

**GARRISON DIVERSION CONSERVANCY DISTRICT**

**EXECUTIVE COMMITTEE**

**Carrington, North Dakota**

**March 8, 2023**

A meeting of the Garrison Diversion Conservancy District Executive Committee was held on March 8, 2023, at the Garrison Diversion headquarters in Carrington, North Dakota. The meeting was called to order by Chairman Walter at 11:10 a.m.

**MEMBERS PRESENT**

Chairman Alan Walter  
First Vice Chairman Jay Anderson  
Second Vice Chairman Greg Bischoff  
Director Dave Anderson  
Director Mark Cook (by video conference)  
Director Geneva Kaiser (by video conference)  
Director Bruce Klein (by video conference)  
Director Bill Ongstad  
Director Mike Tweed (by video conference)  
Secretary Duane DeKrey

**MEMBERS ABSENT**

Director Ken Vein

**OTHERS PRESENT**

Garrison Diversion staff members and others were present. A copy of the registration sheet is attached to these minutes as Annex I.

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

**READING OF THE MINUTES**

**Motion by Director Ongstad to dispense with a reading of the December 12, 2022, Executive Committee minutes and approve them as distributed. Second by Director D. Anderson. Upon voice vote, motion carried.**

**FINANCIAL REPORT**

**Financial Statements** - - Merri Mooridian, Administrative Officer, Garrison Diversion, reviewed the financial statements for the period of January 1 to February 28, 2023. Copies of the financial statements are attached to these minutes as Annex II.

Revenues through February 28 are broken out as follows: General Fund \$2,121,141; MR&I \$105,542; Operations and Maintenance \$717,780; Red River Valley Water Supply Project \$2,190,405 and Irrigation Fund \$21,846.

Expenditures were: General Fund \$812,726; MR&I \$100,661; Operations and Maintenance \$765,854; Red River Valley Water Supply Project \$1,008,321 and Irrigation Fund \$2,605.

Total income received through February for all funds is \$5,156,714 with total expenditures and transfers out of \$2,743,701.

Garrison Diversion reserve accounts total \$7,747,479.

The balance of funds held at Bank of North Dakota is \$6,401,419; First International Bank & Trust \$13,316,318; and \$5,201,382 at Bremer Bank.

**Motion by Director Ongstad to accept the Garrison Diversion financial statements for the period of January 1 through February 28, 2023. Second by Director Bischoff. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Cook, Kaiser, Klein, Ongstad, Tweed and Walter. Directors voting nay: none. Absent and not voting: Vein. Motion carried.**

**Budget Timeline** - - Ms. Mooridian referred to the budget timeline, which is an item of reference used in the budget preparation process.

### **OPERATION & MAINTENANCE (O&M) UPDATE**

Ryan Anderson, Engineer, Garrison Diversion, provided an update on O&M activities, including cleaning and coating of the sump area at the Snake Creek Pumping Plant (SCPP) and hauling field rock at McClusky. There are also three O&M employees at the Jamestown Dam assisting the Bureau of Reclamation (Reclamation) on a mold remediation project.

Mr. Anderson added as soon as the weather breaks, work will resume on the major slide repair project at the McClusky Canal. Work will also begin on raising the road at Stump Lake.

### **IRRIGATION UPDATE**

**Reference Map** - - Mr. Anderson referred to the irrigation reference map, which shows the current water service contracts for irrigated acres, along with additional features in the area.

**2023 Irrigation Map** - - Mr. Anderson presented the 2023 irrigation map. Over the last several months, he has received several calls from interested irrigators. The map shows the potential new irrigation projects, which total approximately 6,500 acres. A couple of the projects toward the north would require getting water from Lake Audubon. Currently, ND Game & Fish owns all the land around the lake. Garrison Diversion is working with Game & Fish to determine how to get the water across their property.

Mr. Anderson said these are shown as seven separate projects. It is likely several of them could be grouped together to make a larger project.

## **ND WATER USERS AND IRRIGATION ASSOCIATION REPORT**

Dani Quissell, North Dakota Water Users/Irrigation Association, referred to the Legislative Report dated February 22 and summarized the water-related bills being heard at the 2023 legislative session and the status of each. She also provided an update on federal legislation regarding the use of project pumping power. North Dakota's congressional delegation recently reintroduced this bill, S 461, and asked for an expedited review of the legislation.

## **BUREAU OF RECLAMATION REPORT**

Dani Fettig, Reclamation, referred to Reclamation's March 9, 2023, report providing highlights. A copy of the report is attached to these minutes as Annex III.

### **MR&I**

#### **Budget**

Ms. Fettig reported the Fiscal Year (FY) 2023 rural water allocation has been announced, which includes a total of \$355 million. Of that amount, \$40 million is for the Garrison Diversion Unit to be split 50/50 between the state and tribes. Reclamation hopes this funding will move through very quickly, but they have run into a few problems with the Bipartisan Infrastructure Law (BIL) funding and the agreement requirements, so they are still working on obligating the \$33 million from FY2022. Reclamation will add the additional funding to this and hopefully have that funding available very soon.

#### **Projects**

Ms. Fettig provided updates on the Southwest Pipeline Project (SWPP) and the Indian MR&I projects.

### **MR&I REPORT**

**Construction Report** - - Mr. DeKrey reported 2023 MR&I expenditures as of February 28 are \$71,045, which went to Eastern North Dakota Alternate Water Supply (ENDAWS). Total MR&I expenditures are \$48,764,178. Remaining approved federal MR&I funds are \$22,095,037. A copy of the construction report is attached to these minutes as Annex IV.

Mr. DeKrey stated Congress passed the Buy America Build America Act (BABAA), which is causing funding delays on MR&I projects because there were a lot of contracts let and construction started before the Act's passage. The BABAA rules are being applied back to these projects so waivers are being submitted for the existing projects.

Ms. Fettig commented on the BABAA waiver for the Northwest Area Water Supply (NAWS) Biota Treatment Plant that is moving through the process. Unfortunately, it is moving slower than anticipated. In the meantime, Reclamation's regional office has also submitted a waiver request for the Reclamation program overall, which would cover all of the authorized construction projects funded through Reclamation. That is also moving through the process, which goes through several agencies and takes a very long time. Not many waivers make it through the process. Only three have been received agency wide.

Ms. Fettig said Reclamation was able to provide some funding in September 2022 for NAWS, and Reclamation's attorneys are comfortable with Reclamation expending those funds without the new waiver in place. Hopefully, this will keep NAWS moving forward for the next few months until the waivers are approved.

**Water Supply Assistance Grant Program** - - Director Kaiser, Chairperson, MR&I Committee, reported the MR&I Committee met on February 10 to review and consider an emergency application received from the City of Hannaford. The city had two water tower freeze ups due to a mechanical issue. The total cost was approximately \$40,000, and the city was awarded \$20,000 through the Water Supply Assistance Grant Program (WSAGP).

The spring deadline for the WSAGP is May 1, 2023.

### **COST OF WATER**

Mr. DeKrey provided an update on the cost of water from the McClusky Canal, which is basically to repay the capital costs for building the canal. The latest amount proposed by Reclamation is \$47,501 cubic feet per second (cfs). This amount was rejected by Garrison Diversion's board, and Garrison Diversion staff has been working with Senator Hoeven's office to get the cost lowered; however, since the cost of water issue came up, the MR&I cost ceiling has been given higher priority. As a result, the cost of water will be put on hold for the time being in order to focus on increasing the MR&I ceiling.

### **WOTUS INJUNCTION**

Tami Norgard, Vogel Law, reported on the recent preliminary injunction filed against the Environmental Protection Agency (EPA) by 24 plaintiff states, including North Dakota, on the final rule entitled "Revised Definitions of Waters of the United States" (WOTUS Rule). The declaration submitted by Mr. DeKrey is attached to these minutes as Annex V.

Ms. Norgard said the states are requesting a preliminary injunction to stop the final rule from going into play in 12 days. Currently, they are waiting for the federal briefing and oral arguments.

### **ENDAWS UPDATE**

Mr. DeKrey commented Garrison Diversion is focusing on the ENDAWS Project at the state legislature. He is testifying on the RRVWSP portion of SB 2020, which is the Department of Water Resources (DWR) budget bill, tomorrow. Support is being sought on the ENDAWS portion of the RRVWSP, which would use water from the McClusky Canal. It entails 32 miles of pipeline, the intake and the water treatment plant.

### **RED RIVER VALLEY WATER SUPPLY PROJECT (RRVWSP)**

**Construction Update** - - Kip Kovar, District Engineer, Garrison Diversion, reported work on ENDAWS consists of designing the alignment from the break tank to the McClusky Canal. The intake would be located north of McClusky near Hoffer Lake. The design team is also working with the U.S. Fish & Wildlife Service and Reclamation to come up with the best pipeline route in order to avoid wetlands.

Mr. Kovar shared the most recent construction photos of the Missouri River intake and wet well.

Mr. Kovar informed the committee representatives of Garney Construction were scheduled to attend today's meeting, but due to the change in meeting date, they were unable to be here. Instead, they will now attend the Garrison Diversion board meeting on April 11.

Mr. Kovar reported the request for prequalification of general contractors and tunneling subcontractors for the RRVWSP has gone out and is available on the Quest site. The deadline for submitting a prequalification package is March 31.

Mr. Kovar stated a request for statement of interest for professional engineering services has also been sent out. The purpose of this document is to notify the engineering community, if the RRVWSP continues to grow the way it is envisioned, of the opportunity for a variety of services that will be needed. Some of the services could involve design, material testing, geotechnical services, construction inspection, etc. The deadline for submittals is March 17.

The submittals will be used to gauge the interest and capabilities of engineering firms with offices in North Dakota to provide various services needed to construct the RRVWSP. Firms that complete this request will start to receive future updates regarding the project.

Mr. Kovar also reported Garrison Diversion staff has recently been involved in discovery sessions with e-Builder, who is the software vendor approved for the Program Management Information System (PMIS), to begin building the program management system to be used for the RRVWSP.

**Work Plan Update** - - Mr. Kovar reviewed the January 24, 2023, RRVWSP Work Plan Update, providing updates on construction activities and project design. A copy of the work plan is attached to these minutes as Annex VI.

**Program Schedule** - - Ms. Mooridian reviewed the program schedule dated February 27, 2023, which lists the start, finish and percent of completion for each of the RRVWSP construction projects.

**RRVWSP Program Budget** - - Ms. Mooridian reviewed the RRVWSP Planning Level Budget dated February 28, 2023. The total program budget is estimated at \$139 million. Total amount expended is \$78.9 million with \$60.1 million in outstanding expenditures. The percent complete is 57 percent. A copy of the table is attached to these minutes as Annex VII.

**Project Participation Agreements** - - Ms. Norgard reported the Draft Project Participation Agreement (PPA) and exhibits for the RRVWSP were given to the LAWA group in July. No redlines have been received at this point. The cities of Fargo and Grand Forks have been meeting regularly with their finance and engineering teams to get a clear understanding of the documents. The PPA is over 90 pages, and there are a number of exhibits which are very dense. Any issues that need addressed or adjustments that need to be made have to happen before anyone signs the agreement. There is also the issue of funding and what dollar amount the legislature is going to provide.

## **2023 LEGISLATIVE SESSION**

Mr. DeKrey reported he and Ms. Mooridian have been spending time at the state legislature. The funding request submitted to the DWR for the state's share of the RRVWSP was \$255 million this biennium. The DWR goes through the various requests and splits them out. The RRVWSP was

split out at \$175 million in SB 2020, which is the DWR's budget bill. This is the amount that came out of the Senate, as well as \$953 million in legislative intent.

Mr. DeKrey said it is important to have legislative intent because federal funding is also being sought for the RRVWSP. This shows the federal government the state is committed to the RRVWSP.

Mr. DeKrey added the state's revenue forecast comes out March 16. If that turns out well, perhaps the \$175 million for the RRVWSP can be increased.

Mr. DeKrey also reported on SB 2364, which would limit the use of easements by Garrison Diversion to building, operating, and maintaining water pipelines and would clarify that easements from Garrison Diversion can only be assigned from Garrison Diversion to the state. The committee amended the bill to clarify that easements would first pass to a local water authority before going to the state. The bill passed the Senate and has been introduced to the House Energy and Natural Resources Committee.

Ms. Mooridian reported on SB 2330, This bill makes changes to how the Infrastructure Revolving Loan Fund and the Water Infrastructure Revolving Loan Fund are capitalized. This would take away the ability for the Bank of North Dakota to package infrastructure and water infrastructure revolving loans and sell them to the Legacy Fund.

Mr. DeKrey also commented on HB 1020, which includes appropriations for NDSU Agriculture Research and Extension, including the 2023-2025 State Board of Agricultural Research and Education (SBARE) priorities. Funding to support operations of the Oakes Irrigation Research Site is included in the priorities. The bill has passed in the House and has been referred to the Senate Appropriations Committee.

## **GENERAL MANAGER'S REPORT**

**Electronic Device Policy** - - Mr. DeKrey referred to the draft board policy regarding directors' electronic devices. This was brought up at the October board meeting. At that time, discussion took place as to whether retiring directors should be allowed to keep their device at no charge or be required to purchase the device at market value. It was the consensus of the board there should be a charge for the device, and a draft policy be prepared regarding electronic devices. A copy of the electronic device policy is attached to these minutes as Annex VIII.

**Motion by Second Vice Chairman Bischoff to approve the Director Electronic Device Policy. Second by Director D. Anderson. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Cook, Kaiser, Klein, Ongstad, Tweed and Walter. Directors voting nay: none. Absent and not voting: Vein. Motion carried.**

**NWRA State Representative Increase** - - Mr. DeKrey informed the committee the annual state dues to the National Water Resources Association (NWRA) have increased to \$3,000, and an additional North Dakota seat has been added on the NWRA board. The board members for North Dakota will be Dani Quissell and Andrea Travnicek. Garrison Diversion, the DWR and the Water Users Association currently each pay one-third of the annual dues.

