

GARRISON DIVERSION CONSERVANCY DISTRICT**EXECUTIVE COMMITTEE**

**Garrison Diversion Conservancy District
Carrington, North Dakota
September 14, 2023**

A meeting of the Garrison Diversion Conservancy District Executive Committee was held on September 14, 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 Geneva Kaiser
Director Bruce Klein
Director Bill Ongstad
Director Mike Tweed
Director Ken Vein
Secretary Duane DeKrey

MEMBERS ABSENT

Director Mark Cook

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 Second Vice Chairman Bischoff to dispense with a reading of the June 14, 2023, 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 August 31, 2023. Copies of the financial statements are attached to these minutes as Annex II.

Revenues through August 31 are broken out as follows: General Fund \$4,714,957; MR&I \$12,692,715; Operations and Maintenance \$3,566,610; Red River Valley Water Supply Project \$17,336,691 and Irrigation Fund \$247,591.

Expenditures were: General Fund \$2,653,514; MR&I \$12,681,393; Operations and Maintenance \$2,927,241; Red River Valley Water Supply Project \$16,500,986 and Irrigation Fund \$235,992.

Ms. Mooridian commented the transfers in and out are indirects. There is a net change in assets of **(\$1,993,988)**. This is due to \$2 million put into certificates of deposit.

Total income received through August for all funds is \$38,558,564 with total expenditures and transfers out of \$35,441,224.

Ms. Mooridian pointed out the overage in the General Fund, Capital Purchases, Land and Buildings, is due to the road project on Garrison Diversion land near Stump Lake. She also referred to the overage in the GDU O&M Fund, Supplies, which is due to increased fuel prices and items at the major slide repair project.

Garrison Diversion reserve accounts total \$7,845,995.

The balance of funds held at Bank of North Dakota is \$5,592,963; First International Bank & Trust \$13,184,761; and \$7,152,966 at Bremer Bank.

Motion by Director Klein to accept the Garrison Diversion financial statements for the period of January 1 through August 31, 2023. Second by Director Tweed. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. 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.

This year, approximately 70,000 yards of material has been hauled at the McClusky Canal major slide repair project.

O&M crews have also been working on the road project at Stump Lake and removing liquid bituminous material from the New Rockford field office yard.

Other routine operation and maintenance activities have included mowing and blading.

Mr. Anderson also reported two new O&M employees were recently hired.

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 next referred to the 2023 irrigation map. The map shows the potential new irrigation projects, which total approximately 7,000 acres. The interest remains, but no new irrigation acres have been added this year.

ND WATER USERS AND IRRIGATION ASSOCIATION REPORT

Dani Quissell, North Dakota Water Users/Irrigation Association, referred to the August 25, 2023, Policy Update, which summarizes the status of important state water issues.

Ms. Quissell provided an update on the Interim Taxation Committee and the issue regarding how to assess privately owned commodity storage previously commercially owned. The Water Users Association is following this since the property tax issue affects irrigators. The Interim Tax Committee is working on a resolution to bring to the next legislative session.

Ms. Quissell said the North Dakota Irrigation Association (NDIA) has a request before the State Water Commission (SWC) in an attempt to get programs updated to provide additional funding assistance for irrigation districts and individual irrigators. There is a pre-meeting of the SWC this afternoon with this item on the agenda. The NDIA is hopeful there will be a favorable recommendation to the full SWC. Currently, irrigation districts receive 50% cost share from the state for their share of the off-farm works. The request is to raise this to 75%. On the individual irrigators' side, a joint program with the SWC and the Bank of North Dakota (BND) provides interest rate buydowns for irrigators who would like to put up new irrigation systems. The cap on that program at this time is \$40,000. The request is to raise the limit to \$100,000.

Ms. Quissell said the director of the Department of Water Resources has had several meetings with the Agriculture Commissioner's office, as well as the BND, about these requests. An update regarding the requests before the SWC will be provided at Garrison Diversion's October board meeting.

BUREAU OF RECLAMATION REPORT

Scott Hettinger, Bureau of Reclamation (Reclamation), referred to Reclamation's September 2023 written report and provided highlights. A copy of the report is attached to these minutes as Annex III.

MR&I

Mr. Hettinger stated it was previously reported a determination had been made indicating a waiver of the Build America, Buy America (BABA) Act requirement associated with the Northwest Area Water Supply (NAWS) Biota Water Treatment Plant Phase I construction was not needed. Reclamation's Dakotas Area Office was recently notified the interpretation on the waiver has changed. A waiver for Phase I is now needed, and until a waiver is received for this contract, Fiscal Year (FY) 2023 appropriated funds for the project cannot be expended. The Dakotas Area Office is seeking additional explanation for this change, as well as asking for the status of the waiver submitted for this project months ago.

MR&I REPORT

Construction Report - - Duane DeKrey, Secretary, reported 2023 MR&I expenditures as of August 31 are \$12,591,771. Total MR&I expenditures are \$61,284,904. Remaining approved federal MR&I funds are \$19,156,138.

Mr. DeKrey also referred to the MR&I Bipartisan Infrastructure Law (BIL) Construction Report. No funding has been expended under this program because of BABA and the required waivers. Copies of the two construction reports are attached to these minutes as Annex IV.

Water Supply Assistance Grant Program - - Director Kaiser, who chairs the MR&I Committee, reported the committee met on August 24 to review and consider grant applications for funding through the Water Supply Assistance Grant Program (WSAGP). Eighteen applicants were awarded funding for their rural water projects. The total amount of program funds awarded was \$113,438.

Director Kaiser stated the MR&I Committee decided to allow applicants to install their rural water lines prior to funding consideration as long as they realize upfront there is a chance the project may not receive reimbursement. The application deadlines remain May 1 and August 1. The MR&I Committee may meet in between depending on how many and when applications arrive.

MR&I Cost Ceiling - - Ms. Mooridian informed the committee an increase to the MR&I cost ceiling is being sought because there is roughly \$14 million remaining of the \$200 million authorized in the Dakota Water Resources Act (DWRA) for the MR&I Program. Meetings have been taking place with Department of Water Resources (DWR) officials and staff from Senator Hoeven's office to develop a plan for Senator Hoeven to obtain an increased MR&I authorization at the congressional level.

Ms. Mooridian said the request will be for approximately \$1.5 billion, which will include state and tribal funding.

RED RIVER VALLEY WATER SUPPLY PROJECT (RRVWSP)

Construction Update

Contract 5B, Transmission Pipeline East

Kip Kovar, District Engineer/Deputy Program Manager for RRVWSP Engineering, Garrison Diversion, shared photos from the Contract 5B construction site.

Missouri River Intake Screen Structure and Tunnel

Change Order No. 6

Mr. Kovar referred to Change Order No. 6 included with the meeting materials, which is for closing out the Missouri River Intake project. The change order shows adjustment for the final completion date, as well as adjustment of unit price item quantities to correspond with actual work completed, which results in a \$1,455,450 reduction in the total contract price. He asked for the committee's approval on Change Order No. 6.

Mr. Kovar added the original contract price was \$18,896,900. There have been six change orders approved over the last two years, ending with a contract price of \$19,444,165.

Motion by Director Vein to approve RRVWSP Missouri River Intake Screen Structure and Tunnel, Contract 2, Change Order No. 6, resulting in a decrease of (\$1,466,450) to the contract price. Second by Director Tweed. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

Transmission Pipeline East, Contract 5D

Bid Tabulation Summary - - Mr. Kovar informed the board the bid opening for RRVWSP Transmission Pipeline East, Contract 5D, took place on September 7, 2023. A total of four bids were received: 1) Carstensen Contracting, Inc., 2) Oscar Renda Contracting, Inc., 3) Harper Brothers Construction, LLC and 4) Thalle Construction, Co., Inc.

Mr. Kovar stated the engineer's estimate was \$68,986,800. Carstensen Contracting, Inc. was the apparent low bidder at \$61,677,275. A copy of the bid tabulation summary is attached to these minutes as Annex V.

Engineer's Recommendation - - Mr. Kovar referred to the engineer's recommendation letter. Given Black & Veatch's review of the bids and prequalification of Carstensen Contracting, Inc., they are recommending Garrison Diversion award the project to Carstensen Contracting, Inc. A copy of the recommendation letter is attached to these minutes as Annex VI.

Mr. Kovar said this information will now go to the Lake Agassiz Water Authority (LAWA) Board for their approval. Once LAWA has approved awarding the contract, the notice to proceed can be completed and forwarded to the contractor.

Mr. Kovar added the plan is to finalize the RRVWSP Interim Financing Agreement Series D by October 21. It is important to stay on track with this timeline because the bids for Contract 5D can only be held for 45 days.

Ms. Mooridian stated Fargo, Grand Forks, Garrison Diversion and LAWA have all approved the Series D agreement. Bond documents will be prepared and ready for approval at Garrison Diversion's board meeting on October 20.

Notice of Award

Motion by Second Vice Chairman Bischoff to award the base bid for RRVWSP Transmission Pipeline East, Contract 5D to Carstensen Contracting, Inc. in the amount of \$61,677,275 based on the engineer's recommendation and contingent upon Series D bond funding approval. Second by Director Kaiser. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

Notice to Proceed

Motion by Director Anderson authorizing the general manager to move forward with the Notice to Proceed on RRVWSP Transmission Pipeline East, Contract 5D, pending submittal of the contractor's documentation. Second by Director Vein. Upon roll call vote,

the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

Contractor's Agreement - - Mr. Kovar referred to the contractor's agreement, provided for the board's information. This agreement verifies the contractor will adhere to the items of the bid as well as verifying the plans and specifications. It also certifies and acknowledges the required documentation.

Land Acquisition Update - - Mr. Kovar reported letters were mailed the second week of August to landowners located in the ENDAWS section of the RRVWSP. KLJ began contacting these landowners last week.

Work Plan Update - - Mr. Kovar referred to the September 8, 2023, RRVWSP Work Plan Update, a copy which is attached to these minutes as Annex VII.

Task Order Modification/Closeout

Mr. Kovar referred to a letter from Black & Veatch regarding the modification and closeout of previously executed task orders between Garrison Diversion and Black & Veatch. The purpose of the letter is to formalize both reductions of and additions to task orders funded in the 2017-19, 2019-21 and 2021-23 biennia budgets.

Mr. Kovar reviewed each of the requested changes by biennium. When considered in the aggregate, the changes represent a \$16,330 reduction for Garrison Diversion. A copy of the letter is attached to these minutes as Annex VIII.

Motion by Director Tweed to approve modification to and closeout of 2017-2019, 2019-2021 and 2021-2023 biennia task orders representing a (\$16,330) reduction for Garrison Diversion. Second by Director Anderson. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

Program Schedule - - Ms. Mooridian reviewed the program schedule dated September 6, 2023, which tracks the start, finish and percent of completion for each of the RRVWSP construction projects.

Planning Level Budget - - Ms. Mooridian referred to the RRVWSP Planning Level Budget dated August 31, 2023, stating the total combined program budget is estimated at \$138.7 million. Actual program expenses are \$93.9 million with total outstanding expenses of \$44.8 million. Total program efforts are 68 percent complete. A copy of the budget is attached to these minutes as Annex IX.

Bond Attorney Fees - - Ms. Mooridian referred to the bond attorney engagement letter received from Fryberger Law Firm, explaining this is for the services of Mia Thibodeau, who will serve as bond counsel for Garrison Diversion and assist with the issuance of a \$60 million revenue bond for the RRVWSP. A copy of the letter is attached to these minutes as Annex X.

Ms. Thibodeau's primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of bonds. The estimated bond counsel fees are approximately \$24,000.

Ms. Mooridian added in July, the board approved fees of \$5,000 for Ms. Thibodeau to review the Series D Interim Financing Agreement between the issuers and the users of the RRWSP. At that time, it was an oversight not to also approve the bond counsel fees. She asked for the committee's approval on the \$24,000 today.

Motion by Director Klein to approve an additional \$24,000 for bond attorney fees with Fryberger Law Firm. Second by Director Kaiser. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

User Meetings - - Mr. DeKrey reported work has been ongoing to prepare user packets and schedule meetings with each of the system users; however, the meetings are being delayed in order to re-evaluate the tiers. User meetings will move forward once the tiers are reviewed and any necessary changes have been incorporated.

SNAKE CREEK DAM SAFETY MODIFICATION STUDY

Mr. Kovar said the Snake Creek Dam Safety Modification Study (DSMS) contains four alternatives for the Snake Creek embankment issue. Two are structural, and two are operational. The Corps of Engineers (COE) shows an operational fix, meaning they would eliminate the 43-foot differential operational issue and replace it with a monitoring system.

Mr. Kovar stated in Garrison Diversion's opinion, there is no change. Once it gets to the 43-foot differential, the COE will more than likely request the level of Lake Audubon be dropped, which affects the McClusky Canal and could impact the RRWSP.

Garrison Diversion has sent comments, along with the DWR, to the COE over the last few years requesting a structural fix to the problem. At their most recent meeting, the COE indicated they are going to stand by their chosen alternative of an operational fix.

Mr. Kovar said holes were discovered in the COE's study taking the benefit cost ratio of a structural fix over one, which is why the COE is saying they cannot pursue that idea. Garrison Diversion and the DWR have provided the COE with ideas, and they continue to object. During the last meeting, the COE did say the Omaha office is requesting funds through the WRDA Bill in the amount of \$400,000 to conduct a conceptual 30 percent design on the structural fix.

Mr. Kovar added Garrison Diversion is adamant with all of its comments, and another letter is being prepared restating its disagreement with the operational fix. We believe North Dakota is owed this project that counts on Lake Audubon and should accept nothing less than a structural fix.

Director Vein said he does not consider it an operational a fix. The Corps of Engineers is not fixing anything.

