018	284,768	0	284,768
SE	274	5000	2015-17	City of Neche	Neche Levee Certification Project	3/21/2016	54,000	44,684	9,316
SE	390	5000	2015-17	Logan County WRD	Beaver Lake Dam Rehabilitation Feasibility Study	6/8/2016	16,076	0	16,076
SE	391	5000	2017-19	Sargent Co WRD	Silver Lake Dam Improvements	12/20/2018	74,625	0	74,625
SWC	394	5000	2017-19	Golden Valley Co WRD	Odland Dam Rehabilitation Project	12/7/2018	110,055	0	110,055
SWC	399	5000	2017-19	Barnes Co WRD	Kathryn Dam Project	8/9/2018	754,875	0	754,875
SE	420	5000	2015-17	Hettinger Park Board	Mirror Lake Dam Emergency Action Plan	12/2/2016	24,400	12,827	11,573
SE	460	5000	2015-17	Griggs Co. WRD	Ueland Dam Rehabilitation Feasibility Study	5/20/2016	17,500	0	17,500
SE	477	5000	2015-17	Valley City	Mill Dam Rehabilitation Feasibilty Study	6/8/2016	15,073	12,136	2,937
SE	494	5000	2015-17	Nelson Co. WRD	McVille Dam Emergency Action Plan	5/3/2018	10,000	0	10,000
SE	512	5000	2015-17	Emmons County WRD	Nieuwsma Dam Emergency Action Plan	11/28/2016	7,532	812	6,720
SE	531	5000	2015-17	Benson Co WRD	Bouret Dam Rehabilitation Feasibilitly Study	10/11/2016	12,118	10,109	2,009
SE	531	5000	2017-19	Benson Co WRD	Bouret Dam Rehabilitiation	12/20/2018	67,234	0	67,234
SWC	551	5000	2015-17	McHenry Co. WRD	Buffalo Lodge Lake Outlet	6/22/2017	134,915	73,375	61,540
SE	561	5000	2015-17	City of Tioga	Tioga Dam EAP	5/20/2016	40,000	0	40,000
SE	667	5000	2017-19	Burke Co WRD	Northgate Dam 2 Emergency Action Plan	9/5/2017	26,396	0	26,396
SWC	848	5000	2017-19	Sargent Co WRD	Brummond/Lubke Dam	10/11/2018	317,111	0	317,111
SE	849	5000	2015-17	Pembina Co. WRD	Renwick Dam Emergency Action Plan	9/29/2015	2,212	0	2,212
SWC	980	5000	2015-17	Cass Co. Joint WRD	Rush River Watershed Detention Study	1/7/2016	127,697	12,487	115,210
SWC	980	5000	2015-17	Cass Co. Joint WRD	Upper Maple River Watershed Detention Study	1/11/2016	128,039	46,371	81,668
SE	1264	5000	2013-15	Barnes Co WRD	Little Dam Repurposing Feasibility Study	6/17/2015	12,385	0	12,385
SE	1270	5000	2015-17	City of Wilton	Wilton Pond Dredging Recreation Project	12/29/2015	35,707	0	35,707
SE	1289	5000	2015-17	McKenzie Co. Weed Board	Control of Noxious Weeds on Sovereign Land	4/10/2017	44,010	16,461	27,549
SWC	1296	5000	2015-17	Pembina Co. WRD	Tongue River NRCS Watershed Plan	3/9/2016	104,703	24,055	80,648
SWC	1301	5000	2015-17	Richland Co. WRD	North Branch Antelope Creek NRCS Small Watershed	3/9/2016	113,400	29,090	84,310
SE	1303	5000	2013-15	Sargent Co WRD	Gwinner Dam Improvement Feasibility Study Program	4/17/2015	20,181	0	20,181
SWC	1303	5000	2015-17	Sargent Co WRD	Shortfoot Creek Watershed Planning Program	3/9/2016	109,047	7,536	101,511
SWC	1389	5000	2013-15	Bank of ND	BND AgPace Program	12/13/2013	170,365	120,000	50,365
SE	1396	5000	2017-19	USGS	Water Level Monitoring of Missouri River	9/7/2017	15,000	0	15,000
SWC	1401	5000	2015-17	Pembina Co. WRD	International Boundary Roadway Dike Pembina	7/20/2017	294,528	33,653	260,875
SE	1403	5000	2017-19	NDSU	ND Water Resource Institute grant student stipends	1/14/2019	25,000	0	25,000
SE	1444	5000	2015-17	City of Pembina	Flood Protection System Certification	4/19/2016	1,657	0	1,657
SE	1453	5000	2015-17	Hettinger County WRD	Karey Dam Rehabilitation Feasibility Study	5/23/2016	6,853	0	6,853
SE	1453	5000	2017-19	Hettinger County WRD	Karey Dam Rehabilitation Design & Planning	12/14/2018	67,916	0	67,916
SWC	1851-01	5000	2015-17	ND State Water Commission	Drought Disaster Livestock Water Supply Assistance	2/8/2018	2,025,000	1,294,502	730,498
SWC	1859	5000	2017-19	ND Dept of Health	NPS Pollution	8/23/2017	200,000	91,955	108,045
SWC	2115	5000	2017-19	0	(PMP) Probable Maximum Precipitation Estimates	10/11/2018	600,000	0	600,000
SWC	1968	5000	2015-17	Garrison Diversion	MM 15 Irrigation Project	3/29/2017	321,781	228,166	93,615
SWC	1968	5000	2015-17	Garrison Diversion	MM 42L Irrigation Project	8/23/2017	937,207	888,547	48,660
SWC	1968	5000	2017-19	Garrison Diversion	MM 0 and MM 0.4 Irrigation Project	12/7/2018	1,673,793	0	1,673,793
SWC	2050-68	5000	2017-19	Valley City	Valley City Membrane Replacement Project	2/8/2018	586,350	0	586,350
SE	2055	5000	2015-17	Red River Joint Water Resource District	Lower Red Basin Regional Detention Study	7/17/2015	45,500	0	45,500
SWC	2059	5000	2015-17	Park River Joint WRD	North Branch Park River NRCS Watershed Study	10/6/2015	81,200	0	81,200
SWC	2060	5000	2015-17	Walsh Co. WRD	Forest River Watershed Study	4/10/2017	154,012	0	154,012
SWC	2060	5000	2017-19	Walsh Co. WRD	Matejcek Dam Rehabilitation	10/11/2018	279,750	0	279,750
SE	2070	5000	2015-17	Garrision Diversion Conservancy Dist	Mile Marker 42 Irrigation Project	5/20/2016	29,741	0	29,741
SE	2071	5000	2015-17	Foster County WRD	Alkali Lake High Water Feasibilitly Study	4/19/2016	4,830	0	4,830
SE	2072	5000	2015-17	Barnes Co WRD	Ten Mile Lake Flood Risk Reduction Project	6/8/2016	36,812	0	36,812
SWC	2074	5000	2015-17	City of Wahpeton	Flood Control - Levee Certification	7/6/2016	247,500	0	247,500
SWC	2074	5000	2015-17	City of Wahpeton	Breakout Easements	7/6/2016	265,000	0	265,000
SWC	2075	5000	2015-17	Ward Co. WRD	Second Larson Coulee Detention Pond	7/6/2016	602,307	0	602,307
SWC	2083	5000	2015-17	Pembina Co. WRD	Herzog Dam Gate & Catwalk Retrofit - Construction	10/12/2016	114,632	809	113,823
SE	2085	5000	2015-17	Adams Co WRD	Orange Dam Rehabilitation Feasibility Study	10/13/2016	10,770	1,930	8,840
SE	2089	5000	2015-17	Maple River WRD	Tower Township Improvement District No. 77 Study	12/19/2016	28,175	11,717	16,458
SE	2090	5000	2015-17	International Water Institute	River Watch Program	1/12/2017	24,150	11,944	12,206
SE	2090-02	5000	2017-19	International Water Institute	River of Dreams Program	6/6/2018	23,275	0	23,275
SWC	2096	5000	2015-17	Southeast Cass WRD	Sheyenne-Maple Flood Control Dist #2 Improvements	3/29/2017	1,035,358	43,943	991,416
SWC	2107-01	5000	2015-17	City of Minot	Levee Repair & Bank Stabilization Project	6/14/2018	581,476	427,533	153,943
SWC	2107-02	5000	2017-19	City of Minot	Outfall Pipe Rehabilitation Project	6/14/2018	368,778	0	368,778
SE	2109	5000	2017-19	Logan County WRD	McKenna Lake Feasibility Study	6/21/2017	2,247	0	2,247
SE	2109	5000	2017-19	Logan County WRD	McKenna Lake Hydrologic Study	9/12/2018	72,167	0	72,167
SWC	2123	5000	2017-19	Geotech, Inc.	Airborne Electromagnetic (AEM) 2018	8/9/2018	425,000	0	425,000
SE	1396-01	5000	2013-15	Trout, Raley, Montano, Witwer, & Freem	Missouri River Recovery Program	11/17/2015	46,785	275	46,510
SE	1878-02	5000	2015-17	Maple-Steele Joint WRD	Upper Maple River Dam EAP	5/20/2016	12,800	0	12,800
SE	AOC/IRA	5000	2017-19	ND Irrigation Association	Water Irrigation Funding	10/3/2017	75,000	75,000	0
SWC	PS/IRR/LOW	5000	2017-19	Lower Yellowstone Irrigation District #2	Lateral W Irrigation Project	6/14/2018	692,500	0	692,500
SE	AOC/WEF	5000	2017-19	ND Water Education Foundation	ND Water Magazine	8/2/2017	26,000	19,500	6,500
SWC	AOC/RRC	5000	2017-19	Red River Basin Commission	Red River Basin Commission Contractor	6/22/2017	200,000	100,000	100,000
SWC	AOC/ASS	5000	2017-19	Assiniboine River Basin Initiative	ARBI's Outreach Efforts	6/22/2017	100,000	50,000	50,000
SE	PS/WRD/UPP	5000	2017-19	Upper Sheyenne River Joint WRB	USRJWB Operational Costs	6/20/2017	6,000	3,134	2,867
SE	PS/WRD/MRJ	5000	2017-19	Missouri River Joint WRB	MRRIC Terry Fleck	6/7/2017	45,000	18,140	26,860
SE	PS/WRD/MRJ	5000	2017-19	Missouri River Joint WRB	Board Operational Costs	6/7/2017	10,000	4,658	5,342
SE	PS/WRD/LOW	5000	2015-17	Lower Heart WRD	Lower Heart Flood Contral Study	5/10/2017	21,140	0	21,140
					Subtotal General Projects		***15,257,414***	***3,715,346***	***11,542,066***
					TOTAL		25,789,381	9,507,096	16,282,285
					SWC Board Approved to Continue				

STATE WATER COMMISSION
PROJECT SUMMARY
2017-2019 Biennium
Resources Trust Fund

COMPLETED GENERAL PROJECTS

Approved By	SWC No	Dept	Approved Biennum	Sponsor	Project	Approved Date	Total Approved	Total Payments	Dec-18 Balance
					Hydrologic Investigations:				
SE	1396	3000	2017-19	USGS	Maintain Gaging Station East of Lisbon Sheyenne River	9/25/2017	10,500	10,500	0
SE	989	3000	2017-19	ND Dept of Health	Water Sampling Testing	9/25/2017	105,500	105,500	0
SWC	2041	3000	2017-19	USGS	Stream Gage Joint Funding Agreement	12/8/2017	553,790	553,790	0
SWC	2041	3000	2015-17	USGS	Stream Gage Joint Funding Agreement	10/12/2016	136,028	136,028	0
					Subtotal Hydrologic Investigations		***805,818***	***805,818***	***0***
SWC	322	5000	2009-11	ND Water Education Fou	ND Water: A Century of Challenge	2/22/2010	36,800	35,000	1,800
SWC	346	5000	2015-17	Williams County WRD	Epping Dam Spillway Reconstruction	3/29/2017	19,499	19,439	60
SWC	347	5000	2009-11	City of Velva	City of Velva's Flood Control Levee System Certification	3/28/2011	32,497	32,497	0
SE	394	5000	2015-17	Golden Valley Co WRD	Odland Dam Rehabilitiation Feasibility Study	10/13/2016	13,220	13,220	0
SE	399	5000	2013-15	Barnes Co WRD	Kathryn Dam Feasibility Study	9/19/2014	12,742	7,061	5,681
SE	479	5000	2017-19	Morton Co Parks & Recre	Fish Creek Dam Rehabilitiation	10/4/2017	62,970	62,970	0
SE	841	5000	2013-15	Maple River WRD	Garsteig Dam Repair Project	1/26/2015	18,661	0	18,661
SE	848	5000	2015-17	Sargent Co WRD	Tewaukon WS-T-7 (Nelson) Dam EAP	12/18/2015	12,180	1,132	11,048
SE	848	5000	2015-17	Sargent Co WRD	Tewaukon WS-T-1-A (Brummond-Lubke) Dam EAP	12/18/2015	12,016	1,180	10,836
SWC	980	5000	2013-15	Cass Co. Joint WRD	Swan Creek Watershed Detention Study PHII	3/11/2015	122,666	2,152	120,514
SWC	1273	5000	2015-17	City of Oakes	James River Bank Stabilization	12/11/2015	262,500	76,927	185,573
SE	1296	5000	2013-15	Pembina Co. WRD	Bathgate-Hamilton & Carlisle Watershed Study	10/17/2013	6,726	6,726	0
SE	1303	5000	2015-17	Sargent Co WRD	Gwinner Dam Breach Project	3/21/2018	44,364	42,673	1,691
SE	1403	5000	2017-19	NDSU	ND Water Resource Institute grant student stipends	1/9/2018	25,000	25,000	0
SE	1418	5000	2015-17	City of Bisbee	Big coulee Dam EAP	5/10/2017	11,320	11,095	225
SE	1625	5000	2015-17	Carlson McCain, Inc.	Ordinary High Water Mark Delineations Left Bank of Missouri F	12/2/2016	2,000	2,000	0
SWC	1638	5000	2009-11	Mutiple	Red River Basin Non-NRCS Rural/Farmstead Ring Dike Progr	6/23/2009	177,864	0	177,864
SE	1808	5000	2015-17	Steele Co WRD	Beaver Creek Dam Safety Inspection	5/23/2016	2,625	2,625	0
SWC	1968	5000	2013-15	Garrison Diversion	McClusky Canal Mile Marker 10 & 49 Irrigation Project	3/17/2014	51,614	0	51,614
SE	1974	5000	2015-17	USGS	Installation of 5 Rapid Deployment Gages in the Mouse River	3/23/2017	23,200	23,200	0
SE	1974	5000	2015-17	USGS	Regulated Streamflow Frequency for the Upper Souris River Bi	12/16/2016	12,367	12,367	0
HB1009	1986	5000	2017-19	ND Dept Agriculture	Wildlife Services 17-201	8/22/2017	125,000	125,000	0
SWC	2065	5000	2015-17	Cass Co. Joint WRD	Lake Bertha Flood Control Project No. 75	3/9/2016	201,350	201,350	0
SWC	2066	5000	2015-17	Southeast Cass WRD	Sheyenne-Maple Flood Control Dist #1 Mitigation Improvement	3/9/2016	169,201	169,201	0
SE	2069	5000	2015-17	Center Township	Wild Rice River Bank Stabilization	4/19/2016	954	954	0
SE	2076	5000	2015-17	Elm River Joint WRD	Elm River Dam #1 Modification Study	7/6/2016	9,503	9,503	0
SE	2094	5000	2015-17	McLean Co WRD	Lower Buffalo Creek Flood Management Feasibility	6/7/2017	7,539	7,534	5
SE	2079-01	5000	2015-17	City of Williston	West Williston Flood Control	10/24/2016	39,900	39,900	0
SE	2099	5000	2017-19	City of Hunter	Hunter Dam Emergency Action Plant	2/22/2018	46,108	46,108	0
SE	2114	5000	2017-19	HDR Engineering	LCCA & EA Guidance Workshop	5/17/2018	9,804	9,804	0
HB1020	2114	5000	2017-19	HDR Engineering	Economic Analysis-Flood Control & Conveyance Projects	12/28/2017	74,093	74,093	0
HB1020	2119	5000	2017-19	HDR Engineering	Life Cycle Cost Analysis Guidelines & Process Development	12/28/2017	59,263	59,263	0
SE	AOC/MIS	5000	2017-19	Missouri River Advisory C	MRAC Startup Funding	8/3/2017	2,000	2,000	0
SE	AOC/WRD	5000	2015-17	ND Water Resource Distr	ND Water Managers Handbook	6/21/2017	24,750	24,750	0
SE	AOC/WEF/TO	5000	2017-19	ND Water Education Fou	Summer Water Tours	4/30/2018	2,500	2,500	0
SE	NDAWN	5000	2017-19	NDSU	NDAWN CENTER	3/13/2018	1,500	1,500	0
SWC	PS/WRD/ELM	5000	2013-15	Elm River Joint WRD	Dam #3 Safety Improvements Project	9/15/2014	5,672	0	5,672
					Subtotal General Projects		***1,741,967***	***1,150,724***	***591,243***
					TOTAL		2,547,785	1,956,542	591,243

Water Supply Bucket 2017-2019		
Bucket Total		**$120,125,000**
Obligated This Biennium	Grand Forks - Water Treatment Plant	$30,000,000
	Lake Agassiz Water Authority - Red River Valley Water Supply	$17,000,000
	Lincoln - Water Supply Main	$1,130,000
	Mandan - Sunset Reservoir Transmission Line	$3,135,000
	Mercer - McLean Sheridan Connection	$166,950
	State Water Commission - Northwest Area Water Supply	$14,600,000
	New Town - Water Tower	$1,940,000
	State Water Commission - Southwest Pipeline Project	$13,500,000
	West Fargo - Brooks Harbor Water Tower	$1,950,000
	West Fargo - North Loop Connection	$510,000
	West Fargo - West Loop Connection	$1,110,000
	Western Area Water Supply - Phase 5	$20,000,000
	Williston - US Highway 2 Water Main	$434,400
	Williston - 9th Ave E Water Main	$246,000
	Williston - 18th St Water Main	$2,090,000
	Wing - Water Tower	$72,000
Remaining Balance		**$12,240,650**
Money Turned Back		$2,497,208
Remaining Balance		**$14,737,858**
Febrary 2019 Agenda		$0
Remaining Balance		**$14,737,858**
Planned Yet This Biennium	Lake Agassiz Water Authority - Red River Valley Water Supply	$13,000,000
Remaining Balance		**$1,737,858**

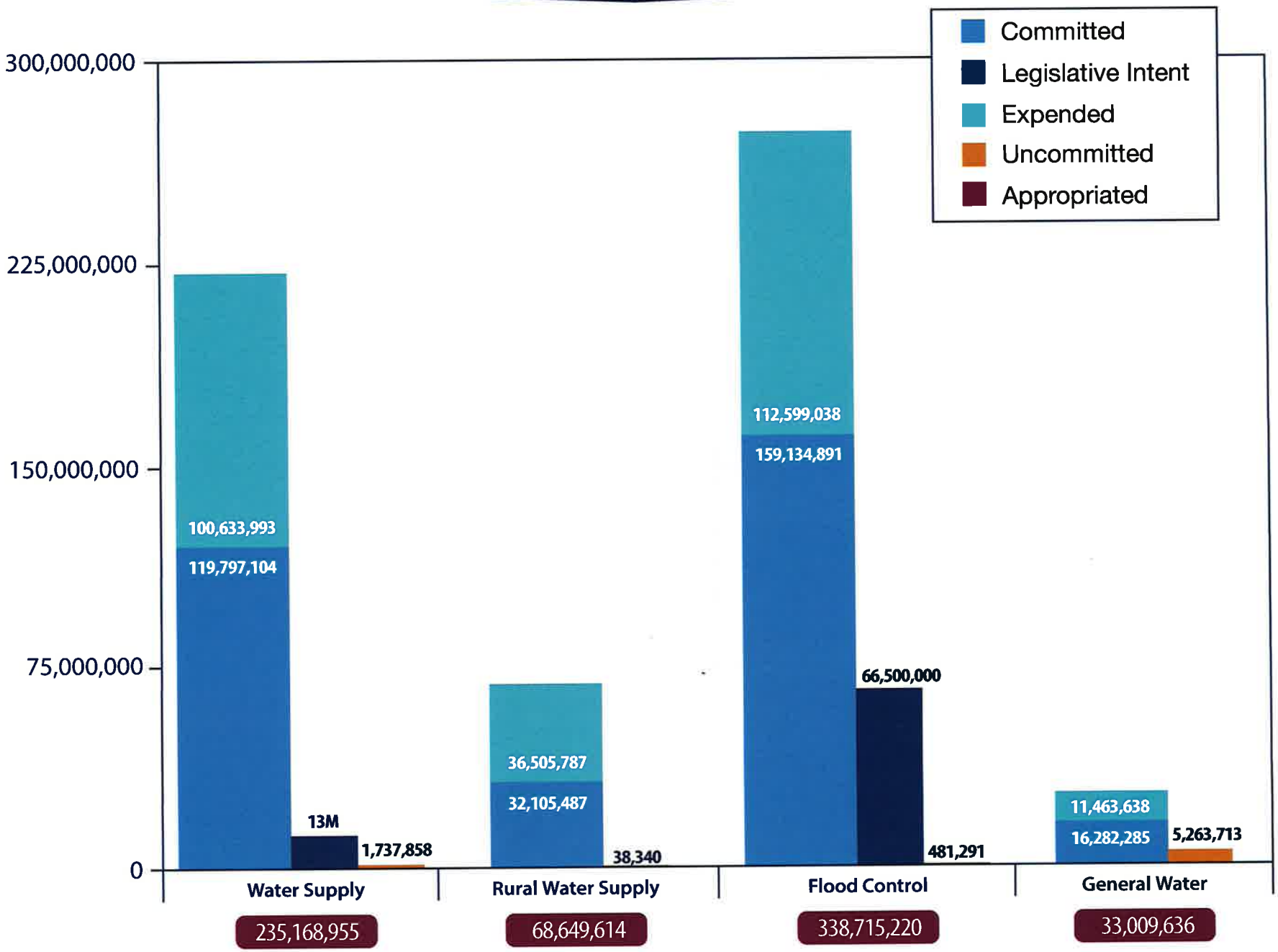
Rural Water Supply Bucket 2017-2019		
Bucket Total		**$27,000,000**
Obligated This Biennium	East Central Regional Water District - Grand Forks System	$4,150,000
	East Central Regional Water District - Traill System	$1,396,880
	East Central Regional Water District - Agassiz WUD	$232,795
	East Central Regional Water District - Larimore	$513,750
	Greater Ramsey Water District - Devils Lake Regionalization	$599,000
	Northeast Regional Water District - Master Plan	$107,000
	North Prairie Rural Water District - Mountrail County	$6,516,000
	Southeast Water User District - Expansion System Wide	$2,749,000
	Stutsman Rural Water District - Phase 6 Pettibone	$2,100,000
	Walsh Rural Water District - System Improvements	$1,300,000
	North Prairie Rural Water District - Silver Spring Surrey	$107,430
	North Prairie Rural Water District - Reservoir 9	$1,114,620
	Cass Rural Water User District - Horace Tank	$1,846,000
	McLean-Sheridan Rural Water District - Turtle Lake Tower	$2,378,450
	Tri-County Rural Water District - McVille Connection	$2,803,250
Remaining Balance		**($914,175.00)**
Money Turned Back		$952,515
Remaining Balance		**$38,340**
Febrary 2019 Agenda		$0
Remaining Balance		**$38,340**
Planned Yet This Biennium		$0
Remaining Balance		**$38,340**

Flood Control Bucket 2017-2019		
Bucket Total		**$136,000,000**
Obligated This Biennium	Mouse River Flood Control	$63,907,784
	Valley City Flood Control	$2,171,925
	*Pembina Co. WRD	$56,000
	*SE Cass WRD	$3,043
	*Bottineau Co. WRD	$41,427
	*Traill Co. WRD	$61,917
	Mapleton Re-Certification	$213,670
	Lower Heart Flood Control	$280,000
	Davenport Flood Risk Reduction	$35,000
	Michigan Spillway Flood Assessment	$42,053
	Valley City Flood Control Phase III Construction	$1,786,179
	City of Minot SWIF	$387,433
	Sheldon Subdivision Levee	$370,200
	City of Belfield	$27,000
	*Walsh County Drain 30-2	$328,042
	*Richland County Drain 7	$274,541
	*Bottineau County Bauman Drain	$391,742
Remaining Balance		**$65,622,044**
Money Turned Back		$1,359,248
Remaining Balance		**$66,981,292**
Planned Yet This Biennium	Fargo Flood Control	$66,500,000
Remaining Balance		**$481,292**
Not In Water Plan	City of Davenport	$2,083,600

* Conveyance Projects

General Water Management Bucket 2017-2019		
Bucket Total		**$15,750,000**
Obligated This Biennium	Garrison Diversion Unit, Mile 42 Irrigation	$937,207
	Drought Disaster Livestock Water Supply	$500,000
	Drought Disaster Livestock Water Supply	$775,000
	Drought Disaster Livestock Water Supply	$500,000
	Valley City Water Treatment Plant	$586,350
	USGS Cooperative Hydrologic Monitoring	$553,790
	Wildlife Services - ND Dept. of Agriculture	$125,000
	Yellowstone Irrigation District	$692,500
	NPS Pollution – Dept. of Health	$200,000
	Red River Basin Commission	$200,000
	Painted Woods Lake Flood Damage Reduction	$284,768
	Kathryn Dam	$754,875
	AEM	$425,000
	Assiniboine Outreach	$100,000
	Various State Engineer Approvals	$829,686
	Matacjek Dam	$279,750
	Brummond-Lubke Dam	$317,111
	PMP Update	$600,000
	Garrison Diversion MM 0 and 0.4 Irrigation Project	$1,673,793
	USGS Cooperative Gaging Network	$422,870
	Odland Dam Engineering	$110,055
	Karey Dam Rehabilitation Engineering	$67,916
	Silver Lake Dam Improvements	$74,625
	Bouret Dam Rehabilitation	$67,234
Remaining Balance		**$4,672,470**
Money Turned Back		$591,243
Remaining Balance		**$5,263,713**
Originally Budgeted for This Biennium	Devils Lake Outlet Operations	$5,000,000
Remaining Balance		**$263,713**

PROJECT FUNDS



APPENDIX B

FEDERAL MUNICIPAL, RURAL, AND INDUSTRIAL WATER SUPPLY PROGRAM APPLICATION FOR COST-SHARE

NORTH DAKOTA STATE WATER COMMISSION

SFN 60796 (3/2015)

SWC Date Received : 1/3/19

Submit application to Garrison Diversion Conservancy District and ND State Water Commission.