**Stump Lake Recreational Area Update** - - Mr. DeKrey reported the 404 Permit needed to raise the road on the Stump Lake land owned by Garrison Diversion has been approved. This will now

allow Garrison Diversion's O&M crew to perform the work on the road in the spring, and the recreation project at Stump Lake can move forward.

**Snake Creek Dam Safety Modification Study** - - Mr. DeKrey said he and Ryan Anderson attended the agency meeting regarding the Draft Environmental Assessment (EA) on the Snake Creek Dam Safety Modification Study held at the SCPP on February 16. At that time, the Corps of Engineers (COE) explained again how the Dam Safety Modification Study considers the Snake Creek Embankment issue to be a very low priority. The COE believes, should the embankment fail, there would be no loss of life or property, and they still do not intend to fix it.

Mr. DeKrey commented now that the NAWS Project is getting ready to use the SCPP, the DWR has posed a lot of tough questions to the COE. He added the state and Garrison Diversion do not agree with the way the COE prepared the Socioeconomic Analysis, and draft comments were prepared and sent to the COE addressing the COE's response to Garrison Diversion's economic letter.

Mr. DeKrey stated Garrison Diversion has requested copies of all models and inputs into the Socioeconomic Analysis. This includes all models, inputs, sources, basis for assumptions and citations used in the development of the analysis. Garrison Diversion wants to make certain this technical information is included in the Administrative Record. As such, Garrison Diversion is also requesting a 45-day extension on the public comment period.

**Northeast ND Partnership Request** - - Mr. DeKrey referred to a copy of the letter received from Walsh Rural Water District on behalf of the Northeast Regional Water District, All Seasons Water Users District, East Central Regional Water District and Tri-County Water District. The water districts have gotten together to begin looking into future water needs and availability in northeast North Dakota. As a result, this group would like to conduct a study to determine their available water supply and long-term needs and request a partnership with Garrison Diversion to complete the study from a financial and technical standpoint.

Mr. DeKrey said he believes the letter is alerting Garrison Diversion of a future funding request to assist with a study regarding the water needs of Northeast North Dakota. A copy of the letter is attached to these minutes as Annex IX.

**Meeting with Legislative Leadership** - - Mr. DeKrey reported that he, Chairman Walter, Ms. Norgard, Terry Effertz and Mayors Mahoney and Dardis recently met with legislative leadership in Bismarck regarding RRVWSP easements. At that time, it was agreed to wait until after the legislative session to pursue easements in Wells County.

## **UPCOMING EVENTS**

Chairman Walter reviewed a list of upcoming water-related meetings and events.

## **OTHER**

**New York Times Article** - - Mr. DeKrey referred to the news article from the *New York Times* included in the meeting packet regarding the water shortage in western United States and the efforts to try and solve it. It is provided to keep the board updated on water-related issues within the United States.

**EXECUTIVE SESSION**

**Motion by Vice Chairman J. Anderson to enter into Executive Session pursuant to N.D.C.C. §44-04-11.2 to discuss the negotiations of a contractor claim and easements relating to the RRVWSP. Second by Second Vice Chairman Bischoff. Upon voice vote, motion carried.**

*Executive Session began at 1:41 p.m.*

**Motion by Director D. Anderson to leave Executive Session. Second by Vice Chairman J. Anderson. Upon voice vote, motion carried.**

*Executive Session ended at 2:18 p.m., and the Executive Committee meeting resumed.*

**CONTRACTOR CLAIM NEGOTIATION**

**Motion by Second Vice Chairman Bischoff to approve the contractor claim received from Michels Corporation in the amount of \$1,590,000 resulting in Request for Change 3 on Contract 2 at the RRVWSP Missouri River intake site. Second by Director D. Anderson. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Cook, Kaiser, Klein, Ongstad, Tweed and Walter. Those voting nay: none. Absent and not voting: Vein. Motion carried.**

**Motion by Vice Chairman J. Anderson to adjourn the Executive Committee meeting. Second by Second Vice Chairman Bischoff. Upon voice vote, motion carried.**

The meeting adjourned at 2:21 p.m.

(SEAL)

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Alan Walter, Chairman

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Duane DeKrey, Secretary



# REGISTRATION

EXECUTIVE COMMITTEE  
March 8, 2023

NAME	ADDRESS
<b>By Video Conference:</b>	
Dani Fettig	Bureau of Reclamation
Eric Volk	ND Rural Water Association
Dani Quissell	ND Water Users Assoc/Irrigation Assoc.
Jeff Hruby	Advanced Engineering & Environmental Services
Jeff LeDoux	Garrison Diversion
Kenn Roger	Garrison Diversion
Jeffrey Mattern	Department of Water Resources
John Paczkowski	Department of Water Resources
Shawn Gaddie	Advanced Engineering & Environmental Services
<b>In Person:</b>	
Kip Kovar	Garrison Diversion
Merri Mooridian	Garrison Diversion
Ryan Anderson	Garrison Diversion
Ashley Reisenauer	Garrison Diversion
Cindy Hewitt	Garrison Diversion
Lisa Schafer	Garrison Diversion
Kimberly Cook	Garrison Diversion
Tami Norgard	Vogel Law
Mike Berg	Apex Engineering

<b>Garrison Diversion Conservancy District Combined Statement of Revenues and Expenses For the Two Months Ended February 28, 2023</b>						
	General Fund	Municipal Rural, and Industrial Fund	Operations Maintenance Fund	Red River Valley Water Supply Project	Irrigation Fund	Total
Beginning Bank Balance	\$8,320,277	\$4,595	\$380,008	\$249,723	\$172,668	\$9,127,271
<b>Revenues:</b>						
Irrigation Admin						-
Lease Income						-
Revenue from Sale of Fixed Assets						-
Miscellaneous Income						-
Interest Income	23,085	5	249		789	24,128
Tax Levy	2,051,319					2,051,319
State Aid Distribution	46,737					46,737
Contract Revenue		105,537	710,549	2,190,405	21,057	3,027,548
Non-Project Income			6,982			6,982
<b>Total Revenues</b>	<b>\$2,121,141</b>	<b>\$105,542</b>	<b>\$717,780</b>	<b>\$2,190,405</b>	<b>\$21,846</b>	<b>\$5,156,714</b>
<b>Expenditures:</b>						
Director Expense	32,915					32,915
Employee Expense	191,417	17,537	374,413			583,367
Administrative Expense	29,663	12,079	12,407			54,149
Public Education	45,172					45,172
Professional Services	66,447		81,843	6,027		154,317
Irrigation Development	185,608					185,608
Water Supply Projects	40,000					40,000
GDCD Recreation Project	215,342					215,342
DWRA Recreation Project	258					258
Maintenance & Repairs	5,904		220,215		2,605	228,724
Capital Purchases			76,976			76,976
Construction in Progress				1,002,294		1,002,294
MR&I Project Expenses		71,045				71,045
Principal Debt Payments						-
Interest Payments						-
<b>Total Expenditures *</b>	<b>\$ 812,726</b>	<b>\$ 100,661</b>	<b>\$ 765,854</b>	<b>\$ 1,008,321</b>	<b>\$ 2,605</b>	<b>\$ 2,690,167</b>
<b>Transfer In/Out</b>	<b>53,534</b>	<b>(4,875)</b>	<b>(48,659)</b>	<b>-</b>	<b>-</b>	<b>\$ -</b>
<b>Revenues Over Expenditures</b>	<b>\$ 1,361,949</b>	<b>\$ 6</b>	<b>\$ (96,733)</b>	<b>\$ 1,182,084</b>	<b>\$ 19,241</b>	<b>\$ 2,466,547</b>
<b>Net Change in Assets</b>	<b>5,476</b>		<b>1,899</b>	<b>121</b>	<b>(467)</b>	<b>\$ 7,029</b>
<b>Ending Bank Balance</b>	<b>\$ 9,687,702</b>	<b>\$ 4,601</b>	<b>\$ 285,174</b>	<b>\$ 1,431,928</b>	<b>\$ 191,442</b>	<b>\$ 11,600,847</b>

\* Depreciation not reflected

<b>GARRISON DIVERSION CONSERVANCY DISTRICT</b>				
<b>INCOME BUDGET ANALYSIS STATEMENT</b>				
<b>For the Two Months Ended February 28, 2023</b>				
General, O&M MR&I, RRVWSP, and Irrigation Funds	Budget for 2023	Income Received to Feb-23	Percentage of Amount Budgeted	Balance of 2023 Budget
Irrigation Admin	\$ 950	\$ -	0.0%	\$ 950
Lease Income	\$ -	\$ -	0.0%	\$ -
Miscellaneous Income	\$ -	\$ -	0.0%	\$ -
Revenue Sale of Fixed Assets	\$ -	\$ -	0.0%	\$ -
Interest Income	\$ 33,120	\$ 24,128	72.9%	\$ 8,992
Tax Levy	\$ 3,650,000	\$ 2,051,319	56.2%	\$ 1,598,681
State Aid	\$ 180,000	\$ 46,737	26.0%	\$ 133,263
General Fund Contract Revenue	\$ 70,000	\$ -	0.0%	\$ 70,000
O&M Contract Revenue	\$ 4,890,000	\$ 710,549	14.5%	\$ 4,179,451
MR&I Contract Revenue	\$ 20,257,975	\$ 105,537	0.5%	\$ 20,152,438
RRVWSP Contract Revenue	\$ 25,400,000	\$ 2,190,405	8.6%	\$ 23,209,595
Irrigation Fund Revenue	\$ 828,005	\$ 21,057	2.5%	\$ 806,948
Project Revenue	\$ -	\$ -	0.0%	\$ -
Non-Project Revenue	\$ 217,000	\$ 6,982	3.2%	\$ 210,018
<b>Total Revenues</b>	<b>\$55,527,050</b>	<b>\$5,156,714</b>	<b>9.3%</b>	<b>\$50,370,336</b>

<b>GARRISON DIVERSION CONSERVANCY DISTRICT</b>						
<b>Expense Budget Analysis Statement</b>						
<b>For the Two Months Ended February 28, 2023</b>						
General, O&M MR&I, RRVWSP, and Irrigation Funds	Expenditures		Expenditures		Percentage Spent Amount Budgeted	Balance of Budget
	Budget for 2022	Charged to 2022 Budget	Budget for 2023	Expenditures to Feb-23		
<b>Expenses</b>						
Director Expenses	\$ 270,000	\$ 235,483	\$ 221,000	32,915	14.9%	\$ 188,085
Employee Expenses	\$ 3,746,366	\$ 3,350,365	\$ 3,508,000	583,367	16.6%	\$ 2,924,633
Administrative Expenses	\$ 431,335	\$ 317,442	\$ 452,500	54,149	12.0%	\$ 398,351
Public Education	\$ 151,840	\$ 135,407	\$ 157,000	45,172	28.8%	\$ 111,828
Professional Services	\$ 3,515,225	\$ 2,902,287	\$ 2,637,000	154,317	5.9%	\$ 2,482,683
Irrigation Development	\$ 911,200	\$ 881,346	\$ 260,875	185,608	71.1%	\$ 75,267
Water Supply Program	\$ 300,000	\$ 98,614	\$ 300,000	40,000	13.3%	\$ 260,000
GDCD Recreation Grant Program	\$ 600,000	\$ 541,988	\$ 850,000	215,342	25.3%	\$ 634,658
DWRA Recreation Program	\$ 10,000	\$ 4,512	\$ 10,000	258	2.6%	\$ 9,742
Irrigation District Expense	\$ 2,000	\$ -	\$ 2,000	-	0.0%	\$ 2,000
Maintenance & Repairs	\$ 1,611,040	\$ 1,187,209	\$ 1,794,100	228,724	12.7%	\$ 1,565,376
Capital Purchases	\$ 1,056,000	\$ 963,831	\$ 495,000	76,976	15.6%	\$ 418,024
Construction in Progress	\$ 27,950,000	\$ 27,977,251	\$ 24,000,000	1,002,294	4.2%	\$ 22,997,706
MR&I Fund	\$ 27,000,000	\$ 25,292,604	\$ 20,000,000	71,045	0.4%	\$ 19,928,955
Principal on Debt Repayment	\$ 479,831	\$ 479,483	\$ 315,000	-	0.0%	\$ 315,000
Interest on Debt Repayment	\$ 68,660	\$ 68,656	\$ 67,000	-	0.0%	\$ 67,000
<b>Total Expenses</b>	<b>\$ 68,103,497</b>	<b>\$ 64,436,478</b>	<b>\$ 55,069,475</b>	<b>2,690,167</b>	<b>4.9%</b>	<b>\$ 52,379,308</b>
<b>Transfers In/Out</b>						
MR&I	\$ 20,000	\$ 20,311	\$ 23,000	4,875	21.2%	\$ 18,125
O&M	\$ 972,340	\$ 886,658	\$ 920,000	48,659	5.3%	\$ 871,341
Irrigation	\$ -	\$ -	\$ -	-	0.0%	\$ -
RRVWSP	\$ (1,451,491)	\$ (1,368,042)	\$ -	-	0.0%	\$ -
<b>Total Transfers Out</b>	<b>\$ (459,151)</b>	<b>\$ (461,073)</b>	<b>\$ 943,000</b>	<b>53,534</b>	<b>5.7%</b>	<b>\$ 889,466</b>
<b>Total Expenses &amp; Transfers Out</b>	<b>\$ 67,644,346</b>	<b>\$ 63,975,405</b>	<b>\$ 56,012,475</b>	<b>2,743,701</b>	<b>4.9%</b>	<b>\$ 53,268,774</b>