GENERAL MANAGER'S REPORT

Draft Conflict of Interest Policy and Waiver - - Mr. DeKrey referred to the draft Conflict of Interest Policy and Waiver regarding consultants included with the meeting materials. These documents were provided to the board in July seeking comments with no comments being received. The documents are also included in the Executive Committee meeting materials.

Mr. DeKrey stated we are at the point where the policy and the waiver need to be voted on.

Director Vein said he thought action on this topic was going to be put on hold until after the RRVWSP leadership group held its partnering session.

Garrison Diversion staff said they did not recall that being discussed.

Chairman Walter added the motion will be a recommendation to the full board so it will be revisited at the October board meeting for full board consideration. If something develops in the meantime, it can be discussed at the board meeting.

Motion by Vice Chairman Anderson to recommend approval of the proposed Garrison Diversion Conservancy District Conflict of Interest Policy and Waiver. Second by Director Kaiser.

Director Vein said one of the concerns he recalls was to look at all the known, potential or even appearance of conflicts of interest, and he is trying to determine how each would be defined. It is in the eye of the beholder. What might appear to one may not appear to another.

Tami Norgard, Vogel Law, said she believes there are definitions included in the policy indicating the kinds of things to be made aware of. She emphasized this policy is not telling anyone they cannot work on the project or they are getting fired. Most of what is included in the document is already in the Engineering Code of Ethics requirements under state statute and the rules from the American Society of Civil of Engineers Code of Conduct. It all pertains to disclosure.

Vice Chairman J. Anderson stated the Conflict of Interest Policy puts the world on notice that certain firms are working together and everyone knows that issue is there.

Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed and Walter. Directors voting nay: Vein. Absent and not voting: Cook. Motion carried.

Missouri River Recovery Implementation Committee - - Mr. DeKrey informed the committee Garrison Diversion has funded the Missouri River Recovery Implementation Committee (MRRIC) in the past. Cost-share support has provided funding for Terry Fleck or his designated alternate to participate in MRRIC meetings as a representative of upper-basin recreation stakeholder interests. MRRIC has requested funding be renewed for Mr. Fleck's efforts.

Mr. DeKrey added the Missouri River Joint Board provided funding in the past for MRRIC but will no longer do so; however, they will continue to provide administrative work for MRRIC.

Mr. DeKrey referred to the DWR's memorandum recommending a contract extension, which will be funded 50/50 between Garrison Diversion and the DWR at \$47,700 each. A copy of the memo is attached to these minutes as Annex XI.

Motion by Director Ongstad to approve continued funding assistance for the Missouri River Recovery Implementation Committee in an amount not to exceed \$47,700 for the 2023-2025 biennium. Second by Second Vice Chairman Bischoff. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, Bischoff, Kaiser, Klein, Ongstad, Tweed, Vein and Walter. Directors voting nay: none. Absent and not voting: Cook. Motion carried.

International Red River Watershed Board - - Mr. DeKrey reported on the International Red River Watershed Conference he attended in Detroit Lakes, Minnesota.

Accounting Position Update - - Mr. DeKrey reported staff has begun the process of setting up interviews for an open accounting position in the office due to the resignation of Cindy Hewitt. Ashley Reisenauer is moving up from her current position in the accounting department.

2024 GDCD Meeting Dates - - Mr. DeKrey referred to the proposed list of 2024 Board of Directors and Executive Committee meeting dates included with the meeting materials. If the board concurs, he suggested a motion be made to set the meeting dates.

Motion by Director Tweed to approve the 2024 Garrison Diversion Board of Directors and Executive Committee meeting dates as follows:

Board Meetings

January 11 & 12
April 18 & 19
July 11 & 12
October 10 & 11

Executive Committee Meetings

March 14
June 13
September 26
December 12

Second by Director Klein. Upon voice vote, motion carried.

UPCOMING EVENTS

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

OTHER

The meeting adjourned at 1:40 p.m.

(SEAL)

Alan Walter, Chairman

Duane DeKrey, Secretary

REGISTRATION

EXECUTIVE COMMITTEE
Garrison Diversion Conservancy District
September 14, 2023

NAME	ADDRESS
Kimberly Cook	GDCD
Dani Quisen	NDWA
Marti Monik	GDCD
Ashley Reisenauer	GDCD
Brent Erickson	AES
Ryan Anderson	GDCD
Lisa Schaefer	GDCD
Steve McHugh	GDCD-Forster Co.
Kenny Rogers	GDCD
Mike Weed	GDCD
Bill Crystal	GDCD Wells County
Oge Boshack	GDCD
Paul Chabern	GDCD -
Alan M. Walter	GDCD - WARD CTY
Oran DeFrey	GDCD
By Video Conference:	
Ken Vein	Garrison Diversion
Jeff LeDoux	Garrison Diversion
Shawn Gaddie	Advanced Engineering
Scott Hettinger	Bureau of Reclamation
Kurt Ronnekamp	Black & Veatch

Garrison Diversion Conservancy District Combined Statement of Revenues and Expenses For the Eight Months Ended August 31, 2023						
	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
Revenues:						
Irrigation Admin	974					974
Lease Income						-
Revenue from Sale of Fixed Assets			173,167			173,167
Miscellaneous Income	1,808				364	2,172
Interest Income	177,711	572	1,027		2,478	181,788
Tax Levy	4,170,103					4,170,103
State Aid Distribution	190,281					190,281
Contract Revenue	30,499	12,692,143	2,941,200	17,336,691	244,749	33,245,282
Non-Project Income	143,581		451,216			594,797
Total Revenues	\$4,714,957	\$12,692,715	\$3,566,610	\$17,336,691	\$247,591	\$38,558,564
Expenditures:						
Director Expense	155,535					155,535
Employee Expense	826,707	54,915	1,534,231			2,415,853
Administrative Expense	129,792	34,706	54,790			219,288
Public Education	69,827					69,827
Professional Services	309,472		201,405	209,950		720,827
Irrigation Development	239,813					239,813
Water Supply Projects	84,638					84,638
GDCD Recreation Project	470,386					470,386
DWRA Recreation Project	2,803					2,803
Maintenance & Repairs	27,634		759,707		160,895	948,236
Capital Purchases	336,907		377,108	9,198		723,213
Construction in Progress				15,950,347		15,950,347
MR&I Project Expenses		12,591,772				12,591,772
Principal Debt Payments				278,935	55,892	334,827
Interest Payments				52,556	19,205	71,761
Total Expenditures *	\$ 2,653,514	\$ 12,681,393	\$ 2,927,241	\$ 16,500,986	\$ 235,992	\$ 34,999,126
Transfer In/Out	357,450	(10,751)	(431,347)	-	-	\$ (84,648)
Revenues Over Expenditures	\$ 2,418,893	\$ 571	\$ 208,022	\$ 835,705	\$ 11,599	\$ 3,474,790
Net Change in Assets	(1,991,482)		1,476	121	(4,103)	\$ (1,993,988)
Ending Bank Balance	\$ 8,747,688	\$ 5,166	\$ 589,506	\$ 1,085,549	\$ 180,164	\$ 10,608,073

GARRISON DIVERSION CONSERVANCY DISTRICT				
INCOME BUDGET ANALYSIS STATEMENT				
For Eight Months Ended August 31, 2023				
General, O&M MR&I, RRVWSP, and Irrigation Funds	Budget for 2023	Income Received to August 31, 2023	Percentage of Amount Budgeted	Balance of 2023 Budget
Irrigation Admin	\$ 950	\$ 974	102.5%	\$ (24)
Lease Income	\$ -	\$ -	0.0%	\$ -
Miscellaneous Income	\$ -	\$ 2,172	0.0%	\$ (2,172)
Revenue Sale of Fixed Assets	\$ -	\$ 173,167	0.0%	\$ (173,167)
Interest Income	\$ 33,120	\$ 181,788	548.9%	\$ (148,668)
Tax Levy	\$ 3,650,000	\$ 4,170,103	114.2%	\$ (520,103)
State Aid	\$ 180,000	\$ 190,281	105.7%	\$ (10,281)
General Fund Contract Revenue	\$ 70,000	\$ 30,499	43.6%	\$ 39,501
O&M Contract Revenue	\$ 4,890,000	\$ 2,941,200	60.1%	\$ 1,948,800
MR&I Contract Revenue	\$ 20,257,975	\$ 12,692,143	62.7%	\$ 7,565,832
RRVWSP Contract Revenue	\$ 25,400,000	\$ 17,336,691	68.3%	\$ 8,063,309
Irrigation Fund Revenue	\$ 828,005	\$ 244,749	29.6%	\$ 583,256
Project Revenue	\$ -	\$ -	0.0%	\$ -
Non-Project Revenue	\$ 217,000	\$ 594,797	274.1%	\$ (377,797)
Total Revenues	\$55,527,050	\$38,558,564	69.4%	\$16,968,486

GARRISON DIVERSION CONSERVANCY DISTRICT						
Expense Budget Analysis Statement						
For Eight Months Ended August 31, 2023						
General, O&M MR&I, RRVWSP, and Irrigation Funds	Expenditures				Percentage	Balance
	Budget for 2022	Charged to 2022 Budget	Budget for 2023	Expenditures to Aug 31, 2023	Spent Amount Budgeted	of Budget
Expenses						
Director Expenses	\$ 270,000	\$ 235,483	\$ 221,000	155,535	70.4%	\$ 65,465
Employee Expenses	\$ 3,746,366	\$ 3,350,365	\$ 3,508,000	2,415,853	68.9%	\$ 1,092,147
Administrative Expenses	\$ 431,335	\$ 317,442	\$ 452,500	219,288	48.5%	\$ 233,212
Public Education	\$ 151,840	\$ 135,407	\$ 157,000	69,827	44.5%	\$ 87,173
Professional Services	\$ 3,515,225	\$ 2,902,288	\$ 2,637,000	720,827	27.3%	\$ 1,916,173
Irrigation Development	\$ 911,200	\$ 881,346	\$ 260,875	239,813	91.9%	\$ 21,062
Water Supply Program	\$ 300,000	\$ 98,614	\$ 300,000	84,638	28.2%	\$ 215,362
GDCD Recreation Grant Program	\$ 600,000	\$ 541,988	\$ 850,000	470,386	55.3%	\$ 379,614
DWRA Recreation Program	\$ 10,000	\$ 4,512	\$ 10,000	2,803	28.0%	\$ 7,197
Irrigation District Expense	\$ 2,000	\$ -	\$ 2,000	-	0.0%	\$ 2,000
Maintenance & Repairs	\$ 1,611,040	\$ 1,187,210	\$ 1,794,100	948,236	52.9%	\$ 845,864
Capital Purchases	\$ 1,056,000	\$ 963,831	\$ 495,000	723,213	146.1%	\$ (228,213)
Construction in Progress	\$ 27,950,000	\$ 27,977,251	\$ 24,000,000	15,950,347	66.5%	\$ 8,049,653
MR&I Fund	\$ 27,000,000	\$ 25,292,604	\$ 20,000,000	12,591,772	63.0%	\$ 7,408,228
Principal on Debt Repayment	\$ 479,831	\$ 479,483	\$ 315,000	334,827	106.3%	\$ (19,827)
Interest on Debt Repayment	\$ 68,660	\$ 68,656	\$ 67,000	71,761	107.1%	\$ (4,761)
Total Expenses	\$ 68,103,497	\$ 64,436,480	\$ 55,069,475	34,999,126	63.6%	\$ 20,070,349
Transfers In/Out						
MR&I	\$ 22,000	\$ 20,311	\$ 23,000	10,751	46.7%	\$ 12,249
O&M	\$ 972,340	\$ 886,658	\$ 920,000	431,347	46.9%	\$ 488,653
Irrigation	\$ -	\$ -	\$ -	-	0.0%	\$ -
RRVWSP	\$ (1,451,491)	\$ (1,368,042)	\$ -	-	0.0%	\$ -
Total Transfers Out	\$ (457,151)	\$ (461,073)	\$ 943,000	442,098	46.9%	\$ 500,902
Total Expenses & Transfers Out	\$ 67,646,346	\$ 63,975,407	\$ 56,012,475	35,441,224	63.3%	\$ 20,571,251