Project Sponsor Northeast Regional Water District		Date 12/21/18	
Contact Person Name Gordon Johnson		Title Manager	
Address 13532 Hwy 5 W	City Cavalier	State ND	ZIP Code 58220
Telephone Number 701-265-8503	Email Address NVH2O@polarcomm.com		
Engineering Firm Name AE2S			
Project Engineer Name Geoff Slick	Telephone Number 701-746-8087		
Email Address Geoffrey.slick@ae2s.com			
Project Name NRWD: 2017 User Expansion			

Project Needs, Objectives, & Benefits

Updated from Previous request. Over past year, users have increased from 200 to 276 users. The project is currently bid with 251 users included within the project. All 251 users/pipelines have been archaeologically reviewed. Currently, 9 out of the additional 25 users have undergone archaeological review.

Area To Be Served

Cavalier & Towner Counties

Preliminary Engineering Report Included ☐ Yes ☐ No

Project Funding	SOURCE	FEASIBILITY STUDY	DESIGN	CONSTRUCTION	TOTAL
	Federal	$ 26,250.00	$ 354,750.00	$ 8,224,380.00	$ 8,605,380.00
	State	$	$	$	$
	Local	$ 8,750.00	$ 118,250.00	$ 2,741,460.00	$ 2,868,460.00
	Other	$	$	$	$ 0.00
	TOTAL	$ 35,000.00	$ 473,000.00	$ 10,965,840.00	$ 11,473,840.00

Describe Efforts To Secure Other Funding For Project

NRWD has availability of up to $3M in matching loan dollars from the ND SRF program. NRWD also has requested similar grant funding from the ND SWC in the 2019-2021 biennium.

Water Rate Schedule		CURRENT	AFTER PROJECT	NOTE
	Base Rate	$ 55.00	$ 55.00	New users will pay local share of pjct.
	Cost Per 1,000 Gallons	$ 6.00	$ 6.00	
	Gallons In Base Rate	0	0	
	Cost For 5,000 Gallons	$ 30.00	$ 30.00	
	Service Connections	940	1,216	Addition of 276 users
	Population	2,350	3,022	

Feasibility Study	Start January 2018	End March 2018
Design	Start April 2018	End March 2019
Construction	Start June 1, 2019	End November 30, 2021

Northeast Regional Water District
User Expansion Phase 2
Post Bid Summary - January 2, 2019

	Total Bid Project Costs	Estimated Total Project Cost To Date
Base Bid	$6,188,912.00	$6,188,912.00
Alternate 1	$617,249.00	$617,249.00
Alternate 2	$1,192,004.50	$1,192,004.50
Additional User/Pipeline	$0.00	$849,176.00
SUBTOTAL CONSTRUCTION COSTS:	**$7,998,165.50**	**$8,847,341.50**
Administrative Costs		
Crop Reimbursement/Archelogical	$843,500.00	$843,500.00
Engineering (Design, Report, and Bidding)	$508,000.00	$508,000.00
Engineeing (Easements Acquiston)	$215,000.00	$215,000.00
Engineering (RPR)		
(Construction Period and Post Construction)	$1,060,000.00	$1,060,000.00
CONTINGENCIES	$0.00	$0.00
SUBTOTAL NON-CONSTRUCTION COSTS:	**$2,626,500.00**	**$2,626,500.00**
TOTAL ESTIMATED PROJECT COST =	**$10,624,665.50**	**$11,473,841.50**

www.ae2s.com | Advanced Engineering and Environmental Services, Inc.

City of Hansboro
City of Sarles
City of Hannah
City of Wales
City of Calvin
City of Rocklake
City of Munich
City of Bisbee
City of Egeland
City of Alsen
City of Loma
City of Calio
City of Cando
City of Maza
City of Churchs Ferry
City of Brinsmade
City of Minnewaukan
City of Devils Lake
City of Devils Lake
City of Crary
City of Hampden
City of Starkweather
City of Edmore
City of Fairdale
City of Adams
City of Lawton
City of Brocket
City of Lakota
City of Nekoma
City of Milton
City of Osnabrock
City of Langdon
City of Walhalla
City of Neche
City of Pembina
City of Bathgate
City of Cavalier
City of Mountain
City of Hensel
City of St Thomas
City of Crystal
City of Drayton
City of Hoople
City of Edinburg
City of Grafton
City of Park River
City of Lankin
City of Pisek
City of Conway
City of Fordville
City of Inkster
City of Gilby
City of Manvel

TOWNER
CAVALIER
PEMBINA
RAMSEY
BENSON
NELSON
WALSH
GRAND FORKS

N

Locator Map Not to Scale

NRWD

NRWD - PHASE 2 USER EXPANSION

County Boundary
City Boundary
Northeast Regional Water District
NRWD Existing Pipeline

Curb Stop
Active
Removed
No Cultural Complete
Culteral Completed by Juniper October 2018

Zones
Zone 1
Zone 2
Zone 3

Pipeline Diameter
2"
3"
4"

Date: 1/4/2019

AE2S

Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.
Coordinate System: | Edited by: dlissick | C:\Data\Projects\WAFS\N\Northeast RWD\11799-2015-008\Project Data\100 Geomatic Services\GIS\NWRD User Expansion 2.aprx

Northwest Area Water Supply Project
Remaining Project Features - Estimates to Complete
1/14/19

Proposed Funding																
100% or 65%	65%	35%	100%													
Federal	**State**	**Minot**	**Total**	**Contract**	**Description**	**Purpose**	**Current Design Estimate**	**Current Construction Estimate**	**Current CMS Estimate**	**Design Year**	**Construction Year Start**	**Construction Year Finish**	**Indexed Design Estimate**	**Indexed Construction Estimate**	**Indexed CMS Estimate**	**Opinion of Probable Project Cost**
$ -	**$ 1,449,500**	**$ 780,500**	**$ 2,230,000**	**6-1A**	Snake Creek Pumping Facility Retrofit	Provide an intake facility for the raw water pipeline	$ 2,225,100	$ 13,100,000	$ 820,000	2018	2020	2021	$ 2,230,000	$ 14,440,000	$ 870,000	$ 17,540,000
$ 4,917,164	**$ 14,431,756**	**$ -**	$ 19,348,920	**7-1D/4-1A**	Biota WTP and Pump Station Phase I	First phase of the Biota Water Treament Facility	**$ 4,917,164**	$ 45,000,000	$ 2,250,000	2018	2020	2022	$ 4,920,000	$ 49,610,000	$ 2,390,000	$ 56,920,000
$ -	$ -	$ -	$ -	7-1E/4-2B	Biota WTP and Pump Station Phase II	Second phase of the Biota Water Treatment Facility	$ 2,090,000	$ 22,000,000	$ 1,320,000	2021	2023	2025	$ 2,280,000	$ 28,080,000	$ 1,530,000	$ 31,890,000
$ -	$ -	$ -	$ -	7-1F/4-1C	Biota WTP and Pump Station Phase III	Third phase of the Biota Water Treatment Facility	$ 1,615,000	$ 17,000,000	$ 1,020,000	2023	2025	2027	$ 1,870,000	$ 23,920,000	$ 1,250,000	$ 27,040,000
$ -	$ 2,158,000	$ 1,162,000	$ 3,320,000	5-2A	South Prairie Control Structure and Reservoir Bypass	Hydraulic control structure located at the continental divide to control pipeline operations	$ 250,000	$ 2,500,000	$ 150,000	2020	2021	2021	$ 270,000	$ 2,890,000	$ 160,000	$ 3,320,000
$ -	$ -	$ -	$ -	5-2B	South Prairie Reservoir	Pre-treated storage reservoir	$ 700,000	$ 8,500,000	$ 580,000	2021	2023	2025	$ 760,000	$ 10,850,000	$ 670,000	$ 12,280,000
$ -	**$ 1,755,000**	**$ 945,000**	**$ 2,700,000**	2-1E	Supply System Evaluation and Initiation	Existing pre-treated pipeline inspection, testing, operational preparation	$ 1,250,000	$ 1,125,000	$ 125,000	2020	2020	2021	$ 1,330,000	$ 1,240,000	$ 130,000	$ 2,700,000
$ 14,859,836	**$ 3,847,164**	**$ 10,073,000**	$ 28,780,000	**7-1B**	Phase II Minot WTP	Softening basin expansion at the Minot Water Treatment Plant		**$ 27,268,000**	**$ 1,507,198**		2018	2020	$ -	$ 27,270,000	$ 1,510,000	$ 28,780,000
$ -	$ -	$ -	$ -	7-1C	Phase III Minot WTP	Retrofit of previously existing softening basins, finishing remaining items at plant	$ 980,000	$ 7,050,000	$ 400,000	2021	2022	2024	$ 1,070,000	$ 8,570,000	$ 450,000	$ 10,090,000
$ -	$ -	$ -	$ -	4-3A/5-3A	Lansford Reservoir/BPS	Main storage and pumping station on finished water line, necessary to bring full service to Bottineau and northern tier	$ 1,650,000	$ 16,125,000	$ 850,000	2021	2022	2023	$ 1,800,000	$ 19,600,000	$ 960,000	$ 22,360,000
$ -	**$ 136,500**	**$ 73,500**	**$ 210,000**	4-2D	Inline BPS's	Finished water pipeline booster pump stations	$ 205,000	$ 1,310,000	$ 100,000	2019	2020	2020	$ 210,000	$ 1,440,000	$ 110,000	$ 1,760,000
$ -	$ -	$ -	$ -	5-4A	Bottineau/ASWUD Pumps and Storage	Finished water storage and pumping to supply design flow to Bottineau area	$ 535,000	$ 7,350,000	$ 550,000	2021	2023	2024	$ 580,000	$ 9,380,000	$ 640,000	$ 10,600,000
$ 4,537,000	**$ -**	**$ 2,443,000**	**$ 6,980,000**	2-3C	Glenburn to Renville Corner Segment	Finished water pipeline necessary to complete system loop and provide	**$ 374,169**	$ 5,950,000	$ 348,898	2018	2019	2020	$ 370,000	$ 6,250,000	$ 360,000	$ 6,980,000
$ 4,186,000	**$ -**	**$ 2,254,000**	**$ 6,440,000**	2-4A	Westhope and All Seasons System III Segment	Finished water pipeline to provide service to Westhope and better serve All Seasons	**$ 102,910**	$ 5,700,000	$ 338,397	2018	2019	2020	$ 100,000	$ 5,990,000	$ 350,000	$ 6,440,000
$ -	**$ 247,000**	**$ 133,000**	**$ 380,000**	2-4B	Westhope to Souris Corner Segment	Finished water pipeline to provide service to Souris	$ 365,000	$ 7,250,000	$ 725,000	2019	2020	2021	$ 380,000	$ 7,990,000	$ 770,000	$ 9,140,000
$ -	**$ 325,000**	**$ 175,000**	**$ 500,000**	2-4C	Souris Corner to Bottineau and ASWU System I Segment	Finished water pipeline to provide service to Bottineau and All Seasons System I	$ 490,000	$ 5,650,000	$ 560,000	2019	2020	2021	$ 500,000	$ 6,230,000	$ 590,000	$ 7,320,000
$ -	$ 1,500,000	$ 500,000	$ 2,000,000		Other	Ongoing costs: engineering, land, legal, permits, and construction							$ -	$ 2,000,000	$ -	$ 2,000,000
$ 28,500,000	$ 25,849,920	$ 18,539,000	$ 72,888,920	Sub-Total											Total	$ 257,160,000
$ -	$ 1,250,048	$ 426,397	$ 1,676,445	Contingency	2.30%											
$ 28,500,000	$ 27,099,968	$ 18,965,397	$ 74,565,365	Total												
$ 13,715,000	**$ 27,100,000**	**$ 10,853,500**	**$ 51,668,500**	**Approved**												
$ (14,785,000)	$ 32	$ (8,111,897)	$ (22,896,865)	Request												

Green shaded items are on the raw water supply system

Gray shaded items are treatment related

Blue shaded items are on the potable distribution system

Bold numbers are under contract/specific authoriztion, the rest are estimates

APPENDIX C

February 1, 2019

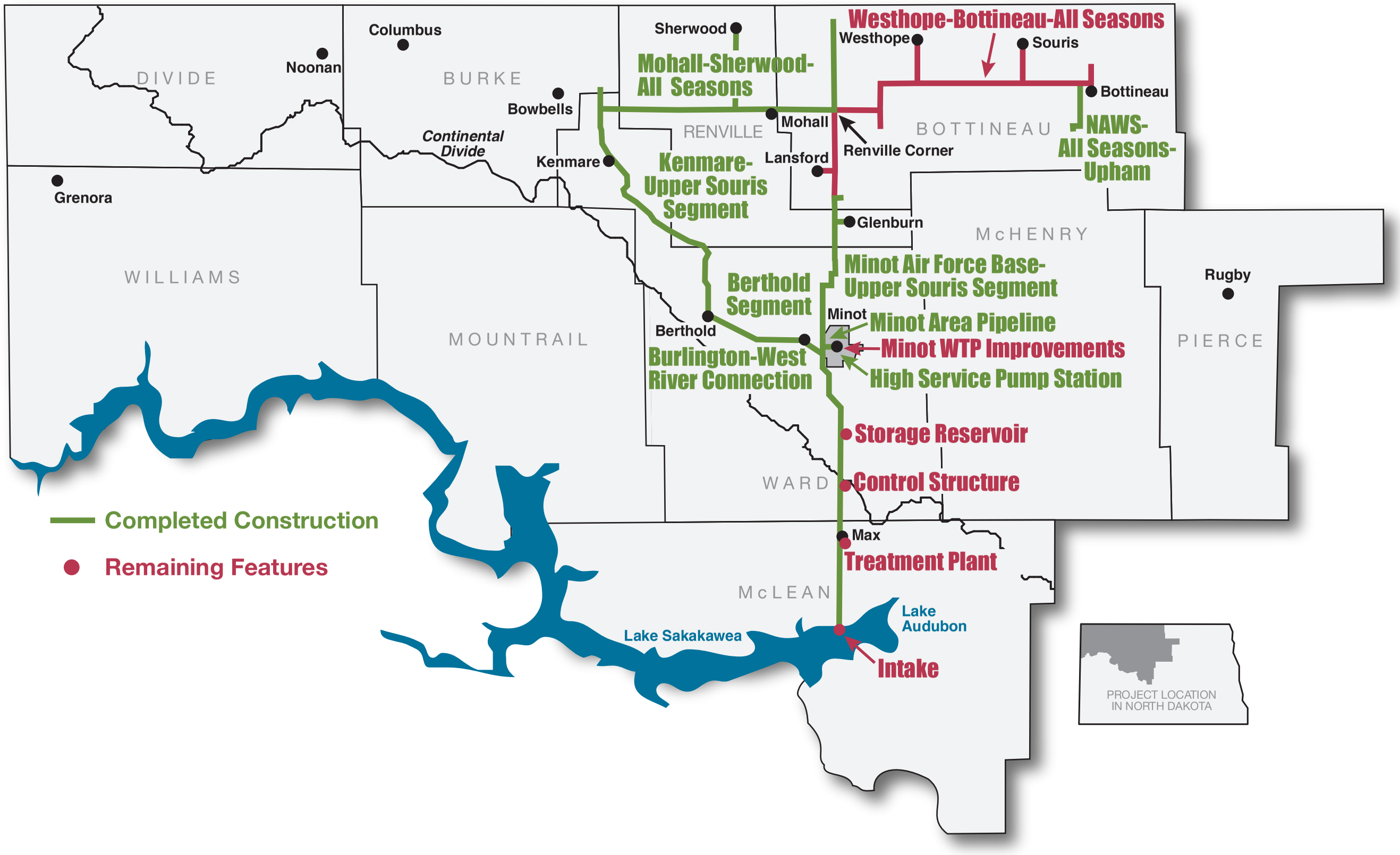
Garrison Diversion Unit
State Municipal, Rural, and Industrial Water Supply Program
Five Year Plan 2019 - 2023
Cooperative Agreement No. R17AC00049

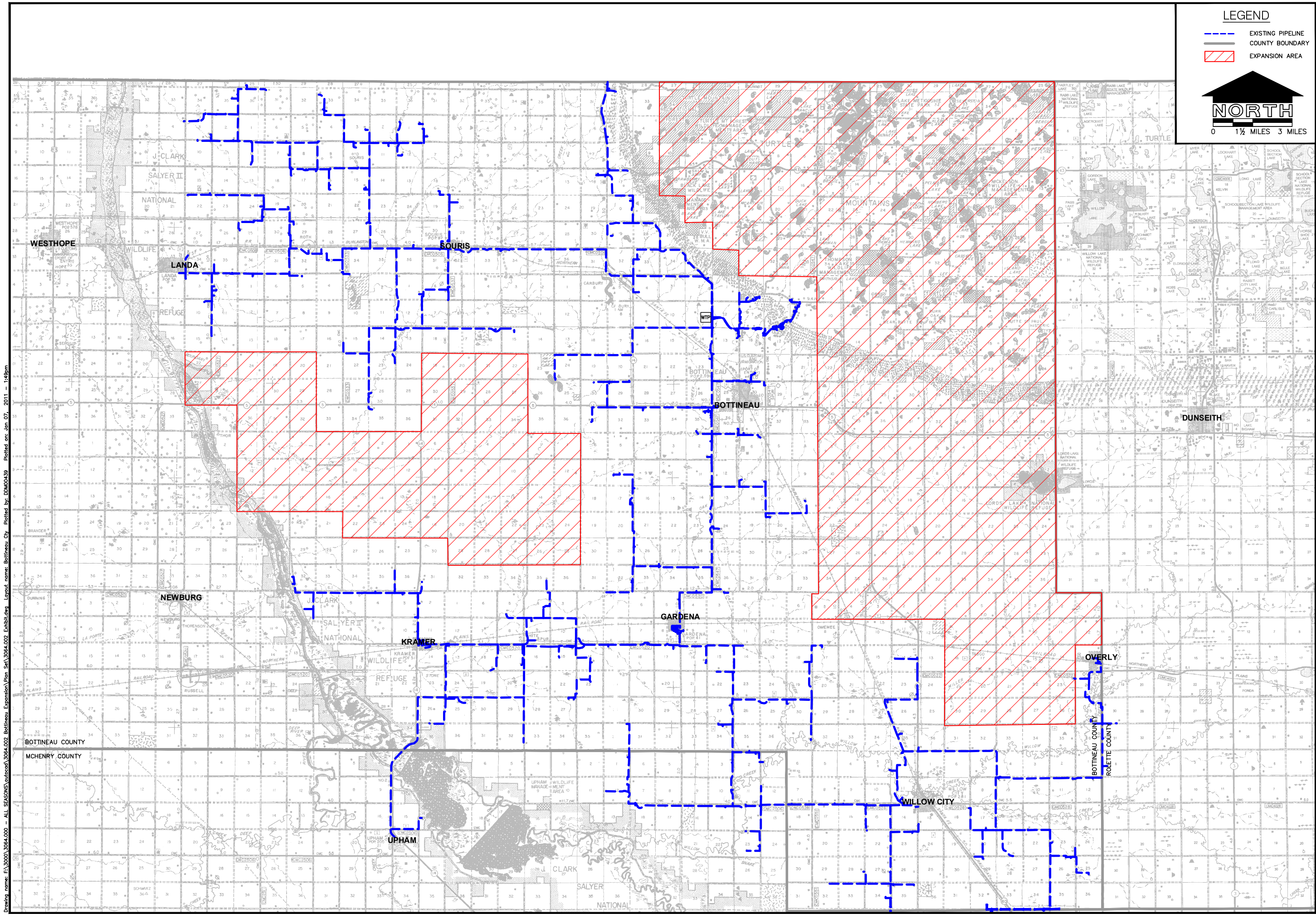
Project	Total Costs			FY 2019			FY 2020			FY 2021		
	Non Federal Share	Federal Share	Project Total	Non Federal Share	Federal Share	Project Total	Non Federal Share	Federal Share	Project Total	Non Federal Share	Federal Share	Project Total
NAWS Minot WTP Phase II Construction	3,264,154	6,062,000	9,326,154	3,264,154	6,062,000	9,326,154	0	0	0	0	0	0
NAWS Biota WTP Phase I Construction	0	52,000,000	52,000,000	0	0	0	0	13,000,000	13,000,000	0	26,000,000	26,000,000
NAWS Bottineau/All Seasons Pumps and Storage Design	203,000	377,000	580,000	0	0	0	0	0	0	203,000	377,000	580,000
NAWS Snake Creek Intake Construction	5,358,500	9,951,500	15,310,000	0	0	0	3,215,100	5,970,900	9,186,000	2,143,400	3,980,600	6,124,000
NAWS Pipeline/Inline/Storage/Pumps Construction	8,309,000	15,431,000	23,740,000	4,359,923	8,097,000	12,456,923	3,949,077	7,334,000	11,283,077	0	0	0
NAWS Lansford Reservoir/Pump Station Design	630,000	1,170,000	1,800,000	0	0	0	0	0	0	630,000	1,170,000	1,800,000
NAWS Lansford Reservoir/Pump Station Construction	7,196,000	13,364,000	20,560,000	0	0	0	0	0	0	0	0	0
NAWS Minot WTP Phase III Design	374,500	695,500	1,070,000	0	0	0	0	0	0	374,500	695,500	1,070,000
NAWS Minot WTP Phase III Construction	3,157,000	5,863,000	9,020,000	0	0	0	0	0	0	0	0	0
NAWS South Prairie Reservoir Design	266,000	494,000	760,000	0	0	0	0	0	0	266,000	494,000	760,000
NAWS South Prairie Reservoir Construction	4,032,000	7,488,000	11,520,000	0	0	0	0	0	0	0	0	0
NAWS Bottineau/All Seasons Pumps and Storage Construction	3,507,000	6,513,000	10,020,000	0	0	0	0	0	0	0	0	0
All Seasons Water Users District System 1 Expansion Design	525,000	975,000	1,500,000	0	0	0	525,000	975,000	1,500,000	0	0	0
All Seasons Water Users District System 1 Expansion Construction	5,360,090	12,506,910	17,867,000	0	0	0	0	0	0	3,126,720	5,806,780	8,933,500
NAWS Biota WTP Phase II Design	0	2,280,000	2,280,000	0	0	0	0	0	0	0	2,280,000	2,280,000
NAWS Biota WTP Phase II Construction	0	29,610,000	29,610,000	0	0	0	0	0	0	0	0	0
NAWS Biota WTP Phase III Design	0	1,870,000	1,870,000	0	0	0	0	0	0	0	0	0
NAWS Biota WTP Phase III Construction	0	25,170,000	25,170,000	0	0	0	0	0	0	0	0	0
Administration (BOR/GDCD/SWC)	159,274	3,323,519	3,482,793	30,000	626,000	656,000	30,900	644,780	675,680	31,827	664,123	695,950
Total	$42,341,518	$195,144,429	$237,485,947	$7,654,077	$14,785,000	$22,439,077	$7,720,077	$27,924,680	$35,644,757	$6,775,447	$41,468,003	$48,243,450

Project	FY 2022			FY 2023			Grant
	Non Federal Share	Federal Share	Project Total	Non Federal Share	Federal Share	Project Total	%
NAWS Minot WTP Phase II Construction	0	0	0	0	0	0	65%
NAWS Biota WTP Phase I Construction	0	13,000,000	13,000,000	0	0	0	100%
NAWS Bottineau/All Seasons Pumps and Storage Design	0	0	0	0	0	0	65%
NAWS Snake Creek Intake Construction	0	0	0	0	0	0	65%
NAWS Pipeline/Inline/Storage/Pumps Construction	0	0	0	0	0	0	65%
NAWS Lansford Reservoir/Pump Station Design	0	0	0	0	0	0	65%
NAWS Lansford Reservoir/Pump Station Construction	4,317,600	8,018,400	12,336,000	2,878,400	5,345,600	8,224,000	65%
NAWS Minot WTP Phase III Design	0	0	0	0	0	0	65%
NAWS Minot WTP Phase III Construction	3,157,000	5,863,000	9,020,000	0	0	0	65%
NAWS South Prairie Reservoir Design	0	0	0	0	0	0	65%
NAWS South Prairie Reservoir Construction	0	0	0	4,032,000	7,488,000	11,520,000	65%
NAWS Bottineau/All Seasons Pumps and Storage Construction	0	0	0	3,507,000	6,513,000	10,020,000	65%
All Seasons Water Users District System 1 Expansion Design	0	0	0	0	0	0	75%
All Seasons Water Users District System 1 Expansion Construction	2,233,370	6,700,130	8,933,500	0	0	0	75%
NAWS Biota WTP Phase II Design	0	0	0	0	0	0	100%
NAWS Biota WTP Phase II Construction	0	0	0	0	29,610,000	29,610,000	100%
NAWS Biota WTP Phase III Design	0	0	0	0	1,870,000	1,870,000	100%
NAWS Biota WTP Phase III Construction	0	0	0	0	25,170,000	25,170,000	100%
Administration (BOR/GDCD/SWC)	32,782	684,047	716,829	33,765	704,569	738,334	
Total	$9,740,752	$34,265,577	$44,006,329	$10,451,165	$76,701,169	$87,152,334	

APPENDIX D

Northwest Area Water Supply (NAWS)





EXPANSION LOCATION MAP

ALL SEASONS WATER USERS DISTRICT
BOTTINEAU COUNTY EXPANSION

BARTLETT & WEST

DESCRIPTION	DATE

DESIGNED BY: LJK
DRAWN BY: DDM
APPROVED BY: LJK
DESIGN PROJ: 3064.002
CONST PROJ: ---
SCALE: AS NOTED
DATE: 01/11
SHEET NUMBER: 1 OF 1

Drawing name: F:\3000\3064.000 - ALL SEASONS\outcast\3064.002 Bottineau Expansion\Plan Set\3064.002 Exhibit.dwg Layout name: Bottineau City Plotted by: DDM00439 Plotted on: Jan 07, 2011 - 1:49pm

APPENDIX E

SWC Date Received : 1/15/19

CITY OF LISBON
NORTH DAKOTA

January 15, 2019

Garland G. Erbele, P.E.
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue, Dept. 770
Bismarck, North Dakota 58105-0850

Subject: City of Lisbon Request for Sheyenne River Flood Protection, Phase 1 – Levee C & E Extension

The City of Lisbon is requesting State Water Commission funding for 600 linear feet of permanent flood protection for the City of Lisbon's Phase 1 Sheyenne River Flood Protection Project. We would like the SWC to reallocate all excess funds from our past five levee projects as outlined in our letter dated January 14, 2019, which we believe totals an available amount of $1,036,877.00 that will be used for this project.