GARRISON DIVERSION CONSERVANCY DISTRICT EXPENSE BUDGET ANALYSIS STATEMENT For Two Months Ended February 28, 2023						
	Budget 1/1/22 to 12/31/22	Expenditures Chargeable to 2022 Budget	Budget 1/1/23 to 12/31/23	2023 Actual as of 02/28/2023	Balance of Budget as of 02/28/2023	Percentage of Budget Spent
<b>GENERAL FUND</b>						
<b>Directors Expense</b>						
Directors Per Diem	\$130,000	\$120,037	\$133,000	\$15,923	\$117,077	12.0%
Directors Expense	\$140,000	\$115,445	\$88,000	\$16,992	\$71,008	19.3%
<b>Total Directors Expense</b>	<b>\$270,000</b>	<b>\$235,482</b>	<b>\$221,000</b>	<b>\$32,915</b>	<b>\$188,085</b>	<b>14.9%</b>
<b>Employee Expense</b>						
Employee Salaries	822,000	\$780,874	908,000	\$129,979	\$778,021	14.3%
General Manager Exp	35,000	\$15,160	21,000	\$891	\$20,109	4.2%
<b>Travel</b>	61,000	33,344	61,000	5,931	55,069	9.7%
Admn Officer - Merri Mooridian	25,000	\$17,711	25,000	\$5,027	\$19,973	20.1%
Dist. Engr - Kip Kovar	10,000	\$6,490	10,000	\$210	\$9,790	2.1%
Engineer - Ryan Anderson	5,000	\$1,901	5,000	\$0	\$5,000	0.0%
Dir. Comm. - Kim Cook	6,000	\$1,363	6,000	\$322	\$5,678	5.4%
Emp Exp Other	15,000	\$5,879	15,000	\$372	\$14,628	2.5%
<b>Professional Development</b>	17,000	5,500	17,000	538	\$16,462	3.2%
Employee Training	15,000	\$5,500	15,000	\$538	\$14,462	3.6%
Wellness Program	2,000	\$0	2,000	\$0	\$2,000	0.0%
<b>Benefits</b>	406,000	332,717	427,000	54,078	\$372,922	12.7%
GDCD FICA	72,000	\$64,927	79,000	\$11,022	\$67,978	14.0%
Retirement	117,000	\$111,743	129,000	\$18,619	\$110,381	14.4%
Hospital & Life Insurance	177,000	\$136,698	175,000	\$21,569	\$153,431	12.3%
Unemployment Comp	1,000	\$307	1,000	(\$48)	\$1,048	-4.8%
Dental / Vision Ins.	14,000	\$11,637	14,000	\$1,735	\$12,265	12.4%
Work Force Safety	1,000	\$307	1,000	(\$27)	\$1,027	-2.7%
Long-Term Disability Ins	9,000	\$7,098	10,000	\$1,208	\$8,792	12.1%
Vacation/Sick Leave Liability	15,000	\$0	18,000	\$0	\$18,000	0.0%
<b>Total Employee Expense</b>	<b>1,341,000</b>	<b>1,167,595</b>	<b>1,434,000</b>	<b>\$191,417</b>	<b>\$1,242,583</b>	<b>13.3%</b>
<b>Administration</b>						
Postage	\$7,000	\$3,057	\$6,000	\$1,031	\$4,969	17.2%
Communications	\$31,000	\$14,124	\$16,000	\$2,122	\$13,878	13.3%
Utilities	\$34,000	\$31,989	\$33,000	\$7,201	\$25,799	21.8%
Meetings & Events	\$10,000	\$8,602	\$5,000	\$1,016	\$3,984	20.3%
Subscriptions/Publications	\$6,000	\$5,850	\$6,000	\$2,020	\$3,980	33.7%
Miscellaneous	\$6,000	\$2,916	\$4,000	\$291	\$3,709	7.3%
Data Processing	\$23,000	\$20,270	\$20,000	\$3,596	\$16,404	18.0%
Employee Recruiting	\$5,000	\$0	\$5,000	\$0	\$5,000	0.0%
Supplies	\$18,000	\$10,135	\$14,000	\$1,236	\$12,764	8.8%
Small Office Equipment	\$14,200	\$10,886	\$20,000	\$1,460	\$18,540	7.3%
Dues	\$15,000	\$11,528	\$14,000	\$9,372	\$4,628	66.9%
Insurance	\$15,800	\$15,509	\$14,000	\$318	\$13,682	2.3%
Annual Independent Audit	\$33,500	\$31,118	\$36,500	\$0	\$36,500	0.0%
<b>Total Administration</b>	<b>\$218,500</b>	<b>\$165,984</b>	<b>\$193,500</b>	<b>\$29,663</b>	<b>\$163,837</b>	<b>15.3%</b>
<b>Public Education</b>						
GDCD Tours	\$10,000	\$5,000	\$10,000	\$0	\$10,000	0.0%
ND Water Users Ass'n Dues	\$20,000	\$0	\$20,000	\$20,000	\$0	100.0%
ND Water Coalition Dues	\$14,000	\$20,000	\$14,000	\$14,000	\$0	100.0%
ND Water Magazine	\$18,000	\$14,000	\$18,000	\$10,000	\$8,000	55.6%
Missouri River Joint Board	\$71,090	\$18,000	\$15,000	\$0	\$15,000	0.0%
Upper Sheyenne	\$0	\$71,061	\$50,000	\$0	\$50,000	0.0%
Conference Booth Fees, Sponsorships	\$9,750	\$6,940	\$20,000	\$1,172	\$18,828	5.9%
Miscellaneous	\$9,000	\$406	\$10,000	\$0	\$10,000	0.0%
<b>Total Public Education</b>	<b>\$151,840</b>	<b>\$135,407</b>	<b>\$157,000</b>	<b>\$45,172</b>	<b>\$111,828</b>	<b>28.8%</b>

<b>GARRISON DIVERSION CONSERVANCY DISTRICT EXPENSE BUDGET ANALYSIS STATEMENT For Two Months Ended February 28, 2023</b>						
	Budget 1/1/22 to 12/31/22	Expenditures Chargeable to 2022 Budget	Budget 1/1/23 to 12/31/23	2023 Actual as of 02/28/2023	Balance of Budget as of 02/28/2023	Percentage of Budget Spent
<b>Professional Services</b>						
Communications	\$160,000	\$109,375	\$140,000	\$15,035	\$124,965	10.7%
Engineering	\$125,000	\$43,248	\$125,000	\$1,133	\$123,867	0.9%
<b>RRVWSP Development</b>	<b>\$309,000</b>	<b>\$65,640</b>	<b>\$316,000</b>	<b>\$5,796</b>	<b>\$310,204</b>	<b>1.8%</b>
Technical Support for LAWA	\$0	\$0	\$15,000	\$0	\$15,000	0.0%
Engineering	\$100,000	\$7,494	\$100,000	\$0	\$100,000	0.0%
Legal	\$133,000	\$51,674	\$125,000	\$5,796	\$119,204	4.6%
Financial	\$10,000	\$0	\$10,000	\$0	\$10,000	0.0%
Consultants	\$50,000	\$0	\$50,000	\$0	\$50,000	0.0%
Meeting, Misc. Exp	\$16,000	\$6,472	\$16,000	\$0	\$16,000	0.0%
Prof Services Other	\$30,000	\$22,793	\$45,000	\$0	\$45,000	0.0%
Legal Services	\$215,000	\$142,762	\$188,000	\$44,483	\$143,517	23.7%
<b>Total Professional Services</b>	<b>\$839,000</b>	<b>\$383,818</b>	<b>\$814,000</b>	<b>\$66,447</b>	<b>\$747,553</b>	<b>8.2%</b>
<b>Irrigation Development</b>						
ND Irrigation Association	\$50,000	\$50,000	\$50,000	\$0	\$50,000	0.0%
NDSU Oakes Irrigation Site	\$202,575	\$174,680	\$167,875	\$169,525	(\$1,650)	101.0%
Robert Titus Lease	\$16,625	\$16,484	\$17,000	\$16,083	\$917	94.6%
Irrigation Development	\$642,000	\$640,183	\$26,000	\$0	\$26,000	0.0%
<b>Total Irrigation Development</b>	<b>\$911,200</b>	<b>\$881,347</b>	<b>\$260,875</b>	<b>\$185,608</b>	<b>\$75,267</b>	<b>71.1%</b>
<b>Recreation</b>						
GDCD Recreation Grant Program	\$600,000	\$541,988	\$850,000	\$215,342	\$634,658	25.3%
DWRA Recreation Program	\$10,000	\$4,512	\$10,000	\$258	\$9,742	2.6%
<b>Total Recreation</b>	<b>\$610,000</b>	<b>\$546,500</b>	<b>\$860,000</b>	<b>\$215,600</b>	<b>\$644,400</b>	<b>25.1%</b>
<b>Water Supply Grant Program</b>	<b>\$300,000</b>	<b>\$98,614</b>	<b>\$300,000</b>	<b>\$40,000</b>	<b>\$260,000</b>	<b>13.3%</b>
<b>Irrigation Districts Expense</b>						
Irrigation Districts	\$2,000	\$0	\$2,000	\$0	\$2,000	0.0%
<b>Total Irrigation Districts Expense</b>	<b>\$2,000</b>	<b>\$0</b>	<b>\$2,000</b>	<b>\$0</b>	<b>\$2,000</b>	<b>0.0%</b>
<b>Maintenance &amp; Repair</b>						
Equipment Maintenance	\$31,000	\$30,543	\$27,000	\$2,532	\$24,468	9.4%
Small Yard Equipment Purchases	\$0	\$0	\$5,000	\$0	\$5,000	0.0%
Land & Bldg Maintenance	\$40,000	\$39,476	\$35,000	\$618	\$34,382	1.8%
Auto Expense	\$15,000	\$13,462	\$15,000	\$2,754	\$12,246	18.4%
<b>Total Maintenance &amp; Repair</b>	<b>\$86,000</b>	<b>\$83,481</b>	<b>\$82,000</b>	<b>\$5,904</b>	<b>\$76,096</b>	<b>7.2%</b>
<b>Capital Purchases</b>						
Office Equip & Furniture	\$181,000	\$177,157	\$20,000	\$0	\$20,000	0.0%
Yard Equipment	\$30,000	\$29,899	\$20,000	\$0	\$20,000	0.0%
Vehicle	\$60,000	\$57,786	\$40,000	\$0	\$40,000	0.0%
Land and Buildings	\$110,000	\$106,399	\$15,000	\$0	\$15,000	0.0%
<b>Total Capital Purchases</b>	<b>\$381,000</b>	<b>\$371,241</b>	<b>\$95,000</b>	<b>\$0</b>	<b>\$95,000</b>	<b>0.0%</b>
<b>Total General Fund</b>	<b>\$5,110,540</b>	<b>\$4,069,469</b>	<b>\$4,419,375</b>	<b>\$812,726</b>	<b>\$3,606,649</b>	<b>18.4%</b>

GARRISON DIVERSION CONSERVANCY DISTRICT EXPENSE BUDGET ANALYSIS STATEMENT For Two Months Ended February 28, 2023						
	Budget 1/1/22 to 12/31/22	Expenditures Chargeable to 2022 Budget	Budget 1/1/23 to 12/31/23	2023 Actual as of 02/28/2023	Balance of Budget as of 02/28/2023	Percentage of Budget Spent
<b>IRRIGATION FUND</b>						
<b>McClusky Canal Irrigation:</b>	\$722,800	\$536,062	\$446,100	\$2,605	\$443,495	0.6%
Construction	\$290,000	\$261,007	\$0	\$0	\$0	0.0%
Operations	\$432,800	\$275,055	\$446,100	\$2,605	\$443,495	0.6%
<b>Debt Payments</b>	\$217,000	\$216,648	\$382,000	\$0	\$382,000	0.0%
Principal	\$171,630	\$171,282	\$315,000	\$0	\$315,000	0.0%
Interest	\$45,370	\$45,366	\$67,000	\$0	\$67,000	0.0%
<b>Total Irrigation Fund</b>	<b>\$939,800</b>	<b>\$752,710</b>	<b>\$828,100</b>	<b>\$2,605</b>	<b>\$825,495</b>	<b>0.3%</b>
<b>GDU O &amp; M</b>						
<b>Salaries and Benefits</b>	\$2,247,266	\$2,070,155	\$1,921,000	\$367,509	\$1,553,491	19.1%
Salaries	\$1,446,050	\$1,366,860	\$1,183,000	\$245,503	\$937,497	20.8%
Benefits	\$801,216	\$703,295	\$738,000	\$122,006	\$615,994	16.5%
Travel	\$17,115	\$7,099	\$14,000	\$125	\$13,875	0.9%
Training	\$9,000	\$0	\$4,000	\$89	\$3,911	2.2%
Utilities	\$87,000	\$79,965	\$93,000	\$12,407	\$80,593	13.3%
Contractual Services	\$2,066,225	\$2,004,988	\$423,000	\$81,843	\$341,157	19.3%
Supplies	\$624,000	\$552,792	\$225,000	\$73,993	\$151,007	32.9%
Capital Purchases	\$385,000	\$296,614	\$400,000	\$76,976	\$323,024	19.2%
Small Equipment Purchases	\$0	\$0	\$11,000	\$0	\$11,000	0.0%
Equipment Rental	\$0	\$0	\$50,000	\$0	\$50,000	0.0%
Equipment Maintenance	\$236,240	\$196,809	\$505,000	\$26,882	\$478,118	5.3%
Safety	\$58,985	\$33,676	\$53,000	\$6,689	\$46,311	12.6%
Miscellaneous	\$22,000	\$14,435	\$13,000	\$0	\$13,000	0.0%
Materials	\$232,000	\$79,073	\$475,000	\$119,341	\$355,659	25.1%
<b>Total GDU O &amp; M</b>	<b>\$5,984,831</b>	<b>\$5,335,606</b>	<b>\$4,187,000</b>	<b>\$765,854</b>	<b>\$3,421,146</b>	<b>18.3%</b>
<b>MR&amp;I Fund</b>						
Salaries & Benefits	\$73,000	\$71,839	\$82,000	\$17,537	\$64,463	21.4%
State Administration	\$103,835	\$57,058	\$153,000	\$12,079	\$140,921	7.9%
MR&I Project Expenditures	\$27,000,000	\$25,292,604	\$20,000,000	\$71,045	\$19,928,955	0.4%
<b>Total MR&amp;I Fund</b>	<b>\$27,176,835</b>	<b>\$25,421,501</b>	<b>\$20,235,000</b>	<b>\$100,661</b>	<b>\$20,134,339</b>	<b>0.5%</b>
<b>RRV Water Supply Project</b>						
Right of Way	\$90,000	\$88,594	\$1,000,000	\$66,223	\$933,777	6.6%
Design/Construction in Progress	\$27,950,000	\$27,923,627	\$24,000,000	\$936,071	\$23,063,929	3.9%
Salaries & Benefits	\$0	\$0	\$0	\$0	\$0	0.0%
Professional Services	\$520,000	\$513,483	\$400,000	\$6,027	\$393,973	1%
Financing/Legal/Administration	\$505,000	\$500,349	\$400,000	\$5,088	\$394,912	1.3%
Other Engineering	\$15,000	\$13,134	\$0	\$939	(\$939)	0.0%
Debt Payments	\$331,491	\$331,491	\$0	\$0	\$0	0%
Principal	\$308,201	\$308,201	\$0	\$0	\$0	0.0%
Interest	\$23,290	\$23,290	\$0	\$0	\$0	0.0%
<b>Total RRVWSP</b>	<b>\$28,891,491</b>	<b>\$28,857,195</b>	<b>\$25,400,000</b>	<b>\$1,008,321</b>	<b>\$24,391,679</b>	<b>4.0%</b>
<b>TOTAL ALL FUNDS</b>	<b>\$68,103,497</b>	<b>\$64,436,481</b>	<b>\$55,069,475</b>	<b>\$2,690,167</b>	<b>\$52,379,308</b>	<b>4.9%</b>

