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NAWS Authority Meeting
Minot Public Works Conference Room
1025 31st St SE, Minot, ND 58701
April 2, 2026 – 10:30 A.M. CDT

Microsoft Teams meeting

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Meeting Agenda

- A. Roll Call
- B. Introductions
- C. Consideration of Agenda
- D. Consideration of January 29, 2026 Meeting Minutes
- E. Department of Water Resources Director Update
- F. February 12, 2026 State Water Commission Meeting Update
- G. March 19, 2026 State Water Pre-Commission Meeting Update
- H. NAWS Authority Representatives – On Boarding Information Packet
- I. NAWS Biota Water Treatment Plant Operations Update
- J. NAWS Construction Update
- K. NAWS Operations Update
- L. Other Business
- M. Adjourn

MINUTES

Northwest Area Water Supply Authority Minot, North Dakota January 29, 2026

The Northwest Area Water Supply (NAWS) Authority held a meeting in Conference Room 3 of the Minot Public Works Building, 1025 31st St SE, Minot, ND, and via Microsoft Teams on January 29, 2026. Dan Schaefer, Chairman of the NAWS Authority, called the meeting to order at 3:00 PM. A quorum was present.

NAWS AUTHORITY REPRESENTATIVES PRESENT:

Mark Jantzer, Mayor and City of Minot Representative (virtual)
Kenny Rodgers, Garrison Diversion Conservancy District (GDCCD)
Craig Haskins, North Prairie Regional Water Representative (virtual)
Dan Jonasson, City of Minot Representative
David Lakefield, City of Minot Representative
Dan Schaefer, Chairman, All Season Water Users District Representative
Tony Schwalbe, Cities with Direct Service Representative
Jason Sorenson, Vice Chairman, City of Minot Representative
Ann Vallie, Turtle Mountain Band of Chippewa Indians (TMBCI) Representative (virtual)

NAWS AUTHORITY REPRESENTATIVES ABSENT:

Kristine Goettle, Upper Souris Water Users District Representative
Jason Zimmerman, State Water Commission (SWC) Representative

OTHERS PRESENT:

Sindhuja S. Pillai-Grinolds, Director, Water Development Division, Department of Water Resources (DWR)
Brandon Hicks, NAWS Project Manager, DWR
Travis Thyberg, Project Support Assistant, DWR
Erin Stieg, Project Specialist, DWR (virtual)
Dustin Offerdahl, Electronic Industrial Controls Specialist, GDCCD (virtual)
Rachel Wald, Assistant Manager, All Season Water Users District (virtual)
Veronica Meyer, Public Works, City of Minot
Ryan David, Project Manager, Houston Engineering (virtual)
Annika Plummer, ND Water (virtual)

CONSIDERATION OF AGENDA

Vice Chairman Sorenson requested for any corrections or additions to the agenda. As there were none, the agenda was approved as presented by voice vote.

CONSIDERATION OF THE NOVEMBER 25, 2025 MEETING MINUTES

Meeting minutes were sent to the Authority for review prior to the meeting. Vice Chairman Sorenson requested for feedback or changes to the meeting minutes from the previous Authority meeting on November 25, 2025. No feedback was presented, and the meeting minutes were approved as presented by voice vote.

DEPARTMENT OF WATER RESOURCES DIRECTOR UPDATE

Sindhuja S. Pillai-Grinolds, DWR Water Development Division Director, updated the Authority on progress made toward initiatives and studies, as well as the process efficiency taskforce at the DWR. A draft report has been received for the Cost Share study and a draft report for the Governance and Finance Study is expected by the end of February. An update on both studies is expected at the March 26th meeting of the Water Topics Overview Committee, along with an update on the NAWS project and other larger projects.

December 16, 2025 STATE WATER COMMISSION (SWC) MEETING UPDATE

Sindhuja S. Pillai-Grinolds, DWR Water Development Division Director, noted that the State Water Commission approved the 2026 NAWS water rates which were approved by the NAWS Authority at the November meeting.

The SWC also authorized the SWC's Secretary to finalize and execute the Memorandum of Understanding (MOU) with NAWS customers, which was approved by the NAWS Authority at the September meeting.

They also approved repairs to the City HSP #1 and City HSP #3 as eligible Replacement and Extraordinary Maintenance (REM) projects and approved reimbursement up to \$90,000 from the REM fund. Similar action was taken at the November NAWS Authority meeting.

Finally, the SWC appointed Ms. Ann Vallie, recommended by the TMBCI council to the NAWS Authority as TMBCI representative.

January 22, 2026 PRE-COMMISSION MEETING UPDATE

Sindhuja S. Pillai-Grinolds, DWR Water Development Division Director, noted that no NAWS related items were discussed at the January Pre-Commission meeting.