See the attached Engineer's Opinion of Probable Cost for a detailed account of the costs for Levee C & E Extension showing the shared costs. The total project cost is $1,275,000 which $1,039,390 is eligible for SWC cost share. The balance, Local Share, of $235,610 plus the amount short of $2,513 for a total of $234,123, we are requesting a SWC Loan for 30 years at 1.5% interest. We will be advertising the project for bids on January 29, 2019 in order to construct Phase 1 – Levee C & E Extension in the summer of 2019. We are requesting preliminary engineering design funding according to our past agreement at 90% State Water Commission share and 10% Local Share. We are requesting construction funding on this project for eligible costs to be 60% cost share from the State Water Commission's policy on flood control, plus 20% cost share from Devils Lake Mitigation funding, with the remaining 20% Local Share funded with a 30 year loan from the State Water Commission at 1.5% interest.

With the completion of Levee C & E Extension, we believe we will have meet our CLOMR requirements and will be working on a LOMR for Phase 1 of our Sheyenne River Flood Protection project. Thank you for your help with our project and funding requests. If additional information is needed please feel free to contact me at (701) 680-0384.

Sincerely,

Tim Meyer
Mayor, City of Lisbon

Enclosures

423 Main Street ~ PO Box 1079 ~ Lisbon, ND 58054
Phone (701) 683-4140 Fax (701) 683-9710
TDD: 1-800-366-6888

Sheyenne River Flood Protection
Phase 1 - Levee C & E Extensions
Lisbon, North Dakota

Engineer's Opinion of Probable Cost

	BID ITEM NO. & DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	SWC Cost Share	Local Share
Part 1 - Main Street Levee C Extension							
1.	Silt Fence Unsupported	LF	270	$3.00	$810.00	$648.00	$162.00
2.	Stabilized Construction Access	EA	1	$1,500.00	$1,500.00	$1,200.00	$300.00
3.	Inlet Protection-Special	EA	2	$300.00	$600.00	$480.00	$120.00
4.	Removal of Trees & Brush	L SUM	1	$25,000.00	$25,000.00	$20,000.00	$5,000.00
5.	Removal of Trees 10In	EA	2	$300.00	$600.00	$480.00	$120.00
6.	Removal of Trees 18In	EA	6	$600.00	$3,600.00	$2,880.00	$720.00
7.	Removal of Trees 30In	EA	7	$1,200.00	$8,400.00	$6,720.00	$1,680.00
8.	Removal Of Concrete	CY	100	$25.00	$2,500.00	$2,000.00	$500.00
9.	Removal of Concrete Pavement	SY	165	$20.00	$3,300.00	$2,640.00	$660.00
10.	Removal of Curb & Gutter	LF	130	$15.00	$1,950.00	$1,560.00	$390.00
11.	Removal of Bituminous Surfacing	SY	805	$15.00	$12,075.00	$9,660.00	$2,415.00
12.	Removal Of Building	L SUM	1	$25,000.00	$25,000.00	$20,000.00	$5,000.00
13.	Removal Of Foundations-All Sizes	L SUM	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
14.	Removal of Gate Valve	EA	1	$500.00	$500.00	$400.00	$100.00
15.	Removal of Hydrant	EA	1	$500.00	$500.00	$400.00	$100.00
16.	Removal of Sanitary Sewer	LF	100	$20.00	$2,000.00	$1,600.00	$400.00
17.	Removal of Sanitary Sewer Manhole	EA	1	$650.00	$650.00	$520.00	$130.00
18.	Removal of Sanitary Sewer Service	LF	30	$10.00	$300.00	$240.00	$60.00
19.	Removal of Water Main	LF	115	$20.00	$2,300.00	$1,840.00	$460.00
20.	Removal of Water Service	LF	50	$10.00	$500.00	$400.00	$100.00
21.	Sanitary Sewer Manhole	EA	1	$4,500.00	$4,500.00	$3,600.00	$900.00
22.	Sanitary Sewer Cleanout	EA	1	$500.00	$500.00	$400.00	$100.00
23.	Water Main - 6"	LF	15	$42.00	$630.00	$504.00	$126.00
24.	Gate Valve & Box - 6"	EA	1	$1,500.00	$1,500.00	$1,200.00	$300.00
25.	Hydrant - 6"	EA	1	$4,500.00	$4,500.00	$3,600.00	$900.00
26.	Common Excavation-Type A	CY	110	$10.00	$1,100.00	$880.00	$220.00
27.	Topsoil	CY	400	$5.00	$2,000.00	$1,600.00	$400.00
28.	Topsoil-Imported	CY	400	$20.00	$8,000.00	$6,400.00	$1,600.00
29.	Aggregate Surface Course Cl 5	CY	320	$50.00	$16,000.00	$12,800.00	$3,200.00
30.	Embankment - Import	CY	615	$30.00	$18,450.00	$14,760.00	$3,690.00
31.	Embankment - Stockpile	CY	2,780	$30.00	$83,400.00	$66,720.00	$16,680.00
32.	Exploration Trench	LF	100	$26.00	$2,600.00	$2,080.00	$520.00
33.	Exploration Trench - CDF Fill	CY	100	$180.00	$18,000.00	$14,400.00	$3,600.00
34.	Exploration Trench - Excess Material - Remove	CY	500	$10.00	$5,000.00	$4,000.00	$1,000.00
35.	Exploration Trench - Import	CY	300	$20.00	$6,000.00	$4,800.00	$1,200.00
36.	Geosynthetic Material Type R1	SY	805	$2.50	$2,012.50	$1,610.00	$402.50
37.	Superpave FAA 42	TON	300	$110.00	$33,000.00	$26,400.00	$6,600.00
38.	Curb & Gutter-Type I	LF	190	$50.00	$9,500.00	$7,600.00	$1,900.00
39.	Sidewalk Concrete 4In	SY	17	$65.00	$1,105.00	$884.00	$221.00
40.	Driveway Concrete 6In Reinforced	SY	250	$85.00	$21,250.00	$17,000.00	$4,250.00
41.	Seeding Class III	SY	2,400	$3.25	$7,800.00	$6,240.00	$1,560.00
42.	Testing Allowance	ALLOW	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
43.	Storm Water Management	L SUM	1	$10,000.00	$10,000.00	$8,000.00	$2,000.00
44.	Traffic Control	L SUM	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
45.	Contingencies	L SUM	1	$56,067.50	$56,067.50	$44,854.00	$11,213.50
				Total - Part 1	$465,000.00	$372,000.00	$93,000.00

	BID ITEM NO. & DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	SWC Cost Share	Local Share
Part 2 - Harris Street Levee E Extension							
1.	Clearing & Grubbing	L SUM	1	$15,000.00	$15,000.00	$12,000.00	$3,000.00
2.	Topsoil	SY	5,000	$5.00	$25,000.00	$20,000.00	$5,000.00
3.	Removal of Bituminous Surfacing	SY	1,000	$15.00	$15,000.00	$12,000.00	$3,000.00
4.	Common Excavation-Type A	CY	50	$10.00	$500.00	$400.00	$100.00
5.	Removal Of Concrete	CY	50	$25.00	$1,250.00	$1,000.00	$250.00
6.	Removal of Curb & Gutter	LF	250	$15.00	$3,750.00	$3,000.00	$750.00
7.	Removal of Water Main	LF	75	$20.00	$1,500.00	$1,200.00	$300.00
8.	Removal of Water Service	LF	200	$10.00	$2,000.00	$1,600.00	$400.00
9.	Disconnect Water Service at Main	EA	2	$800.00	$1,600.00	$1,280.00	$320.00
10.	Removal of Sanitary Sewer	LF	75	$20.00	$1,500.00	$1,200.00	$300.00
11.	Removal of Sanitary Sewer Service	LF	200	$10.00	$2,000.00	$1,600.00	$400.00
12.	Exploration Trench	LF	575	$26.00	$14,950.00	$11,960.00	$2,990.00
13.	Removal Of Foundations-All Sizes	L SUM	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
14.	Exploration Trench - Excess Material - Remove	CY	1,500	$10.00	$15,000.00	$12,000.00	$3,000.00
15.	Exploration Trench - CDF Fill	CY	50	$180.00	$9,000.00	$7,200.00	$1,800.00
16.	Subgrade Preparation - 12"	SY	3,000	$2.00	$6,000.00	$4,800.00	$1,200.00
17.	Exploration Trench - Import	CY	1,500	$20.00	$30,000.00	$24,000.00	$6,000.00
18.	Embankment - Import	CY	3,000	$30.00	$90,000.00	$72,000.00	$18,000.00
19.	Topsoil-Imported	CY	200	$20.00	$4,000.00	$3,200.00	$800.00
20.	Water Main - Connect to Existing	EA	2	$1,850.00	$3,700.00	$2,960.00	$740.00
21.	Water Main - 8" PVC	LF	75	$100.00	$7,500.00	$6,000.00	$1,500.00
22.	Gate Valve & Box - 8"	EA	1	$2,250.00	$2,250.00	$1,800.00	$450.00
23.	Gate Valve & Box - 12"	EA	2	$3,000.00	$6,000.00	$4,800.00	$1,200.00
24.	Sanitary Sewer Main - 12" PVC	LF	75	$85.00	$6,375.00	$5,100.00	$1,275.00
25.	Televising	LF	500	$1.75	$875.00	$700.00	$175.00
26.	Geosynthetic Material Type R1	SY	300	$2.50	$750.00	$600.00	$150.00
27.	Gravel - NDDOT Class 5 - 9"	SY	300	$5.65	$1,695.00	$1,356.00	$339.00
28.	Curb & Gutter-Type I	LF	300	$50.00	$15,000.00	$12,000.00	$3,000.00
29.	Asphalt Base Course - 3"	SY	300	$19.80	$5,940.00	$4,752.00	$1,188.00
30.	Asphalt Wear Course - 2"	SY	300	$13.60	$4,080.00	$3,264.00	$816.00
31.	Sidewalk Concrete 4In	SY	100	$65.00	$6,500.00	$5,200.00	$1,300.00
32.	Storm Sewer - 18" HDPE	LF	475	$44.00	$20,900.00	$16,720.00	$4,180.00
33.	Storm Sewer Manhole	EA	3	$2,900.00	$8,700.00	$6,960.00	$1,740.00
34.	Seeding Class III	SY	5,000	$3.25	$16,250.00	$13,000.00	$3,250.00
35.	Stabilized Construction Access	EA	1	$1,500.00	$1,500.00	$1,200.00	$300.00
36.	Sediment Control Wattle	LF	600	$2.50	$1,500.00	$1,200.00	$300.00
37.	Inlet Protection-Special	EA	3	$300.00	$900.00	$720.00	$180.00
38.	Storm Water Management	L SUM	1	$10,000.00	$10,000.00	$8,000.00	$2,000.00
39.	Testing Allowance	ALLOW	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
40.	Traffic Control	L SUM	1	$20,000.00	$20,000.00	$16,000.00	$4,000.00
41.	Contingencies	L SUM	1	$56,535.00	$56,535.00	$45,228.00	$11,307.00
				Total - Part 2	$475,000.00	$380,000.00	$95,000.00
				Total Construction (Part 1 & 2)	$940,000.00	$752,000.00	$188,000.00
				Geotechnical Engineering	$15,000.00	$13,500.00	$1,500.00
				Study & Report	$27,800.00	$25,020.00	$2,780.00
				Applications & Permits	$26,500.00	$23,850.00	$2,650.00
				Preliminary Design	$36,700.00	$33,030.00	$3,670.00
				Final Design	$79,400.00	$71,460.00	$7,940.00
				Bidding & Negotiating	$8,500.00	$7,650.00	$850.00
				Resident Project Representation	$46,600.00	$37,280.00	$9,320.00
				Construction Surveys & Staking	$23,500.00	$18,800.00	$4,700.00
				Construction Engineering	$48,500.00	$38,800.00	$9,700.00
				Post-Construction	$10,000.00	$8,000.00	$2,000.00
				Legal Fees	$10,000.00	$8,000.00	$2,000.00
				Advertising & Publishing	$2,500.00	$2,000.00	$500.00
				TOTAL PROJECT COST	**$1,275,000.00**	**$1,039,390.00**	**$235,610.00**

CITY OF LISBON
NORTH DAKOTA

January 14, 2019

Garland Erbele, P.E.
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue, Dept. 770
Bismarck, North Dakota 58105-0850

Sheyenne River Flood Protection
Extensions C & E
Lisbon, North Dakota

The City of Lisbon began construction of the Sheyenne River Flood Protection in 2014. Since then, the city has constructed 5 of the planned Levee projects in our overall flood protection project (see attached map). With only minor punch list items remaining in the summer for Levee F.

Levee A – Constructed in 2014 - $146,969 Grant Remaining
Levee C – Constructed in 2015 - $370,810 Grant Remaining
Levee E – Constructed in 2016 - $32,125 Grant Remaining
Levee D – Constructed in 2017 - $246,973 Grant Remaining
Levee F – Constructed in 2018 – Anticipating approximately $240,000 Grant Remaining

With the final completion of Levee F in the summer of 2019, the city will be completed with 5 of the planned levee flood protection projects with the exception of two levee extension projects.

There are two gaps in our flood protection system that have not been completed. They are the extensions of Levee C and E. We are referring to this project as the Levee C & E Extension. The city has secured the right-of-way needed to construct Levee E Extension and is currently in the process of securing final right-of-way to construct levee C Extension.

The city has a remaining balance in our Levee C project that was constructed in 2015. We are approaching the 4 year time limit on the allocation of funds for Levee C. The city is requesting an extension of these funds past the 4 year time allocation.

We are also requesting that all remaining funds from the above mentioned projects be reallocated to Levee C & E Extension. This will provide the appropriate funds to complete the Levee C & E Extension

Project in the summer of 2019. Additionally, this will complete Phase 1 the Sheyenne River Flood Protection Project thereby providing permanent flood protection for a portion of the city once we complete the FEMA application for LOMR.

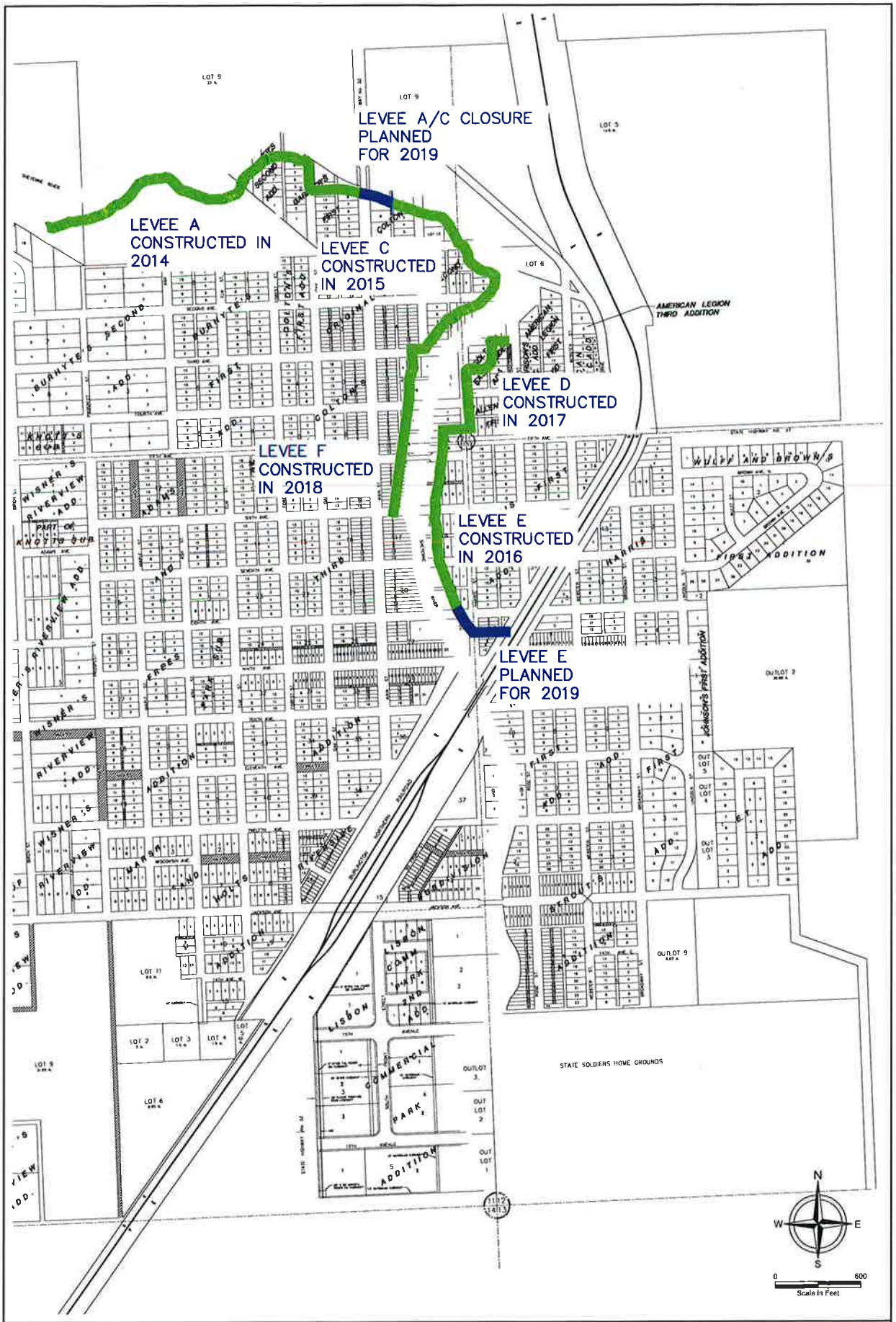
Thank you for your help with our project and funding requests. If additional information is needed please feel free to contact me at (701) 680-0384.

Sincerely,

Tim Meyer
Mayor, City of Lisbon

Enclosures

423 Main Street ~ PO Box 1079 ~ Lisbon, ND 58054
Phone (701) 683-4140 Fax (701) 683-9710
TDD: 1-800-366-6888



LEGEND

- CONSTRUCTED LEVEE
- PLANNED LEVEE CONSTRUCTION

LISBON CLOMR
SHEYENNE RIVER FLOOD PROTECTION
LISBON, NORTH DAKOTA

PROJECT No.	18681
DATE:	02.05.18
REVISED:	—
DRAWN BY:	TWO
CHECKED BY:	TJK

moore engineering, inc.

FILE LOCATION: R:\Civil 3D Projects\18208\DRAWINGS\PRESENTATION\CLOMR Exhibit.dwg

APPENDIX F

FLOOD DIVERSION AUTHORITY

RECEIVED
JAN 25 2019
STATE WATER COMMISSION

211 Ninth Street South, Box 2806, Fargo, ND 58108-2806
Phone 701-241-5600 Fax 701-241-5728

January 24, 2019

Mr. James Ternes Engineer Technician
North Dakota State Water Commission
900 East Boulevard Avenue, Department 770
Bismarck, ND 58505-0850

Email: jpternes@nd.gov

RE: February 14 NDSWC Cost-Share Request

Dear Mr. Ternes:

The Diversion Authority, including the City of Fargo and Cass County would like to request that the $66.5 Million cost-share agreement for the FM Area Diversion Project be on the agenda for consideration at the February 14 State Water Commission meeting. In addition, we request that the cost share agreement for these funds incorporate as many of the cost share efficiencies presented to the State Water Commission at the December 7, 2018 meeting. The list of requested cost share efficiencies is attached to this cover letter.

As you are aware, there has been considerable progress on the efforts to obtain permanent flood protection for the Fargo, Moorhead, West Fargo, Horace, Harwood metro area. Thanks to Governor Burgum, along with Minnesota Governor Dayton, a variety of collaboratively developed changes have resulted in a revised version of the FM Area Diversion Project. The Minnesota Department of Natural Resources (MDNR) issued a Dam Safety and Public Waters Work Permit (Permit 2018-0819) for the Project on December 27, 2018.

With the receipt of the MDNR Permit, the Diversion Authority is taking steps to proceed with the Project, including a focus on acquisition of necessary property rights, mitigation of impacted properties, detailed design of project features, resuming the procurement of the private developer for the P3 portion of the Project, and pursuing funding commitments from the Project partners. As such, the Diversion Authority would like to officially request the $66.5 Million appropriation that was made by the ND Legislature during the 2017 legislative session.

Thank you for your consideration of this cost-share request. Should you have any questions, please contact Michael Redlinger, Fargo Assistant City Administrator (701-476-4135, MRedlinger@FargoND.gov) or Robert Wilson, Cass County Administrator (701-241-5770, WilsonRo@casscountynd.gov).

Sincerely,

Mary Scherling
Cass County Commissioner
Diversion Authority, Chair

COST-SHARE REQUEST FORM

NORTH DAKOTA STATE WATER COMMISSION
DEVELOPMENT DIVISION
SFN 60439 (3/2017)

This form is to be filled out by the project or program sponsor with State Water Commission staff assistance as needed. Applications for cost-share are accepted at any time. However, applications received less than 30 days before a State Water Commission meeting will be held for consideration at the next scheduled meeting.

Please answer the following questions as completely as possible. Supporting documents such as maps, detailed cost estimates, and engineering reports should be attached to this form. If additional space is required, please use extra sheets as necessary.

For information regarding cost-share program eligibility see the *State Water Commission Cost-Share Policy, Procedure, and General Requirements* – available upon request or at www.swc.nd.gov.

Project, Program, Or Study Name
Fargo-Moorhead Metro Area Flood Risk Management Project

Sponsor(s)
Metro Flood Diversion Authority

County	City	Township/Range/Section
Cass	Fargo	

Description Of Request ☐ New ☑ Updated (previously submitted)

Specific Needs Addressed By The Project, Program, Or Study
Provide the Fargo-Moorhead Metropolitan Area with protection against the 1% annual chance flood

If Study, What Type ☐ Water Supply ☐ Hydrologic ☑ Floodplain Mgmt. ☐ Feasibility ☐ Other

If Project/Program

☑ Flood Control	☐ Multi-Purpose	☐ Bank Stabilization	☐ Dam Safety/EAP
☐ Recreation	☐ Water Supply	☐ Snagging & Clearing	☐ Property Acquisition
☐ Irrigation	☐ Water Retention	☐ Rural Flood Control	☐ Other

Jurisdictions/Stakeholders Involved
The Metro Flood Diversion Authority is made up of the local governing bodies of City of Fargo, City of Moorhead, Cass County, Clay County, and Cass County Joint Water Resource District. The Diversion Authority is formalized by a Joint Powers Agreement in June of 2016. The City of Fargo is the fiscal agent of the Diversion Authority.