<b>GARRISON DIVERSION CONSERVANCY DISTRICT RESERVES STATEMENT December 31, 2022</b>	
<b>OPERATING RESERVE</b>	
Operating Reserve authorized to be established in the amount of \$300,000.00 per resolution of the Board dated January 15, 1970. Limit changed to \$330,000 by Board action on January 6, 1995. Reserve cap removed by Board action July 2, 1997.	\$5,331,886.41
<b>O&amp;M EMERGENCY RESERVE</b>	
O&M Emergency Reserve to be established in the amount of \$500,000.00 by Article 13 (a) of the Master Contract and by action taken by the Board dated January 16, 1970. Limit changed to \$1,500,000.00 July 1980. Reserve capped at \$822,817.55 by Board action July 2, 1997.	750,000.00
<b>DEFICIENCY RESERVE</b>	
Deficiency Reserve to be established in the amount of \$750,000.00 by Article 13 (b) of the Master Contract. Limit changed to \$1,500,000.00 July 1980. Reserve capped at \$802,287.54 by Board action July 2, 1997.	750,000.00
<b>PROJECT DEVELOPMENT RESERVE</b>	
Project Development Reserve to be established in the amount of \$750,000.00 by resolution of the Board dated July 17, 1969. Limit changed to \$1,000,000.00 July 1982. Reserve capped at \$915,592.98 by Board action July 2, 1997.	915,592.98
<b>TOTAL GARRISON DIVERSION CONSERVANCY DISTRICT RESERVES</b>	<b>\$7,747,479.39</b>



Garrison Diversion Conservancy District Funds in Bank of North Dakota February 28, 2023				
Fund	Account Name/Reserve	Interest Rate	Maturity Date	Balance
General	Checking Account	0.45%		\$ 353,700.12
General	Water Assistance Grant Matching	0.45%		\$ 87,117.00
General	Money Market Deposit Account	0.45%		\$ 5,448,304.25
General	Water Assistance Grant Reserve	0.45%		\$ 332,738.70
General	Accrued Leave-Operating Reserve	0.45%		\$ 179,559.71
<b>Total Deposits</b>				<b>\$ 6,401,419.78</b>

Garrison Diversion Conservancy District Funds in First International Bank & Trust February 28, 2023				
Fund	Account Name/Reserve	Interest Rate	Maturity Date	Balance
General	CD 118848-O&M Emergency Res.	0.50%	03/29/23	\$ 350,000.00
General	CD 119561-O&M Emergency Reserve	0.19%	04/01/23	\$ 83,682.45
General	CD 119070-Operating Reserve	0.50%	04/17/23	\$ 820,000.00
General	CD 118954	0.50%	04/19/23	\$ 500,000.00
General	CD 119130	0.50%	05/18/23	\$ 1,000,000.00
General	CD 118850-Operating Reserve	0.40%	07/20/23	\$ 50,500.00
General	CD 119210	2.00%	09/09/23	\$ 2,500,000.00
General	CD 80120161	2.25%	09/19/23	\$ 1,000,000.00
General	CD 119245	2.25%	09/30/23	\$ 1,000,000.00
General	CD 118955-Project Development	4.05%	10/19/23	\$ 350,000.00
General	CD 119434-Deficiency Reserve	0.50%	11/30/23	\$ 175,854.00
General	CD 118849-Deficiency Reserve	0.40%	01/29/24	\$ 200,000.00
General	CD 80120162	2.35%	03/19/24	\$ 1,000,000.00
General	CD 80120163	2.50%	09/19/24	\$ 1,000,000.00
<b>Total Investments</b>				<b>\$ 10,030,036.45</b>
General	Recreation Matching-Operating Reserve	1.00%		\$ 1,557,159.73
General	Money Market Funds	1.00%		\$ 14,311.53
General	Recreation Reserve-Operating Reserve	1.00%		\$ 1,714,811.27
<b>Total Money Market Funds</b>				<b>\$ 3,286,282.53</b>
<b>Total Deposits</b>				<b>\$ 13,316,318.98</b>
<b>Pledging</b>	Total Deposits			\$ 13,316,318.98
	Less:FDIC Coverage			(250,000.00)
	Deposit Balance to Secure			13,066,318.98
	Less: Pledging			16,624,375.05
<b>Pledging Excess</b>				<b>\$ 3,558,056.07</b>

<b>BREMER BANK DEPOSIT AND PLEDGING SUMMARY February 28, 2023</b>					
<i>Account Type</i>	<i>Balance</i>	<i>Interest Rate</i>	<i>Maturity Date</i>	<i>Deposit Insurance / Pledging Status</i>	
<b><i>Demand Deposit Accounts</i></b>					
<b>Non-Interest Bearing Checking Accounts</b>				Total Demand Deposits	\$1,717,102.40
				Less: FDIC Insurance Coverage	250,000.00
xxxx61	Operations & Maintenance Fund	285,173.53	0.00%	Demand Deposit Balance to Secure	\$1,467,102.40
xxxx52	Red River Valley Water Supply	1,431,928.87	0.00%	x 110%	1.10
<b>Total Demand Deposits</b>				<b>Pledging Required on Demand Deposits</b>	<b>\$1,613,812.64</b>
<b><i>Time and Savings Deposits</i></b>					
<b>Interest Bearing Checking</b>					
xxxx34	Irrigation Fund	191,443.11	0.45%		
xxxx62	M R & I Working Fund	4,599.95	0.45%		
<b>Total Interest Bearing Checking Balance</b>				<b><u>196,043.06</u></b>	
<b>Savings Accounts</b>					
xxxx41	O&M - Accrued Leave Reserve	154,047.88	1.00%		
xxxx63	Irrigation - Debt Service Reserve	289,133.10	1.00%		
<b>Total Savings Balance</b>				<b><u>443,180.98</u></b>	
<b>Certificates of Deposit</b>					
xxx907-1	Certificate of Deposit-Operating Reserve	542,000.00	4.00%	3/1/2024	
xxx906-1	Certificate of Deposit-Deficiency Reserve	250,000.00	4.00%	3/1/2024	
xxxx803-1	Certificate of Deposit	1,000,000.00	0.75%	4/11/2023	
xxx591-1	Certificate of Deposit-OM Emergency Res.	210,000.00	0.35%	4/24/2023	
xxxx106	Certificate of Deposit-OM Emergency Res.	106,317.55	0.80%	5/22/2023	
xxxx933-1	Certificate of Deposit-Project Dev Reserve	313,538.98	0.35%	8/30/2023	
xxxx0394	Certificate of Deposit-Operating Reserve	47,000.00	0.65%	2/20/2024	
xxxx8862	Certificate of Deposit-Project Dev Reserve	252,054.00	0.65%	2/24/2024	Total Time & Savings Deposit Account Balance
xxxx1061	Certificate of Deposit-Deficiency Reserve	124,146.00	0.65%	2/24/2024	Less: FDIC Insurance Coverage
<b>Total CD Balance</b>				<b><u>2,845,056.53</u></b>	
<b>Total Time &amp; Savings Deposit Account Balance</b>				<b>\$3,484,280.57</b>	
				Time & Savings Deposit Balance to Secure	
				x 110%	
				1.10	
<b>Total Time &amp; Savings Deposit Account Balance</b>				<b>Pledging Required on Time &amp; Savings Deposits</b>	
<b>Total Deposits</b>				<b>\$3,557,708.63</b>	
<b>Total Deposits</b>				<b>Total Pledging Required on all Deposits</b>	
<b>Total Deposits</b>				<b>\$5,171,521.27</b>	
				<b>Pledged Security at Wells Fargo</b>	
				<b>\$9,435,068.00</b>	
				<b>Pledging Excess</b>	
				<b>\$4,263,546.73</b>	

**GARRISON DIVERSION CONSERVANCY DISTRICT  
GDCD RECREATION GRANT PROGRAM  
OUTSTANDING PROJECTS  
July 1, 1990 to January 31, 2023**

23-19

COUNTY	PROJECT	GRANT APPROVAL DATE	OUTSTANDING PROJECTS	PROJECTS APPROVED 2023	EXPENDITURES 04-23-15 to 12-31-2022	EXPENDITURES 1-1-23 to 02-28-23	AMOUNTS RETURNED TO PROGRAM	BALANCE REMAINING 02-28-23
Barnes	Sheyenne River Water Trail	04-29-21	\$ 51,005.00					\$ 51,005.00
Bottineau	Kramer City Park	09-28-22	\$ 21,250.00					\$ 21,250.00
Bottineau	T-Bar Lift at Winter Park	09-28-22	\$ 75,000.00			\$ 75,000.00		\$ -
Burleigh	Steckel Boat Landing Picnic Shelter	04-29-21	\$ 6,000.00					\$ 6,000.00
Burleigh	4H Arena Play Area	09-23-21	\$ 31,291.00					\$ 31,291.00
Burleigh	Sibley Campground Electrical Updates	09-23-21	\$ 36,746.00			\$ 35,042.35		\$ 1,703.65
Burleigh	American Legion Splash Pad	09-28-22	\$ 30,000.00			\$ 17,232.25		\$ 12,767.75
Burleigh	Wilton North Park Pickle Ball Court	09-28-22	\$ 2,395.00			\$ 958.10		\$ 1,436.90
Cass	RRV Fair Campground Phase I	05-06-20	\$ 4,721.00					\$ 4,721.00
Cass	Casselton Parks Revitalization	10-01-20	\$ 1,995.00		\$ 605.00			\$ 1,390.00
Cass	Casselton Shared Use Path	09-23-21	\$ 50,000.00					\$ 50,000.00
Cass	Mapleton Shared Use Path	09-23-21	\$ 50,000.00					\$ 50,000.00
Cass	Brewer Lake Water Hook-ups	03-30-22	\$ 638.00					\$ 638.00
Cass	Tinta Tawa Park Restroom	03-30-22	\$ 9,575.00					\$ 9,575.00
Cass	West Fargo Park District Playground Imp	09-28-22	\$ 16,145.00					\$ 16,145.00
Dickey	West Side Park Playground	04-29-21	\$ 7,520.00					\$ 7,520.00
Dickey	Ellendale Baseball Grandstand Reno	09-28-22	\$ 20,000.00					\$ 20,000.00
Dickey	Wilson Dam Picnic Shelter Renovation	09-28-22	\$ 1,778.00					\$ 1,778.00
Eddy	Warming House/Boat Rental Building	04-29-21	\$ 5,750.00					\$ 5,750.00
Foster	Foster County Fairgrounds Picnic Shelter	09-23-21	\$ 5,191.00					\$ 5,191.00
Foster	Baseball/Softball Diamond Renovations	03-30-22	\$ 75,000.00		\$ 12,507.93			\$ 62,492.07
Foster	Carrington West Park Renovation	03-30-22	\$ 61,202.00		\$ 22,500.00			\$ 38,702.00
Grand Forks	Bringewatt Park Water Station	09-23-21	\$ 10,000.00					\$ 10,000.00
Grand Forks	Kraft Field Grandstand Replacement	09-28-22	\$ 75,000.00					\$ 75,000.00
Grand Forks	Manvel Community Park Improvement	09-28-22	\$ 12,699.00					\$ 12,699.00
Griggs	Binford Park Playground Update	03-30-22	\$ 2,950.00					\$ 2,950.00
Griggs	Binford Rodeo Asso Community Centre	09-28-22	\$ 75,000.00					\$ 75,000.00
LaMoure	Sunset Park Revitalization Phase II	05-06-20	\$ 45,000.00		\$ 27,025.23			\$ 17,974.77
McHenry	Upham Park Improvement	04-29-21	\$ 9,125.00		\$ 8,627.75			\$ 497.25
McHenry	Splash Pad	09-23-21	\$ 19,838.00		\$ 1,725.00			\$ 18,113.00
McLean	Walking/Bike Path Underwood	05-06-20	\$ 15,668.00					\$ 15,668.00
McLean	Lakeside Park Gazebo/Riverdale	04-29-21	\$ 1,500.00					\$ 1,500.00
McLean	Playground Equipment-Coleharbor	09-23-21	\$ 23,460.00			\$ 5,865.00		\$ 17,595.00
McLean	Garrison Softball Field Renovation	09-28-22	\$ 75,000.00					\$ 75,000.00
Nelson	Tolna City Park Restrooms	10-03-18	\$ 21,933.00					\$ 21,933.00
Nelson	Stump Lake Playground	03-30-22	\$ 13,869.00			\$ 11,833.89	\$ (2,035.11)	\$ -
Nelson	Lakota Wading Pool	09-28-22	\$ 51,030.00					\$ 51,030.00
Pierce	Buffalo Lake Camp Site	04-29-21	\$ 3,250.00		\$ 1,930.06			\$ 1,319.94
Pierce	Barton Park Picnic Tables/Play Gym	09-23-21	\$ 1,250.00					\$ 1,250.00
Ramsey	Roosevelt Park Activity Building	09-28-22	\$ 75,000.00					\$ 75,000.00
Ransom	Dead Colt Walkway	04-29-21	\$ 23,750.00					\$ 23,750.00
Ransom	Sheldon Pickle Ball/BB Courts	03-30-22	\$ 5,262.00					\$ 5,262.00
Renville	Mouse River Park Campground Electrical	09-23-21	\$ 3,750.00			\$ 3,750.00		\$ -
Renville	Mohall Splash Pad	09-28-22	\$ 20,000.00			\$ 14,197.50		\$ 5,802.50
Richland	City Park Improvement-Abercrombie	04-29-21	\$ 34,682.00					\$ 34,682.00
Richland	Campground-Hankinson Park Board	04-29-21	\$ 29,984.00					\$ 29,984.00
Richland	Chaninkapa Park Multipurpose Shelter	03-30-22	\$ 42,000.00					\$ 42,000.00
Richland	Manatador Park Softball Dugouts	03-30-22	\$ 2,000.00					\$ 2,000.00
Richland	Wynndmere Park Board	03-30-22	\$ 10,728.00					\$ 10,728.00
Sargent	Silver Lake Bath House	05-06-20	\$ 6,377.00					\$ 6,377.00
Sargent	North View Playground Milnor	03-30-22	\$ 14,210.00					\$ 14,210.00
Sargent	Gwinner Aquatic Center	09-28-22	\$ 75,000.00			\$ 19,962.50		\$ 55,037.50
Sheridan	Hoffer Lake Beach & Swimming Develop.	09-23-21	\$ 4,093.00					\$ 4,093.00
Steele	City Park Development-Colgate	04-29-21	\$ 6,250.00					\$ 6,250.00
Stutsman	Park Bench Project-Stutsman County	04-29-21	\$ 3,113.00					\$ 3,113.00
Stutsman	Electrical Upgrades for Campers	09-23-21	\$ 1,750.00					\$ 1,750.00
Stutsman	Field Renovation Phase I	09-28-22	\$ 75,000.00					\$ 75,000.00
Stutsman	Jamestown Reservoir Vault Toilet	09-28-22	\$ 6,204.00					\$ 6,204.00
Traill	Riverwalk Park & Trail System	05-06-20	\$ 89,973.00					\$ 89,973.00
Traill	Galesburg Playground	03-30-22	\$ 22,595.00		\$ 21,880.00			\$ 715.00
Traill	Hillsboro Park District	03-30-22	\$ 31,500.00			\$ 31,500.00		\$ -
Ward	West Park-State Fair	05-06-20	\$ 26,450.00		\$ 21,861.60			\$ 4,588.40
Ward	Rice Lake Pavilion	05-06-20	\$ 26,950.00					\$ 26,950.00
Ward	Ward County Parks 2022	03-30-22	\$ 10,632.00					\$ 10,632.00
Ward	11th & 11th Park Playground	09-28-22	\$ 21,875.00					\$ 21,875.00
Ward	Swimming Pool & Bathhouse	09-28-22	\$ 75,000.00					\$ 75,000.00
Williams	Confluence Beautification	05-06-20	\$ 3,675.00					\$ 3,675.00
Williams	McGregor Dam Vault Toilet	04-29-21	\$ 17,500.00					\$ 17,500.00
Williams	Confluence Ramp	04-29-21	\$ 4,750.00					\$ 4,750.00
Williams	Coyote Clay Target League Range	03-30-22	\$ 55,872.00					\$ 55,872.00
Williams	Wildrose Community Garden	03-30-22	\$ 1,000.00					\$ 1,000.00
Williams	BlackTail Beach Trail	09-28-22	\$ 22,500.00					\$ 22,500.00
Williams	Tioga Dam Trail & Park	09-28-22	\$ 24,000.00					\$ 24,000.00
<b>TOTALS</b>			<b>\$1,893,199.00</b>	<b>\$0.00</b>	<b>\$118,662.57</b>	<b>\$215,341.59</b>	<b>(\$2,035.11)</b>	<b>\$ 1,557,159.73</b>

