

MINUTES

North Dakota State Water Commission Bismarck, North Dakota February 12, 2026

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 February 12, 2026. 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 (Exit at 2:33 PM)
Michael Anderson, Lower Red River Basin
Jeff Frith, Devils Lake Basin (online)
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

State Water Commission Members Absent:

Jason Zimmerman, Mouse River Basin

Others Present:

Reice Haase, Director, ND Dept. of Water Resources (DWR or Department) and
Commission Secretary
John Paczkowski, DWR State Engineer
Patrick Fridgen, DWR Deputy Director
DWR Staff
Approximately 107 people present online and in person.

Consideration of Agenda

Commissioner Anderson moved to approve the February 12, 2026, meeting agenda as presented. The motion was seconded by Commissioner Volk and passed by unanimous vote.

Disclosure of Potential Conflicts of Interest

There were no potential conflicts of interest disclosed.

Consideration of Meeting Minutes

Commissioner Goehring moved to approve the December 16, 2025, State Water Commission meeting minutes as written. The motion was seconded by Commissioner Anderson and passed by unanimous vote.

Commissioner Volk moved to approve the January 22, 2026, Pre-Commission meeting minutes as written. The motion was seconded by Commissioner Hansen and passed by unanimous vote.

Legal Update

Jen Verleger, DWR General Counsel, provided an update on current legal matters involving the SWC and DWR.

Navigability Study

Verleger updated the Commission on the navigability study mandated by N.D.C.C. § 61-33-05.1(1)(b), outlining the public need and purpose for the six (6) following water bodies to remain designated Navigable Waters as defined in N.D.C.C. § 61-33-01(3): Red River of the North, Missouri River, Yellowstone River, Boise de Sioux, Mouse River, and Upper Des Lacs Lake. DWR will soon issue a public notice of the preliminary findings of navigability, open a 60-day public comment period, and schedule a public hearing. After the public comment period closes, DWR will return to the SWC with a final report of navigability determination. There were no questions.

Commission Secretary Update

Reice Haase, DWR Director, Commission Secretary, provided the Commission with a comprehensive budget outlook, highlighting a projected \$1.3 billion shortfall over seven (7) biennia, the impact of oil production and pricing on revenues, and recommendations for managing carryover and project funding. Director Haase provided updates on upcoming interim committee meetings, including the Water Topics Overview Committee and the Agriculture and Water Management Committee, and the topics to be discussed. Director Haase also discussed the department's efforts to comply with ADA digital requirements, including changes to meeting packets and application materials. Director Haase introduced new staff members, including Caitlin Nelson, Jonny McGrath, and Brandon Hicks, who briefly introduced themselves and their roles.

Operation Safe Flow

Patrick Fridgen, DWR Deputy Director, presented the recommendation to authorize an agreement with Houston Engineering for the first phase of Operation Safe Flow, focusing on mitigation alternatives for six (6) low head dams.

There was no discussion, and the following motion was made:

Moved by Commissioner Anderson and seconded by Commissioner Odermann the Commission authorize the Secretary to enter into an agreement with Houston Engineering, Inc., to serve as the vendor for services related to Operation Safe Flow in an amount not to exceed \$219,000, subject to the availability of funds.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, 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 Kadrmaz, DWR Administration Division Director.

The oil extraction tax deposits total \$93,208,499 estimated through January 2026 for the 2025-27 biennium, which is \$1,047,895 below the projected biennium revenue of \$94,256,394 through January 2026.

The 69th Legislative Assembly estimated oil extraction tax deposits for the 2025-2027 biennium to total \$354,510,000 through June 2027. It also provided for the transfer of oil extraction tax deposits in excess of the legislative forecast for the 2025-2027 biennium to be transferred quarterly to the Water Projects Stabilization Fund.

Kadrmaz also provided an update on expenditures by basin.

2027 Water Development Plan

Cory Drevecky, DWR Water Resource Planner, provided an update on the 2027 Water Development Plan, including outreach to project sponsors, upcoming basin meetings, and the timeline for project submissions and reviews. There were no questions.

Missouri River Potential Intake Sites Investigation Ph. 2

Clay Carufel, DWR Missouri River Engineer, presented the recommendation to authorize a contract with HDR, Inc. for the Missouri River potential intake location investigation, phase two (2) study.

After a brief discussion, and the following motion was made:

Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission authorize the Secretary to negotiate a contract with HDR, Inc. to complete the Missouri River Potential Intake Locations Investigation – Phase 2 study and approve up to \$860,255 to complete the study.