Description Of Problem Or Need And How Project Addresses That Problem Or Need
The Fargo-Moorhead metropolitan area has a high risk of flooding that affects the local communities. The source of the flooding is from the Red River of the North, Sheyenne River, Wild Rice River, Maple River, Rush River and Lower Rush River. The Project includes three main components of construction: (1) in-town flood protection, (2) diversion channel, and (3) southern embankment with control structures and the temporary staging of floodwaters upstream. The Project will result in decreased flows into the protected area of the metropolitan area that will result in protection against the 1% annual chance flood (100-year flood) on the previously mentioned rivers. This Project accomplishes this by temporarily storing floodwater immediately upstream of the southern embankment, and releasing these floodwaters into the diversion channel that will route the floodwaters to the west and north of the metropolitan area. The diversion channel will connect back into the Red River north of the metropolitan area at approximately Georgetown, MN. The Project also includes levees and other flood protection systems along the river and drainage channels throughout the metro area.

Has Feasibility Study Been Completed?	☑ Yes	☐ No	☐ Ongoing	☐ Not Applicable
Has Engineering Design Been Completed?	☐ Yes	☐ No	☑ Ongoing	☐ Not Applicable
Have Land Or Easements Been Acquired?	☐ Yes	☐ No	☑ Ongoing	☐ Not Applicable

Have You Applied For Any State Permits? ☑ Yes ☐ No ☐ Not Applicable

If Yes, Please Explain
In-Town Levee, Oxbow-Bakke-Hickson Levee, and Diversion Inlet Control Structure Construction Permits

Have You Been Approved For Any State Permits? ☑ Yes ☐ No ☐ Not Applicable

If Yes, Please Explain
In-Town Levee, Oxbow-Bakke-Hickson Levee, and Diversion Inlet Control Structure Construction Permits

Have You Applied For Any Local Permits? ☑ Yes ☑ No ☐ Not Applicable

If Yes, Please Explain As applicable, floodplain development permits & 404 permits are applied for in regards to in-town levees and OHB Levee Construction permit. A 404 permit has been applied for in regards to the Diversion Inlet Control Structure

Have You Been Approved For Any Local Permits? ☑ Yes ☑ No ☐ Not Applicable

If Yes, Please Explain
As applicable, floodplain development permits & USACE 404 permits are being applied for.

Briefly Explain The Level Of Review The Project Or Program Has Undergone
There has been a tremendous level of review of the Project through Federal and State environmental impact statements, supplemental environmental assessments, a Governors' Task Force, and hundreds of public meetings. The Project received congressional authorization in 2014 through the Water Resources Reform And Development Act of 2014.

Do You Expect Any Obstacles To Implementation (i.e., problems with land acquisition, permits, funding, local, opposition, environmental concerns, etc.)? The Diversion Authority is continuing to work with all affected parties during the development of the project.

Funding Timeline (carefully consider when SWC cost-share will be needed)

Source	Total Cost	2015-2017 7/1/15-6/30/17	2017-2019 7/1/17-6/30/19	Beyond 7/1/19
Federal	$	$	$	$
State Water Commission	$	$ 129,000,000	$ 66,500,000	$ 499,500,000
Other State	$	$	$	$
Local	$	$	$	$
Total	$	$	$	$

List All Other State Of North Dakota Funding Sources (Grant or Loan), For Which You Have Applied

Please Explain Implementation Timelines, Considering All Phases And Their Current Status
Final Project design and implementation is expected to be on-going for 6-8 years. Construction of in-town levee features has been ongoing for several years. Construction of the Diversion Inlet Structure was started in 2017 and is expected to resume in 2019. The Diversion Authority in 2019 will procure a Developer to design, construct and maintain the Diversion Channel.

Have Assessment Districts Been Formed? ☑ Yes ☐ No ☐ Ongoing ☐ Not Applicable

Submitted By	Date
Michael Redlinger	1/24/2019

Address	City	State	ZIP Code
225 4th Street North	Fargo	ND	58102

Telephone Number	Sponsor Email	Engineer Email
701-476-4135	MRedlinger@FargoND.gov	NBoerboom@FargoND.gov

I Certify That, To The Best Of My Knowledge, The Provided Information Is True And Accurate.

Signature	Date
	1/23/19

MAIL TO:

ND State Water Commission • ATTN: Cost-Share Program
900 E Boulevard Ave. • Bismarck, ND 58505-0850

Desired Changes for FMDA or Ultra Large Project Management: 12/3/2018

Category	Current Restrictions	Program Request	FMDA Priority
Home Acquisitions Not Currently Eligible for Cost Reimbursement	Past and present legislation contain restrictions that do not allow us to use State funds to purchase structures. They are categorically not eligible, which is not consistent with other flood projects across the State.	Allow State funding to be used for purchase of structures and relocation of displaced persons required for the project. Project includes $500 million in land purchases, of which $243 million are for structures.	High – Financial Efficiency
10% Cap on Administrative Costs and Cash Holdback Due to Restrictive Administrative Caps	Past and present legislation limits administrative expenditures to 10% of the amount appropriated by the State of North Dakota each biennium. Because of the 10% administrative restrictions in previous funding bills, the FMDA is sitting in unreimbursed eligible expenditures of $6.65 million.	Remove the biennium restriction and measure the administrative expenditure cap on a total project commitment since administrative expenses are high in early years and will be dwarfed by construction costs as this project nears completion. We would draw our administrative costs that are in excess of the current legislative cap to catch up on unreimbursed costs. This clause increases the complexity of our reimbursement requests.	High – Financial Planning
Processing of State Water Commission Reimbursement Requests	Past and present funding legislation contains provisions that Cass County, City of Fargo, and the Cass Joint Water Resource District must approve SWC reimbursement requests. This language was inserted before the FMDA was formed and was intended to help keep stakeholders informed. The Diversion Authority now has a Joint Powers Agreement amongst these three entities making the original intent obsolete.	Remove the requirement that all SWC reimbursement requests be approved by Cass County, City of Fargo and the Cass Joint Water Resource District in advance of sending to the State for reimbursement. Change language to require the FMDA Fiscal Agent to submit reimbursement requests directly to the SWC staff for payment. Going forward payment requests will become much larger than in the past and therefore there is a strong need to streamline this dated bureaucratic process.	High – Administrative Efficiency

Category	Current Restrictions	Program Request	FMDA Priority
Cost Share Measurement	Past and present legislation, along with SWC polices dictate how cost shares operate. This is done on a reimbursement basis presently.	Remove the cost share requirement as currently imposed by the SWC and allow the FMDA to spend the State funds first. This will improve our cash flow and reduce the need to borrow funds. The FMDA has presently borrowed $150.3 million to overcome some of the State imposed restrictions.	High – Financial Planning
Cash Management by SWC	The SWC presently manages their own project cash investments pools, which can result in delayed processing of reimbursement requests for ultra large payments on flood control projects.	Modify procedure to allow for an expedited cash delivery system that could include sending the annual appropriation amounts to the FMDA Fiscal Agent on July 1 of each legislative year. If necessary, we would agree to refund investment income on idle funds to the State of North Dakota.	High – Cash Management
Loan Provision	There presently are not any State low interest loan provisions for large water projects. There are several very large projects that could benefit from low interest infrastructure loan programs similar to what was passed last legislative session.	Legislative amendments to develop low interest loan programs to reduce local borrowing using traditional financial markets with expanded amortization term and flexible repayment options over long time periods of up to fifty years.	Very High – Financing
Land Purchase Documentation	The SWC currently requires detailed documentation for each parcel of land purchased.	Large projects that require extensive land acquisitions should have a streamlined process to report and be reimbursed for land acquisitions.	High – Administrative Efficiency

FM AREA DIVERSION PROJECT

December 2018

Informational Sheet

Funding Summary

Based on $2.75 Billion Program Costs (2018$)

Local
$1,044 Million

- Funded with voter-approved sales taxes until 2084
- Majority of local share will need to be financed

State of MN (To Be Requested)
$43 Million Project
$43 Million In-Town

- Based on the DNR's Environmental Impact Statement estimated flood damage reduction benefit of 2% for Minnesota
- $4 Million appropriated to date

Federal
$750 Million

- Project Partnership Agreement (PPA) signed in 2016 committed $450 Million
- Amount of funding escalates to year of expenditure
- With assumed escalation, Federal total increases by $159 Million

State of ND
$870 Million

- $370.5 Million appropriated to date
- $166.5 Million requested in each of the next three bienniums
- Funding does not include requested $250 Million long-term, low-interest loan

game and fish department for law enforcement activities on sovereign lands in the state, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 4. SOVEREIGN LANDS RECREATION USE GRANT. The water and atmospheric resources line item in section 1 of this Act includes $1,000,000 from the resources trust fund which the state water commission shall provide as a grant to the parks and recreation department for developing recreation opportunities on sovereign lands in the state, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 5. ADDITIONAL INCOME - APPROPRIATION - BUDGET SECTION APPROVAL. In addition to the amounts included in the estimated income line item in section 1 of this Act, any additional amounts in the resources trust fund and water development trust fund which become available are appropriated, subject to budget section approval, to the state water commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 6. GRANTS - WATER-RELATED PROJECTS - CARRYOVER AUTHORITY. Section 54-44.1-11 does not apply to funding for grants or water-related projects included in the water and atmospheric resources line item in section 1 of this Act. However, this exclusion is only in effect for two years after June 30, 2017. Any unexpended funds appropriated from the resources trust fund after that period has expired must be transferred to the resources trust fund and any unexpended funds appropriated from the water development trust fund after that period has expired must be transferred to the water development trust fund.

SECTION 7. BANK OF NORTH DAKOTA LOAN - BOND PAYMENTS. The state water commission shall obtain a loan from the Bank of North Dakota in an amount that may not exceed $56,000,000 for the purpose of paying off or defeasing outstanding bond issues, for the period beginning with the effective date of this Act, and ending June 30, 2017.

SECTION 8. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION. Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, $69,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2015, and ending June 30, 2017. Any funds not spent by June 30, 2017, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects, including levees and dikes. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs and may not be used for the purchase of dwellings. No more than ten percent of these funds may be used for engineering, legal, planning, or other similar purposes. The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section. Costs incurred by nonstate entities for dwellings or other real property which are not paid by state funds are eligible for application by the nonstate entity for cost-sharing with the state.

SECTION 9. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-fourth legislative assembly that the state provide one-half of the local cost-share of Fargo flood control projects, including constructing a federally authorized Fargo flood control project, and that total Fargo flood control project funding to be provided by the state not exceed $570,000,000. It is the intent of the sixty-fourth legislative assembly that $120,000,000 of the $570,000,000, be used for Fargo interior flood control projects and that any funds spent for Fargo interior flood control projects after July 1, 2017, require 50 percent matching funds from the Fargo flood authority. It is the intent of the sixty-fourth legislative assembly that the

the state of North Dakota. An advance funding agreement between the United States army corps of engineers and the local Fargo flood control sponsor must precede any state funding used to advance construction work considered to be a federal responsibility.

SECTION 10. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-third legislative assembly that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding to be provided by the state not exceed $450,000,000. It is further the intent of the sixty-third legislative assembly that the $275,000,000 yet to be designated by the state for the Fargo flood control project be made available in equal installments over the next four bienniums.

SECTION 11. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION. Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, $100,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2013, and ending June 30, 2015. Any funds not spent by June 30, 2015, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects, including levees and dikes. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs and may not be used for the purchase of dwellings. No more than ten percent of these funds may be used for engineering, legal, planning, or other similar purposes. The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section. Costs incurred by nonstate entities for dwellings or other real property which are not paid by state funds are eligible for application by the nonstate entity for cost-sharing with the state.

SECTION 12. LEGISLATIVE INTENT - RED RIVER VALLEY WATER SUPPLY. Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, $11,000,000 is for the Red River valley water supply project, for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 13. LEGISLATIVE INTENT - BOND PAYMENTS. Of the funds appropriated in section 1 of this Act, $60,000,000 in the water and atmospheric resources line item is from the resources trust fund for the purposes of paying off or defeasing outstanding bond issues. The state water commission may expend funds for this purpose only if available funding from the resources trust fund for water projects for the biennium beginning July 1, 2013, and ending June 30, 2015, has exceeded $287,000,000.

SECTION 14. STATE WATER COMMISSION PRIORITY PROJECTS LIST - REPORTS TO THE BUDGET SECTION. The state water commission shall report to the budget section every six months during the 2013-14 interim regarding any changes made to the state water commission priority projects list presented to the sixty-third legislative assembly for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 15. FARGO FLOOD CONTROL - REPORTS TO THE BUDGET SECTION. During the 2013-14 interim, the Fargo-Moorhead area diversion authority board shall report to the budget section biannually regarding an update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool; mitigation efforts, alternatives, and costs; easements; and the project budget. The MNDak upstream coalition shall report to the budget section biannually regarding an update on the impacts of the Fargo flood control project and mitigation efforts, alternatives, and costs.

N

Limit of Unsteady HEC-RAS Model

Cass County

Clay County

Richland County

Wilkin County

Legend

Floodplain

- 100 Year Floodplain with or without Plan B
- 100 Year Floodplain with Plan B
- 100 Year Floodplain Removed with Plan B
- Diversion Channel
- Plan B Southern Embankment
- Eastern Tieback Levee
- Western Tieback Levee
- OHB Levee
- Rivers
- Counties
- Waste Water Treatment Ponds
- Project Area

With/Without Plan B 100 Year Event With Emergency Measures

N W E S

0 1 2 4
Miles

Figure 2

Created By: enelson Date Created: 05/31/2018 Date Exported: 8/10/2018 Image: ESRI Topo Basemap Elevation Data: -
Coordinate System: NAD 1983 UTM Zone 14N Datum: North American 1983
H:\Fargo\JBN\7400\7438\18_7438_0026\GIS\Maps\Figure2_3_PlanB_Inundation.mxd

FM Area Diversion Project Update

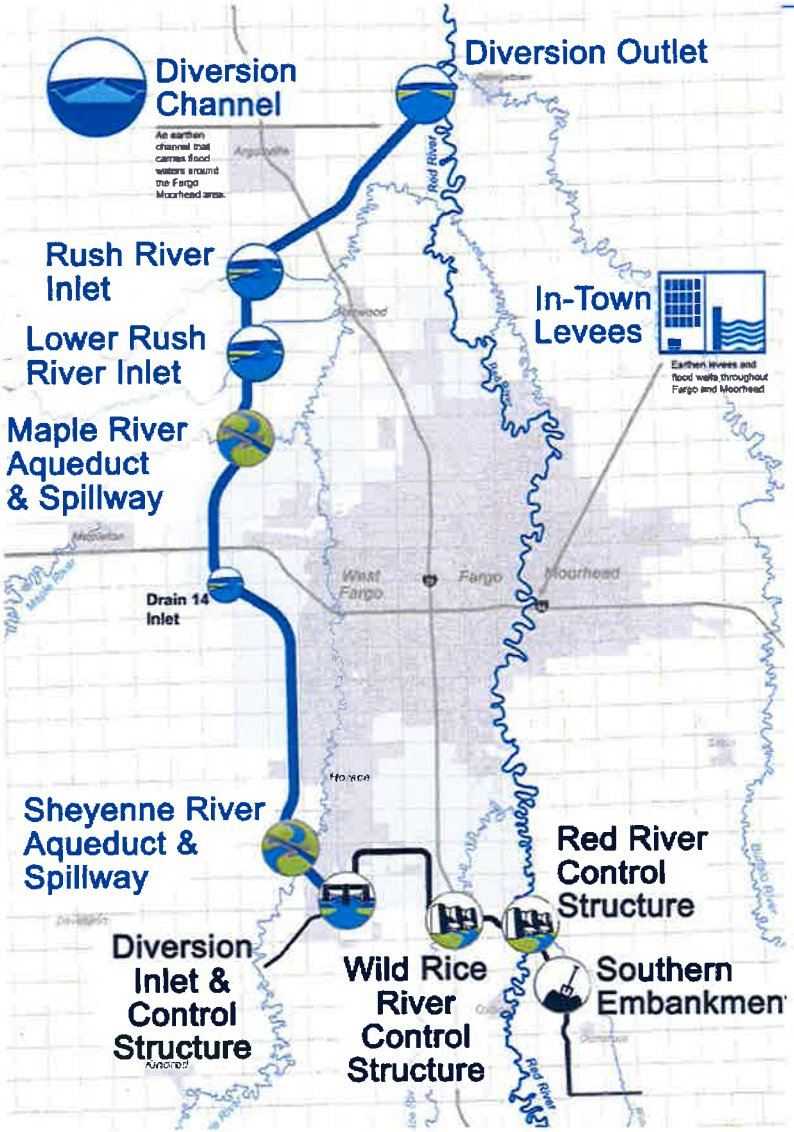
Mayor Tim Mahoney
City of Fargo

APPENDIX G

Cost Estimate, Financial Plan Summary, and Funding Request

Martin Nicholson, CH2M / Jacobs

$2.75B (2018$) Cost Estimate Includes All Project Costs to Construct the Project



- USACE Projects
- Channel / P3
- Mitigation of Impacted Properties, Acquisition of Property Rights, and Business and Residential Relocations
- Projects to Accommodate Increased Flows Through Town (River Stage 37 ft.)
- Non-Construction Costs

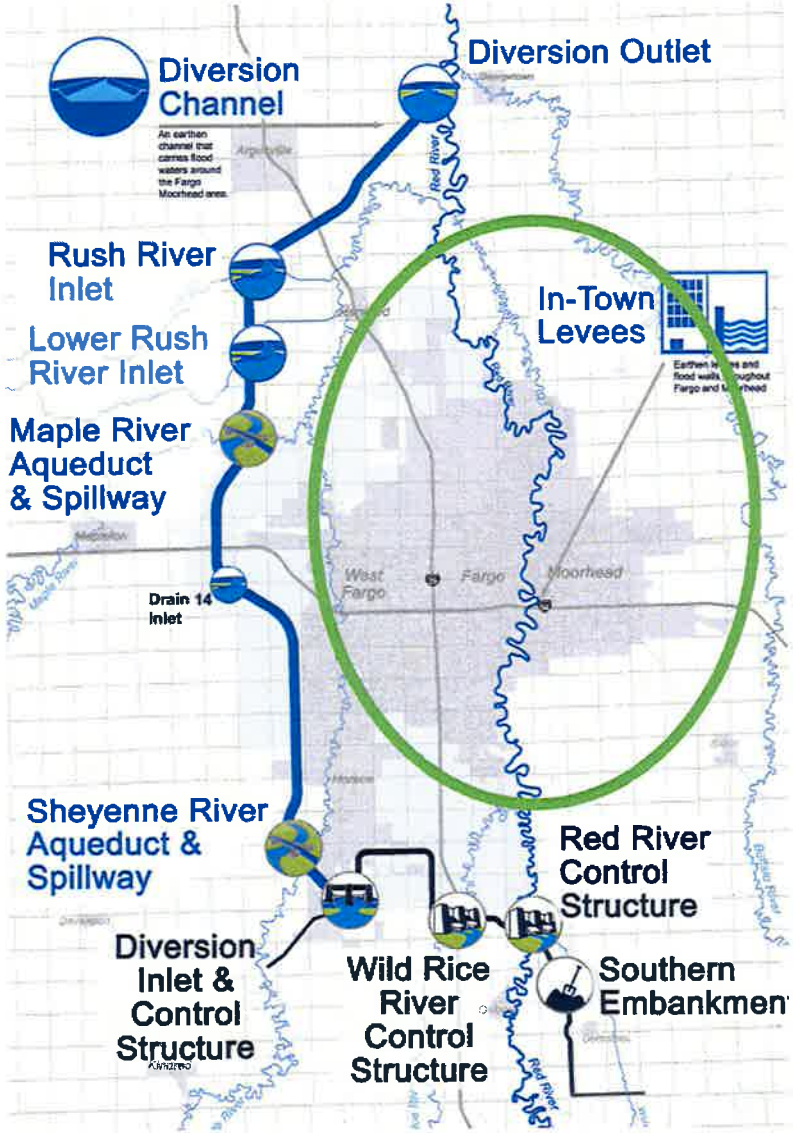
Costs to date are $430M
Remaining costs are approximately $2.3B

Category	Current Opinion of Estimated Cost	Spent to Date (Dec 2018)	Remaining Costs
Lands/Impacted Properties Mitigation	$502	$179	$323
Channel / P3	$989	$14	$975
USACE / SEAI	$703	$41	$662
Fargo and Moorhead In-Town Projects	$266	$81**	$185
Other/Mitigation Construction	$44	$24	$20
Non-Construction Costs*	$250	$91	$159
TOTAL	**$2,754**	**$430**	**$2,324**

*Legal/Financial/Designs/Studies/Procurement/PgM/CM/General Contingency

** In-Town does not include all work done by the Cities of Fargo and Moorhead that are complimentary to the DA Project

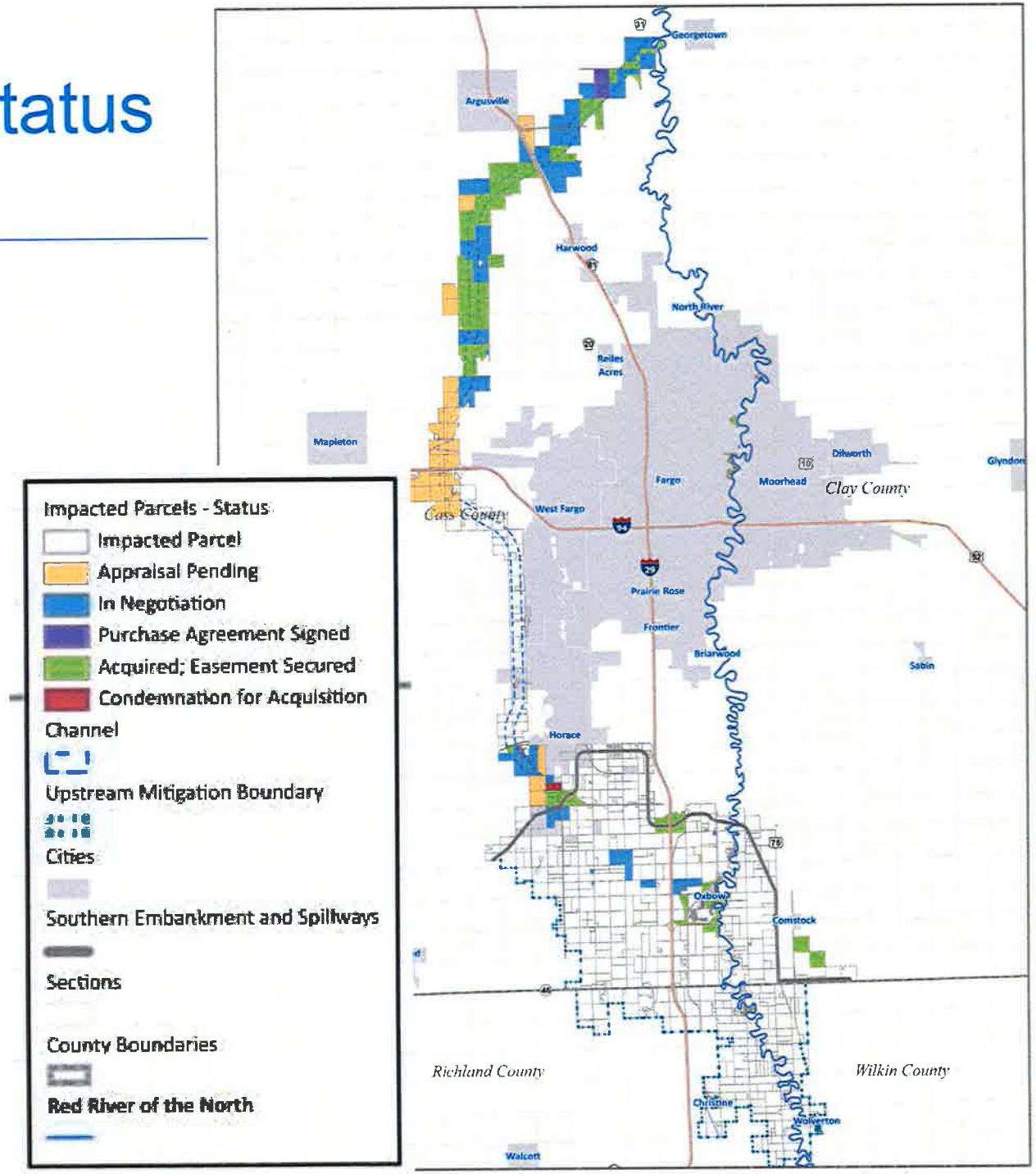
Fargo In-Town projects: Much has been done, much is left to do