GARRISON DIVERSION CONSERVANCY DISTRICT						
Tax Collections Statement						
For Two Months Ending February 28, 2023						
County	2023 Tax Levy Budget	2023 Tax Collections	Balance of Tax Levy Budget	2023 State Aid Budget	2023 State Aid	Balance State Aid Budget
Barnes	\$77,000	\$41,280	35,720	\$4,000	\$1,003	\$2,997
Benson	32,000	20,308	11,692	3,000	687	\$2,313
Bottineau	55,000	27,265	27,735	3,000	829	\$2,171
Burleigh	490,000	362,354	127,646	22,000	5,816	\$16,184
Cass	904,000	563,950	340,050	42,000	11,270	\$30,730
Dickey	41,000	22,164	18,836	3,000	812	\$2,188
Eddy	13,000	7,344	5,656	2,000	452	\$1,548
Foster	27,000	15,483	11,517	5,000	1,352	\$3,648
Grand Forks	290,000	165,374	124,626	9,000	2,345	\$6,655
Griggs	19,000	9,404	9,596	2,000	451	\$1,549
LaMoure	40,000	25,498	14,502	3,000	815	\$2,185
McHenry	46,000	21,650	24,350	2,000	477	\$1,523
McKenzie	321,000	59,727	261,273	23,000	6,028	\$16,972
McLean	75,000	45,019	29,981	6,000	1,578	\$4,422
Nelson	24,000	13,651	10,349	2,000	440	\$1,560
Pierce	31,000	16,853	14,147	2,000	588	\$1,412
Ramsey	57,000	34,212	22,788	4,000	1,084	\$2,916
Ransom	36,000	20,163	15,837	-	-	\$0
Renville	22,000	15,014	6,986	2,000	525	\$1,475
Richland	95,000	60,257	34,743	-	-	\$0
Sargeant	34,000	8,329	25,671	2,000	286	\$1,714
Sheridan	14,000	9,550	4,450	3,000	776	\$2,224
Steele	28,000	16,674	11,326	2,000	378	\$1,622
Stutsman	120,000	70,893	49,107	6,000	1,637	\$4,363
Traill	53,000	38,419	14,581	3,000	751	\$2,249
Ward	302,000	191,166	110,834	15,000	3,929	\$11,071
Wells	40,000	24,865	15,135	3,000	669	\$2,331
Williams	364,000	144,453	219,547	7,000	1,759	\$5,241
<b>Totals</b>	<b>\$ 3,650,000</b>	<b>\$2,051,319</b>	<b>\$ 1,598,681</b>	<b>\$ 180,000</b>	<b>\$ 46,737</b>	<b>\$ 133,263</b>

# Bureau of Reclamation Activities

Garrison Diversion Executive Board of Directors Meeting  
March 9, 2023

## Municipal, Rural, and Industrial Program

### Rural Water Budgets:

Rural Water Budgets	Final FY 2022*	FY2023*
<b>GDU</b>	81.357	40,425
<b>State</b>	51.177	16.000
<b>Tribe</b>	30.180	24.425
<b>Lewis &amp; Clark</b>	97.414	78.600
<b>Fort Peck</b>	24.191	15.000
<b>Rocky Boys</b>	76.004	97.321
<b>Musselshell- Judith</b>	37.000	27.600
<b>E NM</b>	177.400	96.140
<b>Total</b>	<b>493.366</b>	<b>355.086</b>

\*Includes BIL funding and additional earmarked funding

### State Municipal Rural and Industrial Program

#### Northwest Area Water Supply (NAWS)

Construction activities are nearing completion for Contract 7-1B (Minot Water Treatment Plant Improvements), the distribution pipeline Contract 2-4D, and the Lansford Reservoir and Pipeline (Contract 4-3A/5-3A). Construction is ongoing for Contract 7-2A/4-1A Biota Water Treatment Plant Phase I and the South Prairie Reservoir and Hydraulic Control Structure (Contract 5-1A/B).

Bids were opened on September 22, 2022, for Phase I of the Snake Creek Intake Modifications project (Contract 6-1A). Only one bid was received, and it was significantly more than the engineer's estimate, so it was decided not to award a contract. Reclamation worked with the State to break the Phase I tasks into smaller contract and procurement contracts as a means to generate more interest and competitive bids to achieve the work. Bid opening for the demolition work within the Snake Creek Pumping Plant (SCPP) occurred in December 2022, with Reclamation providing concurrence on the award on December 29, 2022, with mobilization to take place shortly. Bids were received on the Procurement Contract and Reclamation provided concurrence on their award on December 29, 2022. Bids were also received for the Construction Contract of the project in January 2023, with Reclamation working on providing concurrence of the award. Reclamation and the North Dakota Department of Water Resources have fully executed the Special Use Permit to allow the NAWS project to use this facility.

Reclamation has reviewed the 95 percent design plans and specifications for review for the Bottineau Reservoir and Booster Pump Station (Contract 5-4A/B) and granted approval to advertise the project for bid. The State will advertise for bid when funding becomes available.

Reclamation is also drafting an Operations & Maintenance agreement for the NAWS Biota Water Treatment Plant. The Department of Water Resources and the City of Minot will be parties to this cooperative agreement. The goal is to have an agreement in place prior to the start-up of the Biota Water Treatment Plant which is anticipated in 2024.

### **Eastern North Dakota Alternate Water Supply**

Reclamation, Garrison staff, and Garrison's consultant met with representatives from the Fish & Wildlife Service at Audubon refuge to discuss the proposed pipeline alignment and options for routing the pipeline in areas where the Service has wetland easements. Discussions on this topic will continue to ensure compliance with National Environmental Policy Act (NEPA) commitments. The purchase of easements for this project has been included in the cooperative agreement as an approved activity.

### **Southwest Pipeline Project**

Contract 1-2A, Supplementary Raw Water Intake – The marine and pipe contractors encountered some unanticipated issues with the horizontal drilling which delayed progress. The contractor decided to demobilize and restart the effort next construction season. Additional geotechnical assessments are planned, and Reclamation is working with the sponsor and U.S. Army Corps of Engineers to complete additional environmental and cultural reviews as required for this effort. Reclamation participates in bi-weekly coordination calls on this project with the sponsor, U.S. Army Corps of Engineers, and others.

### **Cooperative Agreement**

Reclamation and Garrison Diversion's working relationship for the State Municipal, Rural, and Industrial (MR&I) Program is defined by the terms of a Cooperative Agreement (R17AC00049). Sixteen modifications have been completed for this agreement for the purposes of adding construction projects, engineering projects, and/or obligating funds to the agreement. Reclamation is working with Garrison and the State to prepare a modification for the obligation of FY2023 appropriations to this agreement.

In FY2022, \$33,545,000 in Bipartisan Infrastructure Legislation (BIL) was allocated to the State MR&I Program. A new cooperative agreement which will include BIL funded projects is being prepared by Reclamation's Regional Office. The FY22 BIL funds and the additional \$5,000,000 in FY23 BIL funding will be obligated to this new agreement for design and construction tasks associated with Phase II of the NAWS Biota Water Treatment Plant (WTP).

Reclamation received a request for a waiver of the Buy American requirement associated with the Biota WTP Phase I construction contract. Dakotas Area Office submitted the waiver request for review. The review process includes Reclamation, Interior, and the Office of Management and Budget. Reclamation's General Waiver expired on January 12, 2023, at which point the Buy America requirements apply. Review comments were received from Reclamation's Policy Office and Dakotas Area Office (DKAO) staff worked with the State and Garrison to resolve the comments. The responses were submitted to the Policy office and DKAO will keep Garrison and the State updated on any additional feedback received on the waiver request.

## **Indian MR&I Program**

**Standing Rock MR&I System**

The Tribe has awarded the Standing Rock Water Treatment Plant Membrane Equipment Procurement project to WesTech Engineering, Inc., from Salt Lake City, Utah, in the amount of \$1,033,556.51. These ceramic membranes will be used to increase the water treatment capacity of the Standing Rock Water Treatment Plant from 3 MGD to 5 MGD. Bartlett & West is the engineer for this project. Change Order No. 1 has been processed, upgrading clean in place (CIP) and backwash pumps and increased the contract by \$117,391.78 for a total contract price of \$1,150,948.29. Bartlett & West has designed and prepared plans and specifications for the installation of the procured membranes. The installation contract was bid on February 11, 2021, with no bidders. The Installation Contract was readvertised with a bid opening of March 16, 2021. The Installation Contract received three bids with the low bid coming from American General Contractors, Inc. of Valley City, North Dakota in the amount of \$2,021,350.87. Notice to Proceed was issued on August 5, 2021. The Substantial Completion Date is March 31, 2022. Due to several of the construction supplies having long lead times, the Substantial Completion date will not be met. The ceramic membranes were delivered to the Standing Rock Water Treatment Plant on November 16, 2021. The latest update to the construction schedule indicates a completion in July 2023.

The demolition of the Fort Yates Water Treatment Plant and intake was advertised on October 29, 2021, with a bid opening held on November 30, 2021. There was one bid received in the amount of \$2,961,634.91 from Wagner Construction. This bid is \$1,471,928.36 below the Technical Service Center engineer's estimate of \$4,433,563.27. Wagner Construction is currently in the process of submitting the submittals required by the contract specifications. The work includes the demolition of the Water Treatment Plant and associated features, the demolition of the intake site, and the reclamation of the lagoons and ponds. These features have been decommissioned from the Standing Rock Rural Water System and no longer serve a purpose. The Technical Service Center completed the 100 percent plans and specifications, and the Tribe's engineer (Bartlett & West) will be administering the contract. The award of the Fort Yates Demolition project to Wagner Construction was approved at the February Tribal Council meeting and contract documents have been executed. A pre-construction conference was held on March 30, 2022. Construction began with reclamation of the lagoons and ponds in late October 2022 and continued into December when Wagner shut down due to adverse weather conditions.