**GARRISON DIVERSION CONSERVANCY DISTRICT
EXPENSE BUDGET ANALYSIS STATEMENT
For Eight Months Ended August 31, 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 08/31/2023	Balance of Budget as of 08/31/2023	Percentage of Budget Spent
GENERAL FUND						
Directors Expense						
Directors Per Diem	\$ 130,000	\$ 120,037	\$ 133,000	\$ 73,140	\$ 59,860	55.0%
Directors Expense	\$ 140,000	\$ 115,445	\$ 88,000	\$ 82,395	\$ 5,605	93.6%
Total Directors Expense	\$ 270,000	\$ 235,482	\$ 221,000	\$ 155,535	\$ 65,465	70.4%
Employee Expense						
Employee Salaries	\$ 822,000	\$ 780,874	\$ 908,000	\$ 541,765	\$ 366,235	59.7%
General Manager Exp	\$ 35,000	\$ 15,160	\$ 21,000	\$ 6,016	\$ 14,984	28.6%
Travel	\$ 61,000	\$ 33,344	\$ 61,000	\$ 21,905	\$ 39,095	35.9%
Admn Officer - Merri Mooridian	\$ 25,000	\$ 17,711	\$ 25,000	\$ 14,153	\$ 10,847	56.6%
Dist. Engr - Kip Kovar	\$ 10,000	\$ 6,490	\$ 10,000	\$ 2,548	\$ 7,452	25.5%
Engineer - Ryan Anderson	\$ 5,000	\$ 1,901	\$ 5,000	\$ 1,474	\$ 3,526	29.5%
Dir. Comm. - Kim Cook	\$ 6,000	\$ 1,363	\$ 6,000	\$ 431	\$ 5,569	7.2%
Emp Exp Other	\$ 15,000	\$ 5,879	\$ 15,000	\$ 3,299	\$ 11,701	22.0%
Professional Development	\$ 17,000	\$ 5,500	\$ 17,000	\$ 1,411	\$ 15,589	8.3%
Employee Training	\$ 15,000	\$ 5,500	\$ 15,000	\$ 1,411	\$ 13,589	9.4%
Wellness Program	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ 2,000	0.0%
Benefits	\$ 406,000	\$ 332,717	\$ 427,000	\$ 255,610	\$ 171,390	59.9%
GDCD FICA	\$ 72,000	\$ 64,927	\$ 79,000	\$ 47,620	\$ 31,380	60.3%
Retirement	\$ 117,000	\$ 111,743	\$ 129,000	\$ 77,618	\$ 51,382	60.2%
Hospital & Life Insurance	\$ 177,000	\$ 136,698	\$ 175,000	\$ 95,234	\$ 79,766	54.4%
Unemployment Comp	\$ 1,000	\$ 307	\$ 1,000	\$ 3,546	\$ (2,546)	354.6%
Dental / Vision Ins.	\$ 14,000	\$ 11,637	\$ 14,000	\$ 7,435	\$ 6,565	53.1%
Work Force Safety	\$ 1,000	\$ 307	\$ 1,000	\$ 388	\$ 612	38.8%
Long-Term Disability Ins	\$ 9,000	\$ 7,098	\$ 10,000	\$ 4,834	\$ 5,166	48.3%
Vacation/Sick Leave Liability	\$ 15,000	\$ -	\$ 18,000	\$ 18,935	\$ (935)	105.2%
Total Employee Expense	\$ 1,341,000	\$ 1,167,595	\$ 1,434,000	\$ 826,707	\$ 607,293	57.7%
Administration						
Postage	\$ 7,000	\$ 3,057	\$ 6,000	\$ 3,266	\$ 2,734	54.4%
Communications	\$ 31,000	\$ 14,124	\$ 16,000	\$ 8,767	\$ 7,233	54.8%
Utilities	\$ 34,000	\$ 31,989	\$ 33,000	\$ 24,741	\$ 8,259	75.0%
Meetings & Events	\$ 10,000	\$ 8,602	\$ 5,000	\$ 6,087	\$ (1,087)	121.7%
Subscriptions/Publications	\$ 6,000	\$ 5,850	\$ 6,000	\$ 3,452	\$ 2,548	57.5%
Miscellaneous	\$ 6,000	\$ 2,916	\$ 4,000	\$ 1,133	\$ 2,867	28.3%
Data Processing	\$ 23,000	\$ 20,270	\$ 20,000	\$ 26,471	\$ (6,471)	132.4%
Employee Recruiting	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000	0.0%
Supplies	\$ 18,000	\$ 10,135	\$ 14,000	\$ 7,291	\$ 6,709	52.1%
Small Office Equipment	\$ 14,200	\$ 10,886	\$ 20,000	\$ 114	\$ 19,886	0.6%
Dues	\$ 15,000	\$ 11,528	\$ 14,000	\$ 11,132	\$ 2,868	79.5%
Insurance	\$ 15,800	\$ 15,509	\$ 14,000	\$ 6,688	\$ 7,312	47.8%
Annual Independent Audit	\$ 33,500	\$ 31,118	\$ 36,500	\$ 30,650	\$ 5,850	84.0%
Total Administration	\$ 218,500	\$ 165,984	\$ 193,500	\$ 129,792	\$ 63,708	67.1%
Public Education						
GDCD Tours	\$ 10,000	\$ 5,000	\$ 10,000	\$ 3,000	\$ 7,000	30.0%
ND Water Users Ass'n Dues	\$ 20,000	\$ -	\$ 20,000	\$ 20,000	\$ -	100.0%
ND Water Coalition Dues	\$ 14,000	\$ 20,000	\$ 14,000	\$ 14,000	\$ -	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	\$ 15,981	\$ (981)	106.5%
Upper Sheyenne	\$ -	\$ 71,061	\$ 50,000	\$ -	\$ 50,000	0.0%
Conference Booth Fees, Sponsorships	\$ 9,750	\$ 6,940	\$ 20,000	\$ 5,432	\$ 14,568	27.2%
Miscellaneous	\$ 9,000	\$ 406	\$ 10,000	\$ 1,414	\$ 8,586	14.1%
Total Public Education	\$ 151,840	\$ 135,407	\$ 157,000	\$ 69,827	\$ 87,173	44.5%

**GARRISON DIVERSION CONSERVANCY DISTRICT
EXPENSE BUDGET ANALYSIS STATEMENT
For Eight Months Ended August 31, 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 08/31/2023	Balance of Budget as of 08/31/2023	Percentage of Budget Spent
Professional Services						
Communications	\$ 160,000	\$ 109,375	\$ 140,000	\$ 70,366	\$ 69,634	50.3%
Engineering	\$ 125,000	\$ 43,248	\$ 125,000	\$ 9,730	\$ 115,270	7.8%
RRVWSP Development	\$ 309,000	\$ 65,640	\$ 316,000	\$ 84,547	\$ 231,453	26.8%
Technical Support for LAWA	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	0.0%
Engineering	\$ 100,000	\$ 7,494	\$ 100,000	\$ 1,274	\$ 98,726	1.3%
Legal	\$ 133,000	\$ 51,674	\$ 125,000	\$ 35,645	\$ 89,355	28.5%
Financial	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ 10,000	0.0%
Consultants	\$ 50,000	\$ -	\$ 50,000	\$ 44,139	\$ 5,861	88.3%
Meeting, Misc. Exp	\$ 16,000	\$ 6,472	\$ 16,000	\$ 3,489	\$ 12,511	21.8%
Prof Services Other	\$ 30,000	\$ 22,793	\$ 45,000	\$ 10,864	\$ 34,136	24.1%
Legal Services	\$ 215,000	\$ 142,762	\$ 188,000	\$ 133,965	\$ 54,035	71.3%
Total Professional Services	\$ 839,000	\$ 383,818	\$ 814,000	\$ 309,472	\$ 504,528	38.0%
Irrigation Development						
ND Irrigation Association	\$ 50,000	\$ 50,000	\$ 50,000	\$ 25,000	\$ 25,000	50.0%
NDSU Oakes Irrigation Site	\$ 202,575	\$ 174,680	\$ 167,875	\$ 195,933	\$ (28,058)	116.7%
Robert Titus Lease	\$ 16,625	\$ 16,484	\$ 17,000	\$ 16,083	\$ 917	94.6%
Irrigation Development	\$ 642,000	\$ 640,183	\$ 26,000	\$ 2,797	\$ 23,203	10.8%
Total Irrigation Development	\$ 911,200	\$ 881,347	\$ 260,875	\$ 239,813	\$ 21,062	91.9%
Recreation						
GDCD Recreation Grant Program	\$ 600,000	\$ 541,988	\$ 850,000	\$ 470,386	\$ 379,614	55.3%
DWRA Recreation Program	\$ 10,000	\$ 4,512	\$ 10,000	\$ 2,803	\$ 7,197	28.0%
Total Recreation	\$ 610,000	\$ 546,500	\$ 860,000	\$ 473,189	\$ 386,811	55.0%
Water Supply Grant Program	\$ 300,000	\$ 98,614	\$ 300,000	\$ 84,638	\$ 215,362	28.2%
Irrigation Districts Expense						
Irrigation Districts	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ 2,000	0.0%
Total Irrigation Districts Expense	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ 2,000	0.0%
Maintenance & Repair						
Equipment Maintenance	\$ 31,000	\$ 30,543	\$ 27,000	\$ 11,259	\$ 15,741	41.7%
Small Yard Equipment Purchases	\$ -	\$ -	\$ 5,000	\$ -	\$ 5,000	0.0%
Land & Bldg Maintenance	\$ 40,000	\$ 39,476	\$ 35,000	\$ 8,764	\$ 26,236	25.0%
Auto Expense	\$ 15,000	\$ 13,462	\$ 15,000	\$ 7,611	\$ 7,389	50.7%
Total Maintenance & Repair	\$ 86,000	\$ 83,481	\$ 82,000	\$ 27,634	\$ 54,366	33.7%
Capital Purchases						
Office Equip & Furniture	\$ 181,000	\$ 177,157	\$ 20,000	\$ 5,450	\$ 14,550	27.3%
Yard Equipment	\$ 30,000	\$ 29,899	\$ 20,000	\$ -	\$ 20,000	0.0%
Vehicle	\$ 60,000	\$ 57,786	\$ 40,000	\$ -	\$ 40,000	0.0%
Land and Buildings	\$ 110,000	\$ 106,399	\$ 15,000	\$ 331,457	\$ (316,457)	2209.7%
Total Capital Purchases	\$ 381,000	\$ 371,241	\$ 95,000	\$ 336,907	\$ (241,907)	354.6%
Total General Fund	\$ 5,110,540	\$ 4,069,469	\$ 4,419,375	\$ 2,653,514	\$ 1,765,861	60.0%

**GARRISON DIVERSION CONSERVANCY DISTRICT
EXPENSE BUDGET ANALYSIS STATEMENT
For Eight Months Ended August 31, 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 08/31/2023	Balance of Budget as of 08/31/2023	Percentage of Budget Spent
IRRIGATION FUND						
McClusky Canal Irrigation:	\$ 722,800	\$ 536,062	\$ 446,100	\$ 160,895	\$ 285,205	36.1%
Construction	\$ 290,000	\$ 261,007	\$ -	\$ -	\$ -	0.0%
Operations	\$ 432,800	\$ 275,055	\$ 446,100	\$ 160,895	\$ 285,205	36.1%
Debt Payments	\$ 217,000	\$ 216,648	\$ 382,000	\$ 75,097	\$ 306,903	19.7%
Principal	\$ 171,630	\$ 171,282	\$ 315,000	\$ 55,892	\$ 259,108	17.7%
Interest	\$ 45,370	\$ 45,366	\$ 67,000	\$ 19,205	\$ 47,795	28.7%
Total Irrigation Fund	\$ 939,800	\$ 752,710	\$ 828,100	\$ 235,992	\$ 592,108	28.5%
GDU O & M						
Salaries and Benefits	\$ 2,247,266	\$ 2,070,155	\$ 1,921,000	\$ 1,458,943	\$ 462,057	75.9%
Salaries	\$ 1,446,050	\$ 1,366,860	\$ 1,183,000	\$ 971,675	\$ 211,325	82.1%
Benefits	\$ 801,216	\$ 703,295	\$ 738,000	\$ 487,268	\$ 250,732	66.0%
Travel	\$ 17,115	\$ 7,099	\$ 14,000	\$ 19,010	\$ (5,010)	135.8%
Training	\$ 9,000	\$ -	\$ 4,000	\$ 3,239	\$ 761	81.0%
Utilities	\$ 87,000	\$ 79,965	\$ 93,000	\$ 51,772	\$ 41,228	55.7%
Contractual Services	\$ 2,066,225	\$ 2,004,988	\$ 423,000	\$ 201,405	\$ 221,595	47.6%
Supplies	\$ 624,000	\$ 552,792	\$ 225,000	\$ 339,849	\$ (114,849)	151.0%
Capital Purchases	\$ 385,000	\$ 296,614	\$ 400,000	\$ 377,108	\$ 22,892	94.3%
Small Equipment Purchases	\$ -	\$ -	\$ 11,000	\$ -	\$ 11,000	0.0%
Equipment Rental	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	0.0%
Equipment Maintenance	\$ 236,240	\$ 196,809	\$ 505,000	\$ 129,744	\$ 375,256	25.7%
Safety	\$ 58,985	\$ 33,676	\$ 53,000	\$ 53,039	\$ (39)	100.1%
Miscellaneous	\$ 22,000	\$ 14,435	\$ 13,000	\$ 3,018	\$ 9,982	23.2%
Materials	\$ 232,000	\$ 79,073	\$ 475,000	\$ 290,114	\$ 184,886	61.1%
Total GDU O & M	\$ 5,984,831	\$ 5,335,606	\$ 4,187,000	\$ 2,927,241	\$ 1,259,759	69.9%
MR&I Fund						
Salaries & Benefits	\$ 73,000	\$ 71,839	\$ 82,000	\$ 54,915	\$ 27,085	67.0%
State Administration	\$ 103,835	\$ 57,058	\$ 153,000	\$ 34,706	\$ 118,294	22.7%
MR&I Project Expenditures	\$ 27,000,000	\$ 25,292,604	\$ 20,000,000	\$ 12,591,772	\$ 7,408,228	63.0%
Total MR&I Fund	\$ 27,176,835	\$ 25,421,501	\$ 20,235,000	\$ 12,681,393	\$ 7,553,607	62.7%
RRV Water Supply Project						
Right of Way	\$ 90,000	\$ 88,594	\$ 1,000,000	\$ 205,745	\$ 794,255	20.6%
Design/Construction in Progress	\$ 27,950,000	\$ 27,923,627	\$ 24,000,000	\$ 15,753,800	\$ 8,246,200	65.6%
Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Professional Services	\$ 520,000	\$ 513,483	\$ 400,000	\$ 209,950	\$ 190,050	52%
Financing/Legal/Administration	\$ 505,000	\$ 500,349	\$ 400,000	\$ 209,950	\$ 190,050	52.5%
Other Engineering	\$ 15,000	\$ 13,134	\$ -	\$ -	\$ -	0.0%
Debt Payments	\$ 331,491	\$ 331,491	\$ -	\$ 331,491	\$ (331,491)	0%
Principal	\$ 308,201	\$ 308,201	\$ -	\$ 278,935	\$ (278,935)	0.0%
Interest	\$ 23,290	\$ 23,290	\$ -	\$ 52,556	\$ (52,556)	0.0%
Total RRVWSP	\$ 28,891,491	\$ 28,857,195	\$ 25,400,000	\$ 16,500,986	\$ 8,899,014	65.0%
TOTAL ALL FUNDS	\$ 68,103,497	\$ 64,436,481	\$ 55,069,475	\$ 34,999,126	\$ 20,070,349	63.6%