- $280M has been spent in Fargo
  - Over 21 miles of levees
  - 17 pump stations
- Temporary flood-fighting measures are still required to fight a 100-year event
  - Approximately One Million Sandbags
  - 20 miles of Emergency Levees
- Plan B Increased Flows through Town (to River Stage 37 ft.) and requires ~$130M more construction in ND and $43M more in MN

Acquisition Status Reporting

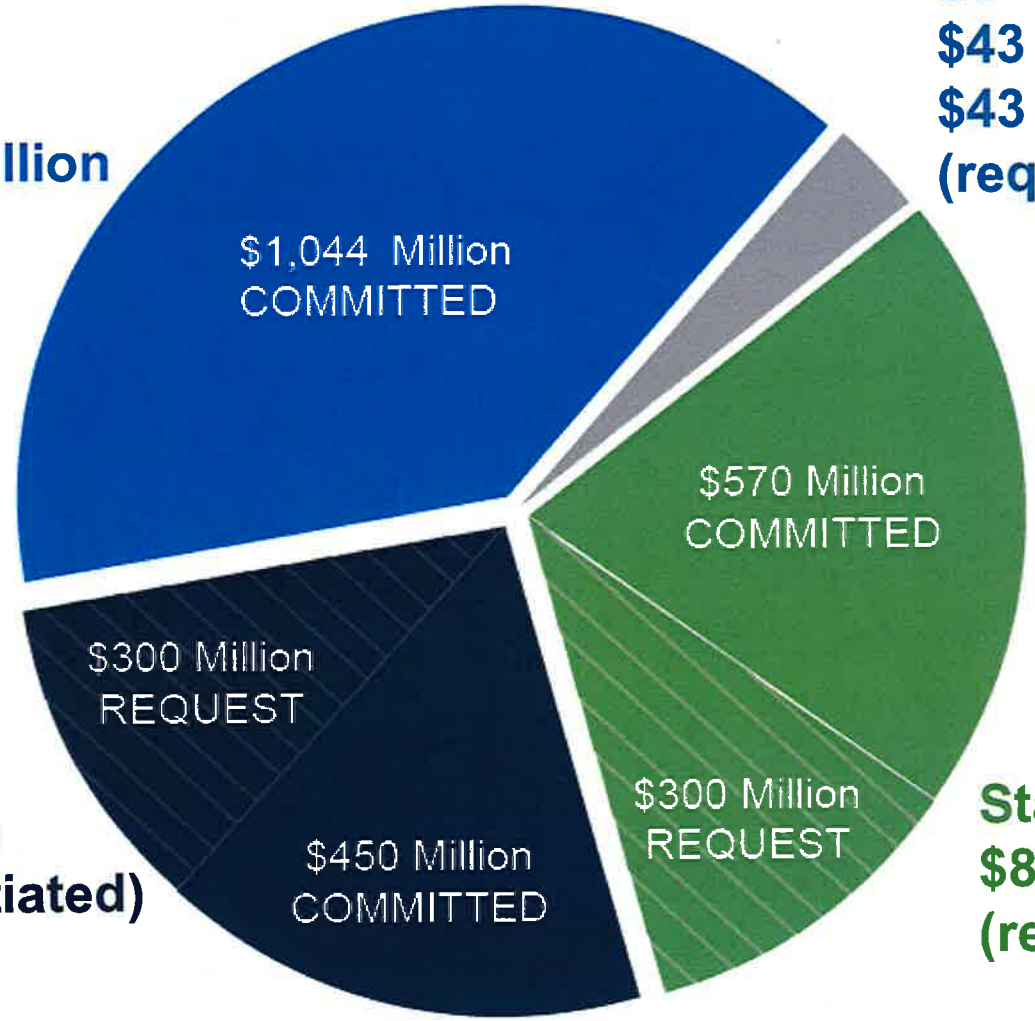
- ~200 parcels acquired to date
- - Priority on diversion channel lands and Early, voluntary buyouts
- - Appraisal Firms hired after successful RFP



Project Funding Overview

Local
$1,044 Million

State of MN
$43 Million Project
$43 Million In-Town
(request initiated)



Federal
$750 Million
(request initiated)

State of ND
$870 Million
(request initiated)

ND State funding remaining balance and cost-share request will be utilized by end of 2020

State of ND Available Funding Balances ($M)	
Existing State Funding Commitment	$ 570.0
State Funding to Date	$ 370.5
State Funding Remaining	$ 199.5
State Funding Granted to Date	$ 304.0
State Funding Reimbursed to Date	$ 248.3
Carryover Balance	$ 55.7
2017-2019 Biennium Request (Feb 2019)	$ 66.5
Carryover + 2017-2019 Biennium Request	$ 122.2

- Eligible costs exceed available funds
  - In-Town = $73.3M
  - Lands = $118.0M
  - Non-Construction = $37M
- No legal or permit impediments to moving forward with these activities

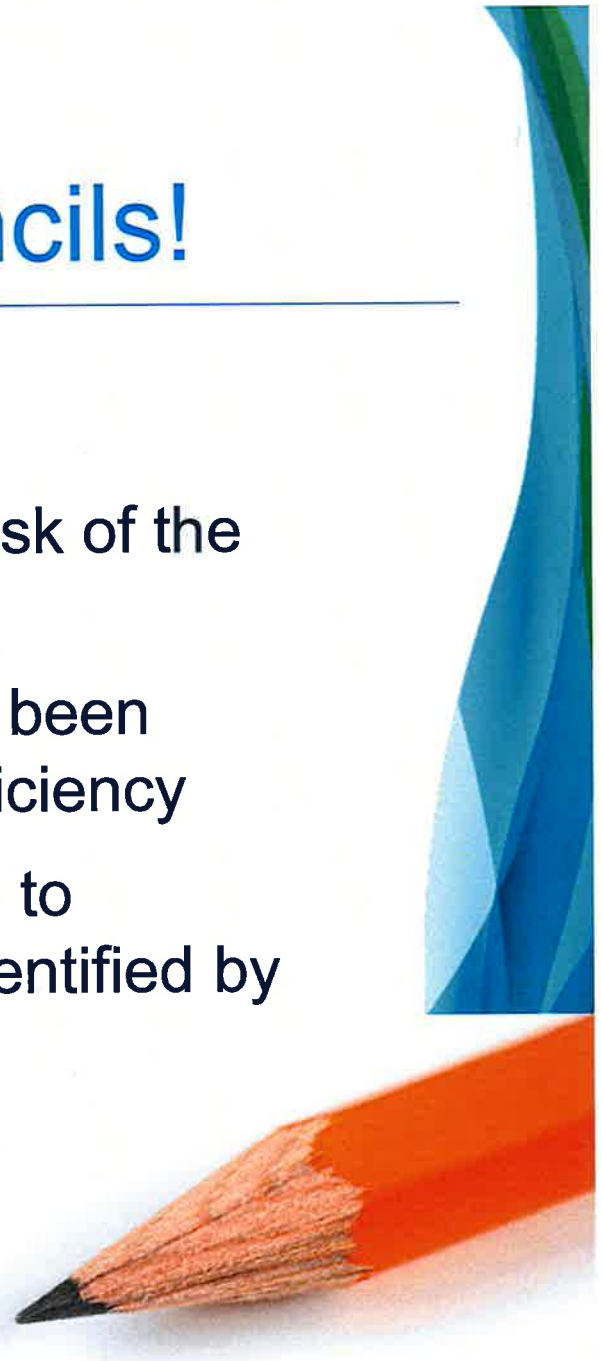
- Carryover Balance reimbursement consistent with July 2016 Agreement for Cost Share Reimbursement
- Reimbursement for current request consistent with October 2018 SWC Project Funding Policy, Procedure, and General Requirements.

FM AREA DIVERSION PROJECT

NDSWC Cost Share

Time to Sharpen our Pencils!

- Funding the Diversion Project is a big ask of the State and the local taxpayers
- Our technical and financial teams have been directed to look for ways to increase efficiency
- REQUEST: For the Water Commission to consider a list cost share efficiencies identified by our teams



Questions?

FMDiversion.com

@FMDiversion

Request for Proposals – Southwest Pipeline Project Transfer of Ownership
February, 2019

The North Dakota State Water Commission (NDSWC) is requesting proposals from qualified firms to conduct a Study regarding the Transfer of Ownership of Southwest Pipeline Project (SWPP) from the State Water Commission (SWC) to Southwest Water Authority (SWA).

The purpose of the Study is to determine the advantages and disadvantages of the State divesting ownership of the SWPP.

A full copy of the request for proposals and additional information are available at http://www.swc.nd.gov/project_development/swpp.html

Draft Scope of Services – SWPP Transfer of Ownership RFP

The NDSWC seeks an independent review of the transfer of ownership of SWPP to the SWA. The chosen firm(s) will evaluate the advantages and disadvantages of transferring the ownership from the State of North Dakota to the SWA. The firm(s) will provide a report to the NDSWC, which addresses the following:

1) **CAPITAL REPAYMENT** – Review the existing capital repayment model for SWPP, and evaluate potentially equitable options for adjustments if ownership were transferred.
2) **OWNERSHIP OF LAND AND ASSOCIATED FACILITIES –** Evaluate a potential process for transferring all land interests and associated facilities from NDSWC to SWA, including a quantification of anticipated costs.
3) **CONSTRUCTION CONTRACTS –** Evaluate the effect of transfer of ownership on open construction contracts.
4) **WATER SUPPLY CONTRACTS –** Evaluate a process, including a quantification of costs, for amending the existing water supply contracts with cities, bulk users, and other entities.
5) **EASEMENTS AND PERMITS –** Evaluate a process, including a quantification of costs, for amending the easements and permits (Examples include Main Transmission Line easements, USACE Easements, BNSF Railroad Crossing permits, DOT permits, County road crossing permits, US Forest Service permits) issued to NDSWC for SWPP, and any associated impacts to SWPP.
6) **OTHER AGREEMENTS –** Determine the cost and steps required to amend all other agreements (Examples include agreement with Basin Electric for the intake, Western Area Power Administration and agreements with other rural electric cooperatives) issued to NDSWC for SWPP.
7) **WATER RATE –** Evaluate the potential impact of rates to existing water users.
8) **EVALUATION OF RESULTS –** Based on the analyses above, evaluate the relative merits or lack thereof of the State divesting ownership of SWPP to SWA.
9) **COMPARATIVE ANALYSIS -** Complete a comparative analysis of the funding framework currently used for the SWPP with that currently used by other regional water systems in North Dakota, including Western Area Water Supply (WAWS),

Northwest Area Water Supply (NAWS), and the proposed Red River Valley Water Supply Projects (RRVWSP).

10) **LEGISLATION CHANGES –** Identify legislative changes required to transfer the ownership of the SWPP.

The NDSWC reserves the right to modify the draft scope of work with the successful firm, but the NDSWC expects that it will generally conform to the above described items.

This RFP is to be used only as a guide for prospective firms in developing a proposal and may not include all tasks necessary to complete the required work. The scope of services may be modified as necessary throughout the project if agreed upon by the NDSWC and the prospective firm(s).

Minimum Qualifications

Interested applicants should possess the following minimum qualifications:

- Minimum of 3 years of experience doing comparable projects.
- Demonstrated experience working with large regional water systems and various financial models and analyses used for project development.
- ~~Firms working on SWPP, NAWS, WAWS or RRVWSP will not be considered eligible for this RFP.~~
- As required by NDCC § 43-19.1-01, project managers responsible for completion of engineering work must have a valid Professional Engineer licensure in the State of ND.
- Interested applicant must assemble a highly qualified professional team with appropriate backgrounds and experience to conduct the required work and produce professional products on time and within budget.
- At the time of contracting, the firm must be able to provide general liability insurance in the amount of one million dollars.

Contract Schedule and Funding

Project work by the selected applicants is anticipated to commence upon notice to proceed issued by the NDSWC once funding is secured. Price will be negotiated with the successful firm. Contract duration may vary between 4 and 6 months. Extensions may be considered based on justification. State contracts must be accepted and signed by the Chief Engineer to the State Water Commission.

Selection Process and Interviews

The selection process will be conducted in accordance with North Dakota Century Code § 54-44.7-03. All complete submittals will be reviewed and evaluated by a designated selection

committee. Proposals will be evaluated based on qualifications, experience, project approach and other criteria as described in this RFP.

Based on the selection committee's rating of responding firms, the top-ranked applicants may be required to complete an interview process to clarify their RFP responses. This interview will be held by the NDSWC at a location designated by the NDSWC. Any costs associated with the interview are the responsibility of the applicants.

If a contract cannot be negotiated between the NDSWC and the top ranked applicant, the NDSWC will negotiate with the next qualified applicant.

Submittal

Submittals should emphasize general qualifications for conducting the study described in the RFP.

Applicants must organize their written submittal into a single, bound document (one-volume, 8.5" x 11") and must respond, sequentially, to the items listed below in a manner that is clear and concise for review and evaluation by the selection committee. Divider pages or tabs must be provided to indicate the sections of the proposal that pertain to the individual evaluation criteria.

Cover Letter: Submittals must include a cover letter from the prime applicant expressing interest in the project and stating potential conflicts of interest or bias, if any, regarding the SWPP or other major regional water systems in ND. When a potential conflict of interest or bias exists, the cover letter should also include the procedures and practices the applicant will follow to mitigate the potential conflict of interest or bias.

SF 330: Submittal must contain a completed General Services Administrative Form SF 330, which may be downloaded from the forms library at http://www.gsa.gov.

Proposed Deliverables: The submittal must include the proposed work schedule and tasks, including the approximate earliest starting date and estimated completion date.

Project Team: Applicants may assemble teams that include qualified subconsultants, as necessary, for one or more of the required project tasks. Submittals must identify the applicant that will serve as the prime applicant and whom on the team will be responsible for managing project team members, including all subconsultants. Joint ventures will be permitted; however, the prime consultant will be responsible for all coordination between project team members and subconsultants.

Project Approach: The submittal should include a description of the project approach proposed to address the items listed in the scope of services with a detailed schedule showing the timeline for completing each item.

Project Management: The submittal should include a description of the proposed project management approach, including sub-consultant roles and responsibilities and interaction with the NDSWC. Identify the team expert who will take a lead role. The submittal should contain an indication of the firm's willingness and ability to work flexibly with NDSWC staff, along with the firm's ability to commit appropriate staffing and resources, including tasks by sub-consultants, for

successful and timely project completion. A table or chart indicating current and projected workload and manpower availability, including sub-consultants, for contract duration period.

Relevant Experience: In addition to the information contained SF 330, submittals should emphasize general qualifications for performing the study. The submittal will include a description of the specific qualifications and strengths of the firm which includes: financial analysis, contract documents review.

Willingness to sign contract documents: All applicants providing submittals are required to review, understand, and confirm willingness to sign the standard "Contract for Engineering Services" (including the indemnification and insurance clause) document enclosed with this RFP. Submittals will not be evaluated without the signed "Willingness to Sign Standard Contract Documents" form guaranteeing that the standard contract document has been read, understood, and will be signed if offered SWPP transfer study work.

An appendix within the submittal must be included for any additional relevant materials. The number of pages to be included in the submittal will not be limited; however, the submittal may not exceed one single bound volume. Six copies of the submittal must be provided for NDSWC review.

Evaluation

The Selection Committee will evaluate submittals based on the minimum qualifications outlined above, the overall quality and completeness of the proposal, and the requisite information included in the proposal.

Right of Rejection

The NDSWC reserves the right to reject any submittal.

Disclosure of Submittal

Upon completion of the selection process, the submittals will be subject to North Dakota's open records laws and may be open to inspection by interested parties. Any information believed to be confidential under N.D.C.C. § 44-04-18.4 (trade secret, proprietary, commercial, or financial information) should be clearly identified in the proposal. If this information is recognized as confidential, it may be exempt from disclosure.

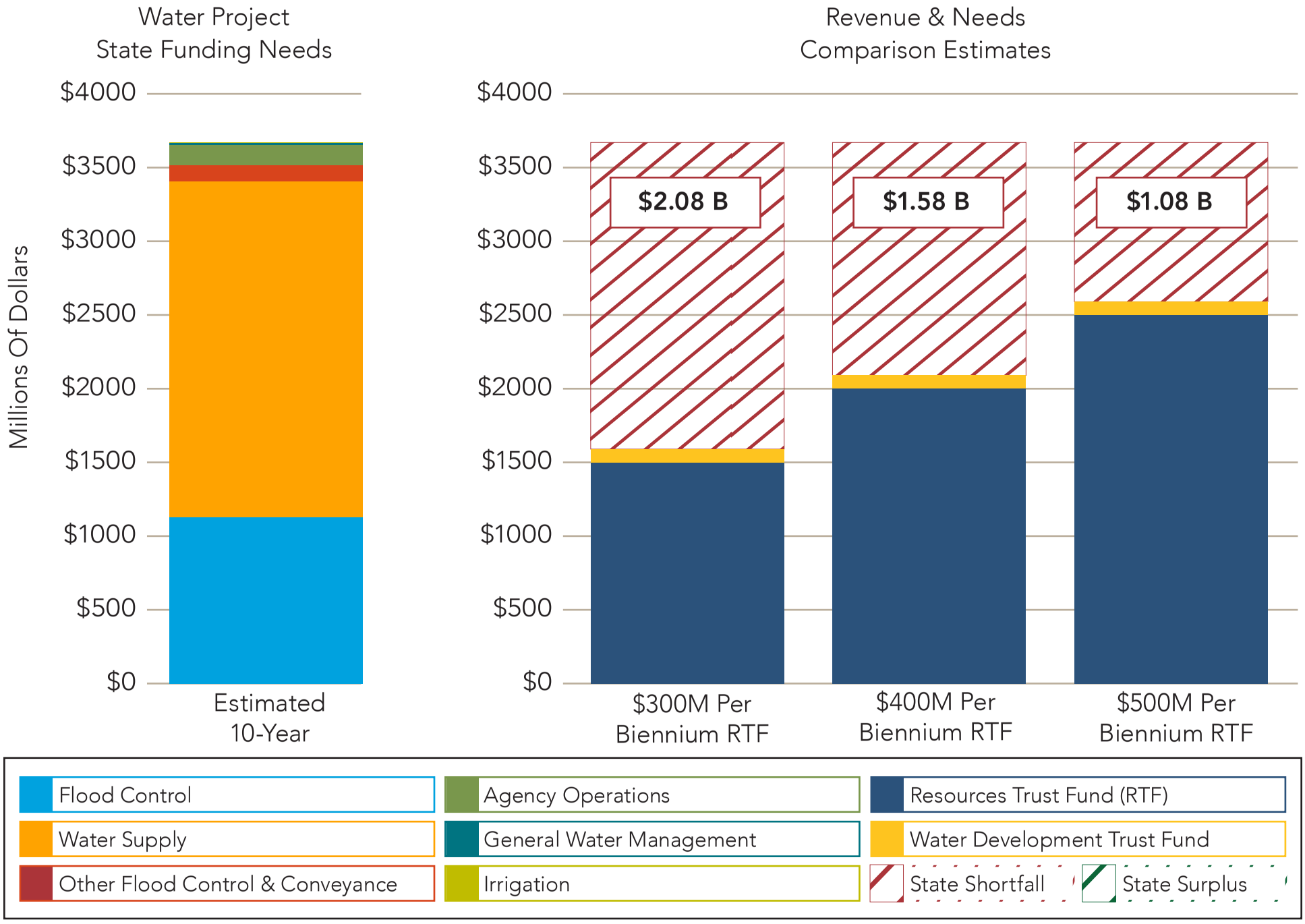
Submittal Due Date and Requirements

Written submittals from qualified consultants will be accepted until 4:00 pm CST on ???. Submit (6) copies of the submittal to:

Sindhuja S.Pillai-Grinolds
SWPP Project Manager
North Dakota State Water Commission
900 East Boulevard Avenue
Bismarck, ND 58505-0850
Telephone: (701) 328-4954
e-mail: spillai@nd.gov

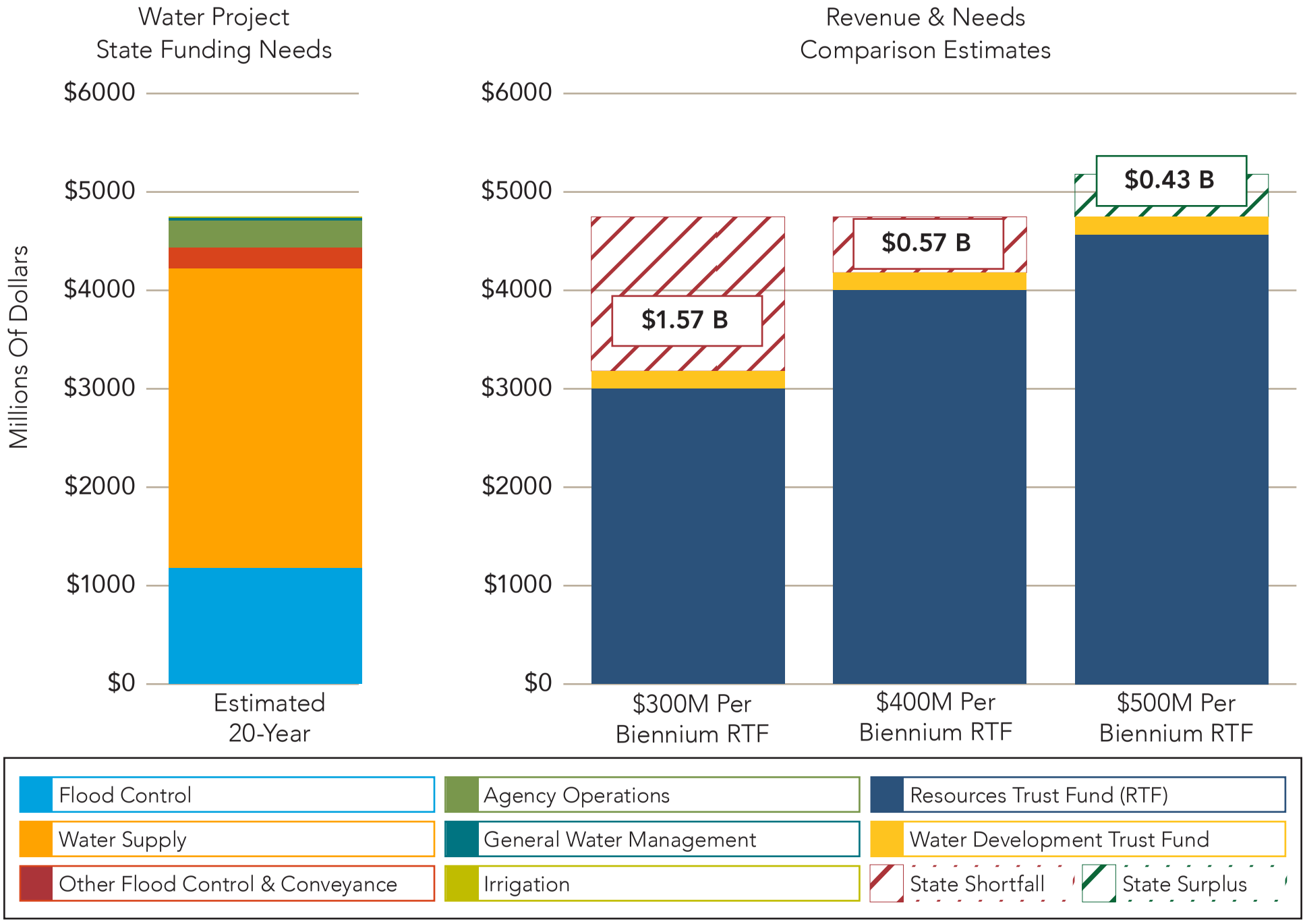
PLEASE NOTE: It is the responsibility of the firm to hand deliver their submittal by the due date and time or allow sufficient time for the submittal to transit through the US Postal Service or other carrier and the State Mail System. Late submittals <u>will not</u> be evaluated.