Construction Contract 4-1 Schedule 1 was bid on July 7, 2022, with two bidders. The low bidder was Carstensen Contracting with a bid of \$4,147,931.08. This project includes installation of approximately 126,420 lineal feet of 2 inch through 4 inch diameter ASTM D2241 gasketed joint PVC pipe, connection of 24 services, an 8 inch water line relocation, wet tap tie-ins, road and stream crossings and all other related appurtenances. The final completion date is July 31, 2023. Carstenson Contracting started construction in late October 2022 and worked into December when they had to shut down due to adverse weather conditions.

Construction Contract Kenel to State Line project was bid on April 22, 2022, with Storms Construction as the only bidder. Storms Construction's bid of \$5,330,759.91 was \$253,080.09 lower than the engineers estimate. Reclamation has a cost share in this project of \$144,500. The remaining funding was a U.S. Department of Agriculture (USDA) grant. This project includes installation of 54,013 feet of 6 inch PVC SDR 17 water main, 1,458 feet of 12 inch yelomine

directional drilled casing, 4,845 feet of 6 inch HDPE directionally drilled piping, 36 air release valve pits with 560 feet of 1 inch PE 250 psi piping, 1 inch corporation stops and 1 inch curb stops, 2 pressure reducing valve vaults, 18 - 6 inch gate valves, 13 - 1 inch stainless steel saddle with 1 inch corporation stop, 14 - 1 inch curb stops, 1,294 feet of 1 inch HDPE 250 psi, 1,120 feet of 1 inch HDPE 200 psi, 1 - 1 ½ inch stainless steel saddle with corporation stop, 1 - 1 ½ inch curb stop, 940 feet 1 ½ inch PVC SDR 17, 15 meter pits, 6 - 2 inch flush hydrants, 100 feet of 1 inch HDPE non cased directional drilling, 1,000 feet of 2 inch HDPE non cased directional drilling, 7,200 feet of 4 inch PVC SDR 17, 4 inch gate valve, 4 inch flush hydrant, 85 feet of 8 inch yelomine bored casing, 388 feet of 4 inch yelomine bored casing and related materials and appurtenances. The pre-construction conference was held on August 4, 2022, and the notice to proceed was issued on August 10, 2022. The contract documents indicate the final completion date shall be no later than 250 calendar days after the notice to proceed. Storms Construction began installing the pipeline in August 2022.

### **Spirit Lake MR&I System**

Preliminary design and right-of-way acquisitions continued on several projects including: Tokio Service Area, Service to Warwick School, and Warwick Service Area.

Fort Totten Community Upgrades' design has been completed by Indian Health Service (IHS). The project was bid in May, after the Grant of Right of Way was received from the Bureau of Indian Affairs (BIA). The low bidder was Storms Construction with a bid of \$3,106,992.07.

Reclamation staff has continued to work with the Tribe's operators to help resolve operation and maintenance issues with the B6 Booster Station, the St. Michael control vault, and the Water Treatment Plant.

### **Fort Berthold Rural Water System (FBRWS)**

The categorical exclusion checklist (CEC) for constructing an access road to the South Mandaree Intake site is paused until a workable route is found. Corps of Engineers permit applications are being worked on for the proposed Wolf Chief Bay raw water intake (South Segment) and Deep Water raw water intake (Parshall-Lucky Mound). The new intakes would be used for FBRWS MR&I purposes, with the primary use being for Industrial purposes.

A new 1,000 gpm ceramic membrane water treatment plant is going to be constructed in the West Segment, called the Bruce A. Fox Mandaree Water Treatment Plant, located about 2.5 miles north-northeast of the existing WTP. Its estimated cost is over \$20 million, far exceeding the funds available under the existing, authorized FBRWS construction ceiling. The Tribal Business Council passed a resolution that authorizes Tribal funds (non-Federal) for the project. The Tribe is covering most of the cost and want those costs to be reimbursable if/when a new Dakota Water Resources Act of 2000 (DWRA) construction ceiling is authorized.

Plans are underway to increase the capacity of the existing Four Bears WTP, from 750 gpm to 1,000 gpm and to construct a new larger capacity ground storage tank, located near Dragswolf, which would replace the existing Dragswolf tank. The Tribal Business Council passed a resolution that authorizes Tribal fund (non-Federal) for the projects. The Tribe is covering



most of the cost and want those costs to be reimbursable if a new construction ceiling is authorized.

### **Turtle Mountain Rural Water System**

Contract 3-2 Membrane Treatment Improvements - The membrane treatment project will address the formation of disinfection by-products caused by an organic component in the source ground water. Project re-advertised in September 2019, with two responsible bidders submitting bids, with apparent low bidder being approximately \$1 million over. Consultant negotiated with low bidder, and project was awarded in July 2020. Construction began fall 2020 with the project approaching substantial completion.

Contract 2-4 Thorne Reservoir and Booster Station – This project includes the construction of a 500,000-gallon raw water reservoir and booster pumping station, which will help to meet pressure and quantity demands on the system and will increase the efficiencies of the well field pumps. This project was advertised spring 2020, with all bids being \$3 million plus above engineer’s estimate. Consultant amended the Plans & Specs, and re-advertised fall 2020. Negotiations with contractor took place with the project being awarded spring 2021. Construction has begun with the foundation and walls of pump station being completed. Interior work continued through the winter with excavation of reservoir currently taking place with substantial completion scheduled for this spring.

Contract 1-10 Highway 43 Corridor Phase 3 – This project continues to add main line and service connections along Highway 43 west of the Lake Upsilon area (Phase 2). This project will complete a loop in the system to ensure reliable service to the community. Design is complete. Turtle Mountain worked with Rollet County as a project sponsor to secure North Dakota state grant funding. Project was advertised and awarded on August 10, 2022, with construction taking place this summer and construction being approximately 50 percent complete before winter shut down.

Contract 4-2 Belcourt Sewer and Water Phase 4 – This project will replace aging existing water and sewer lines within Belcourt. It does not have any Bureau of Reclamation funding. It was awarded and began construction in May 2022. Construction took place this summer and is approximately 70 percent complete.

Contract GP-20-J85 San Haven Water Main Replacement – Replacement of water main in the vicinity of San Haven. Plans and Specs were delivered to Reclamation for review, and comments were provided. The project was advertised and awarded in July 2022 with construction started.

### **Trenton Indian Service Area**

The Hilltop Water and Sewer Replacement and Pressure Reducing Valve (PRV) Vault project was awarded to Teraflex Group, LLC for \$495,835 and construction work was started summer 2018. The project installed 2539 LF of water line and will replace the existing Booster Station B with a PRV to connect to the existing Western Area Water Supply mainline. User agreement with Western Area Water Supply is still being negotiated, with work on the PRV to be completed when agreement is finalized.

## Principal Supply Works

### Repayment Contract

Reclamation continues to collaborate with Garrison Diversion on the Municipal and Industrial (M&I) pricing for the capital repayment of the Garrison Diversion Unit Project. On June 29, 2022, Regional Director presented Garrison Diversion with a repayment cost of \$47,501 per cubic feet per second. Garrison Diversion did not accept the repayment cost presented and will be coordinating with North Dakota congressional staff for protentional legislation.

### Snake Creek Pumping Plant (SCPP)

Reclamation continues discussion with the U.S. Army Corps of Engineers on the Snake Creek embankment foundation concerns. Reclamation has signed to be a cooperating agency with the Corps of Engineers in preparing their Dam Safety Modification Study and National Environmental Policy Act (NEPA) review. The draft Environmental Assessment public comment period is through February 26, 2023. The agency and public meetings were held at SCPP on February 16, 2023. The preferred alternative removes the 43 feet reservoir restriction and focuses any future reservoir restrictions to be based on embankment performance data at the time. Reclamation and Garrison Diversion continue to prepare a feasibility design and cost estimate to provide water to Snake Creek Pumping Plant and the McClusky Canal should a Lake Audubon restriction be implemented.

### McClusky and New Rockford Canals

Reclamation and Garrison Diversion collaborated to finalize Garrison Diversion's 2023 workplan and budget.

## Irrigation

### Jamestown Dam

The Emergency Action Plan meeting is scheduled on March 22, 2023, in Jamestown Dam. The Annual James River Operations Meeting is scheduled for April 11, 2023, also in Jamestown.

### Turtle Lake and McClusky Canal Irrigation Areas

Reclamation and Garrison Diversion executed the irrigation repayment contract to increase the 2023 irrigated acres by 595 acres, to a total of 7,842.6. Reclamation will be modifying the project use power contract to include these acres for the 2023 irrigation season.

### Standing Rock Irrigation Project

The Tribe encountered sediment in the wet well at their Cannonball Irrigation intake. Emergency inspection of the intake was completed last fall. Reclamation worked with the Tribe to submit a FY23 Aging Infrastructure request through the Bipartisan Infrastructure Law funding for embankment stabilization repairs at Eagle Unit. Reclamation, Tribe and the irrigator met in early February to discuss plans for this year and highest priorities were pump replacements and intake modification at Cannonball Unit. At Eagle Unit a pipeline inspection of the 36" pipe to determine the integrity of it is in the schedule, since it has not been inspected since installation in 1985. Reclamation has worked with the Tribe and their irrigator to develop a long-term plan that

addresses the future of their three irrigation units. This plan is being used to explore the availability of funds to complete their efforts.

## **Recreation Development**

### **Chain of Lakes**

A camp host is being recruited for the 2023 recreation season. We have had two interested applicants to date. Interviews will be conducted in March. We are in the process of setting up a new interagency agreement for law enforcement with the National Park Service out of Knife River Indian Village for the recreation season. The McLean County sheriff contract is in place for the recreation season. McLean County sheriff has been paid for FY 22 services.

## **North Dakota Natural Resources Trust**

Nothing new to report

## **Wildlife Program**

### **Lonetree**

Dirt tour completed on September 15, 2022. New agreement is with Region.

### **Audubon**

Reclamation and Fish and Wildlife Service staff conducted the annual joint review of the Audubon Refuge mitigation features on September 7, 2022. New agreement is with Region.

### **Arrowwood**

Garrison Diversion is replacing fish barrier electrical wire connections.

### **Scattered Tracts**

The spring semi-annual coordination meeting is on March 14, 2023, at Lonetree. The final Memorandum of Agreement (MOA) to modify the 1986 agreement is going through the signature process and is with Fish and Wildlife Service. New agreement is with Region.

GARRISON DIVERSION CONSERVANCY DISTRICT						
MR&I Project Construction Report						
February 28, 2023						
Current Funding						
Project	Federal		Prior		2023	
	MR&I Funding	MR&I Fund Expenditures	MR&I Fund Expenditures	MR&I Fund Expenditures	Total Expenditures	MR&I Funding Remaining
ENDAWS	\$ 2,370,000.00	\$ 240,772.30	\$ 71,045.34	\$ 311,817.64		2,058,182.36
NAWS-Biota Treatment Plant	\$ 52,179,851.15	\$ 35,750,453.72		\$ 35,750,453.72		16,429,397.43
Biota WTP Ultra Violet Reactor	\$ 707,125.00	\$ 362,659.00		\$ 362,659.00		344,466.00
Biota WTP Dissolved Air Flotation Equip	\$ 1,843,870.00	\$ 80,500.00		\$ 80,500.00		1,763,370.00
NAWS-Westhope All Seasons III	\$ 4,186,000.00	\$ 3,415,729.46		\$ 3,415,729.46		770,270.54
NAWS-Glenburn to Renville	\$ 3,058,343.00	\$ 2,689,518.18		\$ 2,689,518.18		368,824.82
NAWS-Westhope to Souris River	\$ 3,514,026.00	\$ 3,210,130.47		\$ 3,210,130.47		303,895.53
NAWS-Souris Corner to Bottineau	\$ 3,000,000.00	\$ 2,943,369.46		\$ 2,943,369.46		56,630.54
<b>Totals</b>	<b>\$ 70,859,215.15</b>	<b>\$ 48,693,132.59</b>	<b>\$ 71,045.34</b>	<b>\$ 48,764,177.93</b>	<b>\$ 22,095,037.22</b>	

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION**

**STATE OF WEST VIRGINIA;  
STATE OF NORTH DAKOTA;  
STATE OF GEORGIA;  
STATE OF IOWA;  
STATE OF ALABAMA;  
STATE OF ALASKA;  
STATE OF ARKANSAS;  
STATE OF FLORIDA;  
STATE OF INDIANA;  
STATE OF KANSAS;  
STATE OF LOUISIANA;  
STATE OF MISSISSIPPI;  
STATE OF MISSOURI;  
STATE OF MONTANA;  
STATE OF NEBRASKA;  
STATE OF NEW HAMPSHIRE;  
STATE OF OHIO;  
STATE OF OKLAHOMA;  
STATE OF SOUTH CAROLINA;  
STATE OF SOUTH DAKOTA;  
STATE OF TENNESSEE;  
STATE OF UTAH;  
COMMONWEALTH OF VIRGINIA;  
STATE OF WYOMING;**

Plaintiffs,

v.

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY;  
MICHAEL S. REGAN**, in his official  
capacity as Administrator of the U.S.  
Environmental Protection Agency;  
**U.S. ARMY CORPS OF ENGINEERS;  
MICHAEL L. CONNOR**, in his official  
capacity as Assistant Secretary of the  
Army for Civil Works; **LTG SCOTT A.  
SPELLMON**, in his official capacity as  
Chief of Engineers and Commanding  
General, U.S. Army Corps of Engineers,

Defendants.

Case No. 3:23-cv-00032-PDW-ARS

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**DECLARATION OF DUANE DEKREY**

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I, Duane DeKrey, state and declare as follows:

1. My name is Duane DeKrey. I am over 21 years of age and am fully competent and duly authorized to make this Declaration. The facts contained in this Declaration are based on my personal knowledge and are true and correct.

