

State Water Commission Meeting
#238 Lewis and Clark Room, Bank of North Dakota
1200 Memorial Hwy., Bismarck, ND
Thursday, August 14, 2025 – 1:00 p.m. CT

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AGENDA

- 1:00 – 1:02 A. Roll Call
 1. Pledge of Allegiance
 2. Conflict of Interest
- 1:02 – 1:03 **B. Consideration of Agenda**
- 1:03 – 1:04 C. Consideration of Minutes
 1. **Draft Minutes for the June 12, 2025, SWC Meeting**
 2. **Draft Minutes for the July 24, 2025, Pre-Commission Meeting**
- 1:04 – 1:10 D. Legal Counsel Recommendations Regarding Conflicts of Interest (**Matt Sagsveen**)(**no attachment**)
- 1:10 – 1:20 E. SWC Secretary Update (**no attachment**)
- 1:20 – 1:25 **F. Governance & Finance Study/Cost-Share Policy Study** (**Reice Haase/Pat Fridgen**)
- 1:25 – 1:30 ~~**G. Cost-Share Policy Study**~~ (**Reice Haase/Pat Fridgen**)
- 1:30 – 1:35 H. Financials (**Chris Kadrmas**)
- 1:35 – 1:45 I. Southwest Pipeline Project (SWPP) (**Justin Froseth**)
 1. **Contract 7-2B – Hydraulic Upgrades in the North New England Service Area - Award**
 2. Supplementary Intake Contract 1-2A – Update
- 1:45 – 1:55 J. Northwest Area Water Supply (NAWS) (**Sindhuja S.Pillai-Grinolds**)
 1. **Contract 1-1A—Intake and Snake Creek Pumping Plant Modifications – Funding Auth**
 2. **NAWS Authority Representative Appointments**

CONSENT AGENDA

A consent agenda can be approved with one motion, or an item or items can be removed for additional discussion and separate action. Director Haase recommends approval of the following items:

- 1:55 – 2:00 K. General Water (**Abigail Franklund**)
- | | | | |
|-------------------------|---|------------------|----------|
| 1. ND Game & Fish Dept. | Baukol-Noonan Dam Rehabilitation | \$250,020 | C |
| 2. Red River Basin Comm | Operations 25-27 | \$300,000 | O |
- L. Water Supply (Rural) (**Julie Prescott**)
- | | | | |
|-----------------------------|----------------------------|------------------|----------|
| 1. South Central RWD | Service to Napoleon | \$703,110 | C |
|-----------------------------|----------------------------|------------------|----------|
-

AGENDA

2:00 – 2:10	M. Flood Control (Abigail Franklund)			
	1. City of Valley City	Permanent Flood Protection	\$9,595,675	PC/C
	2. Lower Heart River WRD	Flood Risk Reduction Project	\$360,000	CI
2:10 – 2:25	N. General Water (Abigail Franklund)			
	1. Pembina Co WRD	Renwick Dam Safety Improvements	\$330,467	C
	2. Pembina Co WRD	Pembina Co Dams Emergency Action Plans	\$64,080	CI
	3. Pembina Co WRD	Tongue River Cutoff Channel Improvements	\$95,850	CI
2:25 – 2:40	O. Water Supply (Municipal/Regional) (Julie Prescott)			
	1. WAWSA	Williston Reg WTP DeviceNET.	\$1,453,007	\$1,250,578 C
	2. GDCD	RRVWSP 25-27 Funding		\$55,000,000 L
	3. GDCD	RRVWSP Loan Request		\$18,330,000 O
2:40 – 2:45	P. Water Supply (Rural) (Julie Prescott)			
	1. South Central	U of Mary Service Area Water Storage	\$3,971,780	C
2:45 – 3:10 (5 min each)	Q. Project Updates (Presentations if time allows)			
	1. Devils Lake (Yaping Chi)			
	2. Mouse River (Laura Ackerman)			
	3. Missouri River (Clay Carufel)			
	4. NAWS (Sindhuja S.Pillai-Grinolds)			
	5. SWPP (Justin Froseth)			
3:10 – 3:15	R. Legal Updates (Presentation if time allows) (Matt Sagsveen)			
3:15 – 3:30	S. Executive Session—NDCC 44-04-19.1(9) for Attorney Consultation (Matt Sagsveen)			
	1. SWPP – Intake, Contract 1-2A			
	T. Adjourn			

BOLD ITEMS REQUIRE SWC ACTION

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

MINUTES

North Dakota State Water Commission Bismarck, North Dakota August 14, 2025

The ND State Water Commission (Commission or SWC) held a meeting at the Bank of North Dakota, 1200 Memorial Highway, Bismarck, ND, and via phone conference on August 14, 2025. Lt. Governor Strinden called the meeting to order at 1:00 PM. A quorum was present. The board opened the meeting by reciting the Pledge of Allegiance.