10-YEAR WATER PROJECT FUNDING NEEDS & REVENUE COMPARISONS



APPENDIX I

20-YEAR WATER PROJECT FUNDING NEEDS & REVENUE COMPARISONS



TRUE FACTS ABOUT WAWS AND NORTHWEST RURAL WATER

HOW THEY HAVE AFFECTED ME AND MY WATER COMPANY

STEVEN MORTENSON

WILLISTON, ND

APPENDIX J

CONCLUSION OF THE HOUSTON ENGINEERING STUDY FOR THE POPULATION STUDY

- Houston Engineering study anticipated projected population in 2040 for the WAWS area
  - Expected population projection of 79,325 people
- WAWS current news letter states 100,000 people by 2038 Jart Wirtz stated in 2015 in the Bismarck Tribune it would be at 160,000, false testimony

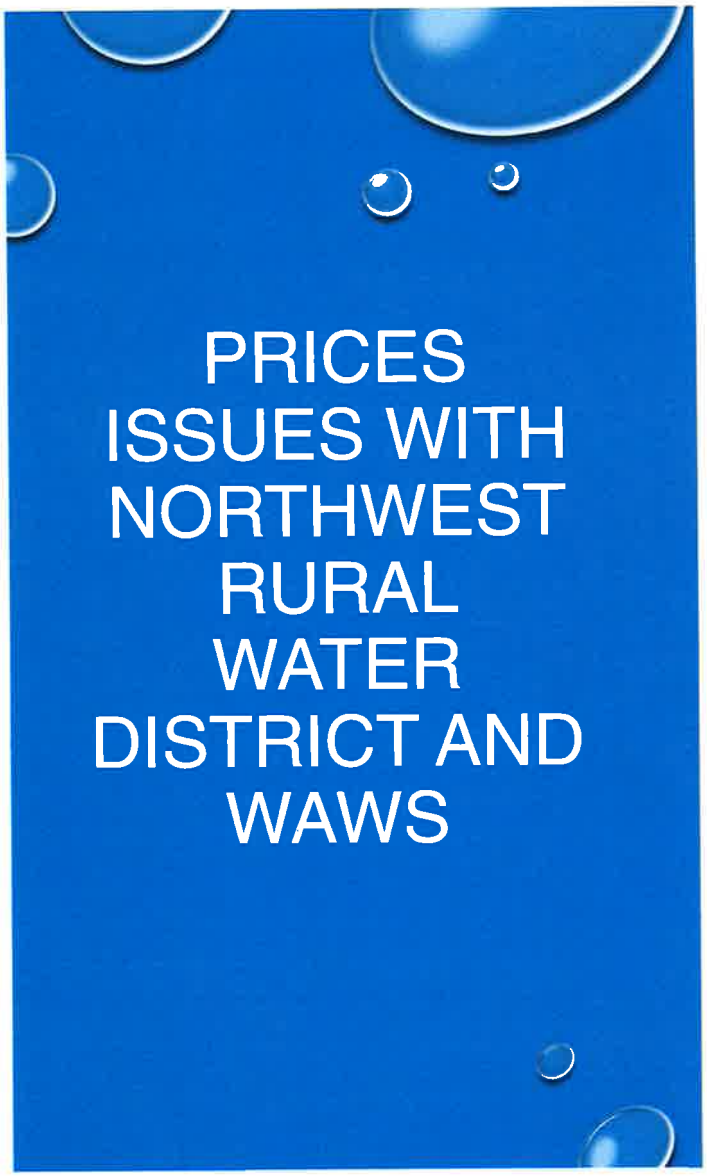
CONCLUSIONS AND FINDINGS FROM THE HOUSTON STUDY

- Pages 85 part 7 states: "If WAWS tries to compete with the independent water providers for industrial sales, it may have some measure of success in the near-term. But the long-term free market forces may result in WAWS losing market share and not being financially sustainable."
- In response to a question from Representative Zubke at the Water Topics Overview Committee on June 13, 2018 Mr. Martin from Houston Engineering stated, "**the WAWS authority does not have capacity to meet the demand for industrial water sales."**

ISSUES WITH NORTHWEST RURAL WATER DISTRICT

FRANCHISE PROTECTION

- NWRWD is asserting franchise protection against the company that I provide water for, This company was providing construction water for the municipal airport construction
- State Water Commission had permitted for three years a construction permit for our water company to sell water, this last year NWRWD asserted franchise protection in this area when all they had was rural water lines to serve this area, and they were going to use **treated water** for construction purposes on the airport.
- Quote by the SWC "Steve, generally 1926b requirements are associated with domestic service where two systems are competing for the same domestic users. You typically see it when rural water system is serving users around a community and the community wants to expand or annex a portion of the area served by the rural water system."
- NWRWD is encompassing all of Williams County to use their ability to assert franchise protection.
- Example:
  - If a landowner had a large dam in Williams County and wanted to provide that water for construction water to a road company, he would not be allowed to because he is in the NWRWD service area, who would claim the right to sell the treated water to the construction company, that landowner would have to pay a franchise fee of .44 per barrel.



- NWWD cost of water per barrel is .44 per barrel for 25,000 gallons, to buy 100,000 gallons of water the cost is .56 per barrel of water.
- Kraken oil company is paying .42 per barrel. They bought 2,342,233 barrels of industrial water, taking sales of $1,2342,233 from the water company I sold water to ,which had invested in pipelines and pumps before WAWS was ever in this area, our company is now being devalued due to the competition from WAWS.

ISSUES WITH NORTHWEST RURAL WATER DISTRICT

EASEMENTS

- NWRW are using easements that they obtained from landowners and myself where we received no compensation for any right-away or damages, and were told that these easements were only for water lines to serve rural water, the school, and a natural gas generating plant (which paid $1.2 million towards the water line). NWRW is now using these water lines for selling industrial water to oil companies and directly affecting my company that sells water private water sellers in this area.
- NWRW is paying some landowners large sums of money for easements - others they threaten with eminent domain

INFRASTRUCTURE AND WATER SALES PROVIDED FOR NWRW BY MY DEVELOPMENTS

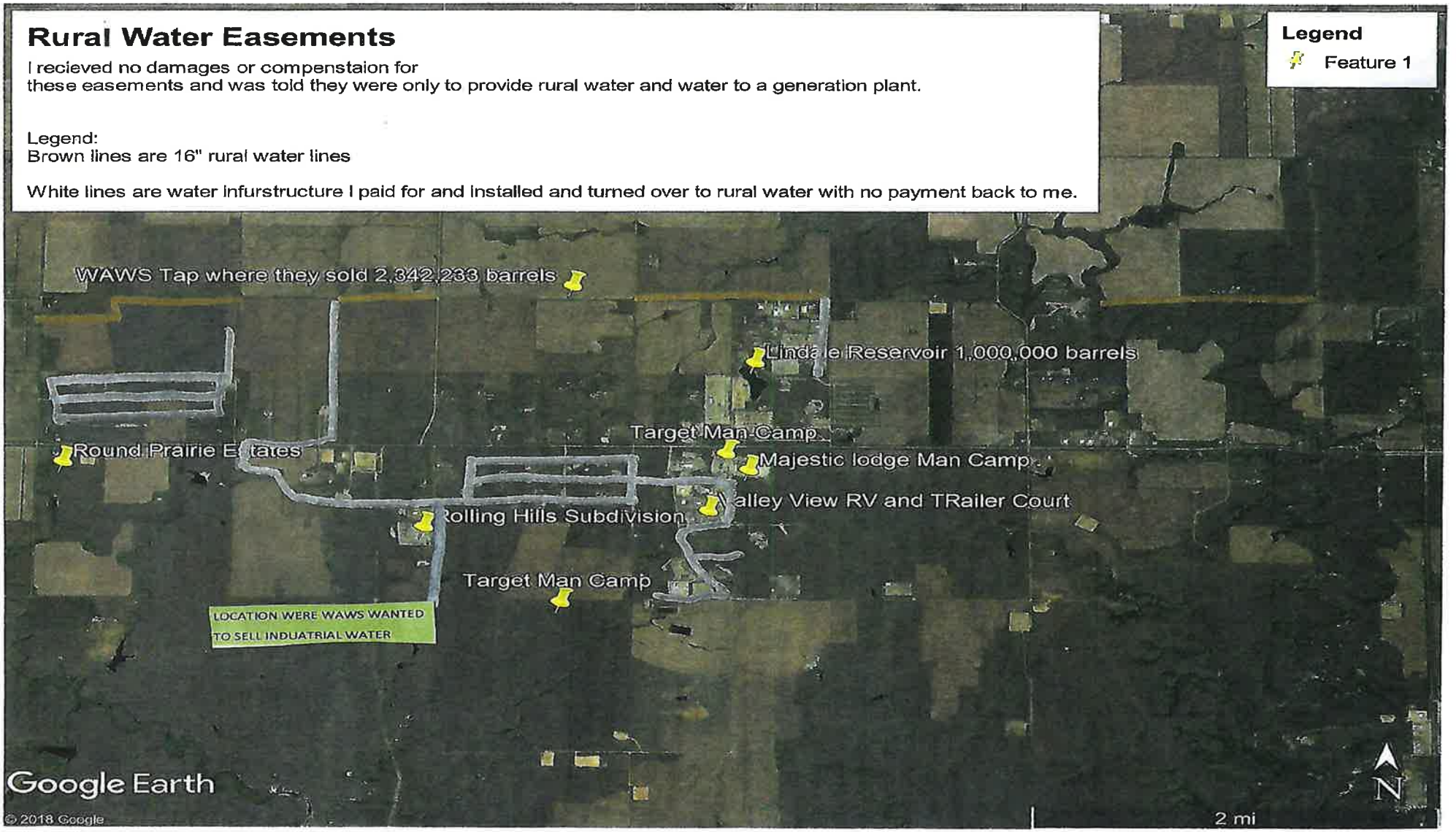
- 5 miles of pipeline easements = 1600 rods @$150 — $240,000
- 10 miles of water pipe infrastructure — $1,000,000
- Water sales from commercial locations, man camps, subdivisions, rv and trailer courts — $650,000
- Hookup fees from two subdivisions — $188,488
- Total — $2,078,488
- NWRW is using infrastructure I gave them to to sell industrial water and compete with the company that I sell water to.

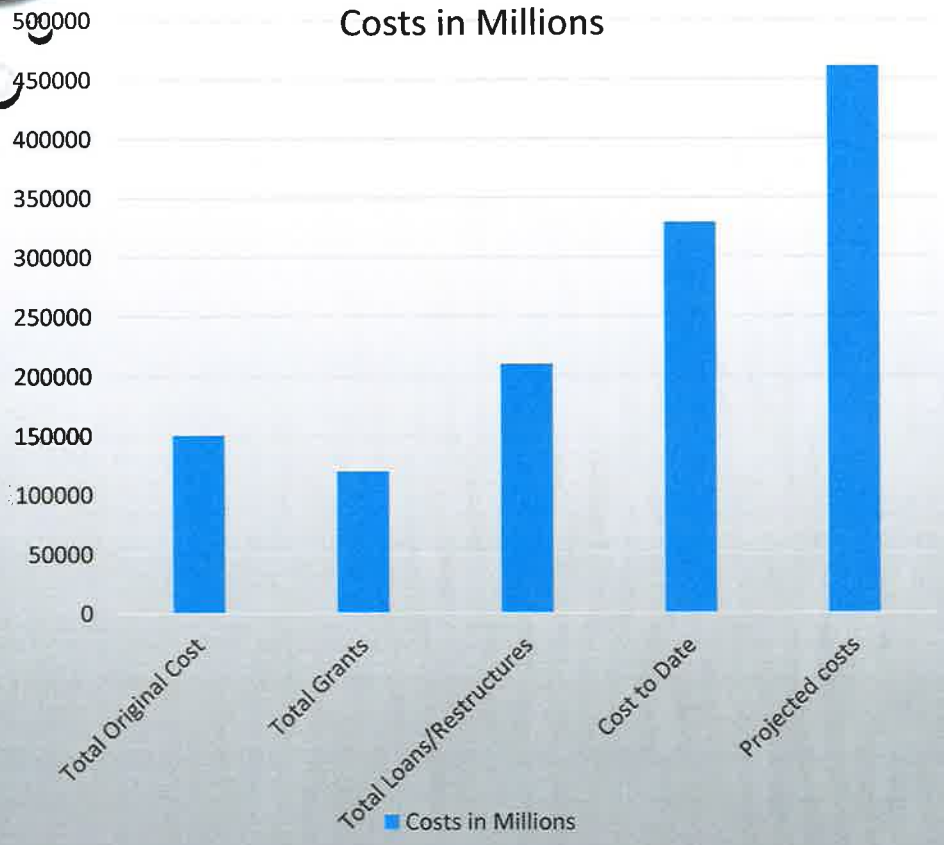
Rural Water Easements

I recieved no damages or compenstaion for
these easements and was told they were only to provide rural water and water to a generation plant.

Legend:
Brown lines are 16" rural water lines

White lines are water infurstructure I paid for and installed and turned over to rural water with no payment back to me.





FACTS ABOUT WAWS

- TOTAL GRANTS GIVEN TO THE WAWS PROJECT: **$119,500**
- TOTAL LOANS APPROVED AND RESTRUCTURED FOR WAWS : **$209,500**
- TOTAL COST TO DATE IS: **$329,000**
- TOTAL ORIGINAL COST FOR THE WAWS PROJECT: **$150,000**
- THE NEW PROJECTED COST FOR WAWS PROJECTED: **$460,500**

300 % PERCENT INCREASE FROM ORIGINAL COST FOR PROJECT

FACTS ABOUT THE ENGINEERING COMPANY AE2S

- AE2S is listed a engineer on record for the WAWS project
- As of 2018 AE2S has received **$48,000,000** from the WAWS project
- As of 2018 Vogel Law firm has received **$1,500,000** from the WAWS project.
- One of the owners of AE2S started his own private water company in McKenzie County on July 6, 2012. Cherry Creek Water is actively selling industrial water in this area.
  - Though it may be legal to do this, it is very unethical and a conflict of interest being the engineer of record for WAWS and having a company that sells industrial water and designs the project were industrial water can be purchased from.

NEW BUSINESS CREATED BY AE2S FOR WAWS
AE2S CONSTRUCTION

AE2S WATER

AE2S OPERATIONS

AE2S NEXUS

- THE BUSINESS MODEL THAT AE2S PROVIDED WAS WRONG WITH THEIR STATEMENT

"THINK BIG AND GO BEYOND" THAT IS WHY WAWS HAS SO MUCH DEBT AND HAS TO SELL INDUSTRIAL WATER TO PAY FOR A DOMESTIC SYSTEM

THE TRUTH

- WAWS sold industrial water to an oil company ¾ of mile from our industrial reservoir for $.43 per barrel $.17 cents less than our selling price and $.12 lower than when we purchased water from WAWS as a wholesaler
- The company I sell water to and myself lost a $1,288,228 water sale because of this
- **SENATE BILL 2233 STATES IN SECTION 14,SECTION 61-40-01 OF THE CENTURY CODE:THE WESTERN AREA WATER SUPPLY AUTHORITY SHALL CONSIDER IN THE PROCESS OF LOCATING INDUSTRIAL WATERDEPOTS THE LOCATION OF PRIVATE WATER SELLERS SO AS TO MINIMIZE THE IMPACT ON PRIVATE WATER SELLERS**

~~provide reliable sources of water of sufficient quantity and quality to supply homes, businesses, industries, wildlife, and recreation in the Red River valley within this state.~~

~~3. This chapter does not affect the state water commission's authority to otherwise issue bonds pursuant to chapter 61-02 or section 61-24.3-01.~~

SECTION 13. AMENDMENT. Section 61-24.7-05 of the North Dakota Century Code is amended and reenacted as follows:

61-24.7-05. State funding plan.

1. The legislative assembly declares its intent to provide state funding for ~~one-third~~ share of the ~~total~~nonfederal or local cost of constructing the Red River valley water supply project.

2. Any ~~general~~ funds appropriated for the construction of the Red River valley water supply project may be carried over to future bienniums.

3. State funding for the Red River valley water supply project may be appropriated at the time and in the manner determined by the legislative assembly, either concurrently or separately from federal and local funding for the Red River valley water supply project.

SECTION 14. AMENDMENT. Section 61-40-01 of the North Dakota Century Code is amended and reenacted as follows:

61-40-01. Legislative declarations - Authority of western area water supply authority.

The legislative assembly declares that many areas and localities in western North Dakota do not enjoy adequate quantities of high-quality drinking water; that other areas and localities in western North Dakota do not have sufficient quantities of water to ensure a dependable, long-term domestic or industrial water supply; that greater economic security and the protection of health and property benefits the land, natural resources, and water resources of this state; and that the promotion of the prosperity and general welfare of all of the people of this state depend on the effective development and utilization of the land and water resources of this state and necessitates and requires the exercise of the sovereign powers of this state and concern a public purpose. To accomplish this public purpose, it is declared necessary that a water authority to treat, store, and distribute water to western North Dakota be established to provide for the supply and distribution of water to the people of western North Dakota for purposes, including domestic, rural water, municipal, livestock, industrial, oil and gas development, and other uses, and provide for the future economic welfare and prosperity of the people of this state, and particularly the people of western North Dakota, by the creation and development of a western area water supply project for beneficial and public uses. The western area water supply authority may acquire, construct, improve, develop, and own water supply infrastructure and may enter water supply contracts with member cities, water districts, and private users, such as oil and gas producers, for the sale of water for use within or outside the authority boundaries or the state. The western area water supply authority shall consider in the process of locating industrial water depots the location of private water sellers so as to minimize the impact on private water sellers. The independent water providers shall consider in the process of locating industrial water depots the location of private water sellers so as to minimize the impact on private water sellers.

Industrial water depot and lateral sales.

1. An accounting of industrial water depot and lateral sales collected and distributed by the authority must be reported to the industrial commission on a monthly basis. Participating member entities shall transfer industrial water depot and lateral sales to the authority within thirty days of receipt of the revenues. The boards of the authority and participating member entities must be notified of the sweep of revenues; however, board approval is not required. Upon the receipt of industrial water depot and lateral revenues by the authority, the authority shall apply immediately all revenues each month in the following order:

   a. One hundred fifty thousand dollars per biennium to the industrial commission for one additional full-time equivalent position to implement this Act.

   b. Reimburse the authority for industrial water depot capital improvements and the cost for delivery of potable or nonpotable water sold at industrial water depots and lateral lines, at a cost no greater than the participating member, or submember, if applicable, entity rate at the location of the depot or lateral line.

   c. Regular payments on the participating member entity debt as described in the agreements with the authority as of March 31, 2013, and baseline 2010 industrial water sales included in and subject to the terms of the authority and participating member agreements as of March 31, 2013. Baseline 2010 industrial water sales for the city of Tioga in the year 2013 are limited to the lesser of legally permitted industrial water sales or the amount in the member agreement.

   d. Required monthly payments on state-guaranteed loans. The required transfer must occur no later than the twentieth day of the following month.

   e. Additional principal payment on state-guaranteed loans.

   f. Payment to the resources trust fund.

2. If the state-guaranteed loans have not been repaid, without the written consent of the industrial commission the authority may not sell, lease, abandon, encumber, or otherwise dispose of any part of the property used in a water system of the authority if the property is used to provide revenue. Any requirements on the state-guaranteed loans for establishment of reserve funds for operation and maintenance or debt service are waived.

3. The state water commission shall approve the planning, location, and water supply contracts of any authority depots, laterals, taps, turnouts, and risers for industrial sales for oil and gas exploration and production after the effective date of this Act.

SECTION 20. A new section to chapter 61-40 of the North Dakota Century Code is created and enacted as follows:

Water rates.

The authority shall develop an industrial water depot and lateral retail rate and present the rate to the industrial commission for approval. Any industrial water depot

QUESTIONS

- Why was there no oversight on this project, how was it allowed to be 300% over the projected cost?
- How are the private sector suppose to compete when WAWS is selling retail lower than wholesale?

MY CONCLUSION

- The Governor and the new appointed members of the SWC did not cause this problem. They inherited from the previous administration.
- WAWS is saddled with too much debt, the payments they will need to make in 2020 will mean they will need more market share, and also will need to add more capacity to the treatment plant.
- By eliminating debt waws could become a true wholesaler of water and provide better margins and reducing the competition with the private sector.
- With $5 billion in the legacy fund and $300 million in earnings and the state receiving 50% of their tax revenue from oil extraction tax, there should be funds to help pay for this project and reduce the need for more market share from the private sector.

POSSIBLE SOLUTION

- Make WAWS a wholesaler of water. Get them out of the entire retail industrial market for oil development. The Houston Engineering study stated that WAWS will not have the capacity. Working with the private sector would allow more flexibility and redundancy.

Regional Water Service, LLC

A MIDSTREAM SERVICE COMPANY

WESTERN AREA
WATER SUPPLY AUTHORITY

Industrial Account
PO Box 2343
Williston, ND 58802-2343

Regional Water Service
Attn: Teresa Whitstine
6125 Airport Fwy Suite 200A
Halton City, TX 76117

Invoice

Date	Invoice #
10/24/2017	4611-I

Billing Cycle	Due Date
9-14-17 10-24-17	12/23/2017

Item	Description	Quantity	Rate	Amount
Direct Conne...	Direct Connection for Industrial Water Service Location: 5MG Reservoir in the SW Qtr Sec 29,Twn 155N, Range 101W Williston, ND Date Range: 9-14-17 10-24-2017 First Meter: RWS's Meter start read - 1,837,726.6 barrels Meter end read - 1,865,984.3 barrels	28,257.7	0.55	15,541.74
Direct Conne...	Second Meter: Replaced RWS's meter Meter start read - 0 Meter end read - 42,164,320 gallons	1,003,912.38	0.55	552,151.81

Thank you for your business!
A 1.5% finance charge will be added to all past due balances.

Total	$567,693.55
Payments/Credits Applied	$0.00
Balance Due	$567,693.55

Phone #	Fax #	E-mail
701-774-6605	701-774-6606	wawsp@wawsp.com

WESTERN AREA
WATER SUPPLY AUTHORITY

Industrial Account
PO Box 2343
Williston, ND 58802-2343

Regional Water Service
Attn: Teresa Whitstine
6125 Airport Fwy Suite 200A
Halton City, TX 76117

Invoice

Date	Invoice #
6/30/2018	5580-I

Billing Cycle	Due Date
June 2018	8/29/2018

Description	Quantity	Rate	Amount
Direct Connection at the East Water Tower - Williston, ND Start Read 21,237,594 Current Read 32,748,065	274,058.83	0.50	137,029.42

Thank you for your business!
A 1.5% finance charge will be added to all past due balances.

Total	$137,029.42
Payments/Credits Applied	$0.00
Balance Due	$137,029.42

Phone #	Fax #	E-mail
701-774-6605	701-774-6606	wawsp@wawsp.com

INDEPENDENT WATER PROVIDERS

Copy

14018 49 St NW
Williston, ND 58801
Home Phone (701) 572-5873
Cell Phone (701) 770-0942
56smort@gmail.com

To: Water Topics Overview Committee
Date: November 5, 2015

Mr. Chairman, members of the Committee, my name is Steven Mortenson. I am a lifelong resident and farmer rancher of Williston North Dakota and Chairman of the Independent Water Providers. As we prepared for this meeting, I asked myself, "why are we even here", "what might we accomplish during the interim that we couldn't during the 2015 Session"? Well, we want to accomplish three things: 1. Remind you of the history of WAWS, 2. Avoid making things worse for WAWS, ND and members of WAWS, and 3. To offer solutions to help WAWS pay back the money the Legislature loaned them.

Our group was formed during the legislative session of 2011 to protect the rights of private water providers from the Western Area Water Supply, whose mission was to provide treated water for the northwest part of North Dakota that was being affected by the impact of the oil industry. Their plan was to sell water to the oil industry to pay for it and built it has fast as they could; to sell as much as they could to pay for this project. We objected because the market was mature; its needs were being met; 80% of water came from the private sector and the balance from local communities. Competition was vigorous and growing and we warned that oil industry would find ways to reduce water needs.

The private sector was the first to serve the oil industry. Our members took the risk, with their own money to provide a service the industry needed only to later find out we had a state project wanting to do the same thing. It has been a battle ever since.

The IWP never objected to a water project for this part of the state. We could see that it was very much needed with the population growth that was occurring. Nor did our group object to the communities selling industrial water and providing income for those communities. It was after the state project was approved and built large industrial depots and direct lateral lines to oil companies, that the private sector was harmed.

We still would like for each and every one of you on the committee if this would have happened to your business what would you think? You are competing against your own tax dollars for the right to do business in North Dakota.

HISTORY: I've attached a 2 page summary of the history of the project that has grown from a $150 million project to one now projected at $480 million---and no one seems to blink an eye. Here is a quick overview:

2011: Cost: $150 million
After the debt is paid, WAWS members retain profits less 5% to ND.
Intent was to build 12-15 water depots along major highways; not the spider web system seen in 2013.
2013: Cost $230 million ($120 million new funds; $80 million debt; $40 million grants)—compromise SB 2233
-ND took responsibility for $190 million of debt (absolving locals, in case of default)
-ND retained all profits once debts were paid; to be paid to Resources Trust Fund
2015; WAWS projects cost of $480 million—Water Overview Committee presentation 9/2015.
$300 million public funds provided THUS far.
AE2S Engineering firm has been paid over $25 million from WAWS (as of 12/2014)

DON'T MAKE IT WORSE: Market conditions have changed which must be recognized by the Legislature, SWC, WAWS and its members. Key Energy has failed; American Eagle and Samson have filed bankruptcy; all major oil producers have cut capital expenditures by 30% or more; Halliburton, Nabors and Schlumberger have laid off employees; Target Logistics and other man-camps have closed or suffered huge customer losses; hotels in Williston have 45% vacancy rates, and ND was last in job growth in the region recently (according to Prairie Public news report 11/03/2015). Apartment complexes, are empty, some have chain-link fences around them and are not being finished; commercial projects are on hold.