GARRISON DIVERSION CONSERVANCY DISTRICT RESERVES STATEMENT August 31, 2023	
OPERATING RESERVE	
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.	\$5,430,402.32
O&M EMERGENCY RESERVE	
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
DEFICIENCY RESERVE	
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
PROJECT DEVELOPMENT RESERVE	
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
TOTAL GARRISON DIVERSION CONSERVANCY DISTRICT RESERVES	\$7,845,995.30

Garrison Diversion Conservancy District Funds in Bank of North Dakota August 31, 2023				
Fund	Account Name/Reserve	Interest Rate	Maturity Date	Balance
General	Checking Account	0.60%		\$ 47,302.69
General	Water Assistance Grant Matching	0.60%		\$ 231,501.00
General	Oakes Building Fund	0.60%		\$ 43,620.44
General	Money Market Deposit Account	0.60%		\$ 4,549,065.13
General	Water Assistance Grant Reserve	0.60%		\$ 541,914.70
General	Accrued Leave-Operating Reserve	0.60%		\$ 179,559.71
Total Deposits				\$ 5,592,963.67

Garrison Diversion Conservancy District Funds in First International Bank & Trust August 31, 2023				
Fund	Account Name/Reserve	Interest Rate	Maturity Date	Balance
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 119130	4.00%	02/18/24	\$ 1,000,000.00
General	CD 80120162	2.35%	03/19/24	\$ 1,000,000.00
General	CD 118850-Operating Reserve	4.00%	04/24/24	\$ 50,500.00
General	CD 118848-O&M Emergency Res.	4.10%	04/29/24	\$ 350,000.00
General	CD 119561-O&M Emergency Reserve	4.10%	05/01/24	\$ 83,682.45
General	CD 119070-Operating Reserve	4.10%	05/17/24	\$ 820,000.00
General	CD 118954	4.10%	05/19/24	\$ 500,000.00
General	CD 80120163	2.50%	09/19/24	\$ 1,000,000.00
Total Investments				\$ 10,030,036.45
General	Recreation Matching-Operating Reserve	2.00%		\$ 1,684,469.55
General	Money Market Funds	2.00%		\$ 137,798.15
General	Recreation Reserve-Operating Reserve	2.00%		\$ 1,332,457.36
Total Money Market Funds				\$ 3,154,725.06
Total Deposits				\$ 13,184,761.51
Pledging	Total Deposits			\$ 13,184,761.51
	Less:FDIC Coverage			(250,000.00)
	Deposit Balance to Secure			12,934,761.51
	Less: Pledging			16,624,375.05
Pledging Excess				\$ 3,689,613.54

BREMER BANK DEPOSIT AND PLEDGING SUMMARY August 31, 2023						
<i>Account Type</i>		<i>Balance</i>	<i>Interest Rate</i>	<i>Maturity Date</i>	<i>Deposit Insurance / Pledging Status</i>	
<i>Demand Deposit Accounts</i>						
Non-Interest Bearing Checking Accounts						
					Total Demand Deposits	\$1,675,055.02
					Less: FDIC Insurance Coverage	250,000.00
xxxx61	Operations & Maintenance Fund	589,505.98	0.00%		Demand Deposit Balance to Secure	\$1,425,055.02
xxxxx52	Red River Valley Water Supply	1,085,549.04	0.00%		x 110%	1.10
Total Demand Deposits		1,675,055.02			Pledging Required on Demand Deposits	\$1,567,560.52
<i>Time and Savings Deposits</i>						
Interest Bearing Checking						
xxxxx34	Irrigation Fund	180,164.47	0.45%			
xxxxxx62	M R & I Working Fund	5,166.23	0.45%			
Total Interest Bearing Checking Balance		<u>185,330.70</u>				
Savings Accounts						
xxxxx41	O&M - Accrued Leave Reserve	154,826.09	1.00%			
xxxxxx63	Irrigation - Debt Service Reserve	292,697.81	1.00%			
Total Savings Balance		<u>447,523.90</u>				
Certificates of Deposit						
xxxxx0394	Certificate of Deposit-Operating Reserve	47,000.00	0.65%	2/20/2024		
xxxxx8862	Certificate of Deposit-Project Dev Reserve	252,054.00	0.65%	2/24/2024		
xxxx1061	Certificate of Deposit-Deficiency Reserve	124,146.00	0.65%	2/24/2024		
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		
xxxxxx803-1	Certificate of Deposit	1,000,000.00	4.05%	4/11/2024		
xxx591-1	Certificate of Deposit-OM Emergency Res.	210,000.00	4.15%	4/24/2024		
xxxxxx106	Certificate of Deposit-OM Emergency Res.	106,317.55	4.15%	5/22/2024		
xxxxxx30-1	Certificate of Deposit	2,000,000.00	4.15%	5/24/2024	Total Time & Savings Deposit Account Balance	\$5,477,911.13
xxxxxx933-1	Certificate of Deposit-Project Dev Reserve	313,538.98	5.00%	8/30/2024	Less: FDIC Insurance Coverage	250,000.00
Total CD Balance		<u>4,845,056.53</u>			Time & Savings Deposit Balance to Secure	\$5,477,877.13
					x 110%	1.10
Total Time & Savings Deposit Account Balance		\$5,477,911.13			Pledging Required on Time & Savings Deposits	\$6,025,664.84
Total Deposits		\$7,152,966.15			Total Pledging Required on all Deposits	\$7,593,225.37
					Pledged Security/Letter of Credit	\$11,684,857.00
					Pledging Excess	\$4,091,631.64

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

COUNTY	PROJECT	GRANT APPROVAL DATE	OUTSTANDING PROJECTS	PROJECTS APPROVED 2023	EXPENDITURES 04-23-15 to 12-31-2022	EXPENDITURES 1-1-23 to 08-31-23	AMOUNTS RETURNED TO PROGRAM	BALANCE REMAINING 08-31-23
Barnes	Sheyenne River Water Trail	04-29-21	\$ 51,005.00					\$ 51,005.00
Barnes	City Wimbledon-Bathroom/Park Upgrade	03-30-23		\$ 12,999.00		\$ 12,999.00		\$ -
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		\$ -
Bottineau	Turtle Mountain Pickle Ball	03-30-23		\$ 4,750.00		\$ 3,488.82	\$ (1,261.18)	\$ -
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			\$ 36,746.00		\$ -
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
Cass	Harwood-Splash Pad	03-30-23		\$ 27,204.00				\$ 27,204.00
Cass	North Elmwood Park Restoration	03-30-23		\$ 24,323.00				\$ 24,323.00
Cass	Tower City Pickle Courts	03-30-23		\$ 4,700.00				\$ 4,700.00
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	\$ 24,797.50		\$ 37,694.57
Foster	Carrington West Park Renovation	03-30-22	\$ 61,202.00		\$ 22,500.00	\$ 16,006.00		\$ 22,696.00
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
Grand Forks	Lincoln Drive Park Family Games Area	03-30-23		\$ 10,000.00				\$ 10,000.00
Griggs	Binford Park Playground Update	03-30-22	\$ 2,950.00			\$ 1,249.50		\$ 1,700.50
Griggs	Binford Rodeo Ass. 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
McHenry	City of Upham-Park Restrooms	03-30-23		\$ 12,500.00				\$ 12,500.00
McKenzie	Tobacco Garden Shower/Bathroom	03-30-23		\$ 40,071.00				\$ 40,071.00
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
McLean	City of Butte-City Park	03-30-23		\$ 874.00				\$ 874.00
McLean	Arena Announcer Office & Concessions	03-30-23		\$ 6,946.00				\$ 6,946.00
McLean	Nelson Park & Community Garden	03-30-23		\$ 12,750.00				\$ 12,750.00
McLean	Sportsmen's Centennial Park Boat Ramp	03-30-23		\$ 6,250.00		\$ 4,480.04	\$ (1,769.96)	\$ -
Nelson	Toina 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
Pierce	Rugby-Jaycee's Splashpad	03-30-23		\$ 40,202.00				\$ 40,202.00
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			\$ 17,280.63		\$ 2,719.37
Renville	Mohall Splash Pad Phase II	03-30-23		\$ 6,875.00		\$ 6,875.00		\$ -
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	Wyndmere Park Board	03-30-22	\$ 10,728.00					\$ 10,728.00
Richland	Fairmount-Park Playground Equipment	03-30-23		\$ 9,750.00				\$ 9,750.00
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
Sargent	Forman-Main Street Pocket Park	03-30-23		\$ 2,213.00			\$ (2,213.00)	\$ -
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
Steele	Finley-Park Playground Equipment	03-30-23		\$ 13,750.00				\$ 13,750.00
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
Stutsman	4-H Horse Arena Improvement	03-30-23		\$ 8,843.00				\$ 8,843.00
Stutsman	Pedestrian Bridge Replacement	03-30-23		\$ 75,000.00				\$ 75,000.00
Stutsman	Lakeside Campground Improvements	03-30-23		\$ 5,574.00				\$ 5,574.00
Stutsman	Lawrence Trapper Softball Lighting	03-30-23		\$ 35,072.00				\$ 35,072.00
Trail	Riverwalk Park & Trail System	05-06-20	\$ 89,973.00			\$ 42,149.05	\$ (47,823.95)	\$ -
Trail	Galesburg Playground	03-30-22	\$ 22,595.00		\$ 21,880.00			\$ 715.00
Trail	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		\$ 0

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

COUNTY	PROJECT	GRANT APPROVAL DATE	OUTSTANDING PROJECTS	PROJECTS APPROVED 2023	EXPENDITURES 04-23-15 to 12-31-2022	EXPENDITURES 1-1-23 to 08-31-23	AMOUNTS RETURNED TO PROGRAM	BALANCE REMAINING 08-31-23
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
Ward	ND State Fair-Full Service Camping Hook-ups	03-30-23		\$ 21,375.00		\$ 21,375.00		\$ -
Ward	Talbot Court Disc Golf	03-30-23		\$ 2,465.00				\$ 2,465.00
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
Williams	Williston Water World	03-30-23		\$ 75,000.00				\$ 75,000.00
TOTALS			\$1,893,199.00	\$459,486.00	\$118,662.57	\$470,385.68	(\$79,167.20)	\$ 1,684,469.55

GARRISON DIVERSION CONSERVANCY DISTRICT						
Tax Collections Statement						
For Eight Months Ending August 31, 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	\$86,360	(9,360)	\$4,000	\$4,081	(\$81)
Benson	32,000	35,407	(3,407)	3,000	2,794	206
Bottineau	55,000	61,769	(6,769)	3,000	2,916	84
Burleigh	490,000	581,427	(91,427)	22,000	23,670	(1,670)
Cass	904,000	1,060,454	(156,454)	42,000	45,866	(3,866)
Dickey	41,000	45,037	(4,037)	3,000	3,305	(305)
Eddy	13,000	15,526	(2,526)	2,000	1,838	162
Foster	27,000	29,365	(2,365)	5,000	4,746	254
Grand Forks	290,000	324,133	(34,133)	9,000	9,545	(545)
Griggs	19,000	20,373	(1,373)	2,000	1,836	164
LaMoure	40,000	42,362	(2,362)	3,000	3,319	(319)
McHenry	46,000	50,495	(4,495)	2,000	1,913	87
McKenzie	321,000	373,923	(52,923)	23,000	24,534	(1,534)
McLean	75,000	81,778	(6,778)	6,000	6,421	(421)
Nelson	24,000	26,648	(2,648)	2,000	1,784	216
Pierce	31,000	33,211	(2,211)	2,000	2,395	(395)
Ramsey	57,000	63,524	(6,524)	4,000	4,412	(412)
Ransom	36,000	39,717	(3,717)	-	-	-
Renville	22,000	24,608	(2,608)	2,000	2,135	(135)
Richland	95,000	107,628	(12,628)	-	-	-
Sargeant	34,000	39,413	(5,413)	2,000	2,247	(247)
Sheridan	14,000	15,904	(1,904)	3,000	3,171	(171)
Steele	28,000	30,832	(2,832)	2,000	1,537	463
Stutsman	120,000	133,976	(13,976)	6,000	6,662	(662)
Traill	53,000	60,647	(7,647)	3,000	3,056	(56)
Ward	302,000	337,259	(35,259)	15,000	15,991	(991)
Wells	40,000	43,562	(3,562)	3,000	2,938	62
Williams	364,000	404,765	(40,765)	7,000	7,169	(169)
Totals	\$ 3,650,000	\$4,170,103	\$ (520,103)	\$ 180,000	\$ 190,281	\$ (10,281)