NAWS BIOTA WATER TREATMENT PLANT (WTP) OPERATIONS UPDATE

Sindhuja S. Pillai-Grinolds, DWR Water Development Division Director, noted that DWR has an executed cooperative agreement with the Bureau of Reclamation, which provides funding for the operations of the NAWS Biota WTP. City of Minot has submitted six reimbursement requests to DWR for operations and maintenance expenses related to the NAWS Biota WTP, covering the period from August 2024 through November 2025. These six requests total \$765,364.84, and DWR has fully reimbursed the City for this amount. Reclamation has to date awarded \$463,700 toward federal fiscal year (FFY) 2024 expenditures and \$1,932,225 to cover FFY 2025 expenses for a total of \$2,395,925. Reclamation recently requested a revised budget for FFY 2026 due to the delay in the construction completion of the Biota WTP.

DWR and City of Minot staff continue to meet with the Department of Environmental Quality (DEQ) to understand requirements to be met by the Biota WTP and the Minot WTP. Work change directives that incorporate revisions required by DEQ have been issued to the Contractor. DWR may manage some revisions requested by DEQ outside the construction contract if warranted.

Houston Engineering has been authorized by DWR to complete the Capacity Assessment document for the Biota WTP required by DEQ. Second draft of the document has been reviewed by DEQ. Houston Engineering will continue to address these comments. Another draft from the Houston Engineering is expected in mid-February. The document also requires operations and maintenance manuals for equipment at the facility which will not be available until the Biota WTP nears substantial completion. It was clarified that the Capacity Assessment would need to be completed before DEQ would allow the plant to operate.

NAWS CONSTRUCTION UPDATE

Sindhuja S.Pillai-Grinolds gave a brief construction update on NAWS projects following the memo included in the packet.

NAWS OPERATIONS UPDATE

NAWS Personnel Update

Sindhuja S.Pillai-Grinolds noted the personnel updates at DWR: Brandon Hicks, NAWS Project Manager started his employment with DWR on January 6, 2026. Interviews for the NAWS Operator position were held at the Biota Water Treatment Plant on January 14, 2026 and DWR has hired Cody Lockyer for the position. The Water Resource Senior Manager position at DWR is currently advertised with the closing date of January 29, 2026.

Isovault 2 Flooding

Sindhuja S.Pillai-Grinolds noted that one of three underground isolation vaults located along the pipeline between the Pressure Reducing Station south of Minot and the Minot Water Treatment Plant (WTP) was discovered to be completely flooded in early December, resulting in the loss of all electrical and electronic upgrades that were made as part of Contract SA No. 98. DWR staff discussed the findings of an investigation that determined low discharge pressure at the Minot Sundre Booster Pump Station likely caused the flooding. City of Minot staff will now ensure that minimum discharge pressure is maintained. Additionally, DWR staff are implementing preventative maintenance measures to avoid similar incidents in the future.

High Service Pump Station (HSPS) Pump Repair

Sindhuja S.Pillai-Grinolds noted that a 250 hp pump (City HSP#1) that became inoperable in March 2025 was rebuilt in August 2025, and another 250 hp pump (City HSP#3) that failed in August 2025 is currently at a shop facility in South Dakota for rebuild, with repairs expected to be completed soon. The Replacement and Extraordinary Maintenance (REM) fund was approved to cover the repair expenses for these two pumps. In mid-December, a 350 hp pump (NAWS HSP#1) also became inoperable. The pump and motor have been removed from the HSPS; the motor is at a shop in Mandan for repairs, and the pump will be transported to the South Dakota shop for repairs. Approval to use REM funds for these repairs will be requested once the cost estimate is received.

Agreements with City of Minot

DWR staff will begin to work on developing various agreements with the City of Minot. At this time, the identified agreements include: an Operations and Maintenance Agreement for the HSPS, and a Water Service Agreement with the City of Minot. DWR staff hopes to present the Operations and Maintenance Agreement for the HSPS at the March NAWS Authority meeting.

Potential agreement with Garrison Diversion Conservancy District (GDCCD)

DWR staff is reviewing the emergency sequence of operations at the Snake Creek Pumping Plant to determine if assistance from GDCD staff is necessary for the operations of the intake pumps and an agreement will be drafted accordingly.

OTHER BUSINESS

Dustin Offerdahl, Electronic Industrial Controls Specialist for GDCD shared camera footage of ongoing construction at the Snake Creek Pumping plant and shared some photos of the tunnel inspections and installation to the NAWS Authority members.

Sindhuja S.Pillai-Grinolds noted the next NAWS Authority meeting is scheduled for the same date as the Water Topics Overview Committee meeting in Bismarck. A new date of Thursday, April 2nd, 2026 at 10:30am was proposed.

It was moved by Representative Lakefield, seconded by Representative Jonasson, and approved unanimously to approve the proposed meeting date of April 2nd, 2026 at 10:30am.

There being no further items of discussion, the meeting was adjourned at 3:40 PM.

Respectfully submitted,

Erin Stieg, DWR Project Specialist

DRAFT

TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: February 12, 2026, State Water Commission Update
DATE: March 24, 2026



At the February 12, 2026, State Water Commission (SWC) meeting, no items were presented for SWC approval. The project update was the only agenda item for NAWS. In addition to the project update from Department of Water Resources staff, Kevin Martin, with Houston Engineering Inc. also provided an update on the timeline for lake water delivery to Minot.