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

Southwest Pipeline Project (SWPP)

Justin Froseth, SWPP Project Manager, presented the following SWPP items to the Commission:

Contract 1-1B—Equipment Procurement for Existing Intake Improvements

An invitation for bid (IFB) was prepared and posted through the OMB's state procurement system. The IFB includes three (3) distinct bid schedules to address project equipment needs, to include vertical turbine pumps, electrical gear, and valve equipment. A funding authorization request is anticipated at the April meeting.

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

Moved by Commissioner Goehring and seconded by Commissioner Veeder the Commission authorize the Secretary to award Contract 1-1B Bid Schedules 1, 2, and 3 that are most advantageous to the project, considering both price and delivery time.

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

Contract 6A—Work Order 4 Funding Authorization

SWPP was awarded to Micro-Comm, Inc. at the August 13, 2020, SWC meeting. Work Order 4 is for the furnishing of SCADA equipment and integration services required for the Southwest Water Treatment Plant expansion. The funding necessary was not included in the funding authorization approved in December 2024.

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

Moved by Commissioner Goehring and seconded by Commissioner Veeder the Commission allocate \$1,262,000 to the Southwest Pipeline Project from funds appropriated in the 2025-2027 biennium.

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, 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

Horsehead Irrigation District	Preliminary Study Phase I	\$150,000
Steele County WRD	Drain 1 Outlet Repair	\$110,861

Water Supply (Municipal/Rural)

City of Mandan	2026 Reconstruct Project Area 2B	\$228,357
South Central	Burleigh Co Main Transmission Line	\$140,400
City of Bismarck	2025 WU149 Watermain Extension	\$457,400
City of Dickinson	5 th Street SE	\$198,780
Stutsman Rural Water District	Booster Station No. 14	\$557,925
City of Elgin	East Side Watermain Improvements	\$78,137

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

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

Commissioners Anderson, Frith, Hansen, Odermann, Veeder, Volk, Walker, 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.

Souris River Joint Board: Mouse River Flood Protection 2025-27 \$81,100,000 (SWC Project No. 1974/1993-05)

The Souris River Joint Board (SRJB) requested authorization from the State Water Commission to utilize the \$81.1 million appropriated by the 2025 Legislature through House Bill 1020, Section 15, for the 2025-2027 biennium for the Mouse River Enhanced Flood Protection Project (MREFPP). The purpose of the project is to implement flood control measures across the Mouse River Basin designed to increase the basin's resilience to flooding. The project includes a combination of levees, floodwalls, pump stations, diversion channels, bridge improvements, road raises, infrastructure modifications, property acquisitions, and relocations. Additionally, SRJB is revising the MREFPP Preliminary Engineering report, prepared for the SWC in 2012, to identify cost-saving measures that would reduce capital costs while continuing to reduce flood risk to residents throughout the Mouse River Valley. The revisions are expected to be finalized in early 2026.

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

Moved by Commissioner Goehring and seconded by Commissioner Anderson the Commission approve the request from the Souris River Joint Board for state cost participation in the 2025-2027 biennium Mouse River Enhanced Flood Protection Project at 75 percent of eligible costs for acquisitions, and 65 percent of eligible costs for preconstruction and construction, not to exceed \$81,100,000. This approval is contingent on available funding.

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

Mouse River Enhanced Flood Protection Project Update

David Ashley provided an update on the Mouse River Enhanced Flood Protection project, including cost-saving measures, ongoing construction activities, and funding needs.

General Water

Franklund presented the following general water projects.

Rush River WRD: Drain 12 Reconstruction (SWC Project No. 2257)

\$150,000

The Rush River Water Resource District requested preconstruction cost-share funding for the Cass County Drain 12 Reconstruction project. A segment of Drain 12 is experiencing significant erosion along the side slopes and channel bottom, resulting in reduced hydraulic capacity and damage to adjacent properties. In addition, two (2) township bridges require replacement and hydraulic improvements to meet current design standards. The purpose of the project is to reconstruct the drainage channel to improve hydraulic capacity and reduce the risk of bank failure, in addition to replace two (2) township bridges at 158th Avenue SE and 29th Street SE. The sponsor will complete a hydraulic evaluation to ensure the channel design meets local and state criteria and will coordinate with the Cass County Highway Department, which will be responsible for the bridge designs. This preconstruction funding request includes final design for the channel reconstruction and the 158th Avenue SE bridge. Conversely, final design for the 29th Street SE bridge is already underway and is not included in this request. Final design deliverables for the phase will include construction-ready plans and specifications, permit submittals, an opinion of cost, and a bid package.