GARRISON DIVERSION CONSERVANCY DISTRICT WATER ASSISTANCE GRANT PROGRAM OUTSTANDING PROJECTS June 1, 2021 to August 31, 2023										
COUNTY	Sponsor	PROJECT	GRANT APPROVAL DATE	OUTSTANDING PROJECTS	PROJECTS APPROVED 2023	EXPENDITURES 1-1-21 to 12-31-22	EXPENDITURES 1-1-23 to 08-31-23	AMOUNTS RETURNED TO PROGRAM	BALANCE REMAINING 08-31-23	
Barnes	BRWD	Finger, Blake	08-24-23		\$ 9,775.00				\$ 9,775.00	
Bureigh	SCRWD	Leier, Tavi	08-15-22	\$ 1,351.00				\$ 1,351.00	\$ -	
Benson	ASWUD	Sten, Tiffany	08-24-23		\$ 10,000.00		\$ 10,000.00		\$ -	
Benson	CPWD	Foss, Scott	08-24-23		\$ 10,000.00				\$ 10,000.00	
Cass	CRWD	Link, Steve	05-10-23		\$ 10,000.00				\$ 10,000.00	
Cass	CRWD	Nudell, Riggs	05-10-23		\$ 10,000.00				\$ 10,000.00	
Cass	CRWD	Pfeifer, Alex	05-10-23		\$ 10,000.00				\$ 10,000.00	
Cass	CRWD	Richard, Leroy	05-10-23		\$ 10,000.00				\$ 10,000.00	
Cass	CRWD	Claus, Dylan	08-24-23		\$ 9,025.00				\$ 9,025.00	
Cass	CRWD	Korthof, Jack	08-24-23		\$ 8,413.00				\$ 8,413.00	
Eddy	GRWD	Harding, Logan	05-10-23		\$ 2,825.00		\$ 2,300.00		\$ 525.00	
Eddy	GRWD	Snyder, Dale	05-10-23		\$ 7,150.00				\$ 7,150.00	
Eddy	GRWD	Topp, Ryan	05-10-23		\$ 10,000.00				\$ 10,000.00	
McKenzie	MCWRD	Heiser, Lynn	08-15-22	\$ 6,188.00			\$ 6,188.00		\$ -	
McKenzie	MCWRD	Linseth, Elyce & Tyler	05-10-23		\$ 10,000.00		\$ 10,000.00		\$ -	
McLean	NPRWD	Andes, Hunter	08-24-23		\$ 8,463.00				\$ 8,463.00	
Nelson	TCRWD	Reinhart, Marlin	08-11-21	\$ 10,000.00				\$ 10,000.00	\$ -	
Ramsey	GRWD	Klemetsrud, Scott	05-18-22	\$ 1,650.00			\$ 1,650.00		\$ -	
Ramsey	GRWD	Lacina, Tane	08-15-22	\$ 5,550.00		\$ 4,125.00			\$ 1,425.00	
Ramsey	GRWD	Newgard, Brent	05-10-23		\$ 10,000.00				\$ 10,000.00	
Ramsey	GRWD	Shoenfish, Evan	05-10-23		\$ 10,000.00				\$ 10,000.00	
Ransom	BRWD	Smith, Wyatt	08-24-23		\$ 4,000.00				\$ 4,000.00	
Ransom	SEWUD	Johanneson, Deb	08-24-23		\$ 10,000.00				\$ 10,000.00	
Renville	USWD	Frame, Jane	05-18-22	\$ 6,550.00					\$ 6,550.00	
Richland	SEWUD	Andvik, Bruce & April	08-11-21	\$ 10,000.00			\$ 10,000.00		\$ -	
Richland	SEWUD	Wolters, Andy	08-15-22	\$ 8,475.00					\$ 8,475.00	
Sargent	SEWUD	Schmidt, Anthony	08-24-23		\$ 6,287.00				\$ 6,287.00	
Sargent	SEWUD	Storhaug, Travers & Brittany	08-24-23		\$ 2,035.00				\$ 2,035.00	
Stutsman	SRWD	Carlson, Layne	06-01-21	\$ 9,000.00				\$ 9,000.00	\$ -	
Stutsman	SRWD	Carlson, Ryan	06-01-21	\$ 9,000.00				\$ 9,000.00	\$ -	
Stutsman	SRWD	Christenson, Gordon	06-01-21	\$ 1,500.00				\$ 1,500.00	\$ -	
Stutsman	SRWD	Dunwoody, Clint	06-01-21	\$ 10,000.00				\$ 10,000.00	\$ -	
Stutsman	SRWD	Sabinash, Mike	06-01-21	\$ 10,000.00				\$ 10,000.00	\$ -	
Stutsman	SRWD	Reich, Becky	08-11-21	\$ 4,500.00			\$ 4,500.00		\$ -	
Stutsman	SRWD	Wahl, John	05-18-22	\$ 1,630.00					\$ 1,630.00	
Stutsman	SRWD	Dick, Lee	05-10-23		\$ 10,000.00				\$ 10,000.00	
Stutsman	SRWD	Haas, Eric	05-10-23		\$ 580.00				\$ 580.00	
Stutsman	SRWD	Kleven, Allen	05-10-23		\$ 1,120.00				\$ 1,120.00	
Stutsman	SRWD	Sortland, Brady	05-10-23		\$ 10,000.00				\$ 10,000.00	
Stutsman	BRWD	Peterson, Matt	08-24-23		\$ 10,000.00				\$ 10,000.00	
Stutsman	SRWD	Collins, Cecelia	08-24-23		\$ 2,565.00				\$ 2,565.00	
Stutsman	SRWD	Kamletz, Richard	08-24-23		\$ 1,950.00				\$ 1,950.00	
Stutsman	SRWD	Kienzle, Linda	08-24-23		\$ 2,250.00				\$ 2,250.00	
Stutsman	SRWD	Michel, Cody	08-24-23		\$ 3,210.00				\$ 3,210.00	
Stutsman	SRWD	Zillmer, Jordan & Erica	08-24-23		\$ 10,000.00				\$ 10,000.00	
Ward	NPRWD	Hendrickson, Joann & Duwayne	08-15-22	\$ 2,197.00					\$ 2,197.00	
Ward	NPRWD	Keller, Dean	08-15-22	\$ 1,182.00					\$ 1,182.00	
Ward	NPRWD	Wing, Michael & Crystal	08-15-22	\$ 2,469.00					\$ 2,469.00	
Ward	NPRWD	Clark, Wade	08-24-23		\$ 10,000.00				\$ 10,000.00	
Wells	CPWD	Erdman, Kyle	05-10-23		\$ 10,000.00				\$ 10,000.00	
Wells	CPWD	Radamacher, Delaine	05-10-23		\$ 10,000.00		\$ 10,000.00		\$ -	
Wells	CPWD	Schmaltz, Jeremy	10-06-22	\$ 10,000.00			\$ 10,000.00		\$ -	
		City of Hannaford	2/10/2023	\$ 20,000.00			\$ 20,000.00		\$ -	
TOTALS					\$ 131,242.00	\$ 239,873.00	\$ 4,125.00	\$ 84,638.00	\$ 50,851.00	\$ 231,501.00

Bureau of Reclamation Activities

Garrison Diversion Executive Board of Directors Meeting
September 14, 2023

Municipal, Rural, and Industrial Program

Rural Water Budgets:

Rural Water Budgets	Final FY 2022*	FY2023*
GDU	81.357	38,425
State	51.177	15.450
Tribe	30.180	22.975
Lewis & Clark	97.414	78.600
Fort Peck	24.191	15.000
Rocky Boys	76.004	97.321
Musselshell- Judith	37.000	27.600
E NM	177.400	96.140
Total	493.366	353.086

*Includes BIL funding and additional earmarked funding

State Municipal Rural and Industrial Program

Northwest Area Water Supply (NAWS)

Construction activities are substantially complete or complete on the following projects: the distribution pipeline to Westhope (Contract 2-4D); the Lansford Reservoir and Pipeline (Contract 4-3A/5-3A); Westhope to Souris pipeline (Contract 2-4B); and Minot Water Treatment Plant (WTP) Improvements Phase II (Contract 7-1B).

Construction is ongoing for the Biota Water Treatment Plant Phase I (Contract 7-2A/4-1A), Snake Creek Pumping Plant Intake Modification (Contract 6-1A), and the South Prairie Reservoir and Hydraulic Control Structure (Contract 5-1A/B). Contract 4-4B/5-4B Bottineau Reservoir and Pump Station has been awarded and had a preconstruction meeting. Construction should begin this summer. Contract 2-1E Snake Creek Pumping Plant Discharge Pipeline was advertised and a contract awarded. A preconstruction meeting is being scheduled. The Minot WTP Phase III (Contract 7-1C), the Souris Reservoir & Pump Station (Contract 4-4A/5-4A) and the Biota WTP Phase II (Contract 7-2B/4-1B) projects are in the design phase.

Contract 4-4B/5-4B Bottineau Reservoir and Pump Station and Contract 2-1E, Snake Creek Pumping Plant Discharge Pipeline project will be funded with Bipartisan Infrastructure Law (BIL) funds (65 percent) State funds (35 percent). Reclamation is processing a modification request to add these two projects to the scope of work of the newest cooperative agreement.

Until these projects are added to the scope of work to the new cooperative agreement being established for BIL funded projects, Federal funds cannot be used to pay project expenses.

Reclamation has drafted an Operations & Maintenance agreement for the NAWS Biota Water Treatment Plant. The State Water Commission and the City of Minot will be parties to this agreement. A second meeting to discuss this was held on July 11, 2023. Reclamation shared a draft Memorandum of Agreement to the Department and the City for review and they have provided comment. Reclamation is considering these comments, along with internal review comments and will share a revised draft with the group. The goal is to have an agreement executed by October 1st. A subsequent cooperative agreement between Reclamation and the State Water Commission will be the funding mechanism by which Reclamation can provide Federal funds for the Operations and Maintenance of the Biota Water Treatment Plant.

In May 2023, Reclamation hosted a meeting of the NAWS Biota WTP Adaptive Management Team and shared a revised draft of the Adaptive Management Plan to the team for their review and comment. Comments were requested by July 1, 2023, and a couple team members requested an extension. Comments have been received by the Department of Water Resources and the Environmental Protection Agency (EPA). Reclamation will review the comments received and revise the draft Plan as appropriate and share it with team members. Another team meeting will be scheduled this fall.

Eastern North Dakota Alternate Water Supply (ENDAWS)

Reclamation, Garrison staff, and Garrison's consultant met to discuss proposed reroutes of the ENDAWS pipeline based on input from the U.S. Fish & Wildlife Service. Reclamation concurred with the reroutes and will coordinate sharing this information with the U.S. Fish & Wildlife Service at Audubon refuge. Discussions on this topic 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 (R17AC00049) 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. Additional geotechnical assessments are almost complete, and the Department of Water Resources is working with the contractor on a claim filed.

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). Seventeen modifications have been completed for this agreement for the purposes of adding construction projects, engineering projects, and/or obligating funds to the agreement. Reclamation issued a modification to obligate the FY2023 appropriations to this agreement in June 2023.

A new cooperative agreement (R23AC00093) was executed in June to obligate FY2022 BIL funds (\$33,545,000) and included design and construction tasks associated with Phase II of the

NAWS Biota Water Treatment Plant in the scope of work. A modification to this agreement is in process to obligate the FY2023 BIL funding (\$5,000,000) and add the Bottineau Reservoir and Pump Station contract and the Snake Creek Pumping Plant Discharge Pipeline contract to the scope of work of the agreement. This modification is anticipated by the end of the Federal fiscal year which is September 30, 2023.

CLARIFICATION from previous quarterly report:

Last quarter the Dakotas Area Office reported that it had received clarification on the request for a waiver of the Buy American requirement associated with the Biota WTP Phase I construction contract. It had been determined that a waiver for this Phase I contract was not needed and Dakotas Area Office had verbally communicated this to the State and Garrison. Dakotas Area Office has recently been notified that this interpretation on a waiver has changed. **A waiver for Phase I is needed**, and until a waiver is received for this contract, FY 2023 appropriated funds available for the project cannot be expended. Dakotas Area Office is seeking additional explanation for this change, as well as asking for the status of the waiver that was submitted for this project months ago. Updates will be provided as Dakotas Area Office learns more.

Buy American Waiver: Reclamation is also pursuing a Rural Water Program waiver that would exempt all Reclamation's authorized rural water programs from the Buy America requirements. Dakotas Area Office will keep Garrison and the Department of Water Resources updated on this waiver request as well.

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 December 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, is administering the contract. The award of the Fort Yates Demolition project to Wagner Construction was approved at the February 2022 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. Wagner's construction crew was back on site in May 2023 working on the pond/lagoon area. Demolition of the WTP building started in August 2023.

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. Carstensen Contracting started construction in late October 2022 and worked into December when they had to shut down due to adverse weather conditions. Carstensen started construction again June 5, 2023.

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 engineer's 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 yellow 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 yellow bored casing, 388 feet of 4 inch yellow 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. Storms Construction mobilized the first week of May 2023 and has continued installation of the rural water line through the summer.

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. The pre-construction conference was held on October 21, 2022. Storms Construction began construction on May 8, 2023, fusing pipe for directional drilling. The final completion date for this contract is October 31, 2023.

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, the Water Treatment Plant and most recently are working with Spirit Lake to set up pressure recorders in the Fort Totten community to help resolve low pressures within the community and at the IHS Clinic.

Fort Berthold Rural Water System (FBRWS)

The Tribe-FBRW has a growing need for temporary MR&I raw water intakes throughout the reservation. Reclamation will submit permit applications to the U.S. Army Corps of Engineers for the temporary intakes as the sites become known and adequate information is available to do so.

The Tribe-FBRW was awarded \$54.38 million of Infrastructure Investment and Jobs Act (IIJA) - Bipartisan Infrastructure Law (BIL) Aging Infrastructure funds. TAT passed a resolution to enter into a P.L. 93-638 Operations and Maintenance (O&M) contract with Reclamation for those funds. It is anticipated the Tribe will formally send a letter to Reclamation soon that requests a 638 contract. A Management Standards Review was conducted in July, which Reclamation requires before entering into a new contract. IHS anticipates awarding BIL funds to the Tribe, including for some projects received BIL funds from Reclamation. The Tribe passed resolutions to fund some projects, using non-Federal funds.

Each of the six Segment Representatives have plans for significant development in their Segments. When funds from Reclamation are not available, then other sources (Tribal dollars) would be used to cover the costs. Projects using non-Federal Tribal funds are anticipated to be conducted in a manner that meet Federal requirements, making the costs reimbursable if a new Dakota Water Resources Act construction ceiling is authorized.