State Water Commission Members Present:

Lt. Governor Strinden, Acting Chairman
Doug Goehring, Commissioner, ND Agriculture Commissioner
Michael Anderson, Lower Red River Basin
Jeff Frith, Devils Lake Basin
Steve Hansen, James River Basin
James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins
Gene Veeder, Upper Missouri River Basin
Jay Volk, Lower Missouri River Basin
April Walker, Upper Red River Basin
Jason Zimmerman, Mouse River Basin

Others Present:

Reice Haase, Director, ND Dept. of Water Resources (DWR or Department) and Commission Secretary
Patrick Fridgen, DWR Deputy Director
John Paczkowski, DWR State Engineer
Jen Verleger, DWR General Counsel
DWR Staff
Matthew Sagsveen, General Counsel, Attorney General's Office
Approximately 75 people present online and in person.

Consideration of Agenda

Commissioner Goehring moved to approve the August 14, 2025, meeting agenda as amended. The motion was seconded by Commissioner Anderson and passed by unanimous vote.

Disclosure of Potential Conflicts of Interest

Commissioner Odermann disclosed a conflict of interest with the Southwest Pipeline Project.

Consideration of Meeting Minutes

Commissioner Goehring moved to approve the June 12, 2025, State Water Commission meeting minutes as written. The motion was seconded by Commissioner Zimmerman and passed by unanimous vote.

Commissioner Frith moved to approve the July 24, 2025, Pre-Commission meeting minutes as written. The motion was seconded by Commissioner Veeder and passed by unanimous vote.

Presentation of Legal Counsel Recommendations Regarding Conflict of Interest

Matthew Sagsveen, General Counsel, Attorney General's Office, stated he and DWR General Counsel, Jen Verleger, are currently in the process of reviewing and evaluating the Commission's conflict of interest policy that was approved a couple of years ago. Sagsveen also let the Commission know the Ethics Commission is proposing new rules regarding third party funded travel. The intent of the rules is to create a reporting mechanism for public officials who are elected or appointed to report third party funded travel to the Ethics Commission. Sagsveen will keep the commission informed as the rules evolve.

Commission Secretary Update

Reice Haase, DWR Director, Commission Secretary, welcomed Steve Hansen to the commission. Hansen is from Oakes representing the James River basin. Haase also shared DWR has been busy filling the Full Time Employee positions that were authorized during the last legislative session. Haase announced Patrick Fridgen has accepted the Deputy Director position, Jen Verleger has accepted the General Counsel position, Paul Moen is the Director of the Data and Atmospheric Resources Division, and Duane Pool has accepted the Planning and Education Division Director position. Haase reported 46.7 percent of the large regional water bucket has been allocated for the Red River Valley Water Supply project as directed by the legislature and 28.8 percent of the water supply bucket has been allocated, with 43 percent of the \$70 million for rural water funding being committed. Haase stated as part of the new cash management strategies, there has been a lot of discussion on the stripper well issue and what it means for future revenues and future revenue challenges. Haase noted DWR will be busy during the interim working on water policy with both the Water Topics Overview Committee and the Agriculture and Water Management Committee.

Governance and Finance Study/Cost-Share Policy Study

Patrick Fridgen, DWR Deputy Director, stated the Regional Governance and Finance study will involve a timeline spanning September 2025 through May 2026 and the scope of work includes discovery and data collection, governance and finance model analysis, recommendations, and reporting with presentations to the Water Commission and Interim Legislative Water Topics Committee. The Cost-Share Program Evaluation study will involve a timeline spanning September 2025 through March 2026 and the scope includes data collection, assessment, financial modeling, policy evaluation, recommendations, data-driven reports, and presentations to the Water Commission and Interim Legislative Water Topics Committee. Fridgen stated the quality of the proposals, anticipated scopes of work, and interviews/presentations met expectations. In addition, with the expedited timeline imposed on completion of both studies by the Legislature, it was anticipated that proposed costs could be slightly elevated to meet those required timelines. Fridgen added to stay within the proposed schedule, the execution of the agreements with potential vendors should be completed by the end of August.