RH:BH/237-4-AUTH

TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: March 19, 2026, Pre-commission Update
DATE: March 24, 2026



At the March 19, 2026, Pre-commission meeting, two items were presented. The two items are discussed below:

1. Contract 7-2A/4-1A Biota Water Treatment Plant General Contract Change Order Authorization:

Brandon Hicks noted that several Work Change Directives are under negotiation on the Contract with cumulative limit expected to exceed the Secretary authority limit of \$1,000,000. It was noted that based on the status of the Contract, increasing the authorization for the Secretary to approve change orders up to \$1.6 million will be presented at the April State Water Commission (SWC) meeting.

I recommend the NAWS Authority concur with the Department of Water Resources staff presenting the request for increasing the authorization for the Secretary to approve change orders up to \$1.6 million on NAWS Contract 7-2A/4-1A General Contract at the April SWC meeting.

2. Replacement and Extraordinary Maintenance (REM) Projects

Brandon Hicks presented information on the Booster Pump Station (BPS) #4 Pump #2 Variable Frequency Drive (VFD) and High Service Pump Station (HSPS), NAWS High Service Pump #1, repairs and replacements needed. The VFD repair quote for BPS #4 is approximately \$26,500. Replacement cost for HSPS, NAWS HSP #1 is estimated at \$200,000. It was noted that request to approve these two projects as eligible REM projects will be presented at the April SWC meeting.

I recommend the NAWS Authority approve that replacement of HSPS NAWS HSP #1 and BPS #4 Pump #2 VFD are eligible Replacement and Extraordinary Maintenance projects.

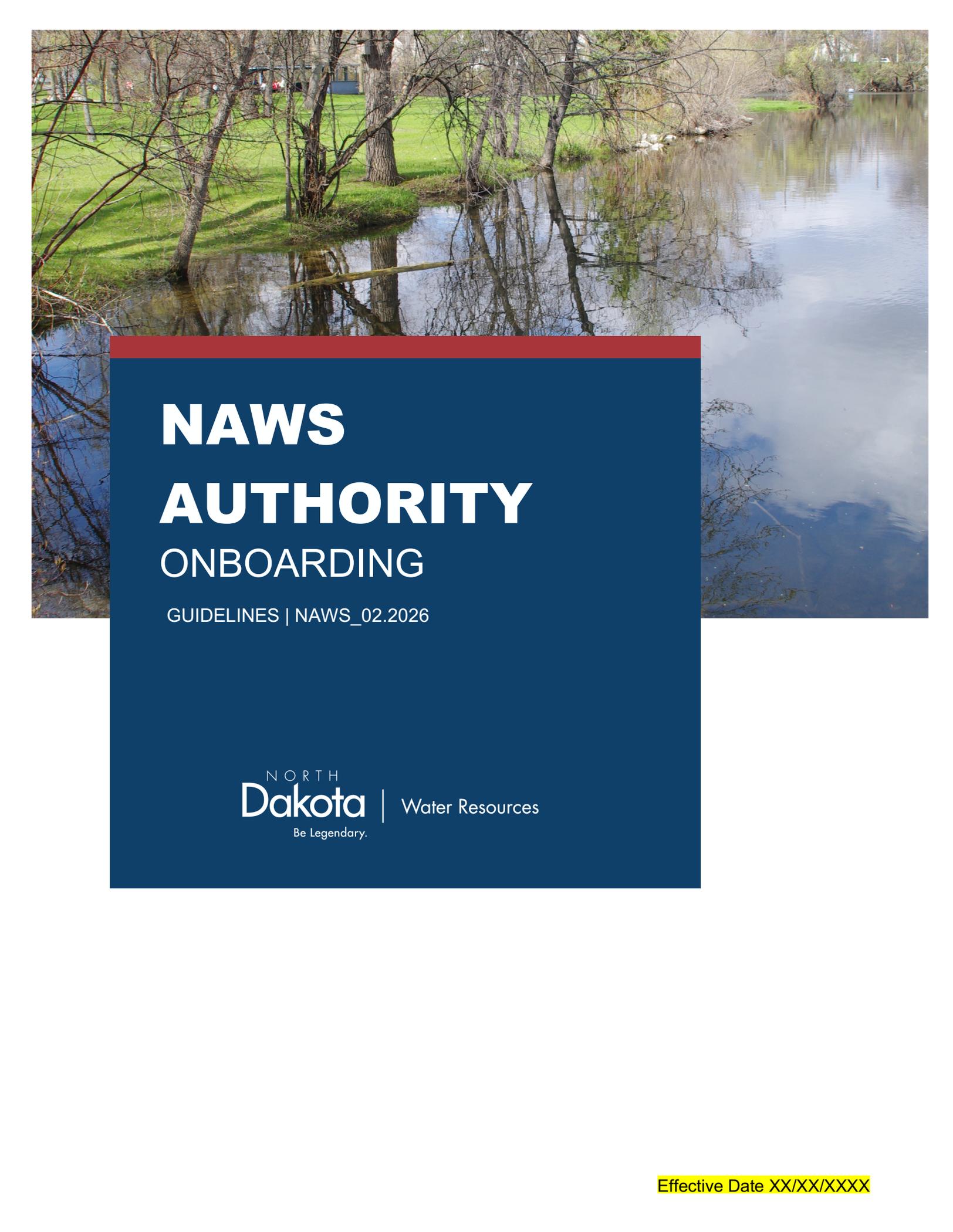
RH:BH/237-4-AUTH

TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: NAW Authority Representatives - Onboarding Information Packet
DATE: March 24, 2026



Included with this memo is an onboarding information packet for new NAWS Authority representatives. DWR staff welcomes any feedback or suggested changes to the packet before it gets finalized.