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

Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission approve the request from the Rush River Water Resource District for state cost-share participation in the Cass County Drain 12 Reconstruction project at 60 percent of eligible costs, not to exceed \$150,000. This approval is contingent on available funding.

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

Maple River WRD: Cass County Drain 37 (SWC Project No. 1088)

\$561,112

Maple River Water Resource District requested construction cost-share funding for the Cass County Drain 37 Improvements project. The purpose of the project is to improve the upstream 2.6 miles of the existing legal drain that has erosion and slope stability issues, in addition to four (4) crossings that are in poor condition or undersized. The project will include flattening and widening the channel and replacing the four (4) crossings. No assessment vote for this project was taken. Local costs are being covered by the maintenance funds.

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

Moved by Commissioner Goehring and seconded by Commissioner Walker the Commission approve the request from the Maple River Water Resource District for state cost-share participation in the Cass County Drain 37 Improvements project, at 60 percent of eligible costs,

not to exceed \$561,112. This approval is contingent on available funding.

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

**Maple River WRD: Cass County Drain 39 \$513,621
(SWC Project No. 1089)**

Maple River Water Resource District requested construction cost-share funding for the Cass County Drain 39 Improvements project. The downstream portion of Cass County Drain 39 has steep side slopes that have resulted in erosion, sedimentation, and related drainage issues. The purpose of the project is to improve approximately two (2) miles of the existing legal drain. Proposed improvements include flattening the channel side slopes to 4:1 and widening the channel to a 12-foot bottom to bring the channel back to its original design and profile. No assessment vote was conducted for the project. Local costs will be covered through existing maintenance funds.

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

Moved by Commissioner Goehring and seconded by Commissioner Odermann the Commission approve the request from the Maple River Water Resource District for state cost-share participation in the Cass County Drain 39 Improvements at 60 percent of eligible costs, not to exceed \$513,621. This approval is contingent on available funding.

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

Water Supply (Municipal/Rural)

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

**Lisbon: Infrastructure Improvements \$1,532,343
(SWC Project No. 2050LIS)**

The City of Lisbon requested construction cost-share for their Infrastructure Improvements project. The project is replacement of 16 blocks of aging cast iron and asbestos cement water main east of Main Street, and is part of combined street replacement, sanitary sewer, storm sewer, and water supply infrastructure improvements in Lisbon.

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

Moved by Commissioner Anderson and seconded by Commissioner Goehring the Commission approve the request from the City of Lisbon

for state cost-share participation in the Infrastructure Improvements project in the amount of \$1,532,343, or 60 percent of eligible costs, with total cost-share not to exceed \$1,632,343. This approval is contingent on available funding.

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

New Town: Sand Hill Water Tower Replacements (SWC Project No. 2050NEW) \$3,682,171

The City of New Town requested construction cost-share for their Sand Hill Water Tower Replacement project. The project is replacement of the city's aging 530,000-gallon ground storage reservoir with a new 500,000-gallon elevated storage tank. The purpose of the project is to increase water pressures in the south pressure zone. In conjunction with the city's existing 250,000-gallon elevated storage tank, the new total storage volume would be 750,000 gallons. Peak daily demand is 1,245,146 gallons.

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

Moved by Commissioner Walker and seconded by Commissioner Veeder the Commission approve the request from the City of New Town for state cost-share participation in the Sand Hill Water Tower Replacement project in the amount of \$3,682,171, or 60 percent of eligible costs, not to exceed \$3,835,171. This approval is contingent on available funding.

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

Oakes: Water Treatment Plant Rehabilitation (SWC Project No. 2050NEW) \$558,531

Th City of Oakes requested construction cost-share for their Water Treatment Plant Rehabilitation project. The project is replacement and upgrade of water treatment plant process equipment and controls, electrical controls and systems, chemical feed pumps and chemical storage tanks, abandonment of three (3) unused wells, and pump, motor, and pipe upgrades at three (3) existing production wells.

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

Moved by Commissioner Odermann and seconded by Commissioner Veeder the Commission approve the request from the City of Oakes for state cost-share participation in the Water Treatment Plant Rehabilitation project in the amount of \$558,531, or 60 percent of eligible costs, with total cost-share not to exceed \$632,352. This approval is contingent on available funding.