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

Moved by Commissioner Goehring and seconded by Commissioner Anderson the Commission authorize the Secretary to enter into agreements for the completion of both studies, with the total amount not to exceed \$1,000,000.

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

Financial Report

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

The oil extraction tax deposits total \$465,695,848 estimated through June 2025 for the 2023-25 biennium, which is \$15,836,637 over the projected biennium revenue of \$449,859,211 through June 2025. Transfers in the amount of \$25,726,837 from the Resources Trust Fund to the Water Projects Stabilization Fund have occurred through June 2025.

The 68th Legislative Assembly estimated oil extraction tax deposits for the 2023-2025 biennium to total \$449,859,211 through June 2025. It also provided for the transfer of oil extraction tax deposits in excess of the legislative forecast for the 2023-2025 biennium to be transferred quarterly to the Water Projects Stabilization Fund.

Kadrmass also discussed the funds budgeted for the Commissioners operations with the goal of improving the transparency and supporting the responsibilities of their appointed positions. The biennial budget is allocated by basin. Each basin received the same allocation for discretionary board member pay and operating expenses. The travel budget reflects the geographic distance of each basin from Bismarck.

Southwest Pipeline Project (SWPP)

Contract 7-2B – Hydraulic Upgrades in the North New England Service Area

Contract 7-2B, Hydraulic Upgrades in the North New England Service Area, encompasses the installation of water infrastructure to improve hydraulic capacity and to expand service to rural users located between the City of New England and Dickinson. The project is designed to support over 100 new rural service connections in this region.

A public bid opening was held on July 22, 2025. Three bids were received with Wagner Construction having the lowest base bid in the amount of \$1,809,639.57 and bid alternate 1 in the amount of \$125,069.25. A letter of recommendation was received from BW/AECOM to award the contract to Wagner Construction along with bid alternate 1, but it does not consider the litigation between Wagner Construction and the SWC on the Northwest Area Water Supply (NAWS) project Contract 2-4B. The District Court dismissed the case in the SWC's favor on July 10, 2025, and Wagner Construction has until September 9, 2025, to appeal the District Court's decision and continue litigation. DWR staff believes it is prudent to wait until the appeal deadline on the NAWS project before deciding award of this project. Authorization for the Secretary to award the contract to the lowest responsible bidder that is in the best interest for the SWC is

requested and funding authorization for the contract will be presented at the October SWC meeting for approval.

Commissioner Volk asked if DWR staff intended to award the alternate along with the base bid. Froseth clarified that DWR staff's recommendation is to award the bid alternate as well based on the favorable bid cost for the alternate. The following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Anderson the Commission authorize the Secretary to award Southwest Pipeline Project Contract 7-2B Hydraulic Upgrades in the New England Service Area to the lowest responsible bidder that is in the best interest for the State Water Commission.

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

Supplementary Intake Contract 1-2A

Justin Froseth, SWPP Project Manager, provided a brief project history, summary of claim related expenses, projections through September 2025, and overall expenditures on the SWPP Supplementary Intake project. About \$2.77 million has been expended to date and with the projection of needing an additional \$40,000 through September, no additional funds are projected to be required for mediation related expenses as the Commission had previously authorized \$2.84 million. Froseth added since the May Special Meeting, DWR has been working with the attorneys to finalize the settlement documents.

Northwest Area Water Supply (NAWS)

Contract 1-1A—Intake and Snake Creek Pumping Plant Modifications

Sindhuja S. Pillai-Grinolds, DWR Water Development Division Director, stated the NAWS Contract 1-1A Intake and Snake Creek Pumping Plant Modifications project received two (2) bids on July 21, 2025. The scope of work includes the construction of a new NAWS raw water intake, large diameter (48") 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 (BOR) Snake Creek Pumping Plant. A portion of the cofferdam removal costs will be reimbursed by Garrison Diversion Conservancy District (GDCCD) and BOR. Houston Engineering, Inc. recommends the award of NAWS Contract 1-1A Contract No. 1 Dredging, Pipeline, and Facility Construction and NAWS Contract 1-1A Contract No. 2 Isolation Valve Construction with Bid Alternate A.2, Axial Isolation Valve to Engineering and Construction Innovations, Inc.