RH:BH/237-4-AUTH
Attachment



NAWS AUTHORITY ONBOARDING

GUIDELINES | NAWS_02.2026

NORTH
Dakota | Water Resources
Be Legendary.

Effective Date XX/XX/XXXX

OUTLINE

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1 EXECUTIVE SUMMARY

Congratulations on your appointment to the Northwest Area Water Supply (NAWS) Authority!

North Dakota Century Code (NDCC) § 61-24.6-01 declares necessary the pursuit of a project "that would supply and distribute water to the people of northwestern North Dakota through a pipeline transmission and delivery system." NDCC § 61-24.6-04 authorizes the Department of Water Resources (DWR) to construct that project.

DWR began construction on the Northwest Area Water Supply (NAWS) project in April 2002. In 2002, lawsuits were initiated, but various elements of project construction were allowed to proceed by a court order in 2005. The first four contracts involving 45 miles of pipeline from the Missouri River to Minot were completed in the spring of 2009.

In August 2017, the District of Columbia District Court ruled on the case in favor of the United States Bureau of Reclamation and the State of North Dakota. Manitoba and Missouri both appealed the District Court's ruling to the United States Appellate Court for the District of Columbia Circuit. Manitoba and the Bureau of Reclamation entered into settlement negotiations, after which Manitoba withdrew its appeal. In May 2019, the Circuit Court upheld the District Court's Ruling. Missouri had until August 2019 to appeal the case to the Supreme Court but did not, thus ending nearly 17 years of litigation on the project.

The project is currently serving Berthold, Burlington, Kenmare, Mohall, Sherwood, Westhope, West River Water District, All Seasons Water District, Upper Souris Water District, and Minot (including North Prairie Water District connections and Minot Air Force Base) using an interim water supply from the City of Minot's ground water wells through an agreement with Minot.

Construction projects to deliver Missouri River water to the NAWS project are currently underway.

NDCC ch 61-24.6 contains the statutes dealing specifically with the NAWS project.

2 NAWS REPRESENTATION

The 68th North Dakota Legislative Assembly passed House Bill 1218 replacing the NAWS Project's Advisory Committee created in 1991 with the NAWS Authority (Authority), which was signed into law on April 12, 2023. The bill changed portions of NDCC ch. 61-24.6 and became effective on August 1, 2023. HB 1218 elevated the NAWS Advisory Committee to an Authority and puts it in line with the other regional systems in the state.

The NAWS Authority representatives include four representatives from the City of Minot, one representative of the North Prairie Regional Water District, one representative of the All Seasons Water Users District, one representative of the Upper Souris Water District, one representative of the cities with direct service from the project outside of Minot, one representative of the State Water Commission who resides in the Souris River basin, one non-voting representative of the Garrison Diversion Conservancy District (GDCCD), and one non-voting representative of the Turtle Mountain Band of Chippewa Indians. NDCC § 61-24.6-02.

The members of the Authority are recommended by their respective entities and are appointed by the State Water Commission. NDCC § 61-24.6-02. Authority members serve four-year terms. NDCC § 61-24.6-03. In addition, Authority members serve at the pleasure of the State Water Commission. NDCC § 61-24.6-03. Vacancies must be filled in the same manner as original appointments are made. NDCC § 61-24.6-03.

2.1 MEMBERS

City of Minot Representatives:

- Mayor, Mark Jantzer
- Finance Director, Dave Lakefield
- Utilities Director, Jason Sorenson
- Former Public Works Director, Dan Jonasson

North Prairie Regional Water Representative:

- General Manager, Craig Haskins

All Seasons Water Users District Representative:

- General Manager, Dan Schaefer

Upper Souris Water District Representative:

- Manager, Kristine Goettle

SWC Representative:

- Commissioner, Jason Zimmerman

Representative from cities with direct connection to NAWS:

- Bottineau City Superintendent, Tony Schwalbe

GDCD Representative:

- Board Member, Kenny Rodgers

Turtle Mountain Band of Chippewa:

- Ann Vallie, Project Coordinator

3 NAWS AUTHORITY RESPONSIBILITIES

NDCC § 61-24.6-03 notes that “the authority shall develop recommendations for the legislative management regarding the transition of long-term operations and management” of the NAWS project.

In addition, NDCC § 61-24.6-04 notes that the State Water Commission must consult with the Authority regarding the NAWS project.

4 OVERVIEW OF NAWS AUTHORITY MEETINGS

4.1 MEETINGS

NDCC § 61-24.6-03 notes that the “Authority shall elect a chairman and vice chairman and meet no less often than once per quarter at the times and places necessary to carry out the purposes” of the Authority. The Authority members may be reimbursed by their respective appointing entities for their mileage and expenses in the amount provided for by NDCC §§ 44-08-04 and 54-06-09.