Let's look at the Rig Count:

11/04/2014 190
11/04/2015 69 64% DECREASE
121 rigs x 120 jobs: = 14,520 JOBS lost; doesn't include other services

The water market is down by about 1/3 from a year ago---and impacts ALL providers, WAWS, IWP members and other private water companies. SWC data shows:

2014 30,000 acre feet of water used
2015 17,000 acre feet through September (estimate 21,000 by year end)

It's also time to re-evaluate the population numbers being used to justify the huge cost increases—so we get this right. WAWS is still building for a population of "160,000 people by 2035" (9/02/2015 Water Overview Committee). Those numbers were based upon an NDSU study from 4/2014. The attached chart shows 160,000 people is the "high" case. A "middle" case of 120,000+ has a 20% difference in the projections. More importantly, the population estimate was based upon an "Expected" case of 2500 wells @ year. We've not been meeting that well estimate. The NDIC website shows the number of wells produced recently are well below the "expected" case:

2013: 2153 producing wells
2014: 2312 producing wells
2015 908 wells through August (project 1200 wells for 2015—HALF of the "expected" case).

Debt was to be paid over 20 years. The WAWS business plan itself called for a 20 year amortization as being the "most sensible financing option". (WAWS BusPlan 2/2011, Ex.Sum., P.21) The WAWS business plan relied largely upon industrial sales for debt service. (In contrast the SWPP, according to recent news reports was designed to cash-flow based upon municipal and domestic water sales to its members---and any revenue from the oil industry was surplus). SWPP is financially solvent and is not reliant upon industrial water sales to service its debt.

WAWS now owes approximately $173,000,000.00 (after recent award from the SWC of $10,000,000).
Paid $30,000,000 in principal and interest as of 10/19/2015
Lost $54,000.00 Q1, 2015-2017 biennium (see attached report from NDIC)
Annual debt service is $23,000,000 this year ($20.9 million annually in 2016-2020)

The continued expansion (and increased costs) is justified on the basis of meeting purported "rural demand". The asserted demand is "soft" and should be re-considered and verified by an independent source, with no financial interest in the outcome. Data provided by WAWS shows "rural" build-out is for many projects that simply will not be built and do not warrant unlimited expansion of this project, without some re-consideration. For example, WAWS shows projects in Epping for 1000 people, and 5600 people in Springbrook, and other rural subdivisions/growth that are simply invalid.

Size of the project itself should be re-evaluated. (What will we do with this massive infrastructure if the pipes are half empty? Who will pay for the higher-than-necessary maintenance and repairs for a system that is overbuilt? ND taxpayers? WAWS residential and commercial customers? The oil industry?

SO WHAT ARE SOME SOLUTIONS: (How does WAWS pay the debt the Legislature has extended)?

In case WAWS can't meet debt service, current LAW PROVIDES:
-If NDIC is uncertain of ability to meet debt service, then BND should consider revising terms of loans

-If WAWS is in default then, Water Commission is to seek appropriation from the Legislature. (NDCC 61-40-09)

How should we proceed? Should we keep doing what we are doing---- not look ahead, and hope market returns along with 200 drilling rigs? Let WAWS dominate the market---- and put private businesses OUT of business? STOP all further water permits for industrial use in NW ND--but not other parts of the state? None of that makes sense.

IWP proposes:

Begin to collaborate and apply critical thinking to the project, and expenditures

Apply Value engineering (what DO we do IF it is too big)
Critical view of "rural build-out".....ruse for INDUSTRIAL capacity
NO MORE DEBT (adding debt while revenues are in decline doesn't make sense)
Review sales projections
New population projections----160,000 people? (Market is saying otherwise)
Insist upon verification of rural build-out for domestic and rural systems expansion.

Stay the course: capture a reasonable share of market (without running over the private sector). ND treasury/general fund may have to make up the difference.

Section 27 of SB 2020 of the 2015 Session provides: During the 2015-16 interim, the independent water providers and the western area water supply authority shall report to the legislative management's water topics overview committee on a regular basis and collaborate with the committee and the state water commission to monitor water usage, rates, engineering contract procedures, and market share. The water topics overview committee shall report to the legislative management with recommendations to ensure western area water supply authority's ability to maintain its payment schedule of the state's loan.

This meeting today, should be the beginning of IWP and others to work together, to collaborate and determine how best to navigate this changing market, that impacts us all). We ask that the Committee appoint a sub-committee and begin the collaborative process called for under the law. We think this sets a framework to work together and make more certain that WAWS is the success we all want it to be.

The IWP hopes the market will return, for we are facing the same drop in market sales as WAWS but only we have lost more due to the state project and it is our own money invested not the states. We have always known the oil industry to be a roller coaster it's just we keep forgetting it. We thank the Water Topics Overview Committee for giving this opportunity to present this testimony and listening to our thoughts.

Thank You

Steven Mortenson
Chairman of the IWP

WAWS history:

January, 2015
REVISED: IWP: 2/09/2015

2011: Cost: $150 million
Authorized by HB 1206 to construct water system for NW ND, paid in part by sales of industrial water to the oil industry for fracking. $110 million loan from ND; $40 million likely in 2013.
After the debt is paid, WAWS members retain profits less 5% to ND.
Intent was to build 12-15 water depots along major highways; not the spider web system seen in 2013.

IWP objected and warned: oil industry would find ways to reduce water needs; market was mature; needs being met; 80% of water from private sector; balance by local communities. Competition was vigorous and growing.

In 2011, ND used 9400 ac.ft. of water; 20,000 ac.ft. of new permits were pending. Today ND has 116,000+ ac.ft of permitted water available to the oil industry. (325,851 gal. = 1 acre foot)

Legislature mandated WAWS to "minimize impacts" upon private sector as it located water depots.

2013: Cost $230 million ($120 million new funds; $80 million debt; $40 million grants)
WAWS had shifted strategy from water depots along highways to a broad network of lateral pipelines to provide industrial water throughout the oil industry, and failing to meet domestic water demands.

2013 Compromise—a new model--SB 2233:
Controversy continued into 2013 and produced SB 2233—a compromise designed for resolution. IWP supported SB 2233 as a compromise to resolve the conflict. SB 2233 provided:

- -ND took responsibility for $190 million of debt (absolving locals, in case of default)
- -ND retained all profits once debts were paid---to be paid to Resources Trust Fund
- -WAWS was to concentrate on domestic water supply
- -No future industrial water expansion was to occur, unless approved by State Water Commission (SB 2233 Section 19(3))

The Compromise failed; controversy remains; WAWS continues expansion to industrial water supply. SWC has regularly approved expansion of industrial water supply, in spite of the intent of SB 2233.

WAWS had 41% of the industrial water market in McKenzie and Williams County (SWC presentation of 11/18/2013), including a contract signed with Continental Resources, in May, 2013—before effective date of SB 2233-- for up to 35 MILLION gallons @ month (about 25% of the water in Williams County).

2015: Cost $350 million; WAWS wanted $120 million ($30 million of debt) for further expansion, purportedly to meet population demands projected to **2035**. The apparent goal is the expansion of industrial water supply—via a spider web system never contemplated, nor approved by ND Legislature, rather than getting water to people.

Legislature Appropriated, SWC approved: $60,000,000.00 grant; $10,000,000.00 loan

WAWS now projects cost of $480 million—Water Overview Committee presentation 9/2015.

WAWS: OTHER FACTS OF INTEREST 2/09/2015

State Engineer approved WAWS expansions since passage of SB 2233 in 2013:
2013: 7 expansions 9,500,000 gallons
2014: 18 expansions 448,700,000 gallons

Engineers: AE2S did the study, lobbied for HB 1206, wrote the RFP after passage, was the only firm to bid on RFP; awarded 4 year contract, and then imposed 4-8% fee increase. Fees paid:

2012: $10.8 million
2013/14: $15,572,351.11+
AE2S CONSTUCTION $118,091.29; AE2S division provides water to oil industry; AE2S website.

Lawyers/lobbyists:

$500,000 on lawyers (Vogel law firm-2011-2012) + $340,000 (2013 and 2014)
$50,000 annually for a lobbyist + $63,000 (2013 and 2014)

Costs: Has grown from $150 million to $350 million and headed to $480 million

Change in the Market: 2011 and today

In 2011, WAWS proponents argued they would have little impact on the private sector and that there would be enough water sales for everyone:

- 2011 ND used 9,400 ac.ft.; WAWS (members) provided 579 ac.ft. 6% of market*
- 2012 ND used 16,362 ac.ft.; WAWS provided 1332 ac.ft. 8% of market *
- 2013 ND used 15,600 ac.ft.; WAWS provided 3607 ac.ft. 18% of market*
  *SWC Report: July 2014
- 2014 ND used 25-28,000 ac.ft.;** WAWS provided 5905. ac.ft. 21% of market***
  ** estimate from 2014 NDIC frac water report in consultation with SWC; excludes SWP
  *** final figures for 2014 industrial water are pending and will be provided

WAWS industrial sales revenues:

2012 $11,678,000
2013 $24,044,000
2014 $35,700,000 (WAWS 2014 P & L)

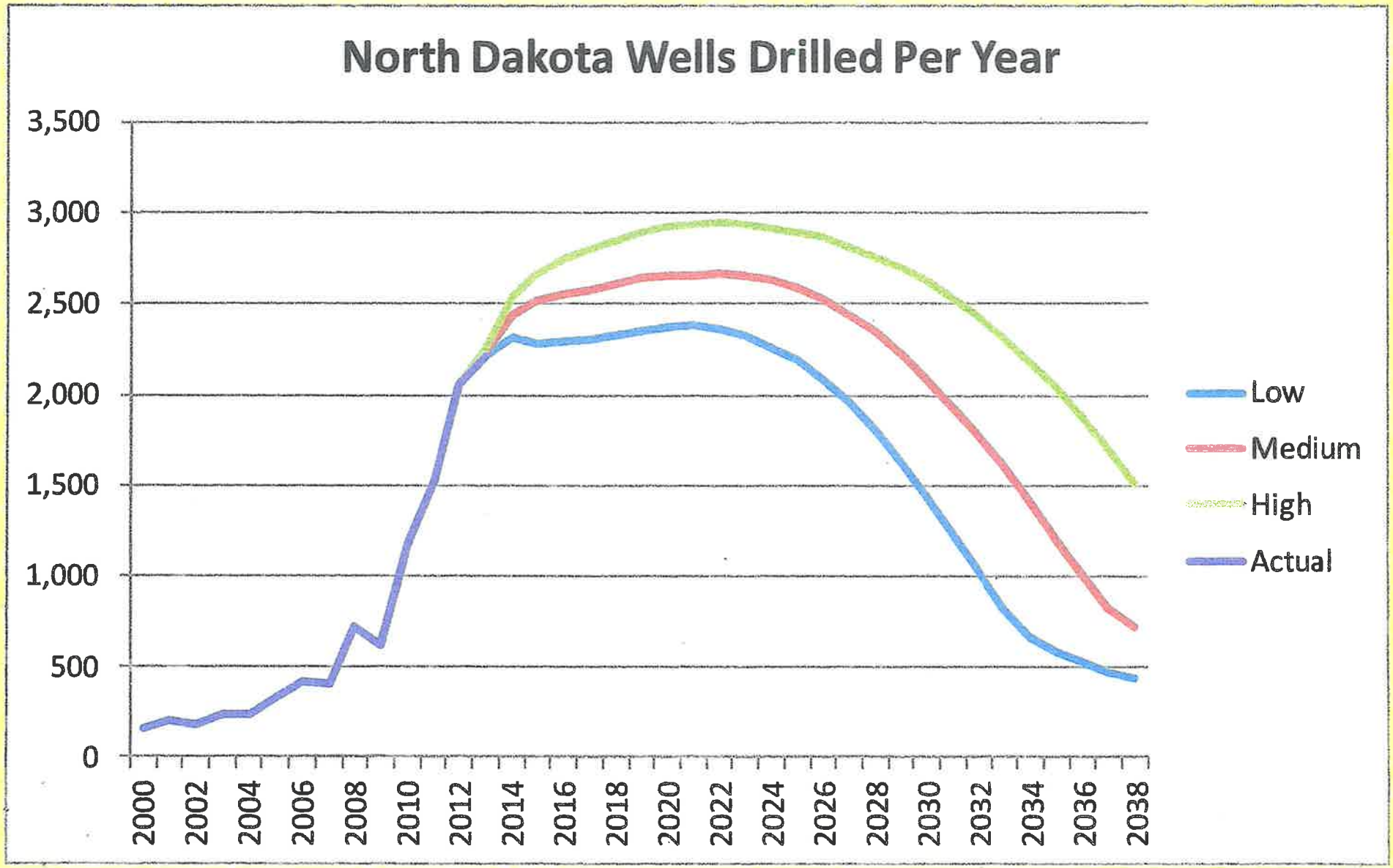
Eminent domain: Threats to landowners; WAWS policy is to NOT provide water if landowner refuses to provide an easement (even if pipe is for the oil industry). Threat gives advantage over private sector—a likely violation of ND Constitution prohibition. (See Art I, Section16)

Federal monopoly—1926(b): WAWS asserted that it had a monopoly to sell water, under federal law (7 USC 1926(b)); controversy followed, threatening access to Lake Sakakawea and private water development. WAWS knew of but did not disclose the issue in the 2011 Session. (Invoices Vogel Law Firm). SB 2233 resolved the issue.

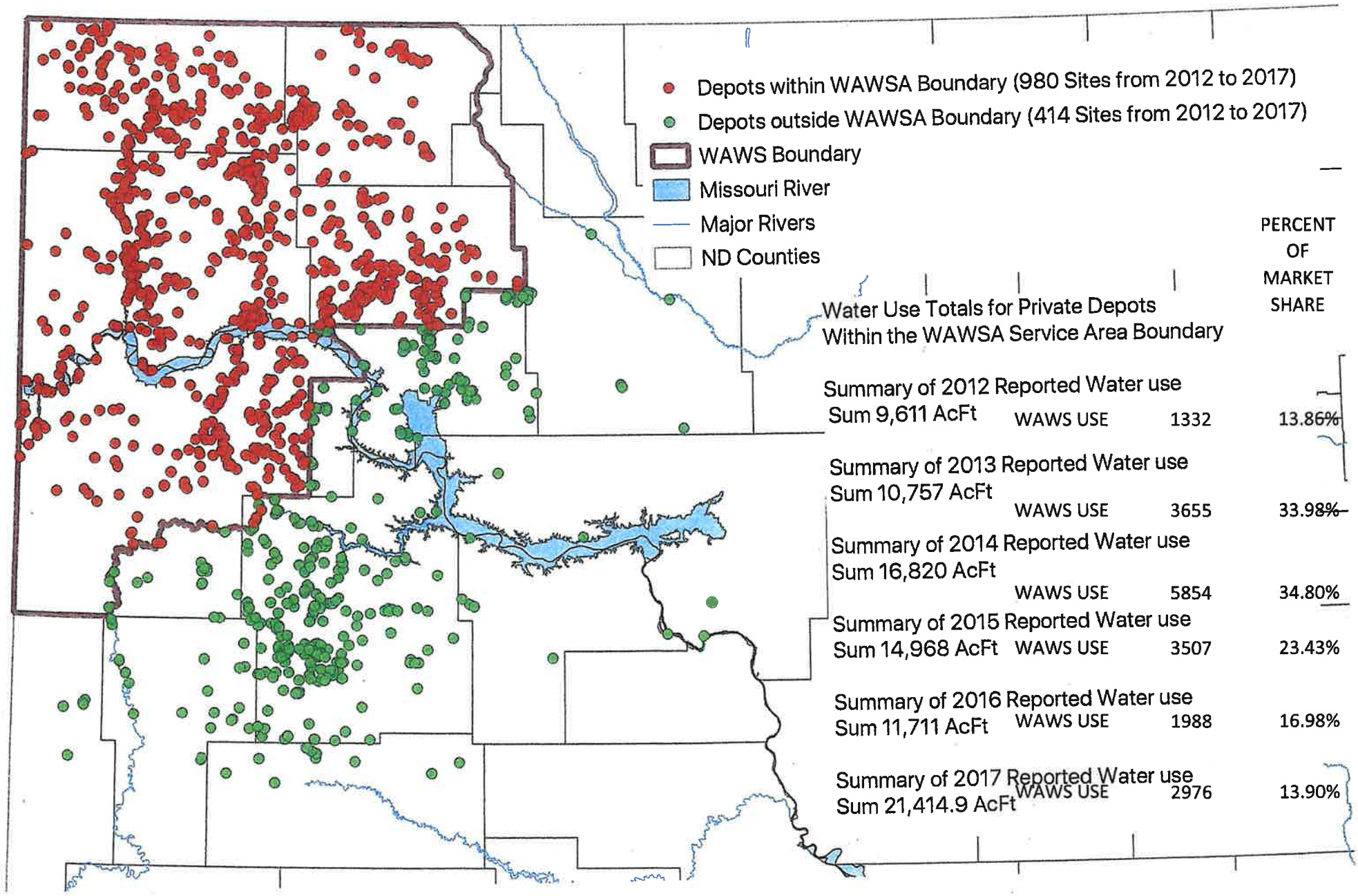
Debt service status: BND reports WAWS is 18 months and $10,000,000 ahead of schedule.

Most new capacity for industrial water: Records through 2013, reveal 65-70% of new expansion of WAWS is dedicated to— and utilized for industrial water supply! (See SWC website; WAWS minutes)

HOW MANY WELLS DRILLED PER YEAR?



Water Depot Locations
associated with Privately Owned Water Depots



Water Use Totals for Private Depots
Within the WAWSA Service Area Boundary

			PERCENT OF MARKET SHARE
Summary of 2012 Reported Water use Sum 9,611 AcFt	WAWS USE	1332	13.86%
Summary of 2013 Reported Water use Sum 10,757 AcFt	WAWS USE	3655	33.98%
Summary of 2014 Reported Water use Sum 16,820 AcFt	WAWS USE	5854	34.80%
Summary of 2015 Reported Water use Sum 14,968 AcFt	WAWS USE	3507	23.43%
Summary of 2016 Reported Water use Sum 11,711 AcFt	WAWS USE	1988	16.98%
Summary of 2017 Reported Water use Sum 21,414.9 AcFt	WAWS USE	2976	13.90%
	6 YEAR AVERAGE		20.51%

Data Source: ND Office of the State Engineer on Feb. 13, 2019. Map produced by MHove on Feb. 13, 2019

APPENDIX K

North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
(701) 328-2750 • TTY 1-800-366-6888 or 711 • FAX (701) 328-3696 • http://swc.nd.gov

MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Garland Erbele P.E., Chief Engineer – Secretary
SUBJECT: Devils Lake Update
DATE: January 29, 2019

Hydrologic Update

The January 29th Devils Lake water surface elevation is 1448.2 feet. This elevation is approximately 1.4 ft. below the lake level one year ago and over six feet below the peak elevation of 1454.3 which was reached in 2011. Winter precipitation has been slightly below average, and the Devils Lake Basin continues to be classified in the D0 and D1 (abnormally dry and moderate drought) categories.

The first Devils Lake probabilistic pool forecast was released on January 23rd and forecasted a 50 percent chance of a lake rise of 0.9 feet and a less than 10 percent chance of a lake rise of two feet. This forecast was based on current conditions at the time of preparation and will be updated monthly throughout the spring. Currently, the long-range outlook for Feb-Mar-Apr shows no signal towards either wetter or drier than normal conditions.

Outlet Update

A meeting of the Devils Lake Outlet Management Advisory Committee has not yet been scheduled but typically takes place in late spring after the lake rise forecast is more certain. This committee consists of seventeen stakeholders and provides outlet operation recommendations to the Governor and State Water Commission.

In total, the Devils Lake Outlets have combined to discharge over 1.16 million-acre-feet of floodwater since the first year of discharge in 2005. At the current lake elevation, this equals approximately 6.5 feet of water and corresponds to approximately 65,000 acres. The outlets are prepared to continue serving the region in 2019 and are capable of operating to minimum intake elevations of 1445 ft (West) and 1446 ft (East).

A project to repair or replace a small timber bridge is currently being coordinated with the Nelson County Water Resource Board. The bridge is immediately downstream of the Tolna Dam spillway and receives flow from the Devils Lake East End Outlet. The board is considering whether to repair the existing bridge or replace the bridge with a reinforced low-water crossing. The bridge is used primarily for dam inspections and recreation access, no permanent facilities rely on this bridge for access. The project is being planned for this spring, prior to the startup of the East Outlet.

GE:JK:TD:ph/416-10

North Dakota State Water Commission

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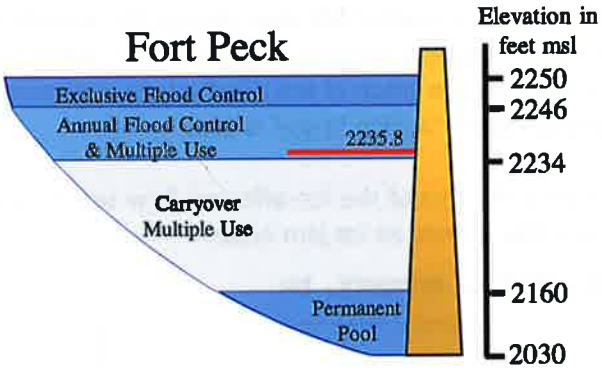
MEMORANDUM

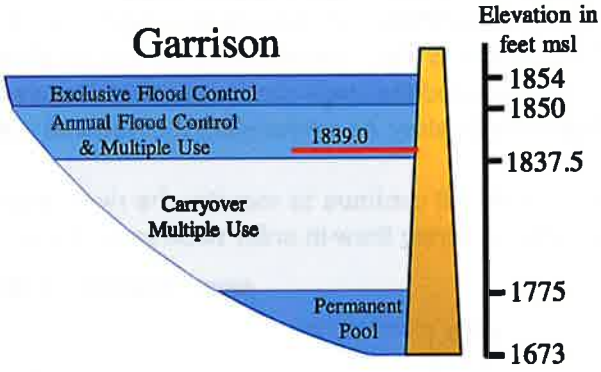
TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Garland Erbele, P.E., Chief Engineer-Secretary
SUBJECT: Missouri River Update
DATE: January 30, 2019

System/Reservoir Status

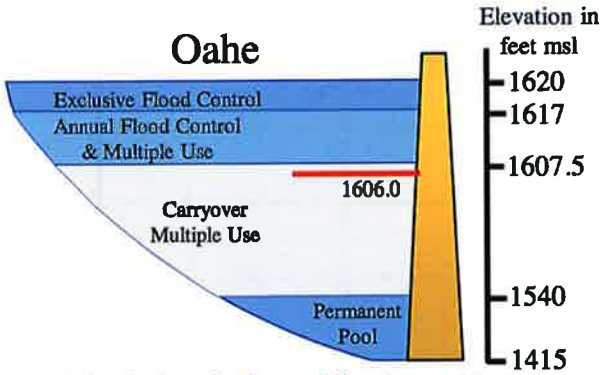
Reservoir elevations and system volume as of January 28th are presented in the schematics below and identified by the red lines. System storage is presented in million acre-feet (MAF). Historical data for the system is provided in a table on the following page.



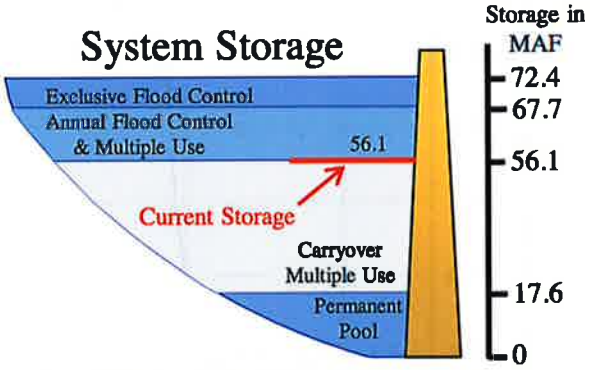
1.8 feet above the base of flood control.



1.5 feet above the base of flood control.



1.5 feet below the base of flood control.