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

Stanley: Capital Improvement Plan – Phase III (SWC Project No. 2050STA) \$339,804

The City of Stanley requested construction cost-share for their Capital Improvement Plan (CIP) Phase III project. The project is replacement of approximately 1,400-feet of asbestos cement water main in the Schedule B project area along 5th Avenue SE, 6th Street SE, and 6th Avenue SE, and is part of combined street replacement, sanitary sewer, and water supply infrastructure improvements in Stanley.

This project meets requirements of the Water Commission's cost-share policy. There was no discussion, and the following motion was made:

Moved by Commissioner Walker and seconded by Commissioner Anderson the Commission approve the request from the City of Stanley for state cost-share participation in the CIP Phase III project at 60 percent of eligible costs, not to exceed \$339,804. This approval is contingent on available funding.

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

Mandan: Memorial Highway Water Main (SWC Project No. 2050MAN) \$5,728,681

The City of Mandan requested construction cost-share for their Memorial Highway Water Main project. The project is replacement of aging asbestos cement water mains along Memorial Highway between Main Street and 32nd Avenue SE (west half) and 32nd Avenue SE and 46th Avenue SE (east half) in Mandan. The project is being constructed in conjunction with the North Dakota Department of Transportation's (NDDOT) Memorial Highway reconstruction project and is part of combined sanitary sewer, storm sewer, lift station, paving and lighting infrastructure improvements. The current request is for construction costs associated with the west half of the project and a cost-share increase associated with the east half of the project. The city indicates the increase is due to cost adjustments by the NDDOT and construction delays.

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

Moved by Commissioner Anderson and seconded by Commissioner Walker the Commission approve the request from the City of Mandan for additional state cost-share participation in the Memorial Highway Water Main project in the amount of \$5,728,681, or 60 percent of eligible costs, with total cost-share not to exceed \$9,612,214. This approval is contingent on available funding.

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

**WAWSA: R&TWD Battleview-McGregor Rural Ph. I
(SWC Project No. 1973)**

\$5,454,817

The Western Area Water Supply Authority (WAWSA) requested construction cost-share increase for their R&T Battleview and McGregor Rural Distribution Phase I project. The project is installation of 47 miles of rural distribution pipeline and a new booster pump station at the WAWSA Wildrose Reservoir. The current request (Alternate 1) is installation of an additional 67 miles of distribution pipeline to add 53 more rural users near Wildrose, Hamlet, McGregor, and Battleview.

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

Moved by Commissioner Odermann and seconded by Commissioner Veeder the Commission approve the request from the Western Area Water Supply Authority for state cost-share participation in the R&T Battleview and McGregor Rural Distribution Phase I project in the amount of \$5,454,817, or 75 percent of eligible costs, with total cost-share not to exceed \$13,511,145. This approval is contingent on available funding.

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

**Greater Ramsey Water District: North System Capacity Improvements \$0
(SWC Project No. 2050RAM)**

Greater Ramsey Water District requested a change of scope for their North System Capacity Improvements project. The project is water treatment plant improvements, a new well and wellfield improvements, a pump station, a 500,000-gallon underground storage reservoir, and approximately 12 miles of new transmission pipeline. The project is nearing completion with \$981,491 in approved cost-share remaining. The district requests a change in the project scope to replace the existing 150 kW generator with a new 450 kW generator to support increased system demands. No additional funds are being requested under this change of scope application.

This project meets requirements of the Water Commission's cost-share policy. There was no discussion and the following motion was made:

Moved by Commissioner Hansen and seconded by Commissioner Odermann the Commission approve the request from the Greater Ramsey Water District for a change of scope in the North System Capacity Improvements project to utilize the remaining approved cost-share balance for purchase and installation of 450 kW generator. No additional funds are included in this approval.

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

Red River Valley Water Supply Project Update

Duane DeKrey presented the Red River Valley Water Supply project's progress, financials, projects that have been bid and completed, and easements yet to be completed.

Project Updates

DWR staff provided updates on the following projects:

- Devils Lake: Yaping Chi, Water Resources Engineer
- Red River Basin: Yaping Chi, Water Resources Engineer
- Mouse River: Laura Ackerman, Water Resource Engineer
- Missouri River: Clay Carufel, Water Resource Engineer
- NAWS: S.Pillai-Grinolds, DWR Water Development Division Director
 - Kevin Martin, Houston Engineering – Lake Water Delivery to Minot Update
- SWPP: Justin Froseth, SWPP Manager

There being no further business to come before the Commission, Lt. Governor Strinden adjourned the February 12, 2026, meeting at 4:25 PM. The next State Water Commission meeting will be held on April 8, 2026, 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