Currently, the NAWS Authority meets every other month. The schedule for the NAWS Authority meetings can be found on the DWR website.

4.2 EXECUTIVE SESSIONS

Under the authority of N.D.C.C. § 44-04-19.1 and N.D.C.C. § 44-04-19.2, discussion pertaining to attorney work product, attorney consultation, and negotiation preparation may be held in executive session rather than in an open meeting. The executive session will be recorded, and all members of the governing body must limit their discussion to the announced topic. Any final action by the NAWS Authority must occur

after it reconvenes in an open meeting. The prohibition on taking final action during the executive session does not apply to providing guidance or instructions to the attorney.

5 OPEN MEETINGS/RECORDS

North Dakota law states that all government records and meetings must be open to the public unless otherwise authorized by specific law. The applicable laws regarding open records are found beginning at NDCC § 44-04-18. The applicable laws regarding open meetings are found beginning at NDCC § 44-04-19. The public has the right to know how government functions are performed and how public funds are spent.

5.1 OPEN MEETINGS

Anyone has the right to attend NAWS Authority meetings, regardless of where they live. All meetings of the Authority are open, unless a specific law authorizes the Authority to close a portion of the meeting or to hold an executive session.

A meeting is any gathering of a quorum of the members of a governing body of a public entity regarding public business. NDCC § 44-04-17.1(9). It includes committees, subcommittees, informal gatherings, fact-finding, work sessions, and discussions where a quorum of members are participating by phone or other electronic format either at the same time or in a series of individual contacts. Emails or text messages between members of a committee or subcommittee regarding public business may constitute a meeting and violate open meeting laws. If the NAWS Authority delegates any authority or assigns a task or portfolio to two or more people, it has created a committee that is subject to open records and meetings law, even if the committee does not have decision-making authority.

Training seminars and purely social gatherings attended by a quorum of a public entity are not meetings, however, as soon as the members discuss any public business, it becomes a meeting.

5.2 OPEN RECORDS

A record includes all recorded information regardless of physical form (e.g., paper, e-mail, computer file, photograph, audiotape or recording, video, text message, etc.) that has a connection with how public funds are spent or with the public entity's performance of its governmental functions or its public business, regardless of format or location. NDCC § 44-04-17.1(16). Minutes, memos, reports, outlines, notes, employee salary and job performance records, contracts, telephone records, and travel vouchers are all open records and must be provided upon request.

Anyone has the right to view or get a copy of public records, regardless of the reason or where they live. A request for public records can be made in any available medium. Generally, a public entity cannot ask why the records are requested, ask for identification, or require a request be made in writing (or in person). However, a request

must reasonably identify existing records. If a request is unclear, the entity may require written clarification, but cannot ask the requester's motive or identity. The entity can delay taking action until receiving written clarification.

6 CODE OF CONDUCT

The NAWS Authority members are expected to conduct themselves so as to inspire the confidence, respect, and trust of the people of North Dakota and to strive to avoid not only professional impropriety, but also the appearance of impropriety. Authority member conduct and actions reflect upon the integrity and professionalism of the Authority and the State Water Commission. Actions that bring into question the reputation of the NAWS Authority are expected to be avoided.

6.1 ACTIVE PARTICIPATION

NAWS Authority members are expected to exercise the duties and responsibilities of their positions with integrity, collegiality, and care. This includes:

- Making attendance at all meetings a high priority.
- Being prepared to discuss the issues and business on the agenda and having read all background material relevant to the topics at hand.
- Cooperating with and respecting the opinions of fellow Authority members, and leaving personal prejudices out of all board discussions, as well as supporting actions of the Authority even when the individuals personally did not support the action taken.
- Putting the interests of the Authority above personal interests.
- Representing the Authority in a positive and supportive manner at all times and in all places.
- Showing respect and courteous conduct in all Authority meetings.

7 HISTORY

Adopted: **Date**

Effective:

Previous Revision(s): No Revisions Available



TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: NAWS Biota Water Treatment Plant Operations Update
DATE: March 24, 2026

Updates in bold and italicized.

Construction of Phase I of the Northwest Area Water Supply Project (NAWS) Biota Water Treatment Plant (WTP) is progressing with substantial completion expected in summer 2026. The purpose of the facility is Boundary Waters Treaty compliance, making it a federal responsibility per Section 1(h) of the Dakota Water Resources Act of 2000, and therefore, is funded with federal funding for construction and operations, maintenance, and replacement. The City of Minot (City) will operate the Biota WTP to ensure coordination of the Biota WTP, Minot WTP, and Sundre and Minot wellfields. Multiple agreements are in place for the operation of the Biota WTP. The Biota WTP Operations and Maintenance agreement between the State Water Commission (State) and the City has been executed by all parties.