2. I am the General Manager of Garrison Diversion Conservancy District (Garrison Diversion). Garrison Diversion was established in 1955 as a political subdivision and a state instrumentality to construct the Garrison Diversion Unit (GDU) facilities and develop municipal, rural and industrial (MR&I), recreation, hydroelectric power, irrigation and fish and wildlife interests pursuant to federal legislation. Garrison Diversion develops and manages water-related projects and supports MR&I projects throughout the western, central, and eastern regions of North Dakota.

3. As General Manager, I serve as the chief executive and management official of Garrison Diversion, reporting directly to its Board of Directors. My responsibilities include management of Garrison Diversion's various initiatives and business operations as well as supervision over its administrative and engineering teams.

4. Based on my position, I have personal knowledge and experience to understand many of the steps North Dakota must undertake in response to the U.S. Environmental Protection Agency's (EPA) and U.S. Army Corps of Engineers' (Corps) final rule entitled "Revised Definition of 'Waters of the United States'" (Final Rule), 88 Fed. Reg. 3004 (Jan. 18, 2023) (to be codified at 33 C.F.R. pt. 328 and 40 C.F.R. pt. 120) that becomes binding on March 20, 2023.

5. Congress enacted the Flood Control Act of 1944, which authorized construction of the Garrison Dam as well as the GDU principal supply works, consisting of a system of pumps and canals (GDU Project) to bring Missouri River water to eastern North Dakota. 16 U.S.C. § 460d. In exchange for allowing the federal government to flood 300,000 acres of rich, river valley lands within North Dakota, federal legislation authorized the State of North Dakota (State) to develop water supplies stored behind the Garrison Dam for the purposes identified in paragraph 2, above.

6. In 2011, Garrison Diversion, with SWC input, began planning a non-federal project to bring water to the Red River Valley (State RRV Project); one that would not trigger federal Clean Water Act (CWA) jurisdiction and avoid delay due to federal agency action or litigation. The State RRV Project preliminary design is complete, with final design being completed as funding is available for constructed. Construction started in 2021 and continues through today. The design intentionally avoids any wetlands that are under federal CWA jurisdiction. The State RRV Project was initially designed to fall under the Corps Nationwide Permit 12, applicable to utility lines, so it would not trigger additional National Environmental Policy Act (NEPA) review, litigation, and other obstacles. *See*, 33 C.F.R. pt. 330.

7. The Final Rule immediately threatens the State RRV Project since it imposes new and expanded federal jurisdiction over land and water not previously subject to federal regulation. This expanded federal jurisdiction under the Final Rule may require the State RRV Project to obtain a CWA Section 404 permit and require costly and time consuming NEPA compliance. The State RRV project pipeline runs through the prairie pothole region. While prairie potholes have traditionally not been subject to federal jurisdiction, the Final Rule broadens the jurisdiction of the Agencies, assuming all prairie potholes are jurisdictional if relatively permanent or have a significant nexus to certain water bodies, until proven otherwise.

8. Under the Final Rule, prairie potholes, which cover a significant portion of the North Dakota landscape as shown in Figure 1, now are potentially WOTUS, contingent upon a case-by-case determination. This “in, unless you’re demonstrated to be out” conundrum places North Dakota and Garrison Diversion in a position of needing to commission an extensive jurisdictional study for many projects commenced in the prairie pothole region that previously would not have been jurisdictional. 88 Fed. Reg. 3,097 (Jan. 18, 2023) (to be codified at 33 C.F.R. pt. 328 and 40 C.F.R. pt. 120).

9. The Final Rule creates a case-by-case jurisdictional determination for waters within the 100-year floodplain and waters within 4,000 feet of the ordinary high water mark (OHWM) of a tributary. Federal Emergency Managements Agency has only delineated the 100-year floodplain around major metropolitan areas. The OHWM has not been surveyed along the majority of navigable waters, which are only a small fraction of the waters covered by the Final Rule. As such, Garrison Diversion needs to affirmatively study jurisdiction in detail to determine the application of the federal permitting process in connection with the State RRV Project. 88 Fed. Reg. 3,080 (Jan. 18, 2023) (to be codified at 33 C.F.R. pt. 328 and 40 C.F.R. pt. 120).

10. The Final Rule represents an immediate and significant change to the status quo for water project development in North Dakota. If the Final Rule takes effect on March 20, 2023, Garrison Diversion’s substantial investment, development plans, and efforts to date to bring water to eastern North Dakota will be threatened. Significant adverse impacts could immediately result for the State RRV Project, with \$78 million spent to date on this \$1.4 billion project, lost time, lost effort and, most importantly, the loss of benefit from the completion and operation of this critical project. Without this project, significant irreparable social and economic harm will be occasioned upon the citizens in the event of a drought. Over 49 percent of North Dakota’s residents live within the



project's water service territory, so it impacts a significant amount of North Dakota's population. Planning for projects to minimize these risks is underway and takes years to put in place. The Final Rule's implementation on March 20, 2023 impairs creates an obstacle to these efforts.

11. The Final Rule imposes substantial regulatory ambiguity for Garrison Diversion due to uncertainty as to the relatively permanent and significant nexus standards needed to determine whether a new federal permit is necessary under the expanded Final Rule. This new ambiguity constitutes injury to North Dakota's sovereignty in failing to put the Garrison Diversion on sufficient notice of whether it is in compliance with the CWA and injects uncertainty to an expensive project that is in the beginning stages of construction and development.

12. In North Dakota, "[a]ll flowing streams and natural watercourses shall forever remain the property of the state for mining, irrigating and manufacturing purposes." N.D. Const. art. XI, § 3; *see* N.D. Cent. Code § 61-01-01 (surface and ground waters "belong to the public and are subject to appropriation for beneficial use").

13. The Clean Water Act (CWA) provides that it is the "policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to . . . plan the development and use . . . of land and water resources." 33 U.S.C. § 1251(b).

14. Failure to obtain proper permits for projects that operate in and around newly jurisdictional Final Rule are subject to the federal enforcement provisions, which include administrative penalties (up to \$16,000 per violation with a total penalty capped at \$177,500), civil penalties (up to \$37,500 per violation or per day), and criminal penalties (creating liability of up to \$1,000,000 and 15 years of prison for knowing violations by organizations). CWA § 309(g)(2) & (d) & (b); 33 U.S.C. § 1319(g)(2) & (d) & (b) *as superseded in relevant part by* 40 C.F.R. § 19.4.

15. If federalized, I believe that the State RRV Project would have significant obstacles to construction, potentially halting the project. Application of the expanded federal jurisdiction under the Final Rule threatens economic injury to the Red River Valley in excess of \$3.3 billion annually during drought conditions if this project is not built. Halting the State RRV Project would mean the loss of over \$78 million spent to date by the State, Garrison Diversion, and stakeholders to study a water delivery project. Even if the State RRV Project is simply delayed, the economic consequences easily exceed \$35 million per year in increased project and construction costs.

16. An additional example of an adverse impact from the Final Rule is that all geographic features meeting the definition of “tributaries” will become presumptively jurisdictional. 88 Fed. Reg. 3,080 (Jan. 18, 2023) (to be codified at 33 C.F.R. pt. 328 and 40 C.F.R. pt. 120). The definition of “tributaries” encompasses any geographic feature that contributes flow to more traditional navigable waters, the territorial seas, or an interstate water, that bears the “physical indicators of a bed and banks and an ordinary high water mark” regardless of whether those physical indicators are linked to the downstream water and whether the flow is contributed underground. The North Dakota landscape is replete with geographic features bearing the indicators of bed, bank, and OHWM, isolated from water traditionally considered navigable, which must be crossed to construct the pipeline infrastructure for the State RRV Project. Under the Final Rule these isolated features will likely be considered jurisdictional, requiring Garrison Diversion to engage in the costly and time-consuming process of obtaining a CWA Section 404 permit before crossing these isolated geographic features. The delays and potential for litigation and other obstacles associated with this process will interfere with Garrison Diversion’s ability to provide drought-prone eastern North Dakota with a sufficient water supply to meet basic indoor domestic water needs.

17. The Final Rule's overly broad and ambiguous definition of WOTUS will require North Dakotans to divert precious financial resources to lawyers and engineers in an effort to comply with the Final Rule's requirements. It is not clear whether the Final Rule will survive judicial review. If it does not, the expenses and planning required of Garrison Diversion and North Dakotans to comply with the Final Rule will have been wasted and unnecessary.

18. With a stay of the Final Rule in this Court, the Department would be able to avoid this harm and conduct normal operations.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 21, 2023.

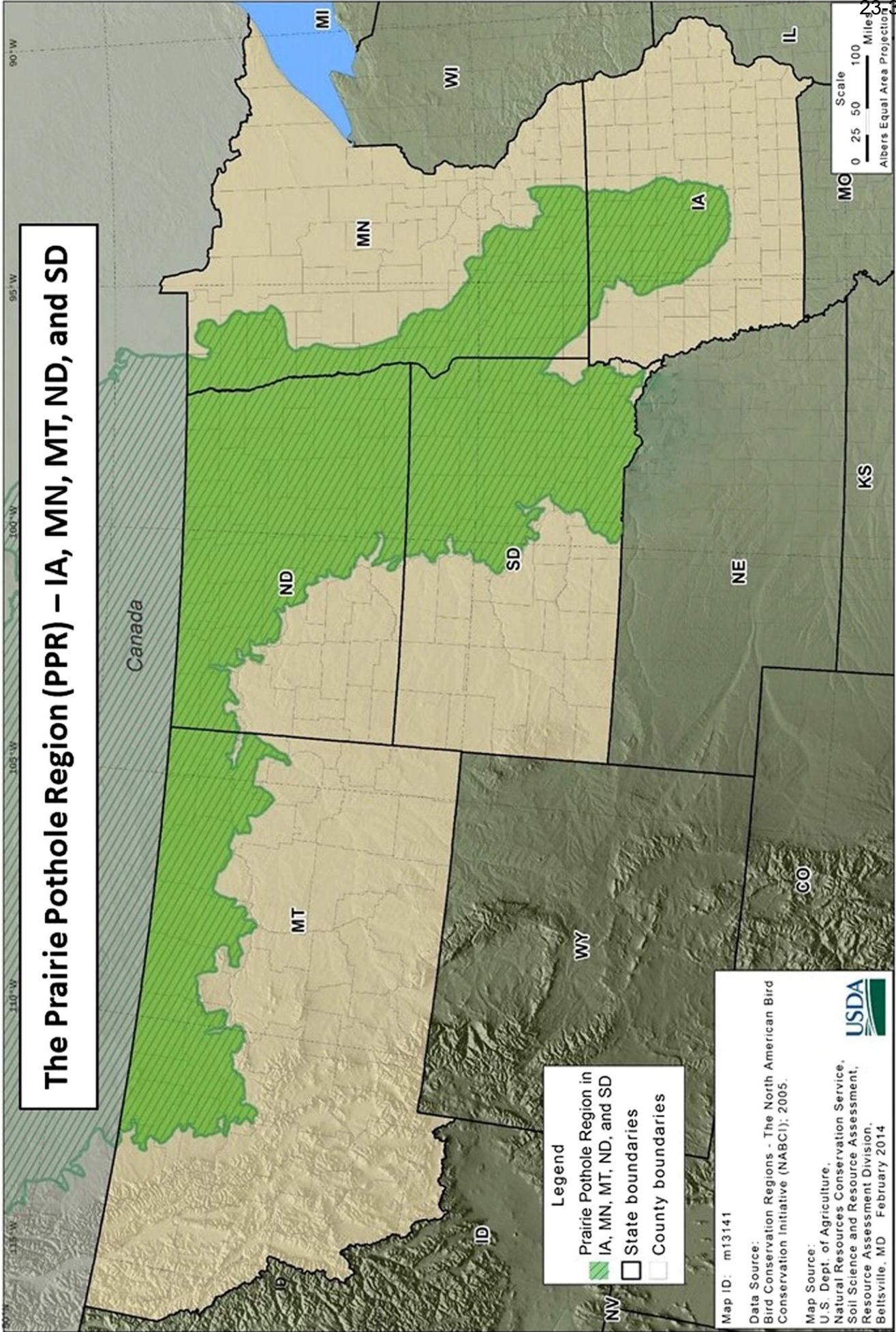


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Duane DeKrey

General Manager – Garrison Diversion Conservancy District

# The Prairie Pothole Region (PPR) – IA, MN, MT, ND, and SD



**Legend**

- Prairie Pothole Region in IA, MN, MT, ND, and SD
- State boundaries
- County boundaries

Map ID: m13141

Data Source:  
Bird Conservation Initiative - The North American Bird Conservation Initiative (NABCI); 2005.

Map Source:  
U.S. Dept. of Agriculture,  
Natural Resources Conservation Service,  
Soil Science and Resource Assessment,  
Resource Assessment Division,  
Beltsville, MD February 2014



**RRVWSP Work Plan Update  
January 24, 2023**

**CONSTRUCTION**

**Wet Well Construction Contract 1**

Defective work has been transferred to Michels, Inc. under Contract 2. The project will be closed out when final quantities are agreed upon.

**Pipeline Construction**

**Contract 5A**

Final completion has been achieved, and close out papers are being generated. To date, \$7,947,825.62 has been paid on the current contract amount of \$8,393,396.44.

Reclaimed Property



Typical Air Release Manhole



**Contract 5B**

The original pipe delivery of June 15 was delayed due to a surface blemish in the steel coil. To date, 6,741 feet have been installed out of the nine miles. High groundwater has slowed the pipe installation progress.

To date, \$7,446,780.51 has been paid on the original contract amount of \$45,961,700.00. Change Order No. 1 has been approved for -\$1,410,437.41 for the current contract price of \$44,551,262.59.



Example of 150-Foot ROW

### Discharge Structure Construction

Final payment has been made. Original contract amount was \$1,516,955 plus Change Order No. 1 for \$4,929 for a final contract price of \$1,521,884.