BOR/GDCCD will cost-share \$3.24 million for the cofferdam removal, and Federal Municipal, Rural, and Industrial (MR&I) water supply funding in the amount of \$18.97 million, state Resources Trust Fund dollars allocation in the amount of \$2.79 million, and City of Minot's sales tax fund allocation in the amount of \$11.46 million is necessary for the estimated expenditures of this contract.

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

Moved by Commissioner Frith and seconded by Commissioner Odermann the Commission allocate \$18.97 million in Federal Municipal, Rural, and Industrial water supply funding and \$2.79 million from the unallocated funds carried over from the 2023-2025 biennium for Northwest Area Water Supply Project.

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

NAWS Authority Representative Appointments

On April 16, 2025, the Board of Directors of the Upper Souris Water District approved the appointment of Kristine Goettle to the NAWS Authority board to fill the position previously held by Shawn Raap, who is no longer able to serve. Teresa Sundsbak, General Manager of the North Prairie Regional Water District (NPRWD), will be retiring at the end of the year. Craig Haskins has been hired to replace Sundsbak. The NPRWD board selected the manager of the district as the one to represent North Prairie on the NAWS Authority board and requested the SWC appoint Haskins. In accordance with NDCC 61-24.6-02, NAWS Authority Members are appointed by the SWC.

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

Moved by Commissioner Frith and seconded by Commissioner Zimmerman the Commission appoint Kristine Goettle to represent the Upper Souris Water District and Craig Haskins to represent North Prairie Regional Water District on the NAWS Authority.

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

Consent Agenda

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

General Water

ND Game & Fish Dept.	Baukol-Noonan Dam Rehabilitation	\$250,020
Red River Basin Comm	Operations 2025-27	\$300,000

Water Supply (Rural)

South Central RWD	Service to Napoleon	\$703,110
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There were no questions, and the following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Odermann the Commission approve the Consent Agenda items as presented.

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

State Cost-Share Requests

Flood Control

Abigail Franklund, DWR Cost-Share Program Manager, presented the following flood control projects.

City of Valley City: Permanent Flood Protection (SWC Project No. 1504) \$9,595,675

The City of Valley City requested preconstruction and construction cost-share for the ongoing Valley City flood protection project. The project aims to reduce the risk and impact of Sheyenne River flooding, which has historically affected the City of Valley City, through the development of permanent flood protection measures. The current request includes funding for construction of Phase 4 and preconstruction activities for Phase 5 and 6. Phase 4 will connect two (2) previously completed Phase 2 segments that protect the downtown area and will involve construction of earthen levees, floodwalls, utility relocations, storm sewer and watermain improvements, storm sewer lift stations, and street restoration. Preconstruction efforts for Phase 5 will focus on connecting the Phase 2 and 3 segments, while Phase 6 preconstruction will extend the flood protection system further north along the river.

This project meets requirements of the Water Commission's cost-share policy for flood control projects. After a brief discussion, the following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission approve the request from the City of Valley City for state cost participation in the Valley City Permanent Flood Protection project at 85 percent of eligible preconstruction costs and 80 percent of eligible construction costs not to exceed \$9,595,675. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

Lower Heart River WRD: Flood Risk Reduction Project (SWC Project No. 2131) \$360,000

The Lower Heart River Water Resource District requested additional cost-share for preconstruction costs associated with the Lower Heart River Flood Risk Reduction project. The project is to acquire FEMA certification of the Lower Heart River levee system. Additional cost-share is being requested due to unanticipated additional analyses for scour, streambank stability, bank armoring, utility disposition, and seepage remediation, in addition to costs associated with a cooperative agreement with the U.S. Army Corps of Engineers for a timely Section 408 review. The additional design efforts are necessary to bring the project to a bid-ready status.