A three-party Memorandum of Agreement (MOA) was executed by the City, State, and Bureau of Reclamation (Reclamation) to define roles and responsibilities in the operation, maintenance, and replacement of the Biota WTP in December 2023. A Cooperative Agreement from Reclamation is necessary for the federal government to transfer funds for the operation, maintenance, and replacement of the Biota WTP. Department of Water Resources (DWR) submitted a request for financial assistance along with supporting documentation to the Dakota Areas Office in the amount of \$6,611,962.56. DWR received the Cooperative Agreement in the amount of \$5,463,144 from Reclamation on September 19, 2024. DWR staff and City staff have had multiple meetings with Reclamation's Dakota Areas staff to understand the requirements of the Cooperative Agreement and the reduction in the awarded federal funding. Reclamation noted that the reduction in federal funding is due to the federal government's estimation of the number of employees needed for operation of the Biota WTP being lower than the request included from the City. DWR staff and City staff will continue to discuss the staffing requirements at the Biota WTP with Reclamation.

The City of Minot has submitted eight reimbursement requests to DWR for operations and maintenance expenses related to the NAWS Biota WTP, covering the period from August 2024 through January 2026. These eight requests total \$877,933.08, and DWR has fully reimbursed the City for this amount. Reclamation has to date awarded \$463,700 toward federal fiscal year (FFY) 2024 expenditures and \$1,932,225 to cover FFY 2025 expenses for a total of \$2,395,925. Reclamation recently requested a revised budget for FFY 2026 due to the delay in the construction completion of the Biota WTP which has been provided by DWR in coordination with the City of Minot.

Few Work Change Directives (WCD) that incorporate revisions required and approved by Department of Environmental Quality (DEQ) have been issued to the Contractor. DWR may manage some revisions requested by DEQ outside the construction contract if warranted. A revised schedule from the Contractor was received with a substantial completion date of July 10. This does not include the disinfection WCD that the consulting engineer is in the process of sending to the Contractor.

On August 18, 2026, a ribbon cutting event for the Biota WTP is being planned with leadership from the US Department of Interior.

DEQ notified DWR staff about the need for them to approve a Capacity Assessment document for the Biota WTP. DWR signed a specific authorization with the consulting engineer on March 11, 2025, to develop the document for submission to DEQ. The consulting engineer provided a first draft of the Capacity Assessment document to DWR on May 22, 2025. This was shared with DEQ and the comments from DEQ staff were addressed and a second draft was submitted on October 21, 2025. DEQ has reviewed the second draft and additional comments were provided by DEQ on October 28, 2025. The consulting engineer will continue to address the comments from DEQ. The document also requires operations and maintenance manuals for equipment at the facility and those will not be available until the Biota WTP nears substantial completion.

RH:BH/237-4-AUTH

TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: NAWS – Construction Update
DATE: March 24, 2026



Updates from the last meeting memo are shown in bold italics.

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

Contract 6-1A Intake Modifications to Snake Creek Pumping Plant (SCPP) includes three equipment procurement contracts, Demolition Contract, and Construction Contract.

The equipment procurement contracts included a delivery date of March 1, 2024, for all equipment excluding the backup generator which had a delivery date of March 1, 2025. The March 1, 2024, and March 1, 2025, delivery dates were not met by any of the equipment procurement contractors. All equipment included in the procurement contracts are now delivered to the site.

The Contract 6-1A Demolition Contract is substantially complete as of December 20, 2024. Final Change Order No. 5 that shifted punch list items on the Demolition Contract to the Construction Contract has been executed by all parties. The final contract cost with all five change orders is \$4,482,158, an increase of \$645,858 from the original contract price.

The Milestone 1 completion date on the Construction Contract which is for construction of all work excluding installation of the generator when awarded was June 30, 2024. The Substantial Completion date for all work was July 30, 2025, and the Final Completion date is August 31, 2025. Because of the delays due to the submittal review process and the equipment delivery, the completion date of June 30, 2024, was not met by the contractor.

Change Order #1 on the Construction Contract added a small amount of remaining demolition work to the Construction Contract, changed pipe coatings to a 2-part fusion bonded epoxy coating, and addresses coating removal on the formed suction intake. Change Order #1 also extended the completion dates, and increased the liquidated damages if those dates are not met. Through Change Order #1, the Milestone 1 completion date which is for all work except installation of the generator was extended to July 11, 2025. Substantial Completion was extended to September 5, 2025, and Final Completion was extended to October 5, 2025. Change Order #2 among other minor

changes included the coatings removal and recoating of the Snake Creek Pumping Plant's Unit 1 discharge tunnel. Due to the extensive scope of work that was added by this Change Order, the completion dates were extended. Through Change Order #2, the Milestone 1 completion date which is for all work except the installation of the generator was extended to December 11, 2025. Substantial Completion was extended to February 5, 2026, and Final Completion was extended to March 7, 2026. The contract cost with the executed two change orders is \$35,642,149 an increase of \$1,478,249 from the original contract price.