A programmatic Environmental Assessment is being prepared for the Fort Berthold Rural Water System. It is anticipated to be completed in October/November 2023.

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 fall.

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. Construction has restarted this spring with substantial completion scheduled for later summer 2023.

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 began summer 2022 and is approximately 85 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 in progress.

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 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

Hazardous material investigations and clean-up were completed at the New Rockford office and shop complex. Bridge inspections are scheduled for October 2-6 for Reclamation owned bridge along McClusky and New Rockford Canals.

Irrigation

Jamestown Dam

Jamestown Dam Periodic Facility Review was rescheduled to September 13, 2023.

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 2024 irrigation season.

Standing Rock Irrigation Project

Tribe's FY23 Aging Infrastructure application through the Bipartisan Infrastructure Law funding for embankment stabilization geotechnical study at Eagle Unit was awarded. Tribe decided to modify existing 638 contract and started contract modification process. Data collected will be used for evaluating permanent repair options of the embankment in the future. Cannonball unit pump replacement and intake modification and inspection has been completed. At Eagle Unit a pipeline inspection of the 30" 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

User satisfaction surveys were conducted by campground hosts and they were able to collect 110. The data will be used as part of a government-wide reporting metric for recreation user satisfaction. Only one campground host is currently still active at East Park Lake and plans to be done around mid-September. The interagency agreement for law enforcement from National Park Service (NPS) was not completed this year, but we will try again next season.

Hoffer Lake completed their septic system repairs, and construction on the 4H building will soon be underway under a Title 28 cost share agreement.

North Dakota Natural Resources Trust

Andrea Gue attended the Natural Resource Trust Board Meeting on August 22, 2023. Marlana Lanini, the WaterSmart Coordinator from the Reclamation Regional Office, gave a virtual presentation of WaterSmart programs the Trust may be interested in applying for in the future.

Wildlife Program

Lonetree

New agreement for FY 23 is with the Regional Office.

Audubon

Reclamation and Fish and Wildlife Service staff will conduct the annual joint review of the Audubon Refuge mitigation features on August 31, 2023. New agreement for FY 23 is with the Regional Office.

Arrowwood

Reclamation and Fish and Wildlife Service staff conducted the annual joint review of the Arrowwood Refuge mitigation features on August 24, 2023.

Scattered Tracts

The fall semi-annual coordination meeting will occur at 10 a.m. on September 19, 2023, at Lonetree. The final Memorandum of Agreement (MOA) to modify the 1986 agreement is going through the finalization process within Reclamation. Each signatory will get a fully executed copy of the document in the upcoming weeks.

GARRISON DIVERSION CONSERVANCY DISTRICT						
MR&I Project Construction Report						
08/31/2023						
Project	Current Funding					
	Federal		2023		Total	Federal
	MR&I Funding	MR&I Fund Expenditures	MR&I Fund Expenditures	MR&I Fund Expenditures		
ENDAWS	\$ 3,870,000.00	\$ 240,772.30	\$ 240,416.46	\$ 481,188.76	\$ 3,388,811.24	
NAWS-Biota Treatment Plant	\$ 60,261,678.15	\$ 35,750,453.72	\$ 10,806,586.74	\$ 46,557,040.46	\$ 13,704,637.69	
Biota WTP Ultra Violet Reactor	\$ 707,125.00	\$ 362,659.00	\$ 269,518.30	\$ 632,177.30	\$ 74,947.70	
Biota WTP Dissolved Air Flotation Equip	\$ 1,843,870.00	\$ 80,500.00	\$ 1,275,250.00	\$ 1,355,750.00	\$ 488,120.00	
NAWS-Westhope All Seasons III	\$ 4,186,000.00	\$ 3,415,729.46	\$ 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	\$ 2,689,518.18	\$ 368,824.82	
NAWS-Westhope to Souris River	\$ 3,514,026.00	\$ 3,210,130.47	\$ 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	\$ 2,943,369.46	\$ 56,630.54	
Totals	\$ 80,441,042.15	\$ 48,693,132.59	\$ 12,591,771.50	\$ 61,284,904.09	\$ 19,156,138.06	

GARRISON DIVERSION CONSERVANCY DISTRICT MR&I BIL Agreement Project Construction Report August 31, 2023						
Current Funding						
Project	Federal		2023		Total	Federal
	MR&I Funding	MR&I Fund Expenditures	MR&I Fund Expenditures	Expenditures		
NAWS	\$ 33,545,000.00	\$ -	\$ -	\$ -	-	33,545,000.00
Totals	\$ 33,545,000.00	\$ -	\$ -	\$ -	-	\$ 33,545,000.00



BID TABULATION SUMMARY

Red River Valley Water Supply Project
 Transmisson Pipeline East
 Sykeston to Carrington, Wells and Foster Counties, ND
 Contract 5D, Task Order 5534

Bid Opening 2:00 p.m. CST, Thursday, September 7, 2023

No.	Bidder	Env 1							Env 2					Bid Total	
		Attended Pre-bid Conference	Bid Bond Included in the Amount of 5 percent of Bid	Contractor's License or Certificate of Renewal Included	Non-Collusion Affidavit Included and Completed	EJCDC C-451 Qualifications Statement Completed	Meets General Contractor Qualification Requirements	Meets Tunneling Contractor Qualification Requirements	Proposed Subcontractors, Suppliers, and Manufacturers Questionnaire Included and Completed	Acknowledged Addendum No. 1	Acknowledged Addendum No. 2	Acknowledged Addendum No. 3	Acknowledged Addendum No. 4		Acknowledged Addendum No. 5
1	Thalle Construction	X	X	X	X	X	X	X	X	X	X	X	X	X	\$82,977,440.00
2	Oscar Renda	X	X	X	X	X	X	X	X	X	X	X	X	X	\$79,893,740.00
3	Carstensen Contracting	X	X	X	X	X	X	X	X	X	X	X	X	X	\$61,677,275.00
4	Harper Brothers Construction	X	X	X	X	X	X	X	X	X	X	X	X	X	\$88,095,345.00*
5															* read as \$88,286,505.00
6															
7															
8															
9															
	Engineer's Estimate														\$68,986,800.00
Garrison Diversion Conservancy District PO Box 140 Carrington, ND 58421 701-652-3194		District Engineer / Deputy Director of RRVWSP for Engineering Kip Kovar, PE September 7, 2023													



Black & Veatch Corporation
8400 Ward Parkway, Kansas City, MO 64114
P +1 913-458-3571 E RonnekampKA@bv.com

September 13, 2023

Garrison Diversion Conservancy District
Red River Valley Water Supply Project
Transmission Pipeline East
Task Order 5534, Contract 5D

BV Project 188972/409653
BV File 55.5534.3

Mr. Duane DeKrey
General Manager
PO Box 140
Carrington, ND 58421

Dear Mr. DeKrey:

This letter provides the bid results and a recommendation of award for the Transmission Pipeline East, Contract 5D project (the Project) to Carstensen Contracting, Inc. (Carstensen). Garrison Diversion Conservancy District held a bid opening at its Carrington Office on September 7, 2023, at 2 p.m. local time. A total of four bids were received; all bids were opened and read aloud. The bid results are as follows:

Table 1 – Bid Tabulation Summary

Contractor	Address	Bid Price (~10 miles of 72" pipe)	Delta Between Bidder and Apparent Low Bidder
Carstensen Contracting, Inc.	Dell Rapids, SD	\$61,677,275	--
Oscar Renda Contracting, Inc.	Grapevine, TX	\$79,893,740	\$18,216,465 or 29.5%
Harper Brothers Construction, LLC	Houston, TX	\$88,095,345	\$26,418,070 or 42.8%
Thalle Construction Co., Inc.	Hillsborough, NC	\$82,977,440	21,300,165 or 34.5%
Engineer's Estimate	Kansas City, MO	\$68,986,800	\$7,309,525 or 11.9%

Carstensen of Dell Rapids, South Dakota submitted the apparent low bid. Oscar Renda Contracting, Inc. of Grapevine, Texas submitted the apparent second low bid.

EVALUATION OF THE APPARENT LOW BIDDER'S BID

The engineer's opinion of probable construction cost (cost opinion) for the Project prepared by Black & Veatch (the Engineer) was \$68,986,800. One bidder had a lower Bid and three bidders had higher Bids than the Engineer's cost opinion. There was a \$7,309,525 or 11.9 percent difference between the apparent low bid and the Engineer's cost opinion. The Engineer's cost opinion was \$9,174,150 or 14.9 percent lower than the average of the four bids received.

A comparison of the Bids shows a difference of \$18,216,456 or 29.5 percent between the low Bid and the second low Bid. Because of this significant difference, the Engineer contacted the apparent low bidder to verify there were no errors made in preparation of Carstensen's bid. Carstensen, the apparent low bidder, confirmed it did not have any errors in its bid and it is standing by its bid of \$61,677,275. Bidders were given 24 hours to withdrawal a bid due to a substantiated error, with return of the bid security. Garrison Diversion nor the Engineer received such notice.

Based on discussions with the apparent low bidder following the bid opening, it is the Engineer's opinion that Carstensen has a good understanding of the Project and the key elements thereof. A review of their unit prices indicates a distribution like other bidders. The spread between the low



and second low came down to Carstensen's estimated efficiency and rate of pipe installation. The approximate \$18 million difference between the low and the second low is captured entirely in the installed price of the 72-inch transmission pipeline, Bid Item No. 2.

EVALUATION OF THE APPARENT LOW BIDDER'S QUALIFICATIONS

Garrison Diversion undertook a general contractor Prequalification Process earlier this year, which concluded on July 24, 2023. Through this process, seven general contractors were prequalified for the Owner's pipeline projects. Carstensen was among those firms prequalified having successfully demonstrated their qualifications and experience. Hence, a general contractor qualification submittal was not required of Carstensen for the Bid.

As you know, a critical part of the Project is the tunneling work, including installation of two 96-inch casing pipes under wetlands. Due to this fact, a Tunneling Contractor Qualifications Form was included in the specifications requiring the tunneling contractor or subcontractor to have minimum qualifications. Carstensen listed Minger Construction Companies, Inc. (Minger) as its tunneling subcontractor. Minger demonstrated through completion of the required Tunneling Contractor Qualifications Form that it meets minimum specified requirements. This is consistent with past determinations of Minger's qualifications; they were approved as a qualified tunneling contractor on both the Transmission Pipeline East Contract 5A and 5B projects. Minger has successfully completed the 5A tunnel for Garrison Diversion. Minger is currently constructing the 5B tunnel under the Canadian Pacific Railway a mile south and three miles east of Carrington. That work is progressing satisfactorily.

SUMMARY AND RECOMMENDATION

Given the Engineer's review of the bids, the prequalification of Carstensen as a pipeline general contractor for the Red River Valley Water Supply Project, and the Engineer's review of Minger's qualifications as a tunneling subcontractor, Black & Veatch recommends Garrison Diversion award the Project to the low bidder, Carstensen Contracting, Inc. for its Bid of \$61,677,275. The Bid is within the Project's biennium budget allocation and below the Engineer's cost opinion. Should you concur with Black & Veatch's recommendation, a Notice of Award will be prepared and forwarded to Garrison Diversion for signature. In addition, conformed copies of the Contract Documents, including the Agreement and required bonds, will be prepared and forwarded to Carstensen for execution.

If you have any questions concerning this Recommendation of Award for the subject project, please contact us.

Sincerely,
BLACK & VEATCH CORPORATION

Paul Boersma
Associate Vice President

BLACK & VEATCH CORPORATION

Kurt A. Ronnekamp
Sr. Project Manager

Enclosures

cc: Ms. Merri Mooridian, GDCD
Mr. Kip Kovar, GDCD
File

**RRVWSP Work Plan Update
September 8, 2023**

CONSTRUCTION

Wet Well Construction Contract 1

The project is closed, original contract price \$4,989,405.88 with change order 1 and 2 making the final contract price \$4,721,446.47.

Pipeline Construction

Contract 5A

The project is closed, original contract price \$8,366,201.00, with change order 1 and 2 making the final contract price of \$8,393,395.44.

Reclaimed Property



Typical Air Release Manhole



Contract 5B

The original pipe delivery of June 15, 2021, 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 slowed the pipe installation progress.

For year 2023, contractor has been mobilizing, stripping topsoil, performing a significant amount of dewatering and prepping site for tunneling crew. The first pipe is expected to be installed on June 9.

To date, \$14,972,231.08 has been paid on the original contract amount of \$45,961,700.00. Change Order No. 1, 2 and 3 has been approved, leaving the current contract price at \$44,932,678.24.



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. A subcontractor is currently restoring the property, with seeding occurring this week. To date, \$18,198,634.82 has been paid on the original contract amount of \$18,896,000.00. Five change orders have been approved for a current contract price \$20,910,615.60.



Site Under Construction



Completed Missouri River Intake

DESIGN

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

Contract 5D bid opening was held September 7, Contract 5C bid opening September 21 and Contract 6A will be scheduled for 2024.



Black & Veatch Corporation
111 E Wisconsin Ave, Ste 1770
Milwaukee, WI 53202
P +1 414-455-1606 E BoersmaPM@bv.com

September 11, 2023

Mr. Duane DeKrey, General Manager
Garrison Diversion Conservancy District
PO Box 140
Carrington, ND 58421

Red River Valley Water Supply Project
BV Project Number 188972
BV File Number 11.4221

Subject: Modification to and Closeout of Previously Executed Task Orders
2017-19, 2019-21, and 2021-23 Biennia Task Orders

Dear Mr. DeKrey,

The purpose of this document is to formalize adjustments to task orders, which are funded under Garrison Diversion’s 2017-19, 2019-21, and 2021-23 biennia budgets, between Garrison Diversion and Black & Veatch. Modifications include both reductions of, and additions to previously executed task orders. The changes when considered in the aggregate represent a **(\$16,330)** net refund to Garrison Diversion. The revised aggregate upper limit of all 2017-19 biennium-funded task orders is reduced **(\$16,330)** to a revised upper limit of \$11,586,325. While some individual task orders in the 2019-21 and 2021-23 biennia require reallocation of funding, the aggregate upper limit of all 2019-21 and 2021-23 biennia-funded task orders remain unchanged.