This project meets requirements of the Water Commission's cost-share policy for flood control projects. After a brief discussion, the following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission approve the request from the Lower Heart River Water Resource District for additional state cost participation in the Lower Heart River Flood Risk Reduction project in the amount of \$360,000, or 60 percent of eligible costs, for a total cost-share not to exceed \$2,433,900. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

General Water

Franklund presented the following general water projects.

Pembina County WRD: Renwick Dam Safety Improvements \$330,467 (SWC Project No. 0849)

The Pembina County Water Resource District requested construction cost-share funding for Renwick Dam Safety Improvements project. In March 2025, seepage was observed along the riprap-lined bank of the principal spillway's stilling basin outlet channel. The issue rapidly progressed into a bank failure, resulting in damage to the foundation drain. The proposed improvements include removing the existing riprap lining, flattening the side slopes, and reinstalling riprap to reduce the risk of future erosion. Renwick Dam is classified as a high-hazard dam located on the Tongue River, approximately 5.1 miles west of Cavalier.

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

Moved by Commissioner Frith and seconded by Commissioner Walker the Commission approve the request from the Pembina County Water Resource District for state cost participation in the Renwick Dam Safety Improvements project at 60 percent of eligible costs, not to exceed \$330,467. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

Pembina County WRD: Pembina Co Dams Emergency Action Plans (EAP) \$64,080 (SWC Project No. 2203)

The Pembina County Water Resource District requested additional cost-share funding for the Pembina County Dams EAPs project. The purpose of the project is to update the EAPs for eight (8) dams: Weiler, Bourbanis, Senator Young, Herzog, Olson, Goschke, Renwick, and Willow Creek. Each of these dams is classified as either a medium or high-hazard dam, and in accordance with the Department of Water Resources Dam Safety Standards, dam owners are required to develop and submit EAPs for such classifications. The requested additional funding will support modeling updates and the completion of table-top exercises. All dams are located in the southwestern portion of

Pembina County, with the exception of Bourbanis Dam and Senator Young Dam, which are situated in eastern Cavalier County.

This project meets requirements of the Water Commission's cost-share policy for dam EAPs. After a brief discussion, the following motion was made:

Moved by Commissioner Walker and seconded by Commissioner Goehring the Commission approve the request from the Pembina County Water Resource District for state cost participation in the Pembina County Dams Emergency Action Plans for an additional \$64,080 in cost-share at 80 percent of eligible costs, for a total cost-share not to exceed \$163,760. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

Pembina County WRD: Tongue River Cutoff Channel Improvements \$95,850 (SWC Project No. 1999)

The Pembina County Water Resource District requested additional cost-share for their Tongue River Cutoff Channel Improvements – Final Design project. The goal of the project is to improve channel stability and increase the percentage of flood flows directed through the cutoff channel. Proposed improvements include flattening the cutoff channel side slopes, installing a new control structure, and constructing a new inlet to the cutoff channel. The requested funding will support additional hydraulic modeling necessary to complete the final design and permitting process.

This project meets requirements of the Water Commission's cost-share policy for rural flood control projects. After a brief discussion, the following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Zimmerman the Commission approve the request from the Pembina County Water Resource District for state cost participation in the Tongue River Cutoff Channel Improvements – Final Design project for an additional \$95,850 in cost-share at 45 percent of eligible costs, for a total cost-share not to exceed \$274,230. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

Water Supply (Municipal/Regional)

Julie Prescott, DWR Engineer Manager, presented the following municipal/regional water supply projects.

WAWSA: Williston Regional WTP DeviceNET \$1,453,007 (SWC Project No. 1973)

The Western Area Water Supply Authority (WAWSA) requested construction cost-share for their Williston Regional Water Treatment Plant (WTP) DeviceNET Improvements

project. The project is replacement of four (4) outdated motor control centers at the Williston WTP with units that have improved control and communications capabilities. WAWSA also requests funding for replacement of three (3) sludge pumps.

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

Moved by Commissioner Frith and seconded by Commissioner Veeder the Commission approve the request from the Western Area Water Supply Authority for state cost participation in the Williston Regional Water Treatment Plant DeviceNET Improvements project in the amount of \$1,453,007, or 75 percent of eligible costs, with total cost-share not to exceed \$2,379,686. This approval is contingent on available funding.

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

Water Supply (Rural)

Prescott presented the following rural water supply project.