Discharge tunnel piping installation and design changes needed to accommodate unexpected discoveries during construction has resulted in delays. The discharge tunnel is 395' of 425' installed as of March 19, 2026. A fitting to complete the tunnel and connect the discharge tunnel to the NAWS transmission pipeline is currently being fabricated and DWR is waiting for a confirmed delivery date to ensure the schedule is not effected. Due to the design changes, a significant electrical related Work Change Directive (WCD No. 5) was issued to the Contractor on December 5, 2025. Major critical items to complete that WCD include a 5 – 10 day electrical outage starting April 20, 2026, followed by startup of different electrical equipment on April 27, 2026. DWR continues to note the importance of completing the project in a timely manner before the Biota Water Treatment Plant is ready for water from the lake.

NAWS Snake Creek Pumping Plant Discharge Pipeline Contract 2-1E

Contract 2-1E includes the discharge pipeline that connects the Snake Creek Pumping Plant to the NAWS raw water transmission pipeline. The scope of work involves construction of approximately 2,100 feet of 36" ductile iron pipe.

The pressure testing of the pipeline was completed May 12, 2025, and walk through for developing the punchlist for achieving Substantial Completion was completed July 23, 2025. The contract cannot achieve Substantial Completion until the pumps inside the Snake Creek Pumping Plant are operational, which as discussed previously, has been delayed.

NAWS Permanent Intake and Screen Structure Contract 1-1A

The scope of work for Contract 1-1A includes the construction of a new NAWS raw water intake, large diameter intake pipeline with isolation valve, steel intake bulkhead, small diameter airburst, and chemical feed pipelines in Lake Sakakawea outside the existing Bureau of Reclamation's (Reclamation) Snake Creek Pumping Plant.

This contract was divided into Contract 1-1A Contract No. 1 – Dredging, Pipeline, and Facility Construction and Contract 1-1A Contract 2 – Isolation Valve Construction. Bids for these Contracts were opened July 21, 2025. The contract award and the funding allocation was approved by the SWC at its June and August 2025 meetings. The preconstruction conference for this contract was held October 10, 2025.

The preliminary schedule from the Contractor indicates site mobilization in spring with this fall and winter focused on equipment procurement and submittals. The contractor has already expressed concerns with meeting the contract’s Substantial Completion date of November 25, 2026, due to the the lead time involved for the specified valve on the contract. The request from the Contractor is under review with Houston Engineering, Inc. (HEI), and they will provide a recommendation to DWR for consideration. The Contractor is proposing some changes to the site plan which required additional permission from the United States Army Corps of Engineers (USACE). The Contractor’s proposed changes have been discussed with USACE and Bureau of Reclamation staff and ***USACE has approved the proposed changes from the contractor for construction.***

NAWS Contract 7-2A/4-1A Biota Water Treatment Plant (BWTP)

NAWS Contract 7-2A/4-1A generally includes construction of a new concrete, steel, and precast BWTP, for which contracts were awarded in February 2021 and the Notices to Proceed for the general and electrical construction were issued in March 2021. Site work, including excavation and grading, began in April 2021.

The General Contractor is making progress towards the removal and replacement of the defective filter underdrains. The new underdrains are expected to be delivered to the site end of April 2026. The schedule from the Contractor indicates filter underdrain and startup completed by end of July 2026. This schedule needs additional time to accomodate the disinfection requirement from the Department of Environmental Quality. A Change Order extending the Substantial Completion of the contract will be issued in the near future.

The General Contract’s Substantial Completion Date was extended to December 2, 2024, via Change Order 6. Change Order 7 has been processed to purchase Builder’s Risk insurance, but did not change the completion dates.

The table below shows the change orders signed to date on the BWTP Contracts.

| Contract | Change Orders (CO) | Value of COs | Total Contract Cost | CO Percent of Contract |
|----------|--------------------|-----------------|---------------------|------------------------|
| General | 7 | \$ 1,233,300.92 | \$ 39,060,500.92 | 3.3% |

| | | | | |
|-------------------|----------|----------------------|------------------------|--------------|
| <i>Electrical</i> | <i>6</i> | <i>\$ 755,137.37</i> | <i>\$ 7,343,518.37</i> | <i>10.3%</i> |
| Mechanical | 6 | \$ 154,461.62 | \$ 5,068,668.62 | 3.0% |
| UV | 1 | \$ - | \$ 707,125.00 | 0.0% |
| DAF | 3 | \$ (40,709.50) | \$ 1,803,160.50 | -2.3% |

NAWS Contract 4-4B/5-4B Bottineau Reservoir and Booster Pump Station

The Bottineau and Souris Reservoir and Pump Stations contracts consist of a one million-gallon ground storage reservoir and pump station at the intersection of State Highways 5 and 14 south of Souris and a three million-gallon ground storage reservoir and pump station roughly four miles west of the connection to Bottineau. The final pipeline contract climbs roughly 300 feet in elevation from the location of the Souris Reservoir and Pump Station to the connection to Bottineau. The final design flows for both the City of Bottineau and All Seasons Water Users District northwest of Bottineau will require both storage and pumping to meet water demands. Bids were opened February 7, 2023, for the Bottineau reservoir and pump station. At the February 13, 2023, SWC meeting, the Commission authorized the Secretary to award the contracts.

The reservoir contract achieved Substantial Completion November 8, 2024. Three change orders totalling \$11,744.00 were added to the contract. Final payment has been made and the contract has been closed out.