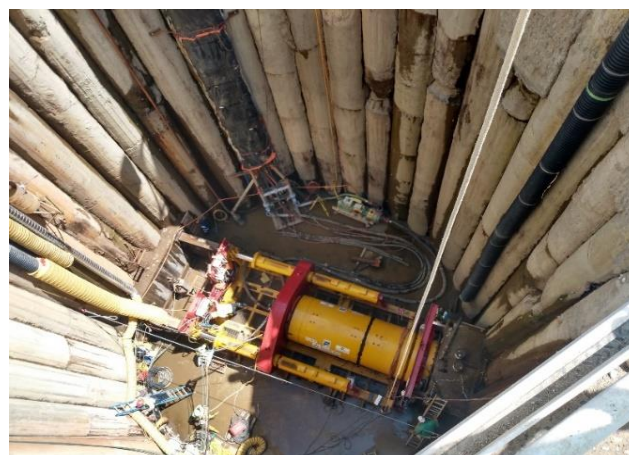
### Missouri River Intake Tunnel and Screen Final Design Contract 2

As the apparent low bidder at \$18,896,900, Michels was issued notice of award on June 9, 2021. Michels is working on removing and restoring temporary construction items near the cofferdam site. Tunneling began on July 12, 2022, and holed through the cofferdam on August 6. Currently, the contractor is working on the final liner inside the wet well. To date, \$13,311,443.03 has been paid on the original contract amount of \$18,896,000.00. Three change orders have been approved for a current contract price \$19,287,359.25

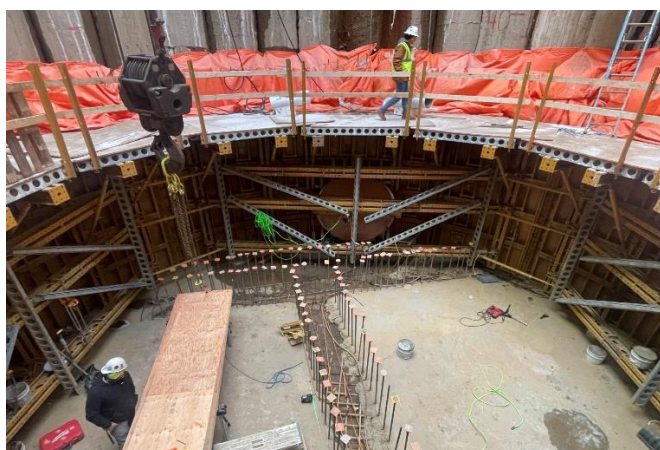
Site Overview



Launching the MTBM



Liner Work on Rebar & Concrete Forms



Winter Enclosure Structure



**DESIGN**

Pipeline segments 5C (8 miles), 5D (10 miles) are at 99% complete, and Contract 6 (25 miles) is at 60% complete.

The design team is also working with Reclamation and USFWS routing the pipeline through wetland and other various existing easements.

**Red River Valley Water Supply Project  
Planning Level Budget**

Annex VII  
23-40

February 28, 2023	Percent Complete	Current Estimate	Actual Expenses	Outstanding Expenses
<b>Conceptual Design Subtotal</b>		\$ 5,302,130	\$ 5,302,130	\$ -
<b>Preliminary Design Subtotal</b>		\$ 10,217,606	\$ 10,217,606	\$ -
<b>Final Design Completed Subtotal</b>		\$ 10,198,949	\$ 10,198,949	\$ -
<b>Financial, Administration, Legal, Completed</b>		\$ 1,397,474	\$ 1,397,474	\$ -
<b>Land Acquisition Completed</b>		\$ 1,593,004	\$ 1,593,004	\$ -
<b>Subtotal Completed</b>		\$ 28,709,162	\$ 28,709,162	\$ -
Financial Modeling/Cost Allocation	90%	\$ 1,521,047	\$ 1,369,733	\$ 151,314
Program Management Information System	79%	\$ 113,100	\$ 88,867	\$ 24,233
Stakeholder Support	68%	\$ 398,830	\$ 270,373	\$ 128,457
<b>Subtotal</b>	<b>85%</b>	<b>\$ 2,032,977</b>	<b>\$ 1,728,972</b>	<b>\$ 304,005</b>
<b>Engineering/Land Acquisitions</b>				
Missouri River Intake - Screen Structure Design	97%	\$ 1,444,000	\$ 1,407,841	\$ 36,159
Operational Plan Phase 1	97%	\$ 106,000	\$ 102,893	\$ 3,107
Operational Plan Phase 2	36%	\$ 430,584	\$ 156,130	\$ 274,454
PMIS Procurement & Implementation	1%	\$ 498,000	\$ 5,310	\$ 492,690
Contractor Qualifications	1%	\$ 158,000	\$ 1,218	\$ 156,782
Land Acquisition 2019/2021	71%	\$ 650,000	\$ 460,691	\$ 189,309
2019 to 2021 Biennium Program Management Services	100%	\$ 166,191	\$ 166,191	\$ (0)
Project Planning, Finance, Admin, etc.	40%	\$ 433,809	\$ 173,410	\$ 260,399
Final Design Transmission Pipeline - 5b	100%	\$ 545,000	\$ 545,000	\$ (0)
Final Design Transmission Pipeline - 5c & 5d	73%	\$ 970,000	\$ 706,636	\$ 263,364
Final Design Transmission Pipeline - 6	49%	\$ 4,000,000	\$ 1,960,981	\$ 2,039,019
Geotech Transmission Pipeline - 7	0%	\$ 397,000	\$ -	\$ 397,000
Acquire Easements	13%	\$ 2,919,000	\$ 386,805	\$ 2,532,195
Admin/Finance/Legal	40%	\$ 1,547,093	\$ 617,995	\$ 929,098
Financial Modeling/Cost Allocation	72%	\$ 528,000	\$ 380,994	\$ 147,006
Pipeline Extensions	54%	\$ 436,000	\$ 237,001	\$ 198,999
Financial/Legal/Stakeholder	0%	\$ 583,093	\$ -	\$ 583,093
ENDAWS-Local Portion	13%	\$ 790,000	\$ 103,939	\$ 686,061
<b>Engineering &amp; Land Acquisition Subtotal</b>		<b>\$ 15,054,677</b>	<b>\$ 6,795,041</b>	<b>\$ 8,259,636</b>
<b>Construction</b>				
<b>Pipeline 5A &amp; Trenchless</b>	<b>93%</b>	<b>\$ 10,155,978</b>	<b>\$ 9,406,533</b>	<b>\$ 749,445</b>
Construction Contract	100%	\$ 8,393,396	\$ 8,393,396	\$ (0)
Bidding Services	100%	\$ 75,621	\$ 75,621	\$ 0
Construction Phase Services	108%	\$ 868,145	\$ 937,515	\$ (69,370)
Contingency	<i>if needed</i>	\$ 818,816	\$ -	\$ 818,816
<b>Discharge Structure</b>	<b>72%</b>	<b>\$ 2,436,800</b>	<b>\$ 1,744,022</b>	<b>\$ 692,778</b>
Construction Contract	100%	\$ 1,521,884	\$ 1,521,884	\$ 0
Bidding Services	100%	\$ 40,736	\$ 40,736	\$ 0
Construction Phase Services	94%	\$ 193,000	\$ 181,402	\$ 11,598
Contingency	<i>if needed</i>	\$ 681,180	\$ -	\$ 681,180
<b>Missouri River Intake Wetwell</b>	<b>81%</b>	<b>\$ 6,186,111</b>	<b>\$ 5,022,644</b>	<b>\$ 1,163,467</b>
Construction Contract	90%	\$ 4,950,907	\$ 4,455,949	\$ 494,958
Bidding Services	100%	\$ 36,662	\$ 36,662	\$ (0)
Construction Phase Services	87%	\$ 612,000	\$ 530,033	\$ 81,967
Contingency	<i>if needed</i>	\$ 586,542	\$ -	\$ 586,542
<b>Missouri River Intake Screen Structure &amp; Tunnel</b>	<b>72%</b>	<b>\$ 23,000,000</b>	<b>\$ 16,504,293</b>	<b>\$ 6,495,707</b>
Construction Contract	74%	\$ 19,320,616	\$ 14,244,293	\$ 5,076,323
Construction Phase Services	87%	\$ 2,585,000	\$ 2,260,000	\$ 325,000
Contingency	<i>if needed</i>	\$ 1,094,384	\$ -	\$ 1,094,384
<b>Pipeline 5B</b>	<b>18%</b>	<b>\$ 51,600,000</b>	<b>\$ 9,082,409</b>	<b>\$ 42,517,591</b>
Construction Contract	18%	\$ 44,644,077	\$ 7,853,079	\$ 36,790,999
Construction Phase Services	27%	\$ 4,486,000	\$ 1,229,330	\$ 3,256,670
Contingency	<i>if needed</i>	\$ 2,469,923	\$ -	\$ 2,469,923
<b>Construction Subtotal</b>	<b>45%</b>	<b>\$ 93,378,889</b>	<b>\$ 41,759,901</b>	<b>\$ 51,618,988</b>
<b>Total Program Budget</b>	<b>57%</b>	<b>\$ 139,175,705</b>	<b>\$ 78,993,076</b>	<b>\$ 60,182,629</b>



## Director electronic device policy 2.26

Garrison Diversion will provide Directors with an electronic device for their use to access Garrison Diversion materials and emails. Normal replacement schedule for Director electronic device will be 4 years, unless the Board directs otherwise.

1. Garrison Diversion will define specifications for a device, plan a budget amount for the device and a keyboard/case, and purchase the device.
2. Director electronic devices will be part of Garrison Diversion's IT system. Staff will facilitate installation and updates to software and help locate, lock, or wipe lost or stolen electronic devices.
3. A security application will be installed on Director electronic devices, if applicable, to help protect the electronic device from malicious software.
4. Garrison Diversion accepts no legal responsibility for any malware, security breaches or virus transmission that happens to Directors' electronic devices, regardless of the uploading and maintenance of the anti-virus software. Directors are free to otherwise upload other applications and use the electronic device at their discretion.
5. Cellular Internet access capability will be an optional feature on certain Director electronic devices. Garrison Diversion may provide the cellular data plan for Director electronic devices, or alternatively the Director may choose to provide the data plan in exchange for a monthly reimbursement.
6. If a cellular data plan is utilized and the director uses more data than available in the plan, the director will be liable for paying overage fees.
7. At the end of a Director's service on the Board, the Director may be given the option to purchase the electronic device at market value. Directors will own, retain and be responsible for any damage, repair, or replacement of the electronic device if it is lost or damaged after the date of their last service on the Board. Directors may choose to insure the electronic device thereafter. Garrison Diversion is not responsible for replacement or repair of the electronic device under any circumstance.
8. Upon expiration of their term as a Director, Garrison Diversion will remove the electronic device from Garrison Diversion data plan, if applicable, or otherwise will stop paying for any internet data plan. Garrison Diversion will remove it from and uninstall Garrison Diversion software and will no longer update the electronic device. If a cellular early termination fee would apply to the electronic device's removal from Garrison Diversion's plan, Garrison Diversion will pay the fee for the departing Director.

Garrison Diversion Conservancy District  
Mr. Duane DeKrey  
PO Box 410  
Carrington, ND 58421-0140

FEB 27 2023

Mr. DeKrey

The rural water entities/managers in Northeast ND are passionate about providing water supply to all existing and future users in times of plenty and times of need (drought). A group of managers, from Northeast Regional Water District (NRWD), Walsh Rural Water District (WRWD), Agassiz Water User District (AWUD), Tri-County Water District (TCWD), and East Central Regional Water District (ECRWD), have come together to start looking at future water needs and availability in Northeast ND. As water managers, the number one thing that keeps us up at night is not having a clean, safe, and adequate water supply to provide for our customers in the most economical way.

The fear of the loss or lack of water supply has brought our systems together to help look for a solution for the future. In September of 2021 with these concerns in mind, WRWD (on behalf of Northeast ND managers) applied for an EPA Hazard Mitigation Grant. WRWD was recently notified that it was officially approved for cost share from the EPA to help fund this effort. Eighteen months have passed since the original submittal and further discussion amongst systems has expanded the scope of the report to a larger scale look of what does the next 50-years look like for the rural water supply in Northeast ND.

When outlining what the study of the next 50-years could look like, it is recognized that there is much unknown, but after careful consideration we have pared down our intended analysis to the following 4 primary items:

1. **Water Supply Availability** (How much water do we have and how much do we have access to now, in the future, and in times of drought/contamination?)
2. **Needs** (What does the next 50-years of water needs look like from a residential, agricultural, and industrial use standpoint?)
3. **Water Treatment and Distribution** (What type of treatment is required and how do we get water to where it needs to be in the future?)
4. **Governance** (Are we going to continue to operate as 5-separate water districts, or do we see opportunities to work together either in supply/treatment or in totality, to save money on fixed costs, and reduce redundancies)

The scope of what was intended for the secured EPA grant dollars and system cost-share was primarily meant to cover items 3 and 4 above. However, we still have significant outstanding questions regarding our water supply availability (through either existing aquifers or the RRVWSP) and long-term needs that we must better address to comprehensively plan for our future.

Garrison Diversion has been a key partner to our systems in the past in evaluating similar items. Whether it was through your funding support of past NDSU studies evaluating industrial water needs in the Red River Valley or through your work to support preliminary nominations for the Project

Development Agreement of the RRVWSP, your expertise and understanding of the needs and water availabilities in Eastern ND has been invaluable. As we look to further our current efforts and solidify the understanding of our needs, we would like to request a partnership between GDCD and Northeast ND water districts to complete items 1 and 2 listed above, both from a financial and technical expertise standpoint.

We value GDCD's leadership in providing water to Eastern ND and look forward to a continued partnership to evaluate our future needs. We appreciate your consideration of this preliminary request, and we look forward to the opportunity to work together further to better define your potential support.

Thank You,



Walsh Rural Water District

On behalf of NRWD, AWUD, ECRWD, and TCWD

CC: Kip Kovar, Merri Mooridian, Chairman Mahoney (LAWA)