0.1 MAF above the base of flood control.

Table 1: Reservoir System Historical Data

	Reservoir Elevation (feet msl)			Total System Storage (MAF)
	Fort Peck	Garrison	Oahe	
January 28th, 2019	2,235.8'	1,839.0'	1,606.0'	56.1
One-Year Ago	2,234.9'	1,839.5'	1,606.2'	56.3
End of January				
Average	2,227.7'	1,832.3'	1,599.3'	52.7
Record High (elevation *[year]*)	2,244.3' *[1976]*	1843.6' *[1973]*	1,608.7' *[1967]*	60.8 *[1976]*
Record Low (elevation *[year]*)	2,197.5' *[2007]*	1,807.0'*[2007]*	1,572.9' *[2007]*	34.0 *[2007]*

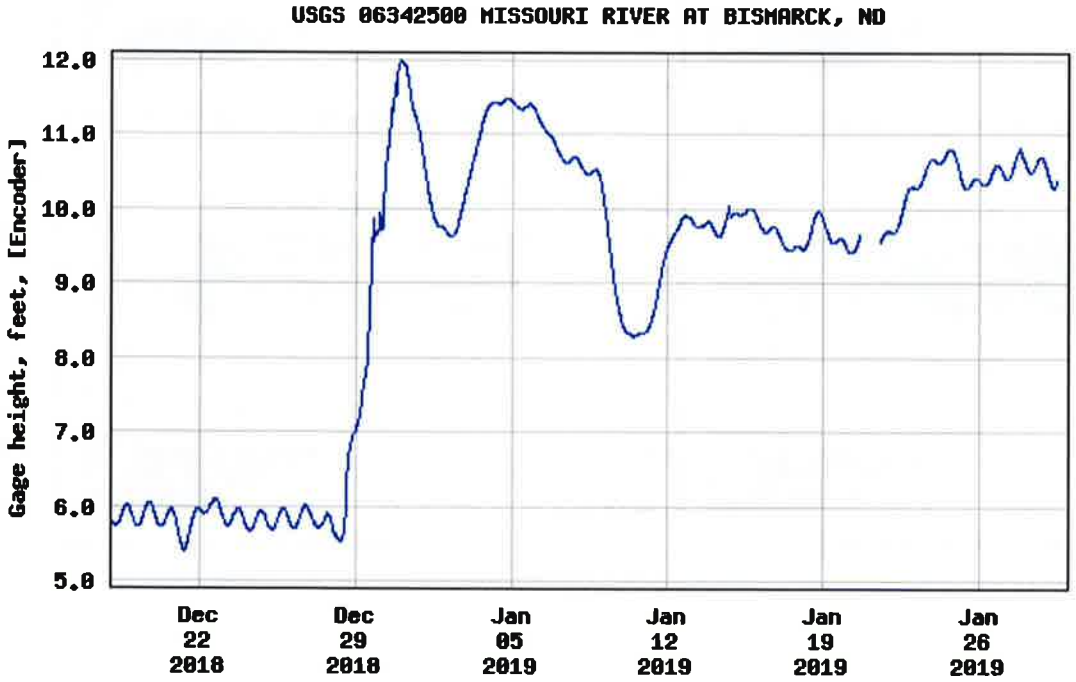
Runoff and Reservoir Forecasts

Garrison Dam releases remain above average as the Corps continues to evacuate the above normal runoff that occurred during 2018. Garrison Dam releases in 2018 peaked at 60,000 cfs and are currently about 25,200 cfs. Flows are forecasted to remain around 26,000 cfs through the month of February. The January runoff forecast predicts runoff above Sioux City for this year to be 25.7 MAF or 101 percent of average.

Ice-Affected Flow on the Garrison Reach

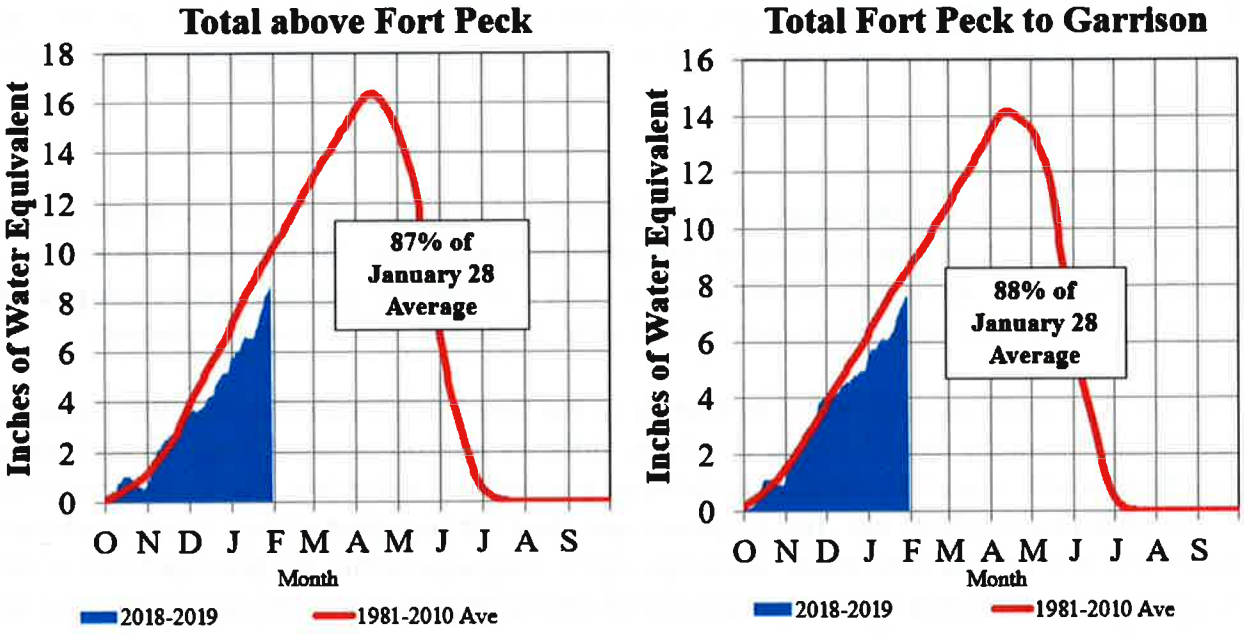
The Missouri River has experienced high river levels through Bismarck-Mandan during the month of January due to high reservoir releases and ice-affected flow. The peak stage of 12' occurred at the end of December, and the stage continues to vary between 9' and 11'. The graph of the river's stage at Bismarck is provided below. As a reference, the National Weather Service's "Action Stage" is 12.5'.

SWC staff will continue to monitor the river closely during the rest of the ice-affected flow season and during the spring thaw in order to be as proactive as possible, should an ice jam occur.



Mountain Snowpack

The Missouri River snowpack, as of January 28th, is below average. As shown in the figures below, the snowpack in the "Above Fort Peck" reach is 87% of average and the "Fort Peck to Garrison Reach" (including the Yellowstone River basin) is 88% of average. The mountain snowpack normally peaks around April 15th. SWC staff will continue to monitor the mountain snowpack in preparation for the spring runoff.



Missouri River Recovery Implementation Committee (MRRIC)

Section 5018 of the 2007 Water Resources Development Act (WRDA) authorized the Missouri River Recovery Implementation Committee (MRRIC). The Committee is to make recommendations and provide guidance on activities of the Missouri River Recovery Program (MRRP). MRRIC has nearly 70 members representing local, state, tribal, and federal interests throughout the Missouri River Basin. The representatives for the State of ND on MRRIC are John Paczkowski (primary) and Jesse Kist (alternate).

A Record of Decision was signed on November 20th for the Corps' Final Missouri River Recovery Management Plan and Environmental Impact Statement (MRRMP & EIS). This process involved the development of a range of alternatives for the purposes of avoiding jeopardy of species on the Missouri River that are protected under the Endangered Species Act, specifically the piping plover, least tern, and pallid sturgeon.

An adaptive management workshop will be held in Nebraska City on February 25-28 for MRRIC members and members of the Bird, Fish, and Human Considerations Work Groups to work with the Corps of Engineers and the Fish and Wildlife Service as the Corps continues to implement adaptive management into the operations of the Missouri River system.

Emergent Sandbar Habitat Construction

Emergent Sandbar Habitat in the Missouri River remains a primary habitat metric for the Corps of Engineers to achieve compliance with the Endangered Species Act regarding the threatened piping plover and the endangered least tern. There are no near-term plans for an emergent sandbar habitat (ESH) construction project in the Garrison Reach, as habitat is currently well above the target acreage.

The Corps is currently performing a geomorphology study on the Garrison Reach in order to better understand the dynamics of ESH and to improve their ability to model and forecast ESH acreage.

Water Supply Rule

In October, SWC staff became aware that the Corps decided to delay finalizing the Water Supply Rule until August 2019 to allow time to consult with states and tribes. The proposed rule attempts to define how the Corps would require users to enter into storage contracts and be charged for the use of water from Corps' reservoirs for domestic, municipal, and industrial purposes.

The state has previously submitted comments to the Corps that emphasize that the proposed rule is fundamentally flawed due to the Corps' differing interpretation of state versus federal jurisdictions with respect to water appropriation and western water law, and its interpretation of the 1944 Flood Control Act. The proposed rule does not recognize states' rights to allocate water, and it interferes with states' sovereign rights. Language within the proposed rule is also cause for concern relative to the proposed use of Lake Ashtabula as a re-regulation reservoir for the Red River Valley Water Supply Project.

GE:JGK:ph/1392

North Dakota State Water Commission

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MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Garland Erbele, P.E., Chief Engineer-Secretary
SUBJECT: Mouse River Update
DATE: January 29, 2018

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 looking to reduce flood risk in the Mouse River Basin within North Dakota.

As of late January, construction of phases within Minot, MI-1 through MI-3, are currently focused on concrete work at the Perkett Ditch Pump and Broadway Pump Stations, and riprap placement in key locations. Engineers with the project have also submitted 90-percent designs for the west tieback levee to the U.S. Army Corps of Engineers (Corps) and are looking to submit 50-percent designs for the Maple Diversion to the Corps in mid-July.

Engineers with the project have also submitted 100 percent designs for the levee in the City of Burlington to the Corps for final approval. Along with the final designs, a 408-permit application for levee construction was submitted to the Corps. These submittals are also concurrent with the Colton Avenue Bridge project (i.e. Burlington bridge) which is going out for bid on February 8th with a bid opening date of March 5th.

Integrated Feasibility Study

The Integrated Feasibility Study with the Corps is being conducted to determine if the federal government has interest in the MREFPP. It is expected that the final report, the Chief's Report, will be signed by the end of February. The draft version of the Chief's Report, which was reviewed by commission staff, showed federal interest in the Maple Diversion and its north levee, along with a tieback levee on the west side of Minot. After the report is signed, the components of the project that warranted federal interest can be authorized in any federal congressional legislation.

Plan of Study

The International Joint Commission's (IJC) Plan of Study will review and update the operating agreements for Rafferty, Grant Devine (formerly known as Alameda), Boundary, and Darling Dams. It is anticipated that the study will be complete in 2020. An appointed Study Board, which oversees the study, has begun work on some of the tasks detailed in their work plan. Currently,

the study is moving from the creation of tools and modelling platform phases towards the plan formulation and alternative development phases.

The Study Board cancelled its January workshop with the IJC's Public Advisory Group (PAG) and the Study Board's Resource and Agency Advisory Group (RAAG) due to the federal government shutdown. The intent of the workshop was to display the performance indicators that were developed for the study and get input from each group. Performance indicators relate interests on the river to stage or flow so that the study can identify impacts due to alternative operating plans. The Study Board plans to combine the content of the cancelled January workshop with another to be scheduled in mid-March.

The Study Board has also been working to develop a First Nations, Metis and Tribes Advisory Group. U.S. members of the Study Board along with water commission staff met with the United Tribes of ND to provide a high-level overview of the study and have sent letters of invitation to each Tribe. Canada hired a consultant who has reached out to eight First Nations that were deemed to be those impacted by the Souris River flooding of 2011. Of those eight First Nations, the consultant held in-person meetings with three. The consultant recommends that the IJC and Study Board members hold a collective meeting with the three First Nations that have been engaged.

The Study Board is in its approval process of the study's hydrometeorlogical network report. The report identifies the gaps in the hydrometeorlogical network and identifies improvements that will help to facilitate water resource management decision-making within the basin. The identified improvements include six real-time precipitation gages, three of which are in North Dakota, and eight real-time stream gages, three of which are in North Dakota.

System/Reservoir Status Above Minot

Total System

System volume on January 29 in the four reservoirs above Minot was approximately 523,000 acre-feet, with an available flood storage volume of nearly 523,000 acre-ft. The normal end of February storage (for flood and non-flood years) is approximately 540,000 acre-ft.

Boundary Reservoir (Saskatchewan)

On January 29, Boundary Reservoir was at an elevation of 1833.0 feet msl, 7.0 feet below the full supply level. The maximum allowable flood level, full supply level, and normal draw-down level is 1840.0 feet msl.

Rafferty Reservoir (Saskatchewan)

On January 29, Rafferty Reservoir was at an elevation of 1801.8 feet msl, 4.3 feet below the full supply level. The normal end of February or draw-down elevation (for flood and non-flood years) is 1802.8 feet, and the maximum allowable flood level is 1817.6 feet msl.

Grant Devine Reservoir (Saskatchewan)

On January 29, Grant Devine Reservoir was at an elevation of 1840.6 feet msl, 3.3 feet below the full supply level. The normal end of February or draw-down elevation (for flood and non-flood years) is 1840.6 feet msl, and the maximum allowable flood level is 1860.2 feet msl.

Darling Reservoir (North Dakota)

On January 29, Darling Reservoir was at an elevation of 1595.9 feet msl, 1.1 feet below the full supply level. The normal end of February or draw-down elevation (for flood and non-flood years) is 1596.0 feet, and the maximum allowable flood level is 1601.0 feet msl.

GE:CK:ph/1974/2122

North Dakota State Water Commission

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MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Garland Erbele, P.E., Chief Engineer-Secretary
SUBJECT: NAWS – Project Update
DATE: January 28, 2019

Manitoba & Missouri Lawsuit

Summary judgement was granted to North Dakota on August 10, 2017. Both plaintiffs filed appeals in October, and initial filings were due November 27, 2017. The court issued a briefing schedule January 3, 2018 with appellant's briefs due February 12, 2018, appellee's briefs due March 14, 2018, and appellant's reply briefs due March 28, 2018. A joint motion was filed and approved by the court to hold the case in abeyance for 90 days to allow settlement negotiations between appellant Manitoba and the appellees. Another joint motion was filed and approved by the Court to extend the abeyance further to allow further discussions. A joint motion by North Dakota, Department of Interior, and Province of Manitoba moving to dismiss Manitoba's appeal was filed June 22, 2018 and granted by the Circuit Court the following week. The State of Missouri continued their appeal of the Court's decision briefing only on the issue of their standing in the case. Oral arguments were held November 8, 2018 in the District of Columbia Circuit Court of Appeals. A ruling is expected spring/summer of 2019.

Biota Water Treatment Plant Design

A value planning workshop was held July 30, 2018 through August 2, 2018 for this project. The 30 percent design kickoff workshop was held October 3, 2018 through October 5, 2018. A value engineering workshop will be required for the project and is tentatively scheduled for the first week of June 2019. The project should be ready to bid early next year.

NAWS Contract 7-1B – Minot WTP Phase II Improvements

NAWS Contract 7-1B was awarded by the State Water Commission 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, a new laboratory, break room, and IT facilities. All contract documents have been executed, and the notice to proceed was signed March 21, 2018. A preconstruction conference was held that same day in Minot. Work on this project is currently underway. The substantial completion date for this contract is December 20, 2019.

NAWS Contract 2-2A-2 – 19th Ave Vault Relocation

NAWS Contract 2-2A-2 was awarded to PKG Contracting, Inc. in the amount of $515,695. Work performed under this contract was substantially complete in November. Final reclamation work will be in the spring.

NAWS Contract 2-4A – Renville Corner to Westhope

This contract will involve roughly 16 miles of pipe and related appurtenances to extend the potable distribution system from the corner of US Highway 83 and State Highway 5 to south of Westhope. The NAWS Impact Mitigation Assessment team toured the proposed alignment November 6, 2018. Bids will be opened for this contract February 28, 2019 with a substantial completion date of October 31, 2019 and a final completion date of June 1, 2020.

NAWS Contract 2-3C – Lansford to Renville Corner

A 60 percent design review meeting for NAWS Contract 2-3C is scheduled for November 27, 2018. This contract will involve roughly 18 miles of pipe and related appurtenances to extend the potable distribution system north of Minot near Lansford to tie into the existing pipeline along highway 5. This will complete the 'looped' nature of the distribution pipeline greatly expanding our hydraulic capacity and flexibility to serve our customers as well as adding redundancy to the system. The NAWS Impact Mitigation Assessment team toured the proposed alignment November 6, 2018. We anticipate bid opening later this spring with a substantial completion date of October 31, 2019 and a final completion date of June 1, 2020.

NAWS Contract 6-1A – Intake Modifications to Snake Creek Pumping Plant

The design kickoff meeting for Contract 6-1A was held October 3-5 in Denver. Anticipated design costs are roughly $2 million with a timeframe of approximately one year. This facility will have to come on line coincident with the completion and commissioning of the Biota Water Treatment Plant.

Remaining project components

Preliminary design has begun for the two remaining pipeline contracts to Bottineau. Design has also been initiated for numerous other critical project components necessary to deliver water to Bottineau and deliver water from Lake Sakakawea to Minot.

GE:TFJ:ph/237-04

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MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Garland Erbele, P.E., Chief Engineer - Secretary
SUBJECT: SWPP – Project Update
DATE: January 29, 2019

Oliver, Mercer, North Dunn (OMND) Regional Service Area
Rural Distribution Contract 7-9G Bid Schedule 1:
Final administrative items remain before final payments can be made on Contract 7-9G Bid Schedule 1.

Other Contracts
Contract 8-1A New Hradec Reservoir:
This contract involves furnishing and installing a 296,000-gallon fusion powder coated bolted steel reservoir. Olander Contracting Company is the contractor. The contract documents were executed on May 16, 2013, and the Notice to Proceed was issued on June 3, 2013. The substantial completion date on this contract was September 15, 2013. The tank was put into service on February 20, 2014. The contractor disputed the liquidated damages withheld. The contractor did not provide any justification for the delays. The contractor filed a lawsuit against us and their tank sub-contractor in October 2016. Our legal counsel filed an answer to their lawsuit. We did not hear anything regarding the lawsuit for many months. In October 2018, the contractor filed the complaint in the District Court and requested a scheduling conference for the lawsuit. The trial for this lawsuit is currently scheduled for January 14 – 20, 2020.

Contract 3-2D Six (6) MGD Water Treatment Plant (WTP) at Dickinson:
The water treatment plant started producing finished water on February 7, 2018. The contract was considered substantially complete on March 7, 2018. All three contractors are working on administrative and punch list items. An issue with delamination of concrete floors was identified and a solution was provided to the General Contractor. The General Contractor filed a claim disputing the decision by the Engineer on potential change order for the concrete floor repair work. The contractor was directed to complete the repair work, with responsibility for the cost to be resolved thereafter. The floor repair work is complete. A meeting between BW/AECOM, SWC and the contractor to discuss the claim was held. The General Contractor was asked to provide more documentation to support their claim.

BW/AECOM has determined the cost responsibility for the temporary and permanent heat and electricity between SWC, General, Mechanical and Electrical contractors and forwarded that information to the contractors. It is incorporated in a change order. To date, seven

change orders totaling $414,983.39 (2 percent of the contract amount) have been signed by all parties.

The Electrical Contractor, Edling Electric, is working on administrative items and punch list items. Two change orders totaling $56,663.26 (2 percent of the contract amount) have been signed by all parties.

The Mechanical Contractor, Williams Plumbing and Heating, is working on administrative items and punch list items. Three change orders totaling $158,644.48 (6 percent of the contract amount) have been signed by all parties.

Contract 3-2E Residual Handling Building at Dickinson WTP:

The preconstruction conference for this contract was held on October 5, 2017 with all three contractors; Rice Lake Construction Group, Central Mechanical Inc., and Edling Electric. The General Contractor, Rice Lake Construction Group, mobilized to site on October 16, 2017. The contract has a milestone completion date of September 1, 2018 for having the building enclosed and a Substantial Completion date of February 28, 2019. The Milestone Completion was considered achieved on October 19, 2018. The General Contractor sent a letter indicating that the Electrical and Mechanical contractors were able to begin work on several areas on September 1st and were not impacted, so the intent of the Milestone completion date was achieved on September 1, 2018. BW/AECOM responded to the letter indicating that their statement regarding the Electrical and Mechanical contractors not being impacted by the delayed Milestone completion requires concurrence from the Electrical and Mechanical Contractors. It was also noted that possible additional weather days and days for work change directives have not been accounted for yet. Since then the General Contractor has sent in a time extension request for 81 days on Milestone, Substantial and Final completion date. Their request was based on submittal review delays and due to a trucker strike in India. Their request is under review.

The General contractor is currently working on process piping, backfilling around the building, equipment pads, and installation of doors and windows.

The Electrical contractor is progressing on the installation of conduits, emergency generator, and control panels. The permanent utility power is available at the construction site now. The electrical contract is approximately 26 percent complete. The electrical contractor has informed us that the electrical switch gear delivery is delayed and would result in the delay in the substantial completion. BW/AECOM has advised the electrical contractor to pursue the temporary switch gear option so the General and Mechanical contractors can still achieve substantial completion.

The Mechanical contractor is making progress on the installation of vents, drains, plumbing, heaters, HVAC and unit heaters. The pressure testing on the gas piping is complete. The mechanical contract is approximately 50 percent complete.

Contract 5-1A and 5-2A 2nd Richardton Reservoir and 2nd Dickinson Reservoir:

The State Water Commission (SWC), at its October 12, 2016 meeting, awarded Contract 5-2A, 2nd Dickinson Reservoir, to John T. Jones Construction Company. A preconstruction conference for this contract was held on March 30, 2017. The contractor has completed work on the new reservoir, and the new reservoir came online on September 7, 2018. Work on the existing tank is mostly complete, and the tank is currently being used. Work on the davit and platform on the existing tank remains to be completed. The contract was considered substantially complete on December 5, 2018. The contract completion date on this contract was November 1, 2017. Contractor initially requested a 115-day extension to the contract due to weather delays and changes incorporated into the contract. In response to a request for more documentation, the contractor changed their request to 67 days. We have responded to their request indicating a 45-day extension is justified. Contractor has sent a request to waive liquidated damages for delay in completion of the contract. The contractor attributes lack of available labor and weather as the reason for delay. A response was sent to the contractor reducing the Liquidated Damages to the additional construction administration costs incurred by the State Water Commission from the contract completion date specified in the contract to the actual date of substantial completion. The contractor has sent in a letter requesting only 75 percent of the field observer's cost be assessed as Liquidated Damages as other construction administration costs would be incurred irrespective of the delay.

The SWC at its December 9, 2016 meeting awarded Contract 5-1A, 2nd Richardton Reservoir, to Engineering America, Inc. A preconstruction conference was held on June 7, 2017. The contract was approximately 88 percent complete. Engineering America, Inc., went out of business as of the end of July. The bonding company has taken over responsibility for the remaining work on the contract. The bonding company has directed us to get quotes for completing the remaining work with them being responsible for any costs above the remaining funds on the contract. The remaining work on the contract will require five different contractors; a bolted tank contractor, cathodic protection contractor, earthwork contractor, welded tank contractor and fencing contractor. We executed contracts with a bolted tank contractor, welded tank contractor and cathodic protection contractor. The bolted tank contractor and the cathodic protection contractor have completed their work. The welded tank contractor has installed the supplemental overflow for the existing welded tank. Painting of the supplemental overflow will be completed in the Spring when the weather cooperates. Earthwork, general and fencing contractors have been contacted for proposals for finishing the work.

Contract 2-1B Raw Water Line Capacity Upgrade from intake to OMND WTP:

The scope of work for Contract 2-1B generally consists of furnishing and installing 19,026 lineal feet of 30" diameter steel pipeline. The contract was substantially complete on November 15, 2018. A few punch list items, administrative items and landowner releases remain before the contract can be closed out. The contractor submitted a claim for approximately $280,000 alleging differing subsurface condition. BW/AECOM disagrees with their claim. It is our understanding that the contractor plans on dropping the differing subsurface conditions claim. One change order totaling $170,866.50 (3 percent of the contract amount) has been signed by all parties.

Contract 1-2A Supplemental Raw Water Intake:

The contractor, J.W.Fowler Company (JWF), launched the Microtunneling Boring Machine (MTBM) along the current alignment in August 2017. On October 5, 2017, JWF had installed approximately 1000 feet of intake pipe when employees observed some cracks on pipe no. 58 located approximately 500 feet from the caisson. After pushing a few additional pipes, the cracks worsened. On October 18, 2017, JWF informed that the best course of action to remediate the incident was to leave the installed pipe string in place and pursue other options to complete the intake pipe to the screen location.

JWF's initial plan was to install a 65 X 25-foot rescue shaft on top of the MTBM to retrieve the machine and relaunch the machine from the rescue shaft. This information was conveyed to the United States Army Corps of Engineers (USACE) to get permission for performing geotechnical exploration. USACE's review indicated that the rescue shaft is located on an established culturally significant site. USACE's ability to allow a rescue shaft at the location would depend on consultation and review by other agencies and tribes and would involve a significant amount of time. JWF explored other options which included constructing an emergency rescue shaft on the shoreline approximately 150' lake side of the MTBM location, installing the intake pipe by using Direct Pipe® option from near the existing shaft to the proposed screen location and using Horizontal Directional Drilling (HDD) for installing the intake pipe. JWF is working with the builder's risk insurance carrier to secure coverage.

HDD method is currently the primary focus for JWF. JWF considered 36" outside diameter (OD) steel pipe and 42" OD HDPE pipe as options. JWF's diving subcontractor completed the underwater topographical survey under the lake during the week of September 11. Based on the topographical data obtained, 42" HDPE pipe along the first tunnel drive is the preferred option for the contractor. The contractor has submitted their plan for completing the project using the HDD method and that plan is under review. The schedule submitted with the plan shows the start of HDD in July 2019 with the project completion in June 2020.

Contract 4-1E/4-2B Upgrades at the Dodge and Richardton pump stations:

Contract documents are executed for all three contracts – General, Mechanical and Electrical. BW/AECOM has started receiving submittals from the contractors for review and approval. Preconstruction conference is expected to happen soon.

Future Contracts:

Specific Authorizations for the design of the 2nd Davis Butte reservoir, 2nd Belfield reservoir and blowoff replacements along the main transmission required because of pump station upgrades, have been executed. These contracts are planned for construction next biennium.

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