Task order upper limit fee changes requested are as follow:

Status at Executed Amend	Task Order Number - Description	Current Upper Limit	Amount of Requested Change	Proposed Revised Upper Limit
2017 to 2019 Biennium				
Complete	TO 1312 Project Information Management System Selection	\$113,100	(\$7,666)	\$105,434
Complete	TO 8320 2019-21 Biennium Financial Planning Support	\$380,000	(\$4,669)	\$375,331
Complete	TO 9310 User Engagement Round 2	\$398,830	(\$3,995)	\$394,835
Complete	All other Unmodified 2017-19 Biennium Task Orders	\$10,710,725	\$0	\$10,710,725
Complete	Fee Subtotal 2017-19 Biennium	\$11,602,655	(\$16,330)	\$11,586,325

2019 to 2021 Biennium				
Complete	TO 1330 2019-2021 Biennium Program Management Services	\$166,191	\$0	\$166,191
Complete	TO 1340 Strategic Project Development and Communication Services	\$150,307	\$0	\$150,307

Status at Executed Amend	Task Order Number - Description	Current Upper Limit	Amount of Requested Change	Proposed Revised Upper Limit
Complete	TO 2620 MRIPS Ct 1 Wet Well and Site Development Construction Phase Services	\$612,000	\$0	\$612,000
Active	TO 2330 MRI Ct 2 Final Design and Bidding Assistance Services	\$1,444,000	\$68,129	\$1,512,129
Complete	TO 5630 TPE Ct 5A Construction Phase Services	\$868,145	(\$39,047)	\$829,098
Complete	TO 6610 SRO Ct 1 Discharge Structure and Site Development Construction Phase Services	\$193,000	(\$29,082)	\$163,918
Complete	All other Unmodified 2019-21 Biennium Task Orders	\$695,592	\$0	\$695,592
Active	Fee Total 2019-21 Biennium	\$4,129,235	\$0	\$4,129,235

2021 to 2023 Biennium				
Complete	TO 1410 Operations / Asset Management	\$106,000	\$0	106,000
Active	TO 2630 MRI Ct 2 Screen Structure and Tunnel Construction Phase Services	\$2,585,000	\$60,000	\$2,645,000
Complete	TO 5270 Pipeline Extensions Conceptual Design Update Phase 1	\$436,000	(\$104,270)	\$331,730
Complete	TO 5332 TPE Ct 5b Design and Bidding Assistance	\$545,000	\$0	\$545,000
Active	TO 7410 2021-23 Biennium Land Services Phase 1	\$649,000	\$58,054	\$707,054
Complete	TO 8410 2021 to 2023 Biennium Financial Planning Support	\$528,000	(\$13,784)	\$514,216
Complete	All other Unmodified 2021-23 Biennium Task Orders	\$12,453,584	\$0	\$12,453,584
Active	Fee Total 2021-23 Biennium	\$17,302,584	\$0	\$17,302,584

The additional fee shown above for TO 2330 (\$68,129) will compensate Black & Veatch and its consultants to complete the Washburn raw water transmission main alignment study and other design items as the need arises. The proposed transmission main will begin at the Missouri River Intake and extend to the Washburn Water Treatment Plant. We will build upon our planning work that was undertaken earlier this year to further define the route through on-the-ground reviews of the three planning-level alignments. Total funds available to complete the alignment study and other design items are about \$75,000 when unspent funds remaining under TO 2330 are considered. A more detailed scope of work will be provided prior to initiation of the study and other work.

The reallocation of funds outlined above for TO 2630 (\$60,000) will compensate Black & Veatch and its consultants for additional resident project representation provided to observe intake construction and to assist with project closeout activities. It will also cover the cost of additional



whooping crane and piping plover monitoring that was completed in the Spring of 2024. These additional efforts were necessary due to Michels Corporation’s schedule extensions via change order. Their schedule was extended a total of 60 calendar days beyond what was contemplated in the first reallocation request.

The credit offered back to Garrison Diversion under TO 5270 ((\$104,270)) is for deletion of Black & Veatch’s scope of work to provide preliminary design services for branch pipeline extensions under TO 5270. This work is now being completed under the new TO 9510, which is to provide outreach to the end users. TO 9510 will also allow us to assist end users with some branch pipeline preliminary design efforts to better define infrastructure necessary to get raw water from the main RRVWSP pipeline to the end users.

Finally, the additional fee shown above for TO 7410 (\$58,054) will compensate Black & Veatch and its consultants to provide eminent domain support to Garrison Diversion on an as-requested basis. Due to the unknown nature of this support, it was not included in the original land services scope of work under TO 7410. These additional funds would be used on an as-needed basis with an undefined scope of work. If the level of effort necessary to support Garrison Diversion with eminent domain proceedings exhausts these funds, an amendment to an existing task order or a new task order would be necessary. This is likely as the process is just starting and may extend for another two years.

If this information satisfactorily addresses and sufficiently justifies Black & Veatch’s request to reallocate funds within the two biennia shown above, please sign below and return an executed original for our records.

By: _____
Duane DeKrey, General Manager
Garrison Diversion Conservancy District

By: _____
Paul Boersma, Associate Vice President
Black & Veatch Corporation

Dated: _____

Dated: _____

cc: Ms. Merri Mooridian, Garrison Diversion
Mr. Kip Kovar, Garrison Diversion
Mr. Kurt Ronnekamp, BV
File

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

August 31, 2023	Percent Complete	Current Estimate	Actual Expenses	Outstanding Expenses
Conceptual Design Subtotal		\$ 5,302,130	\$ 5,302,130	\$ -
Preliminary Design Subtotal		\$ 10,217,606	\$ 10,217,606	\$ -
Final Design Completed Subtotal		\$ 10,198,949	\$ 10,198,949	\$ -
Financial, Administration, Legal, Completed		\$ 1,397,474	\$ 1,397,474	\$ -
Land Acquisition Completed		\$ 1,593,004	\$ 1,593,004	\$ -
Subtotal Completed		\$ 28,709,162	\$ 28,709,162	\$ -
Financial Modeling/Cost Allocation	90%	\$ 1,521,047	\$ 1,371,997	\$ 149,050
Program Management Information System	93%	\$ 113,100	\$ 105,001	\$ 8,099
Stakeholder Support	80%	\$ 398,830	\$ 318,469	\$ 80,361
Subtotal	88%	\$ 2,032,977	\$ 1,795,466	\$ 237,511
Engineering/Land Acquisitions				
Missouri River Intake - Screen Structure Design	99%	\$ 1,444,000	\$ 1,436,627	\$ 7,373
Land Acquisition 2019/2021	94%	\$ 650,000	\$ 609,411	\$ 40,589
2019 to 2021 Biennium Program Management Services	100%	\$ 166,191	\$ 166,191	\$ (0)
Project Planning, Finance, Admin, etc.	56%	\$ 433,809	\$ 244,512	\$ 189,297
Final Design Transmission Pipeline - 5b	100%	\$ 545,000	\$ 545,000	\$ (0)
Final Design Transmission Pipeline - 5c & 5d	84%	\$ 970,000	\$ 819,650	\$ 150,350
Final Design Transmission Pipeline - 6	77%	\$ 4,000,000	\$ 3,071,609	\$ 928,391
Geotech Transmission Pipeline - 7	53%	\$ 397,000	\$ 209,070	\$ 187,930
Acquire Easements	16%	\$ 2,919,000	\$ 470,939	\$ 2,448,061
Admin/Finance/Legal	55%	\$ 2,739,677	\$ 1,514,341	\$ 1,225,336
Financial Modeling/Cost Allocation	97%	\$ 528,000	\$ 511,551	\$ 16,449
Pipeline Extensions	68%	\$ 436,000	\$ 295,809	\$ 140,191
Financial/Legal/Stakeholder	0%	\$ 583,093		\$ 583,093
Operational Plan Phase 1	100%	\$ 106,000	\$ 106,000	\$ -
Operational Plan Phase 2	59%	\$ 430,584	\$ 253,060	\$ 177,524
PMIS Procurement & Implementation	56%	\$ 498,000	\$ 276,634	\$ 221,366
Contractor Qualifications	45%	\$ 158,000	\$ 71,286	\$ 86,714
ENDAWS Land Services	21%	\$ 181,750	\$ 37,497	\$ 144,253
ENDAWS-Local Portion	109%	\$ 136,250	\$ 149,069	\$ (12,819)
Engineering & Land Acquisition Subtotal		\$ 14,582,677	\$ 9,273,915	\$ 5,308,762
Construction				
Pipeline 5A & Trenchless	93%	\$ 10,155,978	\$ 9,418,636	\$ 737,342
Construction Contract	100%	\$ 8,393,396	\$ 8,393,396	\$ (0)
Bidding Services	100%	\$ 75,621	\$ 75,621	\$ 0
Construction Phase Services	109%	\$ 868,145	\$ 949,618	\$ (81,473)
Contingency	<i>if needed</i>	\$ 818,816	\$ -	\$ 818,816
Discharge Structure	72%	\$ 2,436,800	\$ 1,750,168	\$ 686,632
Construction Contract	100%	\$ 1,521,884	\$ 1,521,884	\$ 0
Bidding Services	100%	\$ 40,736	\$ 40,736	\$ 0
Construction Phase Services	97%	\$ 193,000	\$ 187,549	\$ 5,451
Contingency	<i>if needed</i>	\$ 681,180	\$ -	\$ 681,180
Missouri River Intake Wetwell	94%	\$ 5,690,495	\$ 5,328,784	\$ 361,711
Construction Contract	95%	\$ 4,950,907	\$ 4,721,446	\$ 229,461
Bidding Services	100%	\$ 36,662	\$ 36,662	\$ (0)
Construction Phase Services	93%	\$ 612,000	\$ 570,676	\$ 41,324
Contingency	<i>if needed</i>	\$ 90,926	\$ -	\$ 90,926
Missouri River Intake Screen Structure & Tunnel	89%	\$ 23,495,616	\$ 20,953,594	\$ 2,542,022
Construction Contract	88%	\$ 20,910,616	\$ 18,398,635	\$ 2,511,981
Construction Phase Services	99%	\$ 2,585,000	\$ 2,554,959	\$ 30,041
Contingency	<i>if needed</i>	\$ -	\$ -	\$ -
Pipeline 5B	32%	\$ 51,600,000	\$ 16,649,820	\$ 34,950,180
Construction Contract	33%	\$ 44,644,077	\$ 14,843,464	\$ 29,800,613
Construction Phase Services	40%	\$ 4,486,000	\$ 1,806,356	\$ 2,679,644
Contingency	<i>if needed</i>	\$ 2,469,923	\$ -	\$ 2,469,923
Pipeline 5C				
Pre-Construction Services		\$ 26,825	\$ 26,825	\$ -
Construction Subtotal	58%	\$ 93,405,714	\$ 54,127,828	\$ 39,277,886
Total Program Budget	68%	\$ 138,730,530	\$ 93,906,372	\$ 44,824,159

FRYBERGER

— LAW FIRM —

MIA E. THIBODEAU
Duluth Office
mthibodeau@fryberger.com
218.725.6873

June 26, 2023

VIA EMAIL ONLY

Garrison Diversion Conservancy District
ATTN: Merri Mooridian, Administrative Officer
P.O. Box 140
Carrington, ND 58421

**Re: *Garrison Diversion Conservancy District
Approximately \$60,000,000 Taxable Revenue Bond***

Dear Ms. Mooridian:

The purpose of this letter is to set forth the role we propose to serve and responsibilities we propose to assume as bond counsel in connection with the issuance of the above-referenced obligation (the "Bonds") by the Garrison Diversion Conservancy District (the "Issuer").

Bond counsel is engaged as a recognized expert whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of Bonds.

As bond counsel, we will: examine applicable law; prepare the resolution authorizing and securing the Bonds (the "Resolution") and other authorizing documents; consult with the parties to the transaction prior to the issuance of the Bonds; review certified proceedings; and undertake such additional duties as we deem necessary to render the opinion.

You have also asked that we undertake to review the Series D Interim Financing Agreement between the Issuers and users of the RRVWSP as it relates to matters relevant to the issuance of obligations, including tax exempt bonds of the Issuer.

Based on our discussions, the Issuer plans to finance a portion of the improvements for the Red River Valley Water Supply Project ("RRVWSP"), including completion of 43 miles of pipeline construction and the design of an additional 72 miles of pipeline, through a revolving

FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.

CLOQUET
813 Cloquet Ave.
Cloquet, MN 55720
p: (218) 879-6830

DULUTH
302 West Superior St,
Ste 700
Duluth, MN 55802
p: (218) 722-0861

SUPERIOR
1409 Hammond Ave., Suite 330
Superior, WI 54880
p: (715)392-7405

ST. PAUL
c/o 302 West Superior St,
Ste 700
Duluth, MN 55802
p: (651)221-1044

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June 26, 2023

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loan from the Bank of North Dakota (the "Lender"). The Bonds issued to evidence the loan from the Lender will be taxable obligations.

Subject to the completion of proceedings to our satisfaction relating to the Bonds and review of due diligence we determine necessary, we will render our opinion as to the authorization and issuance of the Bonds and as to the taxable status of the Bonds.

The opinion will be executed and delivered by us in written form on the date the Bonds are exchanged for its purchase price (or initial advance on the Bonds) (the "Closing") and will be based on facts and law existing as of the date the opinion is delivered. Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing.