The pump station contract achieved Substantial Completion February 19, 2025. To date, five Change Orders totalling a decrease of \$1,695.81 have been added to the Bottineau Pump Station Contract. HEI, Inc. recently communicated to DWR that not all of the equipment provided by the Contractor are Buy America Build America compliant which was part of the contract specifications due to federal funding used for this contract. *A formal letter has been sent to the Contractor explaining the non-conformance and DWR is awaiting a response on the proposed solution.*

Radio Upgrades in the Bottineau Segment:

DWR staff directed HEI, Inc. and Preferred Controls Inc. to develop an invitation for bids for completing communication system improvements in the Bottineau Segment. DWR staff executed a contract with Main & Holmes Electric for installation only, while the required materials were planned to be procured directly by DWR.

The installation work was initially expected to be completed by December 31, 2025. However, due to delays in receiving some of the necessary equipment, Main & Holmes Electric requested a contract amendment to extend the completion date to February 16,

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2026. *DWR staff has not yet received all required equipment, which is now expected in early April.*

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TO: NAWS Authority Representatives
FROM: Reice Haase, Director
SUBJECT: NAWS Operations Update
DATE: March 24, 2026



NAWS Personnel Update:

Andrew Rodriguez, Water Resources Senior Manager started his new role within the Department of Water Resources (DWR) on March 23, 2026. Andrew previously held the position of Construction Crew Lead within DWR.

City of Minot Cybersecurity Breach:

On March 14, 2026, the City of Minot experienced a cybersecurity breach involving their firewall which resulted in a ransomware virus downloaded onto their system. City of Minot's and NAWS project's Supervisory Control Data and Acquisition (SCADA) had limited connectivity to share critical operational data. As a precaution, the connectivity was immediately terminated when the breach occurred.

Following the incident, extensive scans were completed on the NAWS server to verify that the NAWS SCADA system had not been compromised. All scans confirmed the system was secure, and the NAWS SCADA system was returned to full operation on March 17, 2026. During the period the NAWS SCADA system was offline, the system operations were maintained in "hydraulic" mode, which relies on local controllers to meet designated set points. This mode functioned effectively; however, without interconnecting communication, the overall system could not fully optimize performance.

Connectivity with the City of Minot's SCADA system remains disabled as a precaution. As a result, NAWS operations staff cannot view data points from the High Service Pump Station. This limitation has minimal short-term impact on NAWS operations.

Several fact-finding meetings have been held, and additional meetings will continue to develop an action plan. The objective is to address the following items:

1. Maintain separation between the Minot and NAWS SCADA systems from a connectivity standpoint, while still enabling the secure exchange of critical information.
2. Refine communication procedures to ensure a clear and efficient response in the event of a future security breach.

3. Conduct a detailed review of the NAWS SCADA system with subject matter experts to confirm the system is as robust and resilient as possible.
4. Continue knowledge sharing with the City of Minot to ensure both parties remain aligned on best practices and system management.

High Service Pump Station:

As discussed in prior meetings, a 250 hp pump (City HSP#1) that became inoperable in March 2025 was rebuilt in August 2025, and another 250 hp pump (City HSP#3) that failed in August 2025 is currently at a shop facility in South Dakota for rebuild, with repairs expected to be completed soon. The Replacement and Extraordinary Maintenance (REM) fund was approved to cover the repair expenses for these two pumps. In mid-December, a 350 hp pump (NAWS HSP#1) also became inoperable. The pump and motor have been removed from the High Service Pump Station (HSPS); the motor has been rebuilt and returned to the HSPS, and the pump was transported to a South Dakota shop for repairs. Due to extensive repairs needed and hours logged on the pump, a quote was also received for a replacement pump. The replacement pump lead time is estimated at 10 - 15 weeks. A second quote was requested from an alternate supplier, as well as a different shop to rebuild the pump. Approval to use REM funds for these repairs will be requested once the replacement pump manufacturer is selected.

Agreements with City of Minot:

DWR staff has began to work on developing various agreements with the City of Minot. At this time, the identified agreements include: an Operations and Maintenance Agreement for the High Service Pump Station, and a Water Service Agreement with the City of Minot.

A preliminary draft of the Operations and Maintenance Agreement for the High Service Pump Station has been developed by DWR staff. DWR staff and City of Minot will refine this agreement in the next few weeks and will plan on bringing it to the May NAWS Authority meeting for approval.

Additional agreements may be identified as discussions progress.

All Seasons Water Users District (ASWUD) Capacity Request:

DWR staff and HEI Inc. are reviewing a request for capacity confirmation from ASWUD. The request is for confirmation of NAWS's ability to supply a total flow rate of 1,250 gallons per minute for ASWUD's peak uses and projected demands under full buildout conditions for the Bottineau County Expansion. A meeting with ASWUD, DWR, and HEI

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Inc. will be scheduled to fully understand the request and their timeline.

Potential Agreement with Garrison Diversion Conservancy District (GDCCD):

DWR staff will review the needs for emergency sequence of operations necessary at the Snake Creek Pumping Plant and determine if assistance from GDCCD staff is necessary for the operations of the NAWS intake and an agreement will be drafted accordingly.

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