South Central: U of Mary Service Area Water Storage (SWC Project No. 2050SOU) \$3,971,780

South Central Regional Water District requested construction cost-share for the University of Mary Service Area Water Storage and Transmission Line project. The project includes a pump station, a 250,000-gallon underground storage tank, and 8,487 feet of new water main to provide service to the University of Mary. All project elements will be owned by the district. The Commission provided construction funding for the water main portion of the project in June 2025. The current request is for construction of the pump station and storage tank to complete the project. Peak daily demand for the University of Mary is 287,045 gallons.

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

Moved by Commissioner Goehring and seconded by Commissioner Hansen the Commission approve the request from the South Central Regional Water District for state cost-share participation in the University of Mary Area Water Storage and Transmission Line project in the amount of \$3,971,780, or 75 percent of eligible costs, with total cost-share not to exceed \$5,685,005. This approval is contingent on available funding.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, Zimmerman, Goehring, and Lt. Governor Strinden voted aye. The motion carried.

Project Updates

DWR staff provided updates on the following projects:

- Devils Lake: Yaping Chi, Water Resources Engineer

- Mouse River: Laura Ackerman, Water Resource Engineer
- Missouri River: Clay Carufel, Missouri River Engineer
- NAWS: S.Pillai-Grinolds, DWR Water Development Division Director
- SWPP: Justin Froseth, SWPP Manager

Legal Update

Matthew Sagsveen, General Counsel, Attorney General’s Office, provided an update on current legal matters involving the SWC and DWR.

Executive Session

Under Authority of NDCC § 44-04-19.1(9) for Attorney Client Consultation regarding SWPP – Intake, Contract 1-2A

It was the recommendation of Lt. Governor Strinden that further discussion relating to the SWPP/Fowler Intake be held in Executive Session, under the provisions of NDCC § 44-04-19.1(9), for the purpose of attorney consultation. The Commission invited the following to participate in the Executive Session:

State Water Commission Members Present:

Lt. Governor Strinden, Acting Chairman
 Doug Goehring, Commissioner, ND Agriculture Commissioner
 Michael Anderson, Lower Red River Basin
 Jeff Frith, Devils Lake Basin
 Steve Hansen, James River Basin
 James Odermann, Little Missouri, Upper Heart, and Upper Cannonball River Basins
 Gene Veeder, Upper Missouri River Basin
 Jay Volk, Lower Missouri River Basin
 April Walker, Upper Red River Basin
 Jason Zimmerman, Mouse River Basin

Others Present:

Reice Haase, DWR Director and Commission Secretary
 John Paczkowski, DWR State Engineer
 Patrick Fridgen, DWR Deputy Director
 Jen Verleger, DWR General Counsel
 Matthew Sagsveen, General Counsel, Attorney General’s Office
 Chris Kadmas, DWR Administration Division Director
 Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director
 Justin Froseth, Southwest Pipeline Project Manager
 Shana Brost, Administrative Officer
 Ben Gehrig, DWR Data & Technology Services
 Jacy Schafer, Governor’s Office
 Elise Radaj, Fabyanske, Westra, Hart & Thomson, P.A. (online)
 Mark Becker, Fabyanske, Westra, Hart & Thomson, P.A. (online)

Moved by Commissioner Anderson and seconded by Commissioner Zimmerman that under the provision of NDCC § 44-04-19.1(9), the Commission proceed into Executive Session on August 14, 2025, at 3:10 PM for the purpose of attorney consultation relating to the Southwest Pipeline Project/Fowler Intake—Contract 1-2A.

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

Following attorney consultation regarding the Southwest Pipeline Project/Fowler Intake, Contract 1-2A, Lt. Governor Strinden reconvened the open session of the Commission meeting at 3:32 PM.

Moved by Commissioner Goehring and seconded by Commissioner Anderson to authorize the Secretary to finalize the settlement agreement as presented during the executive session.

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

There being no further business to come before the Commission, Lt. Governor Strinden adjourned the August 14, 2025, meeting at 3:41 PM. The next State Water Commission meeting will be held on October 9, 2025, at 1:00 PM CT at the Bank of North Dakota, Lewis & Clark Room #238, 1200 Memorial Highway, Bismarck, North Dakota.


Michelle Strinden, Lieutenant Governor
Acting Chairman, State Water Commission


Reice Haase, Director, DWR
Secretary to the State Water Commission