In rendering the opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation. We do not review the financial condition of the Issuer, the feasibility of the project to be financed with proceeds of the Bonds, or the adequacy of the security provided to owners of the Bonds, and we will express no opinion relating thereto.

In performing our services as bond counsel, our client will be the Issuer and we will represent its interests. We assume that other parties to the transaction will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. Our representation of the Issuer does not alter our responsibility to render an objective opinion as bond counsel.

As bond counsel, we will not assume or undertake responsibility for the preparation of an Official Statement or any other disclosure document with respect to the Bonds nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such documents. However, if a disclosure document will be adopted or approved by the Issuer, our responsibility will include the preparation or review of any description therein of: (i) North Dakota and federal law pertinent to the validity of the Bonds and the tax treatment of interest paid thereon; (ii) the terms of the Bonds, and (iii) our opinion.

Based upon (i) our current understanding of the terms, structure, size and schedule of the financing, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing, and (iv) the responsibilities we assume, we estimate that our fees as bond counsel for the issuance of the Bonds would be approximately \$24,000, depending on the time involved. We estimate that our fees for review of the Series D Interim Financing Agreement between the Issuers and users of the RRVWSP as it relates to matters relevant to

FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.

June 26, 2023

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the issuance of obligations, including tax exempt bonds of the Issuer would be approximately \$4,000-\$5,000. Such fees may vary: (i) if the principal amount of the Bonds actually issued differs significantly from the amount stated above, (ii) if material changes in the structure of the financing occur, or (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If at any time we believe that circumstances require an adjustment of our original fee estimate, we will consult with you. In addition, we will expect to be reimbursed for all out-of-pocket expenses, including travel costs, photocopying, deliveries, long distance telephone charges, filing fees, and other necessary office disbursements. We estimate that such out-of-pocket expenses will be in the range of \$150 to \$250.

If for any reason the financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at our normal hourly rates (currently ranging from \$125 to \$350 depending on personnel) for time actually spent, plus out-of-pocket expenses. We will send a monthly invoice detailing all fees and costs.

If the foregoing terms of this engagement are acceptable to you, please so indicate by returning the enclosed copy of this letter signed by an appropriate officer, retaining the original for your files. We look forward to working with you.

Respectfully submitted,

FRYBERGER, BUCHANAN, SMITH
& FREDERICK, P.A.

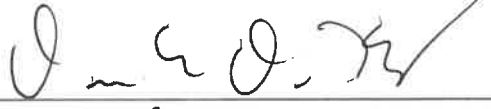
By 
Mia E. Thibodeau

FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.

June 26, 2023
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Accepted and Approved:

GARRISON DIVERSION CONSERVANCY DISTRICT

By 
Its GM

Date: 28 June 23, 2023

INTEROFFICE MEMORANDUM

TO: Andrea Travnicek, Ph.D., Secretary
Patrick Fridgen, Planning and Education Division Director
Sarah Felchle, Accountant, Administrative Services

FROM: Julie Prescott, Cost-Share Manager

SUBJECT: NDSWC Cost-Share Request – Missouri River Joint Water Board
Missouri River Recovery Implementation Committee

DATE: August 14, 2023

Background & Description

The Missouri River Joint Water Board is requesting continued funding assistance for the 2023-2025 biennium. Cost-share support will provide funding for Terry Fleck or his designated alternative to participate in Missouri River Recovery Implementation Committee (MRRIC) meetings as a representative of upper-basin recreation stakeholder interests. MRRIC provides a forum for stakeholders, tribes, states, and federal agencies within the Missouri River Basin representing a diverse array of interests to collaborate on recommendations for addressing the needs of groups affected by river management actions.

Supplemental Information

Water Development Plan / Priority	-
Benefit-Cost Ratio	NR

(NR) Not Required


Schedule

Task	Dates
Begin	Jul. 2023
Completion	Jun. 2025

Cost-Share Funding Summary

	Project Funding	Approve	Recommend
Department of Water Resources	\$47,700		
Garrison Diversion Conservancy District	\$47,700		
Missouri River Joint Water Board	In-Kind Admin.		
Total	\$95,400		
Cost-Share 50% (Requested)	\$47,700		\$47,700

I recommend approval of this request by the Missouri River Joint Water Board for continued funding for the Missouri River Recovery Implementation Committee in an amount not to exceed \$47,700 for the 2023-2025 biennium. This approval is contingent on available funding.

Approval Signature and Date  8/17/2023

AT:jsp/PS/WRD/MRJ

**Agreement for Cost-Share Reimbursement
Missouri River Joint Water Board
Missouri River Recovery Implementation Committee**

1. PARTIES. This Agreement is between the Garrison Diversion Conservancy District (Garrison Diversion) and the Missouri River Joint Water Board (Sponsor).

2. GARRISON DIVERSION'S RESPONSIBILITY AND INTENT. Garrison Diversion will provide Sponsor with cost-share not to exceed \$47,700, as approved by the Garrison Diversion General Manager, to reimburse 50 percent of the actual eligible costs incurred by Terry Fleck or his designated alternate (Fleck) to attend Missouri River Recovery Implementation Committee (MRRIC) meetings as a representative of Sponsor during the 2023-2025 biennium, contingent on availability of funds and conditions of this Agreement. Garrison Diversion's intent in providing this funding to Sponsor is to help Sponsor financially afford the assistance of Fleck (Project). Sponsor retains sole and absolute discretion in the manner and means of carrying out the Project, except to the extent specified in this Agreement. Garrison Diversion is not a party to or obligated in any manner by contracts, agreements, or arrangements between Sponsor and Fleck, regardless of the source of funding used by Sponsor in said contracts. Fleck is not an employee, independent contractor, or agent of Garrison Diversion.

3. SPONSOR'S RESPONSIBILITIES. Sponsor must:

- a. Develop and maintain an agreement with Fleck that outlines Fleck's expected duties and obligations.
- b. Provide Garrison Diversion with MRRIC updates developed by Fleck following Fleck's attendance at MRRIC meetings.
- c. Request periodic payments from Garrison Diversion in writing, which must include the following:
 - i. Fleck's expenses for the period and a description of those expenses, including copies of actual invoices and receipts.
 - ii. Fleck's expenses for the period that were paid or that will be paid by anyone other than Garrison Diversion and a description of the specific amounts paid or that will be paid by others.
 - iii. Garrison Diversion's share of Fleck's expenses for the period.
- d. Keep an accounting of expenses incurred relative to Fleck's efforts concerning MRRIC and provide a final accounting to Garrison Diversion within 30 days of expiration of this Agreement.
- e. Prior to signature, inform Garrison Diversion and any other relevant party regarding Project of any errors, misinterpretations, changes,

modifications, miscalculations, incorrect Project descriptions, or any other information stated herein that is inaccurate.

4. TERM. The term of this Agreement is July 1, 2023 through June 30, 2025.

5. ELIGIBLE COSTS. Garrison Diversion will only reimburse what is deemed by the Department of Water Resources to be eligible costs. Garrison Diversion's obligations herein depend on the availability of Garrison Diversion funds. Garrison Diversion will not be obligated to pay any more than the equivalent of what the Department of Water Resources pays regarding this Project. Garrison Diversion will not cost-share in litigation costs unless there has been a separate authorization.

6. INDEMNIFICATION. Sponsor must require all subcontractors, other than state employed subcontractors, before commencement of an agreement between Sponsor and the subcontractor, to defend, indemnify, and hold harmless Garrison Diversion, from and against claims based on the vicarious liability of Garrison Diversion or its agents, but not against claims based on Garrison Diversion's negligent or intentional misconduct. This obligation to defend, indemnify, and hold harmless does not extend to professional liability claims arising from professional errors and omissions. The legal defense provided by subcontractor to Garrison Diversion under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for Garrison Diversion is necessary. Subcontractor also agrees to reimburse Garrison Diversion for all costs, expenses, and attorneys' fees incurred if Garrison Diversion prevails in an action against subcontractor in establishing and litigating the indemnification coverage required herein. This obligation continues after the termination of this Agreement.

7. INSURANCE. Garrison Diversion and Sponsor each must secure and keep in force during the term of this Agreement, from an insurance company, government self-insurance pool, or government self-retention fund authorized to do business in North Dakota, commercial general liability with minimum limits of liability of \$500,000 per person and \$2,000,000 per occurrence.

In addition, Sponsor must require all subcontractors, other than state employed subcontractors, before commencement of an agreement between Sponsor and the subcontractor, to secure and keep in force during the term of this Agreement, from insurance companies authorized to do business in North Dakota, the following insurance coverages:

- a. Commercial general liability, including premises or operations, contractual, and products or completed operations coverages (if applicable), with minimum liability limits of \$2,000,000 per occurrence.
- b. Automobile liability, including Owned (if any), Hired, and Non-owned automobiles, with minimum liability limits of \$500,000 per person and \$2,000,000 per occurrence.
- c. Workers' compensation coverage meeting all statutory requirements. The policy must provide coverage for all states of operation that apply to the performance of this contract.

- d. If subcontractor is domiciled outside State, employer's liability or "stop gap" insurance of not less than \$2,000,000 as an endorsement on the workers' compensation or commercial general liability insurance.

The insurance coverages listed above must meet the following additional requirements:

- e. Any deductible or other similar obligation under the policies is the sole responsibility of the subcontractor. The amount of any deductible is subject to approval by Garrison Diversion.
- f. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and must be placed with insurers rated "A-" or better by A.M. Best Company, Inc., provided any excess policy follows form for coverage. Less than an "A-" rating must be approved by Garrison Diversion. The policies must be in form and terms approved by the Garrison Diversion.
- g. Garrison Diversion will be defended, indemnified, and held harmless to the full extent of any coverage actually secured by the subcontractor in excess of the minimum requirements set forth above. The duty to defend, indemnify, and hold harmless Garrison Diversion under this Agreement is not limited by the insurance required in this Agreement.
- h. Garrison Diversion must be endorsed on the commercial general liability policy, including any excess policies, as additional insured. Garrison Diversion must have all the benefits, rights, and coverages of an additional insured under these policies that are not limited to the minimum limits of insurance required by this Agreement or by the contractual indemnity obligations of Sponsor.
- i. The insurance required in this Agreement, through a policy or endorsement, must include:
 - (1) A "Waiver of Subrogation" waiving any right to recovery the insurance company may have against Garrison Diversion;
 - (2) A provision that subcontractor's insurance coverage is primary (i.e., pay first) as respects any insurance, self-insurance, or self-retention maintained by Garrison Diversion and that any insurance, self-insurance, or self-retention maintained by Garrison Diversion must be in excess of the subcontractor's insurance and must not contribute with it;
 - (3) Cross liability/severability of interest for all policies and endorsements;
 - (4) The legal defense provided to Garrison Diversion under the policy and any endorsements must be free of any conflicts of interest, even if retention of separate legal counsel for Garrison Diversion is necessary;
 - (5) The insolvency or bankruptcy of the insured subcontractor must not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the

insured subcontractor from meeting the retention limit under the policy.

- j. Failure to provide insurance as required in this Agreement is a material breach of contract entitling Garrison Diversion to terminate this Agreement immediately.

8. BREACH. Violation of any provision of this Agreement by Sponsor constitutes breach of this Agreement. A breach obligates Sponsor to reimburse Garrison Diversion for all funds paid to Sponsor and relieves Garrison Diversion of all obligations under this Agreement.

9. AGREEMENT BECOMES VOID. This Agreement is void if not signed and returned by Sponsor within 60 days of Garrison Diversion's signature.

10. TERMINATION.

- a. Garrison Diversion may terminate this Agreement effective upon delivery of written notice to Sponsor, or a later date as may be stated in the notice, under any of the following conditions:
 - (1) If Garrison Diversion determines an emergency exists.
 - (2) If funding from federal, state, or other sources is not obtained and continued at levels sufficient to provide the funds necessary to comply with this Agreement. The parties may modify this Agreement to accommodate a reduction in funds.
 - (3) If federal or state laws or rules are modified or interpreted in a way that the services are no longer allowable or appropriate for purchase under this Agreement or are no longer eligible for the funding proposed for payments authorized by this Agreement.
 - (4) If any license, permit, or certificate required by law, rule, or this Agreement is denied, revoked, suspended, or not renewed.
 - (5) If Garrison Diversion determines that continuing this Agreement is no longer necessary or would not produce beneficial results commensurate with the further expenditure of public funds.
- b. Any termination of this Agreement is without prejudice to any obligations or liabilities of either Party already accrued prior to termination.
- c. The rights and remedies of any party provided in this Agreement are not exclusive.

11. APPLICABLE LAW AND VENUE. This Agreement is governed by and construed under the laws of the state of North Dakota. Any action to enforce this Agreement must be adjudicated exclusively in the District Court of Burleigh County, North Dakota.

12. SEVERABILITY. If any term of this Agreement is declared by a court having

jurisdiction to be illegal or unenforceable, the validity of the remaining terms is unaffected, and if possible, the rights and obligations of the parties are to be construed and enforced as if the Agreement did not contain that term.

13. SPOILIATION – PRESERVATION OF EVIDENCE. Sponsor agrees to promptly notify Garrison Diversion of all potential claims that arise or result from this Agreement. Sponsor must also take all reasonable steps to preserve all physical evidence and information that may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and grants to Garrison Diversion the opportunity to review and inspect the evidence, including the scene of an accident.

14. MERGER AND MODIFICATION. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this Agreement. This Agreement may not be modified, supplemented, or amended in any manner, except by written agreement signed by both parties.

**GARRISON DIVERSION
CONSERVANCY DISTRICT**

By:

DUANE DEKREY
General Manager

Date: _____

**MISSOURI RIVER JOINT
WATER BOARD**

By:

WADE BACHMEIER
Chairman

Date: _____